
**CITY OF LAGUNA HILLS, CALIFORNIA
CITY COUNCIL/PLANNING AGENCY
REGULAR MEETING
MINUTES
APRIL 28, 2015**

GENERAL BUSINESS - CONVENING AT 7:00 PM

CALL TO ORDER

Mayor Gilbert called the Regular Meeting of the City Council of the City of Laguna Hills, California to order at 7:01 p.m. in the Laguna Hills City Council Chamber, 24035 El Toro Road, Laguna Hills, California.

PLEDGE OF ALLEGIANCE: Council Member Sedgwick

ROLL CALL OF CITY COUNCIL MEMBERS

Present: Mayor Gilbert, Mayor Pro Tempore Kogerman, Council Member Blount, Council Member Carruth, Council Member Sedgwick

CLOSED SESSION REPORT

There was no closed session report.

1. PRESENTATIONS AND PROCLAMATIONS

1.1 LAGUNA HILLS HIGH SCHOOL STUDENT LIAISON

THE CITY COUNCIL RECEIVED AN ORAL REPORT FROM LAGUNA HILLS HIGH SCHOOL STUDENT LIAISON MATTHEW SHULMAN.

1.2 SPOTLIGHT ON LOCAL BUSINESS

THE CITY COUNCIL RECEIVED A PRESENTATION FROM SAM GREWAL, OWNER & OPERATOR, AND JENNA POWERS, COMMUNITY MARKETING COORDINATOR, TOGOS LOCATED AT 24751 ALICIA PARKWAY, LAGUNA HILLS.

1.3 LAGUNA HILLS 3/5 MARINE SUPPORT COMMITTEE

CHAIR KAREN ROBBINS PROVIDED AN UPDATE ON THE STATUS OF THE 3/5 DARK HORSE COMMITTEE.

- 1.4 PRESENTATION FROM EAGLE SCOUT CANDIDATE DANIEL GREEN REGARDING THE INSTALLATION OF "LH" LETTERS ON THE HILLSIDE ACROSS FROM THE COMMUNITY CENTER

EAGLE SCOUT CANDIDATE, DANIEL GREEN, PROVIDED AN ORAL REPORT AND POWERPOINT PRESENTATION REGARDING THE INSTALLATION OF "LH" LETTERS ON THE HILLSIDE ACROSS FROM THE COMMUNITY CENTER.

THE CITY COUNCIL APPROVED THE DESIGN CONCEPT OF THE "LH" ON THE CITY HILLSIDE SOUTHERLY OF ALICIA PARKWAY, BY M/MAYOR PRO TEMPORE KOGERMAN, S/COUNCIL MEMBER CARRUTH.

APPROVED BY A VOTE OF 5-0.

- 1.5 PRESENTATION OF PROCLAMATION FOR "WILDFIRE AWARENESS WEEK"

MAYOR GILBERT PRESENTED ORANGE COUNTY FIRE AUTHORITY BATTALION CHIEF, MIKE CONTRERAS, WITH A PROCLAMATION FOR "WILDFIRE AWARENESS WEEK."

2. PUBLIC COMMENTS

There were no Public Comments.

3. CONSENT CALENDAR

MOTION TO APPROVE THE CONSENT CALENDAR, BY M/COUNCIL MEMBER CARRUTH, S/COUNCIL MEMBER BLOUNT.

APPROVED BY A VOTE OF 5-0.

- 3.1 WAIVE READING IN FULL OF ALL ORDINANCES AND RESOLUTIONS ON THE AGENDA

THE CITY COUNCIL WAIVED READING IN FULL OF ALL ORDINANCES AND RESOLUTIONS ON THE AGENDA AND DECLARED THAT SAID TITLES WHICH APPEAR ON THE PUBLIC AGENDA SHALL BE DETERMINED TO HAVE BEEN READ BY TITLE AND FURTHER READING WAIVED.

