

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

**ADJOURNED REGULAR MEETING
MINUTES**

Tuesday, April 27, 2021

CLOSED SESSION - CONVENING AT 6:00 PM

CALL TO ORDER

The meeting was called to order at 6:00 p.m. by Mayor Pezold.

ROLL CALL OF CITY COUNCIL MEMBERS

Attendee Name	Title	Status	Arrived
Erica Pezold	Mayor	Present	
Don Sedgwick	Mayor Pro Tempore	Present	
Janine Heft	Council Member	Present	
Bill Hunt	Council Member	Present	
Dave Wheeler	Council Member	Present	

ANNOUNCEMENT OF CLOSED SESSION ITEM(S)

A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) and paragraph (1) of subdivision (e) of Government Code Section 54956.9: (1 potential case).

PUBLIC COMMENT ON CLOSED SESSION ITEM(S)

There were no public comments on closed session item(s).

CONVENE INTO CLOSED SESSION

The City Council convened into Closed Session, in the Community Center Second Floor Classroom, to consider the matter(s) listed above.

Council Member Wheeler left the Closed Session meeting at approximately 6:10 p.m. and did not return to the Closed Session meeting.

RECONVENE TO COMMUNITY CENTER HERITAGE ROOM

RECESS

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

The meeting was called to order at 7:04 p.m. by Mayor Pezold.

INVOCATION: Council Member Heft

PLEDGE OF ALLEGIANCE: Council Member Hunt

ROLL CALL OF CITY COUNCIL MEMBERS

Attendee Name	Title	Status	Arrived
Erica Pezold	Mayor	Present	
Don Sedgwick	Mayor Pro Tempore	Present	
Janine Heft	Council Member	Present	
Bill Hunt	Council Member	Present	
Dave Wheeler	Council Member	Present	

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

Pursuant to Government Code Section 54956.9

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) and paragraph (1) of subdivision (e) of Government Code Section 54956.9: (1 potential case).

City Attorney Simonian stated that the City Council convened into closed session this evening pursuant to the authorities listed on the Agenda with no reportable action taken.

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 Darya Ardehali.

2. SCHEDULE OF FUTURE EVENTS**2.1 Schedule of Future Events**

Recommendation: The Interim City Manager announced the upcoming City events for the month of May 2021.

3. PUBLIC COMMENTS

The following individuals submitted electronic public comments on non-agendized items that were received, forwarded to the Council prior to the meeting, and announced into the record by Assistant City Clerk Lee:

Marie C. and Michelle Schumacher each submitted an email expressing concerns regarding the Transportation Corridor Agency.

The following individuals addressed the City Council on non-agendized items:

Maya Dunne requested a deviation from the agenda format to allow public comments on the public hearing item prior to staff's presentation.

4. CONSENT CALENDAR

Motion to approve the Consent Calendar.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Janine Heft, Council Member
SECONDER:	Don Sedgwick, Mayor Pro Tempore
AYES:	Erica Pezold, Mayor; Don Sedgwick, Mayor Pro Tempore; Janine Heft, Council Member; Bill Hunt, Council Member; Dave Wheeler, Council Member

4.1 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.

4.2 Approval of Minutes for April 13, 2021, Regular Meeting

Recommendation: That the City Council approve the Minutes for the April 13, 2021, Regular Meeting.

4.3 Ratification of April 27, 2021, Warrant Register

Recommendation: That the City Council ratify the accompanying Warrant Register for the period from April 2, 2021, to April 15, 2021, in the amount of \$944,091.07.

4.4 City Council Review and Confirmation of the Necessity for Continuing the Local Emergency Related to the On-Going Threat of the Novel COVID-19 Virus

Recommendation: That the City Council review and confirm the necessity for continuing the local emergency declared in response to the Novel COVID-19 virus.

ITEMS REMOVED FROM THE CONSENT CALENDAR

There were no items removed from the Consent Calendar.

5. PLANNING AGENCY

Mayor Pezold recessed the City Council Meeting, and acting in capacity as Chair, called the Regular Meeting of the Planning Agency of the City of Laguna Hills, California, to order at 7:19 p.m.

5.1. ROLL CALL OF PLANNING AGENCY MEMBERS

Attendee Name	Title	Status	Arrived
Erica Pezold	Chair	Present	
Don Sedgwick	Vice Chair	Present	
Janine Heft	Agency Member	Present	
Bill Hunt	Agency Member	Present	
Dave Wheeler	Agency Member	Present	

5.2. PUBLIC COMMENTS

There were no Planning Agency public comments on non-agendized items.

