

**CITY OF LAGUNA HILLS  
CITY COUNCIL/PLANNING AGENCY**

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**REGULAR MEETING  
MINUTES  
Tuesday, June 13, 2017**

**CLOSED SESSION - CONVENING AT 6:00 PM**

**CALL TO ORDER**

The meeting was called to order at 6: 05 p.m. by Mayor Don Sedgwick.

**ROLL CALL OF CITY COUNCIL MEMBERS**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Don Sedgwick	Mayor	Present	
Melody Carruth	Mayor Pro Tempore	Present	
Dore J. Gilbert, M.D.	Council Member	Present	
Janine Heft	Council Member	Present	
Barbara D. Kogerman	Council Member	Present	

**ANNOUNCEMENT OF CLOSED SESSION ITEMS**

**A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Pursuant to paragraph (1) of subdivision (d) of Government Code Section 54956.9  
Name of Case: George Dayeh and Maryam Dayeh vs. City of Laguna Hills;  
Orange County Superior Court; Case No. 30-2017-00909717-CU-IE-CXC.

**PUBLIC COMMENT ON CLOSED SESSION ITEMS**

There were no Public Comments.

**ADJOURN TO CITY COUNCIL CONFERENCE ROOM**

**CONVENE INTO CLOSED SESSION**

**RECONVENE TO CITY COUNCIL CHAMBER**

**RECESS**

**GENERAL BUSINESS - RECONVENING AT 7:00 PM****CALL TO ORDER**

The meeting was called to order at 7:01 p.m. by Mayor Don Sedgwick.

**PLEDGE OF ALLEGIANCE: COUNCIL MEMBER GILBERT****ROLL CALL OF CITY COUNCIL MEMBERS**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Don Sedgwick	Mayor	Present	
Melody Carruth	Mayor Pro Tempore	Present	
Dore J. Gilbert, M.D.	Council Member	Present	
Janine Heft	Council Member	Present	
Barbara D. Kogerman	Council Member	Present	

**CLOSED SESSION REPORT****A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Mayor Sedgwick stated that the City Council met in Closed Session this evening pursuant to the Closed Session authority listed on the Agenda. No reportable action was taken as a result of tonight's Closed Session meeting.

**1. PRESENTATIONS AND PROCLAMATIONS****1.1 Laguna Hills High School Student Liaison**

**Recommendation:** The City Council received an oral report from Laguna Hills High School Student Liaison (2016 Fall Semester) Jennifer Bommarito.

**1.2 Certificate of Recognition, Sherwin Afshar, Laguna Hills High School Student Liaison for Spring 2017**

**Recommendation:** Laguna Hills High School Student Liaison Sherwin Afshar was not available at the meeting to receive his Certificate of Recognition.

**1.3 Certificate of Recognition, Delaney Horchover, Laguna Hills High School Student Liaison Alternate**

**Recommendation:** Mayor Sedgwick presented a Certificate of Recognition to Delaney Horchover recognizing her service as the Laguna Hills High School Student Liaison Alternate for the 2016/2017 School Year.

**1.4 Recognition of Laguna Hills High School Students Sabrina Astle, Saara Tayani, and Megan Casper**

**Recommendation:** Mayor Sedgwick presented Certificates of Recognition to Sabrina Astle, Saara Tayani, and Megan Casper.

**1.5 Certificates of Recognition, Laguna Hills High School Girls Cross Country Team**

**Recommendation:** Mayor Sedgwick presented Certificates of Recognition to the Laguna Hills High School Girls Cross Country 2016 Lady Hawk Harriers and Coach Christopher Lynch.

**1.6 Presentation of Proclamation for National Alzheimer's and Brain Awareness Month**

**Recommendation:** Mayor Sedgwick presented a Proclamation to Daniel Gaytan, Alzheimer's Association Orange County Chapter Public Policy Manager, proclaiming June 2017 as National Alzheimer's and Brain Awareness Month and June 21, 2017, as "The Longest Day."

