

**MINUTES OF THE JOINT SPECIAL MEETING
OF THE CITY COUNCIL AND PLANNING COMMISSION
OF THE CITY OF LOS ALAMITOS**

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

MONDAY, FEBRUARY 1, 2010

CALL TO ORDER

The City Council and the Planning Commission met in Joint Special Session at 5:44 p.m., Monday, February 1, 2010 in the Council Chambers, 3191 Katella Avenue, Mayor Poe presiding.

ROLL CALL

Present:

Council Members: Edgar, Mejia (arrived at 5:49 p.m.), Stephens and Poe

Planning Commissioners: Andrade, Grose, Loe, Riley, Sutherlin, Daniel and Sofelkanik (arrived at 5:45 p.m.)

Absent:

Council Members: Zarkos

Planning Commissioners: None

Present:

Staff:

Jeffrey L. Stewart, City Manager

Sandra J. Levin, Interim City Attorney

Steven Mendoza, Community Development Director

C. Darleen Cordova, Interim City Clerk

3. ORAL COMMUNICATIONS

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

Mayor Poe opened Oral Communications. There being no one present wishing to speak, Mayor Poe closed Oral Communications.

4. SPECIAL ORDERS OF THE DAY

A. Joint City Council Planning Commission Discussion Items

The City Council invited the Planning Commission to attend a Joint Meeting to discuss Short-Term and Long-Term Priorities related to Land Use and Planning Issues.

Community Development Director Mendoza very quickly reviewed the items to be discussed tonight.

Interim City Attorney Levin discussed the structure of tonight's meeting and explained the process, procedures, and that it's not about deciding any of those items. When it comes time to decide these issues, there will be public hearings, public notification, publications, special formats, and public input. She stressed that it was not appropriate to express opinions on the merits of any of the issues to be discussed tonight. We will just talk about the process and procedures for how decisions will be made in the future: joint meetings, recommendations from the Planning Commission to the City Council, and then a separate City Council meeting. Comments should be limited to the procedure, process, and specific questions that Mr. Mendoza will be raising on how to proceed in the future.

Planning Commissioner Riley questioned the Interim City Attorney on the LAFCO issue because he lives in the area. Ms. Levin explained that he would actually need to leave the room when the item comes up.

Council Member Mejia asked if Commissioner Riley could weigh in as a resident from the audience. The Interim City Attorney explained when there is a conflict of interest, Mr. Riley could address the body only on matters of his own economic interest. For the most part, he should sit out of the room and when he has a comment to make he can come to the podium and address his own pecuniary (financial) interest and then leave the room again.

Mr. Mendoza used a Power Point presentation to review the following:

1. Discussion of Relationship between Planning Commission and City Council, including but not limited to:

- Defining Priorities
- Needs of the Commission
- Frequency of Commission Meetings
- Joint Meetings with the Council
- Expectations of Staff
- Use of Ad Hoc/Standing Committees

Commissioner Riley stated it was difficult for the Planning Commission to be aligned with the Council when they are unable to discuss specifics. How can they legally come to conclusions without violating the law? The Interim City Attorney stated that if there is a project that warrants a joint meeting or joint subcommittee meeting, they could do that. Another way is for the Commission to come up with interim recommendations or questions for the Council: they can be placed on the Council's agenda and direction goes back to the Planning Commission.

Mayor Pro Tem Stephens asked about the procedure if they have questions currently. Ms. Levin indicated they should be raised at a Planning Commission meeting. It depends if the matter is legislative or quasi-judicial issue. If it is a legislative matter, for example the General Plan, there is more flexibility in sending questions and comments back to the Council, by raising the issue at a Commission Meeting and seeing if there is consensus to obtain Council's input.

Mayor Pro Tem Stephens asked if they could have another joint meeting on specific projects. Ms. Levin indicated in the affirmative, but it has to be noticed properly as a public hearing and an opportunity for public input has to be provided. We have to make sure it has been properly published and advertised; then you can have a joint discussion.

Mayor Pro Tem Stephens questioned the Interim City Attorney on subcommittees. She indicated it could be a joint ad hoc committee or as two separate ad hoc committees that coordinate.

Mr. Mendoza requested the Interim City Attorney discuss the freedom of ad hoc committees, for free-flowing discussion. Ms. Levin discussed the Brown Act and how it applies. A joint subcommittee is governed by the Brown Act. If each body has its own subcommittee, a subcommittee of less than a majority, on a specific time-limited issue, it is not governed by the Brown Act. No decisions can be made, however. A subcommittee is not appropriate for hearing a judicial matter. Many of the issues on tonight's agenda are legislative issues; they are policy and future planning issues and can be discussed by an ad hoc subcommittee that is not a Brown Act committee.

Council member Edgar discussed the Council's goal setting and the budget processes. Through the goal-setting process, the priorities get vetted in public, indicating where the Council wants to go. He indicated that the Council watches everything that is done by the Commissions. He also discussed direct and indirect methods of obtaining feedback.