5.3. APPROVAL OF MINUTES

5.3.1 Approval of Minutes for April 13, 2021, Regular Meeting

Recommendation: That the Planning Agency approve the Minutes for the April 13, 2021, Regular Meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Janine Heft, Agency Member
SECONDER:	Don Sedgwick, Vice Chair
AYES:	Erica Pezold, Chair, Don Sedgwick, Vice Chair; Janine Heft, Agency Member; Bill Hunt, Agency Member; Dave Wheeler, Agency Member

5.4. ADMINISTRATIVE REPORTS

There were no Planning Agency administrative reports.

5.5. PLANNING AGENCY PUBLIC HEARINGS

There were no Planning Agency public hearings.

PLANNING AGENCY ADJOURNMENT

Chair Pezold adjourned the Planning Agency Meeting and, acting in the capacity of Chair/Mayor, called the Joint Planning Agency/City Council meeting to order at 7:20 p.m.

JOINT PLANNING AGENCY/CITY COUNCIL MEETING**ROLL CALL OF CITY COUNCIL/PLANNING AGENCY MEMBERS**

Attendee Name	Title	Status	Arrived
Erica Pezold	Chair/Mayor	Present	
Don Sedgwick	Vice Chair/Mayor Pro Tempore	Present	
Janine Heft	Agency/Council Member	Present	
Bill Hunt	Agency/Council Member	Present	
Dave Wheeler	Agency/Council Member	Present	

JOINT PLANNING AGENCY/CITY COUNCIL PUBLIC HEARINGS

- The Village at Laguna Hills – a Request by MGP Fund X Laguna Hills, LLC to Modify the Previously Approved Five Lagunas Project to Continue to Redevelop the Former Laguna Hills Mall Site Located at 24155 Laguna Hills Mall, Including Adoption of the Fifth Addendum to the City of Laguna Hills General Plan Program Environmental Impact Report as Previously Addended (State Clearinghouse No. 20080811100) and Approval of Site Development Permit, Master Sign Program, Conditional Use Permits, Parking Use Permit, Vesting Tentative Tract Map, Precise Plan, and Development Agreement No. USE-0010-2019**

Community Development Director Chantarangsu reviewed the information provided in the staff report and provided a PowerPoint presentation.

Ken K. Hira, President, Kosmont Companies, provided a PowerPoint presentation on existing market conditions, the project's development agreement and economic impacts of the project.

Karen Gulley, Managing Principal, PlaceWorks, provided a PowerPoint presentation on the project's design review process.

Bruce Brubaker, Principal, PlaceWorks, provided a PowerPoint presentation on the project's architecture relative to the Urban Village Specific Plan.

Community Development Director Chantarangsu provided a PowerPoint presentation on the project's signage.

Rachel Struglia, Principal, Dudek, provided a PowerPoint presentation on the project's CEQA document.

Keil Maberry, Managing Principal, Linscott Law & Greenspan provided a PowerPoint presentation on the project's traffic and parking analyses.

Community Development Director Chantarangsu provided a PowerPoint presentation on the project's public benefits.

Chair/Mayor Pezold recessed the meeting at 9:00 p.m.

Chair/Mayor Pezold reconvened the meeting at 9:21 p.m.

Chair/Mayor Pezold opened the Public Hearing.

Stephen Logan, Vice President of Development, Merlone Geier Partners, provided an introductory PowerPoint presentation on the project.

David Geiser, Managing Director of Design & Construction, Merlone Geier Partners, provided a PowerPoint presentation on the project's design planning.

Dennis Borowsky, Vice President of Leasing & Entitlement, Merlone Geier Partners, provided a PowerPoint presentation on the current retail environment.

Mary Anne King, Co-Head of Investment Sales, Berkadia, provided a PowerPoint presentation on the project's residential development component.

Carol Trapani and Allison Kelly, Senior Vice Presidents in Advisory & Transaction Services, CBRE provided a PowerPoint presentation on the project's office development component.

Stephen Logan, Vice President of Development, Merlone Geier Partners, provided a PowerPoint presentation on the project's phasing schedule.