- 3.2 APPROVAL OF MINUTES FOR APRIL 14, 2015, REGULAR MEETING

THE CITY COUNCIL APPROVED THE MINUTES OF THE APRIL 14, 2015, REGULAR MEETING.

3.3 APPROVAL OF WARRANT REGISTER FOR PERIOD ENDED APRIL 28, 2015.

THE CITY COUNCIL APPROVED THE WARRANT REGISTER IN THE AMOUNT OF \$931,475.44

3.4 2015 WEED ABATEMENT PROGRAM

THE CITY COUNCIL ADOPTED RESOLUTION NO. 2015-04-28-1, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, DECLARING WEEDS AND RUBBISH ON SPECIFIED PRIVATE PROPERTY TO BE A PUBLIC NUISANCE, COMMENCING PUBLIC PROCEEDINGS, AND SETTING A PUBLIC HEARING FOR MAY 26, 2015.

3.5 THIRD QUARTER FINANCIAL AND TREASURER'S REPORT FOR FISCAL YEAR 2014/15

THE CITY COUNCIL RECEIVED AND FILED THE REPORT.

3.6 CIVIC CENTER THIRD QUARTER FINANCIAL REPORT FOR FISCAL YEAR 2014/15

THE CITY COUNCIL RECEIVED AND FILED THE REPORT.

3.7 REJECTION OF BIDS AND AUTHORIZATION TO RE-ADVERTISE THE SOFTBALL FIELD IMPROVEMENTS PROJECT, CIP NO. 240, FOR BIDS

THE CITY COUNCIL REJECTED ALL BIDS RECEIVED, APPROVED THE REVISED PLANS AND SPECIFICATIONS AND AUTHORIZED THE RE-ADVERTISEMENT OF THE SOFTBALL FIELD IMPROVEMENTS PROJECT, CIP NO. 240, FOR BIDS.

3.8 SUBMISSION OF AN APPLICATION FOR COVERAGE UNDER THE SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD'S NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT FOR POLLUTANT DISCHARGES RELATING TO THE CITY'S FOURTH OF JULY FIREWORKS DISPLAY AND ADOPTION OF A CATEGORICAL EXEMPTION DETERMINING THAT THE EVENT IS EXEMPT FROM ENVIRONMENTAL REVIEW PURSUANT TO TITLE 14, CHAPTER 3, SECTION 15304(E) OF THE CALIFORNIA CODE OF REGULATIONS

THE CITY COUNCIL: (1) DIRECTED STAFF TO SUBMIT AN APPLICATION FOR COVERAGE UNDER THE SAN DIEGO REGIONAL WATER QUALITY

CONTROL BOARD'S NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT FOR POLLUTANT DISCHARGES RELATING TO THE CITY'S FOURTH OF JULY FIREWORKS DISPLAY; AND (2) ADOPTED A CATEGORICAL EXEMPTION.

- 3.9 PROPOSED LEASE WITH THE BANC OF CALIFORNIA, A NATIONAL ASSOCIATION, FOR 24031 EL TORO ROAD, SUITE 100B, LAGUNA HILLS, CALIFORNIA, AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE LEASE

THE CITY COUNCIL APPROVED THE LEASE WITH THE BANC OF CALIFORNIA, A NATIONAL ASSOCIATION, FOR 24031 EL TORO ROAD, SUITE 100B, LAGUNA HILLS, CALIFORNIA, AND AUTHORIZED THE CITY MANAGER TO EXECUTE THE LEASE.

- 3.10 AMENDMENT TO WASTE DISPOSAL AGREEMENT BETWEEN THE COUNTY OF ORANGE AND THE CITY OF LAGUNA HILLS

THE CITY COUNCIL: (1) ADOPTED RESOLUTION NO. 2015-04-28-2, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING AND AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE 2009 WASTE DISPOSAL AGREEMENT WITH THE COUNTY OF ORANGE; AND (2) AUTHORIZED THE CITY MANAGER TO EXECUTE THE AMENDMENT.