**1.7 Laguna Hills 3/5 Marine Support Committee**

**Recommendation:** The City Council received an update from Chair Karen Robbins on the status of the 3/5 Dark Horse Committee.

**1.8 Spotlight on Local Business**

**Recommendation:** Shannon Van Der Walt, 3D Snaps Sales & Marketing Director, provided a brief oral report and PowerPoint presentation.

**2. PUBLIC COMMENTS****LAGUNA HILLS MALL/FIVE LAGUNAS**

Nancy Roeder addressed the City Council with concerns regarding the transformation of the Laguna Hills Mall to "Five Lagunas" and focused her comments on the desire for a community gathering venue. Ms. Roeder also distributed a "Community Wish List" to Council Members.

Diana Huang addressed the City Council with concerns regarding the transformation of the Laguna Hills Mall to "Five Lagunas" with her focus on the desire for a library or bookstore.

**WEED ABATEMENT**

Paul Stanislaw, a resident of Laguna Hills, voiced a complaint regarding the weed abatement notification process.

**3. CONSENT CALENDAR**

Motion to approve the Consent Calendar, with Mayor Pro Tempore Carruth removing Item No. 3.5, and Council Member Kogerman removing Item No. 3.2. Mayor Pro Tempore Carruth also noted for public record that two additional attachments were included to Item No. 3.13.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Melody Carruth, Mayor Pro Tempore
<b>SECONDER:</b>	Dore J. Gilbert, M.D., Council Member
<b>AYES:</b>	Don Sedgwick, Mayor; Melody Carruth, Mayor Pro Tempore; Dore J. Gilbert, M.D., Council Member; Janine Heft, Council Member; Barbara D. Kogerman, Council Member

**3.1 Waive Reading in Full of all Ordinances and Resolutions on the Agenda**

**Recommendation:** That the City Council waive reading in full of all Ordinances and Resolutions on the Agenda and declare that said titles which appear on the Public Agenda shall be determined to have been read by title and further reading waived.

**3.3 Approval of Warrant Register for Period Ended June 13, 2017**

**Recommendation:** That the City Council approve the Warrant Register in the amount of \$1,330,442.98.

**3.4 Lease Termination Agreement for Carolyn Behrens, an Individual, for 24031 El Toro Road, Suite 304, Laguna Hills, California**

**Recommendation:** That the City Council approve a Lease Termination Agreement with Carolyn Behrens, an individual, for 24031 El Toro Road, Suite 304, Laguna Hills, California, and authorize the City Manager to execute the Agreement.

**3.6 Fiscal Year 2017/2018 Trauma Intervention Program Agreement**

**Recommendation:** That the City Council approve the proposed Victim Support Services Agreement for Fiscal Year 2017/2018 with Trauma Intervention Programs, Inc. and authorize the Mayor to execute the Agreement.

**3.7 Adoption of the Annual Appropriations Limit for Fiscal Year 2017/2018**

**Recommendation:** That the City Council adopt Resolution No. 2017-06-13-2, A Resolution of the City Council of the City of Laguna Hills, California, determining and adopting an Appropriations Limit for Fiscal Year 2017/2018 in accordance with Article XIII B of the Constitution of the State of California, and Section 7910 of the Government Code.

**3.8 Progress Payment No. 2 for Arterial Pavement Management Project Street Rehabilitation, CIP No. 175**

**Recommendation:** That the City Council approve Progress Payment No. 2, in the net amount of \$511,871.04, to Hardy & Harper, Inc., for the Arterial Pavement Management Project Street Rehabilitation, CIP No. 175.

**3.9 Progress Payment No. 3, for Cabot Road Bioswale Project, CIP No. 410-A**

**Recommendation:** That the City Council approve Progress Payment No. 3, in the net amount of \$98,164.07, to Wright Construction Engineering Corporation for the Cabot Road Bioswale Project, CIP No. 410-A.