The following individuals submitted electronic/written public comments on the public hearing item that were received, forwarded to the Agency/Council prior to the meeting, and announced into the record by Assistant City Clerk Lee:

In Favor of Project as Presented

95 Individuals

Robert & Denise Pardue
Sheri Feinberg
Alison B. Cox
Bob Tagupa
Diane Katz
Jasmine Bogwell
Ronny Johnson
Nathan Malone
Chris Boswell
Carrie Gardner
Danielle Mount
Donald Anderson
Nancy Ratkowski
Peggysue Mowry
Tracy Morales
Fatima Amin
Sarah Hackett
Barbara Forsse
S. Trevett
Steve Mendoza
Tom Homan
Gloria Mendoza
Nilesh Kanse
Lindsey Gilbert
Gerald Hester

J. Malitonis
Manuel Rodriguez
Khalil Sarwari
Patricia Pollac
Thy Pham
William Barnett
Phyllis Bristow
Leslie Bird
Shelia Lind
Laura Ontiveros
Larin Barnett
Jennifer Tolifson
Linda Back
Rachel Stephenson
Florene Barr
Lisa Tagupa
Jennine Daniels
Marian Grace
Jill & Todd Lewis
Joel Lautenschleger
Carly Owens
Alexa Goldblatt
Rachel Gillooly
Josh Provance
Kylee Brown
Chanel Juzaitis

John Jovanovski
Jeffrey Provance
Geoff Kint
Pam Mc Garry
Jessica Kavanagh
Clemnte Pepe
Liz Martin Wilson
Cameron Chadwick
Justin Woodworth
Carol Agon
Yasser Soliman
S. Feinberg
Jerry Clark
Amy St. Hilaire
William Faithlovhope
Nanciann Horvath
Patricia Thee
Stephanie Solomon
Cheryl Isobe
Lesa White
CJ Thompson
Shirley White
Laura Bissonette
Illegible Name) 19

22 Businesses

Sheri Feinberg, Printex
Patricia Thee, Beach Hardwood Floors, Inc
Stephanie Solomon, Orange Coast Orthodontics
Steve Seifert, Weston Automotive
Bill Faithllovhope, Alpha Omega Constructors, Inc.
Amy St. Hilaire
Martha Haecherl, Keller Williams Realty
Trisha Yee, The Inside Group
Jerry Clarke, Alpha Omega Constructors, Inc.

Nanciann Horvath
Mike Mattson, One Source Realty Solutions
Yasser Soliman, Chipotle
Sabrina Phillips, Designing Women of Orange County
Alex Presley, Smartflyer
Lydon Brown, Alpha Omega Constructors, Inc
Jeff Zaret, PayProTec West Coast
Rich Rappa, Waverider Security
Jay Lukes, The Lukes Network
Jeff Hallorn, Primerica

Barbara J. Thomas, South Orange
County Economic Coalition
Will Derentz, Pumpkin City, Inc.

Allan Songstad, Songstad, Randall, Coffee &
Humphrey

1 Organization

Steve La Monte, BIA/OC

Supportive with Modifications for Greater Housing Affordability

117 Individuals

Eva Lydick	Marty Deutschman	Grayson Gothard
Karen Stone	Christianne Rottenberg	Dan Schmid
Ami Lief	Marquita & Jay Miller	Rev. Rayna Hamre
Maureen Terry	Rosemary De Monte	Carolyn Dingus
Christine Roy	Frieda Gorelick	Barbara Boczek
Barbara Daly	Jeremiah Lawson	Cindy Ashley
Ryan Lenney	Judy Curry	Bonnie Benton
Andrea Alexander	Sarah Burt	Vicki Hines
Phyllis Roberts	Bernadette Rego	Sherly Hayashi Sterry
Catherine R. Van Camp	Christine Schechter	Karen Maurer
Sue Dearing	Joseph & Olive Rego	Jody Berger
Annie Krinsky	Karen Tagawa	Iris Anderson
Christine L. Morinello	Doug Graham	Anne Kolar
Leslie Palm	Maureen Mehler	Adam Overton
Marilyn Schroeder	Erin Schwarz	Anna Riviere
Karen Nichols	Metche F Franke, Ph.D.	Janice Cochran
Richard & Sue Snyder	Flora Niermann	David Salahi
Linda Ellinor	Myra Vure	Lisa Gibilie
Joy Chen	Debra David	Denise Legters
Marilyn Freeman	Lynn Einarsson Woods	Denise Fleury
Cindy Ashley	Katherine Dechter	Jim Bucklin
Lydia Lewis	Fayez Mazid	Max Uehara
Cathy Palmer	Penelope Kinnear	Debbie Salahi
Toni Mendell	Tim Olsen	Cecile Vu
Ann Owens	Elaine Grist	Daya Shankar-Fischer
Ann & Tony Beltran	Carol Novick	Jay Grimm
Suzanne Model	Suzanne Staulz	Pat Davis
Colleen McHugh	Wendy McQuillan-Burry	Eliana Iturrizaga
Sophia Uehara	Gerald Halpert	Marcia Goldstein)
Sandra Townes Ward	Linda Yeargin	Elisabetta Panzica
Janet Lusk	Judy & Richard Northrop	Sheryl Hagen
Kathleen Rubin	John Mendonca & Bruce	Lelia Carver
Lois Anderson	L. Johnson	trjemiles
Ramesh Joshi	Robert Henry	John Wainwright
Carol E. Semelroth	Vicky Mazid	Kathy Esfahani
Barbara Siry	Michelle Antenesse	Jeffrey Gothard
Louise Adler	Stephanie Strainb	Rabbi Stephen Einstein
	felicitynf	