4. PLANNING AGENCY

Mayor Gilbert 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 7:27 p.m.

- 4.1 ROLL CALL OF PLANNING AGENCY MEMBERS

Present: Chair Gilbert, Vice Chair Kogerman, Agency Member Blount, Agency Member Carruth, and Agency Member Sedgwick.

- 4.2 PUBLIC COMMENTS

There were no Public Comments.

- 4.3 APPROVAL OF MINUTES FOR APRIL 14, 2015.

**THE PLANNING AGENCY APPROVED THE MINUTES OF THE APRIL 14, 2015, REGULAR MEETING, BY/VICE CHAIR KOGERMAN, S/AGENCY MEMBER CARRUTH.
APPROVED BY A VOTE OF 5-0.**

4.4 ADMINISTRATIVE REPORTS

There were no Administrative Reports.

4.5 PLANNING AGENCY PUBLIC HEARINGS

4.5.1 CONDITIONAL USE PERMIT/SITE DEVELOPMENT PERMIT/ VARIANCE/ MASTER SIGN PROGRAM (CUP/SDPM/VA/MSP) NO. 10-14-3013, A REQUEST BY PM DESIGN GROUP ON BEHALF OF RAISING CANE'S TO REDEVELOP THE PROPERTY AT 23971 EL TORO ROAD IN THE VILLAGE COMMERCIAL ZONE INCLUDING DEMOLITION OF THE EXISTING SHELL STATION AND CONSTRUCTION AND OPERATION OF A NEW DRIVE-THRU RESTAURANT, AND ADOPTION OF A NEGATIVE DECLARATION

Katie Crockett, Assistant Planner, reviewed the project in detail and provided a PowerPoint presentation. Ms. Crockett reported that with the approved Variance and the proposed Conditions of Approval, the project meets development standards and meets the goals, policies and procedures of the General Plan. Staff recommends Adoption of the Negative Declaration and the Resolution of Project Approval following the Public Hearing.

Chair Gilbert opened the Public Hearing.

Robert Montgomery, Applicant, discussed the project and the history of Raising Cane's Restaurant.

Ahmad Ghaderi, Ashdon Development is in favor of the project and is available to answer questions.

Tyler Holst, Civil Engineer for the Applicant, is in favor of the project and is available to answer questions.

Phil Schanberger is in favor of the project and is available to answer questions.

Chair Gilbert closed the Public Hearing.

THE PLANNING AGENCY ADOPTED RESOLUTION NO. PA2015-04-28-1, A RESOLUTION OF THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS, CALIFORNIA, ADOPTING A NEGATIVE DECLARATION FOR CONDITIONAL USE PERMIT/ SITE DEVELOPMENT PERMIT/ VARIANCE/ MASTER SIGN PROGRAM (CUP/SDPM/VA/MSP) NO. 10-14-3013, A REQUEST BY PM DESIGN GROUP ON BEHALF OF RAISING CANE'S TO

REDEVELOP THE PROPERTY AT 23971 EL TORO ROAD IN THE VILLAGE COMMERCIAL ZONE INCLUDING DEMOLITION OF THE EXISTING SHELL STATION AND CONSTRUCTION AND OPERATION OF A NEW DRIVE-THRU RESTAURANT; AND (2) ADOPTED RESOLUTION NO. PA-2015-04-28-2, A RESOLUTION OF THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT/ SITE DEVELOPMENT PERMIT/ VARIANCE/ MASTER SIGN PROGRAM (CUP/SDPM/VA/MSP) NO. 10-14-3013, A REQUEST BY PM DESIGN GROUP ON BEHALF OF RAISING CANE'S TO REDEVELOP THE PROPERTY AT 23971 EL TORO ROAD IN THE VILLAGE COMMERCIAL ZONE INCLUDING DEMOLITION OF THE EXISTING SHELL STATION AND CONSTRUCTION AND OPERATION OF A NEW DRIVE-THRU RESTAURANT," SUBJECT TO THE FOLLOWING REVISED CONDITIONS OF APPROVAL:

ITEM NO. 30 - DELETED BY THE PLANNING AGENCY.