Commissioner Riley asked what vehicles the Commission has at its disposal to facilitate communication and develop cohesiveness. Mr. Mendoza indicated some of the tools available: minutes, televised City Council meetings, meeting CD's, attendance at Council meetings. Mr. Mendoza noted that it is good form to watch a project that started at the Planning Commission and follow it up to the Council level. Mr. Mendoza can also inform the Commission on Council items that were started at the Commission level.

The City Manager will provide a copy of the Council's goals to the Planning Commission. Council Member Edgar thought the goals could be

circulated to see which ones the Commission might like more information on.

Mr. Mendoza summarized some of the needs of the Commission: to be better informed, to share more, and to be the recipient of more information.

Mr. Mendoza discussed the frequency of meetings. This Planning Commission has been very generous in meeting for special needs. Chair Sofelkanik thought the frequency would depend on the amount and length of applications. He felt it was adequate now, but would consider special meetings as needed.

Council Member Edgar thought the frequency should be based on current workload. Pertaining to the General Plan Update or a similar project, he asked what work the Commission could do to assist staff in getting it through faster. Mr. Mendoza thought a subcommittee or ad hoc committee would be good, to insure the Commission is on board with the Council. A two-member subcommittee and/or a two-member ad hoc committee would be beneficial in establishing the background and land use decisions. The Planning Commission could begin to form the scope of the General Plan. Volunteer commissions are not qualified to draft a General Plan, but they can develop the scope of work.

Mayor Poe wondered if it would be beneficial (and would the Commission be interested), to use the first meeting of the month to do the regular business at hand, and the second meeting to conduct research, look at what is wrong with the General Plan, and do background work.

Mr. Mendoza commented that engaging the public, before there is a preconceived outcome in the first part of a General Plan, was perfect for the Commission which could work on different segments of the General Plan without having to engage a consultant.

Council Member Mejia asked about the duration of the meetings. Mr. Mendoza responded that they are usually 1½ to 2 hours. Council Member Mejia was concerned that this might be a lot to ask of Commissioners who committed to one meeting per month. She suggested these special projects be tacked on to regular meetings, if possible. Chair Sofelkanik felt this would eliminate some work.

Council Member Mejia did not want to be “dictating” to the Planning Commission and wanted to make sure that we are not giving the impression that we are telling them what to do.

One of the Commissioners responded that they give the Council what they think is best, and their job to some degree is to challenge the Council. Another Commissioner stated they are another set of eyes. It can go both ways; it shows an angle or viewpoint that the other entity did not see.

Mayor Poe did not feel the Council wanted to cajole the Commission to think the same way, but to obtain additional input. We are all here because we care about the community and want to help each other. She did not want a “rubber stamp”. Mayor Poe asked how often these joint meetings should be held, quarterly or as needed. There was no response.

Commissioner Loe felt collaborative meetings were necessary.

Chair Sofelkanik asked if these joint meetings were held more frequently, could they be more substantive. The Interim City Attorney responded that it depends on how the meetings are noticed and agendized. In some cases, it might have to be noticed as if each body was having a meeting.

Council Member Edgar felt it was important to be aligned at the goal level but we are not looking for a rubber stamp.

Council Member Mejia encouraged the Planning Commission to appoint an ad hoc committee to meet with the Council’s ad hoc committee.

Mayor Pro Tem Stephens thought this would be good. His assumption is that the Planning Commission is going to be different and will bring a fresh outlook.

Commissioner Loe thought of staff as the “connect” and staff had done a phenomenal job.

2. Discussion of Process Regarding Long-Term Issues, including but not limited to:

SCAG’S Compass Blueprint Demonstration Project – Corridors

Staff provided an update and sought direction as to the future roles of the Planning Commission and the Council in the project.

Future General Plan

What should be the role of the General Plan Ad Hoc Committee and what role should the Commission play?

Explanation of "Sphere of Influence"

Staff provided an update and explanation and responded to questions.

Potential Community Development/Redevelopment Agency formation

Is there interest in agendizing this as a future discussion item?

Mr. Mendoza discussed the SCAG Compass Blueprint project, indicating that the next step is to engage stakeholders. He introduced Colin Drukker of The Planning Center.

Mr. Mendoza indicated that costs are coming down for the future General Plan. He indicated that the process takes usually two-three years, but can take as long as five years.

City Manager Stewart thought the Compass Blueprint Project will assist in the preparation of the General Plan.

Mr. Mendoza discussed "sphere of influence" and explained that every county has a LAFCO. He reviewed how Rossmoor residential and commercial areas are in the sphere of influence for Los Alamitos. It means that Los Alamitos was determined to be the logical service provider IF Rossmoor ever became a city. It does not have to be in our General Plan now, but the next time we do a General Plan, Rossmoor should be taken into consideration and planned for (pre-zoning and land use decisions).

Chair Sofelkanik asked if the JFTB would be included in an overlay and Mr. Mendoza responded in the affirmative, that the General Plan would address the Base. The JFTB is in our City boundaries, not in our sphere of influence.

Council Member Mejia reported that a former general said that it was possible for other cities to purchase parts of the Base.

Council Member Edgar felt it was a proactive strategy to have some planned land use for the Base.