13 Organizations

Cesar Covarrubias, Kennedy Commission
 Reverend Kent Dos, Tapestry a Unitarian
 Universalist Congregation
 Susan B. Parks, Orange County United Way
 Elizabeth Hansburg, People for Housing –
 YIMBY OC
 Rev. Rodrick Echols, Neighborhood
 Congregational Church, Laguna Beach
 Chris Collins and Diane Nied, League of
 Women Voters of Orange Coast
 Homelessness Advocacy Team

Rona Smyth Henry, Welcoming Neighbors Home
 Sara Radecki, Interfaith Council of Greater Rancho
 Santa Margarita
 Wendy Bury, Concerned Citizens of Laguna Woods
 Brenda J. Rodriguez, Affordable Housing
 Clearinghouse
 Dawn Price, Friendship Shelter
 Cyndee Albertson, Family Promise of Orange
 County
 LaVal Brewer, South County Outreach
 Richard Walker, Public Law Center

Supportive with Modifications**1 Business**

Paul Tanguay, Vice President, Laguna Hills Investment Company (Oakbrook Village)
 Fritz, Duda Company

Against the Project as Presented

Requests for the Project to be approved in smaller packages and for the hearings to be delayed until after COVID-19 restrictions have been lifted

12 Individuals

Marsha Westropp
 Gary Hierman
 Bob & Genie Martin
 Mario Vasquez

Clint Refsnyder
 David Harrington
 Kenneth Benson
 Sidney Harrington
 Connie George

Faye Checkoway
 Raquel Bruno

Requested More Retail**3 Individuals**

John Kefeil
 Karen E. Stone
 Elaine Roccio

Various Concerns**11 Individuals**

Carl Christiansen
 Michelle Nolan
 Reshma Peck

Karen Hollingsworth
 Jay Smith
 Steve Rigdon
 Aayush Mehrotra

Aanand Solanki
 Neel Patel
 Glenda Vincent
 Larry Bremer

The following individuals addressed the Planning Agency/City Council on the public hearing item:

In Favor of Project as Presented**13 Individuals**

Joel Lautenschleger
 Barbara Thomas
 Ken Post
 Marcia Manker

Jennifer Pointer
 Carol Church
 Steve La Motte
 Patricia Thee
 Matt Ottoson

John Hogan
 Tiffany Fellows
 Bryant Brislin
 Jeff Montejano, CEO, BIA/OC
 Jim Anderson

Neutral2 Individuals

Juanita Skillman
Sally Herrick

In Favor with Modifications22 Individuals

Ann Owens	Catherine Van Camp	Rev. Kent Doss
Don Caskey	Maya Dunne	Ryan Lenney
Susan Caskey	Denise Legters	Cathy Udouch
Elisabetta Panzica	Maya Dunne on behalf of	Rona Henry
Suellen Zima	Karen Stone	Cesar Covarrubias
Jeanne Lepowsky	Robert Henry	Ann Beltran
Denise Fleury	Christine Roy	Andrea Alexander
	John Wainwright	Barbara Siry

In Opposition6 Individuals

Karen Liftin	Jonah Breslau	Oralia Marin
Lowell Reed	James A. Ford	
	Dori Newman	

There being no further public comments this evening, the Mayor directed the matter back to the Planning Agency/City Council.

A motion to continue the public hearing to a later date, at least 120 days from now at the Laguna Hills Community Center Heritage Room was made by Council Member Wheeler, seconded by Mayor Pezold.

Chair/Mayor Pezold recessed the meeting at 12:40 a.m.

Chair/Mayor Pezold reconvened the meeting at 12:58 a.m.

A substitute motion to keep the public hearing open and to continue the public hearing to a Special Joint Meeting of the Planning Agency/City Council on Thursday, June 24, 2021, at 5:00p.m., in the Laguna Hills Community Center Heritage Room was made by Council Member Heft, seconded by Council Member Hunt.

A motion to keep the public comments portion of the public hearing open at a continued public hearing was made by Mayor Pezold, seconded by Council Member Wheeler.

A substitute motion to close the public comments portion of the public hearing now was made by Mayor Pro Tempore Sedgwick, seconded by Council Member Hunt.