**3.10 Approval of Professional Services Agreement with Bucknam & Associates for Pavement Management Services**

**Recommendation:** That the City Council approve the Professional Services Agreement with Bucknam & Associates, Inc., for Pavement Management Plan Services and authorize the City Manager to execute the Agreement.

**3.11 Grant Application for Environmental Cleanup Program - Phase VI Catch Basin Debris Gate Project, CIP No. 412**

**Recommendation:** That the City Council approve the Grant Application to the Orange County Transportation Authority for the Measure M2 Environmental Cleanup Program for the Phase VI Catch Basin Debris Gate Project and adopt Resolution No. 2017-06-13-3, A Resolution of the City Council of the City of Laguna Hills, California, authorizing an Application for Funds for the Measure M2 Environmental Cleanup, Tier 1 Grant Program, under Orange County Local Transportation Ordinance No. 3 for the Phase VI Catch Basin Debris Gate Project.

**3.12 Orange County Task Force on Drowning Prevention Request for Funding Support**

**Recommendation:** That the City Council approve a sponsorship of \$5,000 to the Orange County Task Force on Drowning Prevention and authorize the City Manager to execute a Sponsorship Agreement.

**3.13 Approval of Fiscal Year 2017/2018 Law Enforcement Services Agreement**

**Recommendation:** That the City Council approve the Fiscal Year 2017/2018 Law Enforcement Services Agreement between the County of Orange and the City of Laguna Hills and authorize the Mayor to execute the Agreement.

**3.14 Adoption of 2017/2018 Civic Center Budget**

**Recommendation:** That the City Council approve and adopt the 2017/2018 Civic Center Budget.

**3.15 Renewed Measure M (M2) Compliance Reporting to the Orange County Transportation Authority (OCTA)**

**Recommendation:** That the City Council: (1) Approve the Measure M (M2) Compliance Submittal to OCTA, including but not limited to the Seven-Year Capital Improvement Program and the Local Signal Synchronization Plan; and (2) Adopt Resolution No. 2017-06-13-4, A Resolution of the City Council of the City of Laguna Hills, California, concerning the status and update of the Circulation Element, Local Signal Synchronization Plan, and Mitigation Fee Program for the Measure M (M2) Program.

**ITEMS REMOVED FROM THE CONSENT CALENDAR****3.2 Approval of Minutes for May 9, 2017, Regular Meeting**

Council Member Kogerman removed Item No. 3.2 from the Consent Calendar due to her absence at the May 9, 2017, regular meeting.

**Recommendation:** That the City Council approve the Minutes for the May 9, 2017, Regular Meeting.

<b>RESULT:</b>	<b>APPROVED [4-0]</b>
<b>MOVER:</b>	Janine Heft, Council Member
<b>SECONDER:</b>	Melody Carruth, Mayor Pro Tempore
<b>AYES:</b>	Don Sedgwick, Mayor; Melody Carruth, Mayor Pro Tempore; Dore J. Gilbert, M.D., Council Member; Janine Heft, Council Member
<b>ABSTAIN:</b>	Barbara D. Kogerman, Council Member

### **3.5 Establishment of No Parking Zones for Street Sweeping Purposes on Designated Streets in the North Laguna Hills Mixed-Use Zone**

Mayor Pro Tempore Carruth removed Item No. 3.5 from the Consent Calendar to allow Public Comments.

Nina De La Torre requested that the City Council consider establishing “No Parking Zones” on all designated streets in the North Laguna Hills Mixed-Use Zone as opposed to “No Parking Zones for Street Sweeping Purposes.”