**BY M/AGENCY MEMBER BLOUNT, S/VICE CHAIR KOGERMAN.
APPROVED BY A VOTE OF 4-1 (AGENCY MEMBER CARRUTH VOTING NO).**

PLANNING AGENCY ADJOURNMENT

Mayor Gilbert reconvened the City Council Meeting at 8:14 p.m. All Council Members were present.

5. CITY COUNCIL PUBLIC HEARINGS

There were no City Council Public Hearings.

6. ADMINISTRATIVE REPORTS

6.1 City Clerk

6.1.1 SELECTION OF CITY REPRESENTATIVES FOR SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS ANNUAL CONFERENCE AND ASSOCIATION OF CALIFORNIA CITIES-ORANGE COUNTY LEGISLATIVE AND REGULATORY COMMITTEE

City Manager Channing reported that this item was agendaized by request of Mayor Pro Tempore Kogerman. Mayor Pro Tempore Kogerman reported on the upcoming Southern California Association of Governments (SCAG) 2015 Regional Conference and General Assembly and recommended that the Council choose an additional delegate to attend.

THE CITY COUNCIL DESIGNATED COUNCIL MEMBER ANDREW BLOUNT TO BE THE DELEGATE AT THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS ANNUAL CONFERENCE, BY M/MAYOR PRO TEMPORE KOGERMAN, S/COUNCIL MEMBER CARRUTH.

APPROVED BY A VOTE OF 5-0.

The second portion of Item 6.1.1 was taken out of order later in the meeting at 9:12 p.m.

6.2 Deputy City Manager/Community Services

6.2.1 FIRST READING AND INTRODUCTION OF AN ORDINANCE AMENDING AND RESTATING CHAPTER 8-04 AND SECTIONS 6-28.010, 6-28.020, 6-28.040, 11-30.010, AND 11-30.020 OF THE LAGUNA HILLS MUNICIPAL CODE RELATING TO PARK AND RECREATIONAL FACILITY USE REGULATIONS, PUBLIC DRINKING, AND UNAUTHORIZED MOTORIZED DEVICES ON PUBLIC PROPERTY; AND THE FIRST READING AND INTRODUCTION OF AN ORDINANCE ADDING A NEW CHAPTER, CHAPTER 8-10, TO THE LAGUNA HILLS MUNICIPAL CODE RELATING TO SKATEBOARD PARK REGULATIONS

Deputy City Manager Reynolds gave a brief oral presentation and read the Ordinance titles into record.

Trevor Navarre, a Mission Viejo resident, spoke in opposition to the prohibition of scooters at the skateboard park facility.

Nicholas Pierce, a Newport Beach resident, spoke in opposition to the prohibition of scooters at the skateboard park facility.

Jennings Pierce, a Newport Beach resident, spoke in opposition to the prohibition of scooters at the skateboard park facility.

Aiden O'Brien, a Mission Viejo resident, spoke in opposition to the prohibition of scooters at the skateboard park facility.

Maria O'Brien, a Mission Viejo resident, spoke in opposition to the prohibition of scooters at the skateboard park facility.

THE CITY COUNCIL: (1) INTRODUCED FOR FIRST READING, READ BY TITLE ONLY, AND WAIVED FURTHER READING, AN ORDINANCE ENTITLED: "AN ORDINANCE OF THE CITY OF LAGUNA HILLS, CALIFORNIA, AMENDING AND RESTATING CHAPTER 8-04 OF TITLE 8