The Interim City Attorney indicated that the JFTB is in the City's jurisdiction and we need to plan for it. It could be sold to a different governmental agency, or sold off in various ways, but it is in the City's jurisdiction unless we engaged in a de-annexation.

Mayor Poe commented that we have not put in any zoning for the JFTB. Interim City Attorney Levin questioned that IF this was no longer going to

be used for a governmental purpose, "What should the land use designations look like in our General Plan?" and "What should the zoning look like?" It doesn't change the use now or make the current use impermissible.

Mr. Mendoza next discussed the potential formation of a Redevelopment Agency. From a competitive point of view, Los Alamitos lacks the same redevelopment tools as its neighbors.

City Manager Stewart commented that this is included in the goals and will be coming back to the Council at some time in the future.

Council Member Edgar felt the Planning Commission should hear an overview and get its perspective.

Council Member Mejia asked the City Manager about the elimination of eminent domain in connection with RDA creation. Mr. Stewart explained that the voters prohibited the use of eminent domain.

Mayor Poe also felt this was important for the Planning Commission to discuss.

Mr. Mendoza will agendize a study session for the Planning Commission on this topic.

3. Discussion of Status and Process Regarding Short-Term Issues, including but not limited to:

Potential LAFCO changes
Los Alamitos Medical Center Specific Plan
Rossmoor Highlands/College Park North/Greenbrook Wall Standards

Planning Commissioner Riley removed himself from the Council Chambers at 6:50 p.m. due to his proximity to one of the boundaries under discussion on potential LAFCO changes.

Mr. Mendoza discussed the study conducted on a boundary issue, separating the County of Los Angeles and the County of Orange, the City of Los Alamitos and the City of Long Beach. Property lines jog on both sides (Marna, Lilly, and Toland areas) and a tract of homes was split. Three neighborhoods in Los Alamitos are on the other side of Coyote Creek. The Planning Commission will be discussing this next week and engaging the public. Testimony will be gathered. Long Beach had a study session without inviting a lot of members of the public, but we decided to slow down and have the Planning Commission invite the

public, engage the public, "take their temperature first", and move on from there.

Council Member Edgar commented on a meeting held last night at El Dorado Estates (19 homes). The middle of the street marks the jurisdiction boundary. The residents moved into those homes to go to Los Alamitos Unified School District; they value their homes (based on several realtors), \$100,000-\$200,000 more because they are in Orange County. We really need to be sure the community is aware of the situation. Previously, he had asked Commissioner Riley (who has the Country Square section across from Kaylor) what his take was, and was told that some people have been notified and others not. We have been asked to notify Long Beach residents too because there seems to be a conflict going on. He would expect that the Planning Commission next Monday will have a lot of people. Last night, he explained the process, what LAFCO is, and Steven Mendoza conducted an educational meeting, highlighting the issues.

Council Member Mejia commented on calls from Country Square residents; she asked them to wait for the meeting before they organize.

Mr. Mendoza explained that the Commission won't just be taking public testimony but compiling that testimony and presenting it to the Council. The Commission has never done a verbal presentation to the Council. He thought that would be a great exercise for the Commission, putting a face to the Commission's name for the public.

Mr. Mendoza indicated the Orange County study went all the way up to La Habra and included Cerritos, La Palma, Long Beach, Seal Beach. Over the years Coyote Creek has shifted, various properties were acquired for the Creek, and then some were sold, but the County borders never changed.

The Planning Commission will be gathering information and the resources needed by the City Council. The ultimate authority is LAFCO and the Board of Supervisors, and then there will be a rare joint meeting with Los Angeles.

Planning Commissioner Riley returned to the Council Chambers at 6:58 p.m. after the discussion on potential LAFCO changes.

Next, Mr. Mendoza discussed the LAMC Specific Plan. The Medical Center will be holding its own public meeting on February 10, at 3:00 p.m.

The last item for discussion was the Rossmoor Highlands/College Park North/Greenbrook Wall Standards.

Interim City Attorney Levin polled the Council and Commission on who lived within 500 feet of the walls to be discussed. It appeared that no one was in the affected areas.

Council Member Edgar said the Council has big projects to do, but many people are concerned about the walls. This is an example of the type of project that the Planning Commission might take up to beautify the community (architectural recommendations etc).

Council Member Mejia commented that the Highlands residents own their wall, so individual landowners would have to be involved.

Mayor Poe stated that there are several walls at the entrances of the City and this could be discussed by the Planning Commission when there was a lack of agenda items.

Council Member Edgar suggested there might be solutions with wall standards.

5. ADJOURNMENT

Mayor Poe adjourned the City Council meeting at 7:05 p.m. The next meeting of the City Council is scheduled for MONDAY, February 1, 2010, at 7:00 p.m., in the City Council Chambers, but will start at 7:15 to allow time to set up.

Motion/Second: Sofelkanik/Daniel

Unanimously carried: The Planning Commission Meeting was adjourned at 7:05 p.m. The next meeting of the Planning Commission is scheduled for MONDAY, February 8, 2010, at 7:00 p.m., in the City Council Chambers.

Marilynn M. Poe, Mayor

ATTEST:

Jeffrey L. Stewart, City Clerk