**Recommendation:** That the City Council: (1) Find and determine that the proposed parking restrictions are not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(C)(2) and 15060(C)(3) of CEQA guidelines, California Code of Regulations Title 14, and (2) Adopt Resolution No. 2017-06-13-1, A Resolution of the City Council of the City of Laguna Hills, California, establishing No Parking Zones for Street Sweeping Purposes on all designated streets in the North Laguna Hills Mixed-Use Zone.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Melody Carruth, Mayor Pro Tempore
<b>SECONDER:</b>	Janine Heft, Council Member
<b>AYES:</b>	Don Sedgwick, Mayor; Melody Carruth, Mayor Pro Tempore; Dore J. Gilbert, M.D., Council Member; Janine Heft, Council Member; Barbara D. Kogerman, Council Member

## **4. PLANNING AGENCY**

Mayor Sedgwick recessed the City Council meeting and acting in the capacity of Chair, called the Regular Meeting of the Planning Agency of the City of Laguna Hills, California, to order at 8:00 p.m.

**4.1. ROLL CALL OF PLANNING AGENCY MEMBERS**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Don Sedgwick	Chair	Present	
Melody Carruth	Vice Chair	Present	
Dore J. Gilbert, M.D.	Agency Member	Present	
Janine Heft	Agency Member	Present	
Barbara D. Kogerman	Agency Member	Present	

**4.2. PUBLIC COMMENTS**

There were no Public Comments.

**4.3 APPROVAL OF MINUTES FOR MAY 9, 2017, REGULAR MEETING**

**4.3.1 Approval of Minutes for May 9, 2017, Regular Meeting.**

**Recommendation:** That the Planning Agency approve the Minutes for the May 9, 2017, Regular Meeting.

<b>RESULT:</b>	<b>APPROVED [4 TO 0]</b>
<b>MOVER:</b>	Janine Heft, Agency Member
<b>SECONDER:</b>	Melody Carruth, Vice Chair
<b>AYES:</b>	Don Sedgwick, Chair; Melody Carruth, Vice Chair; Dore J. Gilbert, M.D., Agency Member; Janine Heft, Agency Member
<b>ABSTAIN:</b>	Barbara D. Kogerman, Council Member

**4.4 ADMINISTRATIVE REPORTS**

**4.4.1 Adoption of a Resolution Making Findings of General Plan Consistency for the Proposed Fiscal Year 2017/2018 Capital Improvement Program**

Director of Public Services Rosenfield briefly reviewed the information provided in the Staff Report.

**Recommendation:** That the Planning Agency adopt Resolution No. PA2017-06-13-1, A Resolution of the Planning Agency of the City of Laguna Hills, California, finding that the proposed Fiscal Year 2017/2018 Capital Improvement Program conforms with the General Plan of the City of Laguna Hills pursuant to California Government Code Section 65401.



<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Barbara D. Kogerman, Agency Member
<b>SECONDER:</b>	Melody Carruth, Vice Chair
<b>AYES:</b>	Don Sedgwick, Chair; Melody Carruth, Vice Chair; Dore J. Gilbert, M.D., Agency Member; Janine Heft, Agency Member; Barbara D. Kogerman, Agency Member

#### 4.5 PLANNING AGENCY PUBLIC HEARINGS

##### 4.5.1 Conditional Use Permit/Site Development Permit (CUP/SDPM) No. 12-15-3399, a Request by Kevin Akash on Behalf of Elite Hospitality, Inc. to Redevelop the Property at 23061 Avenida de la Carlota in the Mixed-Use Zone and Hospitality Overlay Zone Including Demolition of an Existing 76-Room, Three-Story Motel and Construction and Operation of a New 86-Room, Five-Story Hilton Home2 Suites Hotel

Community Development Director Chantarangsu reviewed the information provided in the Staff Report, provided a PowerPoint presentation, and responded to Planning Agency requests for additional information.

Chair Sedgwick opened the Public Hearing.

Kevin Akash, applicant on behalf of Elite Hospitality, Inc., spoke in favor of the project.

Chair Sedgwick closed the Public Hearing.