RESULT:	FAILED [2 TO 3]
MOVER:	Don Sedgwick, Vice Chair/Mayor Pro Tempore
SECONDER:	Bill Hunt, Agency/Council Member
AYES:	Don Sedgwick, Vice Chair/Mayor Pro Tempore; Bill Hunt, Agency/Council Member
NAYS:	Erica Pezold, Chair/Mayor; Janine Heft, Agency/ Council Member; Dave Wheeler, Agency/Council Member

Mayor Pezold called for a roll call vote on the original motion to keep the public comments portion of the public hearing open at a continued public hearing as moved by Mayor Pezold, seconded by Council Member Wheeler.

RESULT:	APPROVED [4 TO 1]
MOVER:	Erica Pezold, Chair/Mayor
SECONDER:	Dave Wheeler, Agency/Council Member
AYES:	Erica Pezold, Chair/Mayor; Janine Heft, Agency/ Council Member; Bill Hunt, Agency/Council Member; Dave Wheeler, Agency/ Council Member
NAYS:	Don Sedgwick, Vice Chair/Mayor Pro Tempore

Mayor Pezold called for a roll call vote on the substitute motion to keep the public hearing open and to continue the public hearing to a Special Joint Meeting of the Planning Agency/City Council on Thursday, June 24, 2021, at 5:00p.m., in the Laguna Hills Community Center Heritage Room as moved by Council Member Heft, seconded by Council Member Hunt.

RESULT:	APPROVED [4 TO 1]
MOVER:	Janine Heft, Agency/Council Member
SECONDER:	Bill Hunt, Agency/Council Member
AYES:	Erica Pezold, Chair/Mayor; Don Sedgwick, Vice Chair/Mayor Pro Tempore Janine Heft, Agency/ Council Member; Bill Hunt, Agency/Council Member
NAYS:	Dave Wheeler, Agency/ Council Member

Recommendation: That the City Council and Planning Agency take the following actions:

- 1) Conduct a Joint Public Hearing;
- 2) That the Planning Agency and City Council:
 - a) Independently consider the City of Laguna Hills General Plan Program Environmental Impact Report (PEIR) (State Clearinghouse No. 20080811100) as previously addended for the Five Lagunas Project along with the Fifth Addendum to the PEIR;
 - b) Adopt a Resolution entitled: “A Joint Resolution of the Planning Agency and the City Council of the City of Laguna Hills, California, adopting the Fifth Addendum to the 2009 General Plan Program Environmental Impact Report as previously addended for the Five Lagunas Project and a Mitigation Monitoring and Reporting Program for the Village at Laguna Hills Project pursuant to the California Environmental Quality Act”;
- 3) Adopt a Resolution entitled: “A Joint Resolution of the Planning Agency and the City Council of the City of Laguna Hills, California, approving Site Development Permit, Master Sign Program, Conditional Use Permit, Vesting Tentative Tract Map, Development Agreement, Precise Plan No. USE-0010-2019, a request by MGP Fund X Laguna Hills, LLC, to modify the previously approved Five Lagunas Project to continue to redevelop the former Laguna Hills Mall site located at 24155 Laguna Hills Mall, and making certain findings in connection therewith”;
- 4) That the City Council introduce for first reading, read by title only, and waive further reading of an Ordinance entitled: “An Ordinance of the City Council of the City of Laguna Hills, California, approving and adopting a Development Agreement between the City of Laguna Hills and MGP Fund X Laguna Hills, LLC for the Village at Laguna Hills Project.”

JOINT PLANNING AGENCY/CITY COUNCIL MEETING ADJOURNMENT

Chair/Mayor Pezold adjourned the Joint Planning Agency/City Council Meeting and reconvened the City Council Meeting at 1:31 a.m.

6. CITY COUNCIL PUBLIC HEARINGS

There were no City Council public hearings.

7. ADMINISTRATIVE REPORTS**7.1. City Manager**

The Interim City Manager gave no Administrative Reports.

8. MATTERS AGENDIZED AND PRESENTED BY CITY COUNCIL MEMBERS

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

9. CITY COUNCIL MEMBER COMMITTEE REPORTS

There were no City Council Member committee reports.

10. CITY COUNCIL MEMBER COMMENTS

There were no City Council Member comments.

11. CLOSED SESSION (continued)

It was determined the City Council would not reconvene into Closed Session due to the late hour and there being no need to continue the closed session item discussion.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Pezold declared the meeting adjourned at 1:32 a.m.

Melissa Au-Yeung, City Clerk

ATTEST:

Erica Pezold, Mayor

Approved at meeting of May 11, 2021