OF THE LAGUNA HILLS MUNICIPAL CODE REGARDING PARK AND RECREATIONAL FACILITY USE REGULATIONS, AMENDING SECTIONS 6-28.010, 6-28.020, AND 6-28.040 OF TITLE 6 OF THE LAGUNA HILLS MUNICIPAL CODE REGARDING PUBLIC DRINKING, AND AMENDING SECTIONS 11-30.010 AND 11-30.020 OF TITLE 11 OF THE LAGUNA HILLS MUNICIPAL CODE REGARDING UNAUTHORIZED MOTORIZED DEVICES ON PUBLIC PROPERTY;" (2) INTRODUCED FOR FIRST READING, READ BY TITLE ONLY, AND WAIVED FURTHER READING, AN ORDINANCE ENTITLED: "AN ORDINANCE OF THE CITY OF LAGUNA HILLS, CALIFORNIA, ADDING CHAPTER 8-10 TO TITLE 8 OF THE LAGUNA HILLS MUNICIPAL CODE REGARDING SKATEBOARD PARK USE REGULATIONS;" AND (3) DIRECTED STAFF TO WORK WITH OUR LEGISLATIVE REPRESENTATIVE REGARDING ASSEMBLY BILL "AB 1146 – SKATEBOARD PARKS" AND REPORT BACK TO COUNCIL, BY M/COUNCIL MEMBER BLOUNT, S/COUNCIL MEMBER CARRUTH. APPROVED BY A VOTE OF 5-0.

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

There were no Matters Agendized and Presented by City Council Members and Mayor.

8. CITY COUNCIL MEMBER COMMENTS

COUNCIL MEMBER CARRUTH

Council Member Carruth reported on her attendance at the Medal of Valor Luncheon held on April 23, 2015, where Sheriff Hutchens recognized our "Hometown Heroes" Joshua Austin and Kristen Hauptmeier and Deputies David Gregor and Erik Tilove and Community Services Officer Matt Padilla. Council Member Carruth also thanked David Reynolds and Dan Meehan for their work on Volunteer Connection Day, and reported it was a successful event.

MAYOR PRO TEMPORE KOGERMAN

Mayor Pro Tempore Kogerman reported on the "Yellow Mosquito" and stated she would have more information following the next Vector Control meeting. Mayor Pro Tempore Kogerman reported that she had attended the Board of Supervisors meeting and the decision regarding the 911 Emergency Ambulance Services stands - the City of Laguna Hills will be serviced by Care Ambulance Services.

COUNCIL MEMBER BLOUNT

Council Member Blount formally requested that City Manager Channing agendize the policy pertaining to the issuance of Temporary Event Permits.

Council Member Blount reported on his son Ethan's participation in the "Stoa" Speech and Debate Tournament in Corpus Christie where Ethan earned many awards including First Place in the overall tournament.

COUNCIL MEMBER SEDGWICK

Council Member Sedgwick reported that the Orange County Fire Authority will be making some enhancements throughout the County in the services they will be providing.

MAYOR GILBERT

Mayor Gilbert stated that we had missed a portion of Item No. 6.1.1 and we will reopen the item at this time 9:12 p.m.

6.1.1 SELECTION OF CITY REPRESENTATIVES FOR SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS ANNUAL CONFERENCE AND ASSOCIATION OF CALIFORNIA CITIES-ORANGE COUNTY LEGISLATIVE AND REGULATORY COMMITTEE

City Manager Channing requested a volunteer to serve as the City representative to the ACC-OC Legislative and Regulatory Committee.

THE CITY COUNCIL DESIGNATED COUNCIL MEMBER MELODY CARRUTH AS THE REPRESENTATIVE TO THE ASSOCIATION OF CALIFORNIA CITIES-ORANGE COUNTY LEGISLATIVE AND REGULATORY COMMITTEE. BY M/COUNCIL MEMBER BLOUNT, S/MAYOR PRO TEMPORE KOGERMAN. APPROVED BY A VOTE OF 5-0.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Gilbert adjourned the City Council Meeting at 9:16 p.m.

MELISSA AU-YEUNG, CITY CLERK

ATTEST:

DORE J. GILBERT, M.D., MAYOR

APPROVED AT MEETING OF MAY 12, 2015.