**Recommendation:** That the Planning Agency: (1) Conduct a Public Hearing for CUP/SDPM No. 12-15-3399; and (2) Adopt Resolution No. PA2017-06-13-2, A Resolution of the Planning Agency of the City of Laguna Hills, California, approving Conditional Use Permit/Site Development Permit (CUP/SDPM) No. 12-15-3399, a request by Kevin Akash, on behalf of Elite Hospitality, Inc., to redevelop the property at 23061 Avenida de la Carlota in the Mixed-Use Zone and Hospitality Overlay Zone including demolition of an existing 76-room, three-story motel and construction and operation of a new 86-room, five-story Hilton Home2 Suites hotel, and finding that the Project qualifies for the Infill Development Projects Exemption from the California Environmental Quality Act."

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Melody Carruth, Vice Chair
<b>SECONDER:</b>	Barbara D. Kogerman, Agency Member
<b>AYES:</b>	Don Sedgwick, Chair; Melody Carruth, Vice Chair; Dore J. Gilbert, M.D., Agency Member; Janine Heft, Agency Member; Barbara D. Kogerman, Agency Member

## PLANNING AGENCY ADJOURNMENT

Mayor Sedgwick reconvened the City Council meeting at 8:21 p.m. All Council Members were present.

### 5. CITY COUNCIL PUBLIC HEARINGS

#### 5.1 Zoning Text Amendment No. 12-16-3724, an Amendment to Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code to Permit Indoor Vehicle Impound and Indoor Towing Facilities within the Mixed-Use Zoning District

Council Member Heft stated that after consulting with the City Attorney, she will be recusing herself from participating in any decision regarding Agenda Item No. 5.1, which is a request for a Zoning Text Amendment to allow for indoor vehicle impound and indoor towing facilities to become a permitted use within the Mixed-Use Zoning District. She stated that it has come to her attention that the applicant is a former client of her company; she works in the commercial and residential real estate industry. She further stated that although the applicant is not, and has never been a source of income to her or to her real estate business, out of an abundance of caution, and upon the advice of legal counsel, she will be recusing herself from participating in any decision concerning this item.

Council Member Heft left the meeting at 8:22 p.m.

Senior Planner Wu reviewed the information provided in the Staff Report, provided a PowerPoint presentation, and responded to Council requests for additional information.

Mayor Sedgwick opened the Public Hearing.

Nina De La Torre, applicant, spoke in favor of the Zoning Text Amendment and responded to Council requests for additional information regarding towing facilities.

Mayor Sedgwick closed the Public Hearing.

Council Members and staff engaged in a detailed discussion regarding this item.

**Recommendation:** That the City Council: (1) Conduct a Public Hearing; (2) Find and determine that the proposed activity is not subject to the California Environmental Quality Act (CEQA) per Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines; and (3) Introduce for first reading, read by title only, and waive further reading of an Ordinance entitled: "An Ordinance of the City of Laguna Hills, California, adopting Zoning Text Amendment No. 12-16-3724 amending Chapters 9-04 (Definitions), 9-10 (Zoning Districts Established), 9-30 (MXU Mixed-Use District), and 9-44 (Access and Parking) of Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code to permit indoor vehicle impound and indoor towing facilities within the Mixed-Use Zone District."

<b>RESULT:</b>	<b>APPROVED [3 TO 1]</b>
<b>MOVER:</b>	Barbara D. Kogerman, Council Member
<b>SECONDER:</b>	Dore J. Gilbert, M.D., Council Member
<b>AYES:</b>	Don Sedgwick, Mayor; Dore J. Gilbert, M.D., Council Member; Barbara D. Kogerman, Council Member
<b>NAYS:</b>	Melody Carruth, Mayor Pro Tempore
<b>RECUSED:</b>	Janine Heft, Council Member

Council Member Heft returned to the meeting at 8:59 p.m.

## **5.2 Adoption of the Biennial Budget for Fiscal Years 2017/2018 & 2018/2019, Including the Operating Budget, Debt Service, Six-Year Capital Improvement Plan, and Other Appropriations**

City Manager Channing introduced Item No. 5.2, provided brief comments, and recommended adoption of the Biennial Budget.

Mayor Sedgwick opened the Public Hearing and upon seeing no one rise closed the Public Hearing.

**Recommendation:** That the City Council: (1) Conduct a Public Hearing regarding the Biennial Budget for Fiscal Years 2017/2018 & 2018/2019; and (2) Adopt Resolution No. 2017-06-13-5, A Resolution of the City Council of the City of Laguna Hills, California, adopting the Operating Budget, Capital Improvement Program, and Other Appropriations for the City of Laguna Hills for Fiscal Years 2017/2018 - 2018/2019.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Janine Heft, Council Member
<b>SECONDER:</b>	Dore J. Gilbert, M.D., Council Member
<b>AYES:</b>	Don Sedgwick, Mayor; Melody Carruth, Mayor Pro Tempore; Dore J. Gilbert, M.D., Council Member; Janine Heft, Council Member; Barbara D. Kogerman, Council Member

**6. ADMINISTRATIVE REPORTS**

**6.1 City Manager**

The City Manager gave no Administrative Reports.

**6.2 Public Services Director/City Engineer**

**6.2.1 Authorization to Advertise for Bids - Citywide Street Maintenance Project, CIP No. 101-J**

Public Services Director Rosenfield reviewed the information provided in the Staff Report and responded to requests for additional information.

**Recommendation:** That the City Council: (1) Find and determine the Citywide Street Maintenance Project, CIP No. 101-H, is categorically exempt from CEQA pursuant to Section 15301(c) of Title 14, Chapter 3 of the California Code of Regulations (Class 1, Existing Facilities exemption); (2) Approve the Plans and Specifications available at the office of the City Clerk and at the dais; and (3) Authorize the Advertisement for Bids of the Citywide Street Maintenance Project, CIP No. 101-J.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Melody Carruth, Mayor Pro Tempore
<b>SECONDER:</b>	Janine Heft, Council Member
<b>AYES:</b>	Don Sedgwick, Mayor; Melody Carruth, Mayor Pro Tempore; Dore J. Gilbert, M.D., Council Member; Janine Heft, Council Member; Barbara D. Kogerman, Council Member

**6.3 Deputy City Manager/Community Services****6.3.1 Laguna Hills Council Chamber Audio/Visual System Upgrade**

Deputy City Manager Reynolds briefly reviewed the information provided in the Staff Report and responded to requests for additional information.

**Recommendation:** That the City Council approve the Council Chamber Audio/Visual System upgrade project with Vizual Symphony, Inc., and authorize the City Manager to execute an Agreement with Vizual Symphony, Inc., subject to review by the City Attorney.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Barbara D. Kogerman, Council Member
<b>SECONDER:</b>	Melody Carruth, Mayor Pro Tempore
<b>AYES:</b>	Don Sedgwick, Mayor; Melody Carruth, Mayor Pro Tempore; Dore J. Gilbert, M.D., Council Member; Janine Heft, Council Member; Barbara D. Kogerman, Council Member

**7. MATTERS AGENDIZED AND PRESENTED BY CITY COUNCIL MEMBERS**

There were no matters agendized and presented by City Council Members.

**8. CITY COUNCIL MEMBER COMMENTS****Council Member Kogerman**

Council Member Kogerman thanked staff for creating a new City seal with the “25 Years” banner. Council Member Kogerman also reported that she had the honor of presenting a Rotary scholarship to Mayor Sedgwick’s daughter, Anna Sedgwick, on Monday, June 5, 2017.

**Mayor Sedgwick**

Mayor Sedgwick thanked City staff for all their hard work on the Memorial Day Half Marathon, 5K, and 10K.

**ADJOURNMENT**

There being no further business before the City Council at this session, Mayor Sedgwick declared the meeting adjourned at 9:27 p.m.

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Melissa Au-Yeung, City Clerk

ATTEST:

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Don Sedgwick, Mayor

Approved at meeting of July 11, 2017.