
**CITY OF LAGUNA HILLS, CALIFORNIA
CITY COUNCIL/PLANNING AGENCY REGULAR MEETING
MINUTES
APRIL 24, 2012**

CALL TO ORDER

Mayor Carruth called the Regular Meeting of the City Council of the City of Laguna Hills, California, to order at 7:00 PM in the Laguna Hills City Council Chamber, 24035 El Toro Road, Laguna Hills.

PLEDGE OF ALLEGIANCE: Council Member Songstad

ROLL CALL OF CITY COUNCIL MEMBERS

Present: Mayor Carruth, Mayor Pro Tempore Lautenschleger, Council Member Bressette, Council Member Kogerman, and Council Member Songstad

1. PRESENTATIONS AND PROCLAMATIONS

There were no Presentations and Proclamations.

2. PUBLIC COMMENTS

MOULTON LA PAZ SHOPPING CENTER

Shannon Freedman, Laguna Hills, spoke in opposition to the project and expressed concern regarding potential impacts to the neighborhood that the renovation of the Moulton La Paz Shopping Center could create.

LAGUNA HILLS HIGH SCHOOL GRAD NIGHT FUND RAISER

Meg Gorham, Laguna Hills, gave an update on the activities for the Laguna Hills High School Grad Night Fund raiser, Win-Win-Wednesday.

2.1 LAGUNA HILLS HIGH SCHOOL STUDENT LIAISON

THE CITY COUNCIL RECEIVED AN ORAL REPORT FROM LAGUNA HILLS HIGH SCHOOL STUDENT LIAISON JEENA BONUTTO.

3. MINUTES

3.1 REGULAR MEETING, APRIL 10, 2012

MOTION TO APPROVE THE MINUTES OF THE APRIL 10, 2012, REGULAR MEETING, BY M/COUNCIL MEMBER KOGERMAN, S/MAYOR PRO TEMPORE LAUTENSCHLEGER.

APPROVED BY A VOTE OF 5-0.

4. CONSENT CALENDAR

MOTION TO APPROVE THE CONSENT CALENDAR, BY M/COUNCIL MEMBER BRESSETTE, S/MAYOR PRO TEMPORE LAUTENSCHLEGER, WITH COUNCIL MEMBER KOGERMAN REMOVING ITEM NO. 4.6.

APPROVED BY A VOTE OF 5-0.

- 4.1 MOTION TO APPROVE THE READING BY TITLE OF ALL ORDINANCES AND RESOLUTIONS, SAID TITLES, WHICH APPEAR ON THE PUBLIC AGENDA, SHALL BE DETERMINED TO HAVE BEEN READ BY TITLE AND FURTHER READING WAIVED

THE CITY COUNCIL WAIVED READING OF ORDINANCES AND RESOLUTIONS.

- 4.2 APPROVAL OF WARRANT REGISTER FOR PERIOD ENDED APRIL 24, 2012

THE CITY COUNCIL APPROVED THE WARRANT REGISTER IN THE AMOUNT OF \$1,068,699.96.

- 4.3 PROGRESS PAYMENT NO. 13 FOR LA PAZ ROAD WIDENING AT I-5 IMPROVEMENT PROJECT, CIP NO. 159

THE CITY COUNCIL: (1) APPROVED PROGRESS PAYMENT NO. 13, IN THE NET AMOUNT OF \$189,800.99, TO SEMA CONSTRUCTION, INC., (2) APPROVED CONTRACT CHANGE ORDER NO. 5; (3) APPROVED AMENDMENT NO. 7 TO AGREEMENT FOR CONSULTING SERVICES WITH PARSONS BRINCKERHOFF, INC.; AND (4) APPROVED AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT WITH ATHALYE CONSULTING ENGINEERING SERVICES, FOR THE LA PAZ ROAD WIDENING AT I-5 IMPROVEMENT PROJECT, CIP NO. 159.

- 4.4 2012 WEED ABATEMENT PROGRAM

THE CITY COUNCIL ADOPTED RESOLUTION NO. 2012-04-24-1, 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 22, 2012.

4.5 SECOND CALL FOR PROJECTS FOR THE MEASURE M2 ENVIRONMENTAL CLEANUP PROGRAM (ECP) TIER 1 GRANT

THE CITY COUNCIL: (1) APPROVED THE GRANT APPLICATION FOR THE MEASURE M2 ENVIRONMENTAL CLEANUP PROGRAM TIER 1 GRANT; (2) ADOPTED RESOLUTION NO. 2012-04-24-2, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, AUTHORIZING AN APPLICATION FOR FUNDS FOR THE MEASURE M2 ENVIRONMENTAL CLEANUP PROGRAM TIER 1 GRANT UNDER ORANGE COUNTY LOCAL TRANSPORTATION ORDINANCE NO. 3 FOR THE LAGUNA HILLS DEBRIS GATES PROJECT;" AND (3) AUTHORIZED THE SOLE-SOURCE SELECTION OF G2 CONSTRUCTION, INC., FOR THIS WORK.

ITEMS REMOVED FROM THE CONSENT CALENDAR

4.6 AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE CITYWIDE PAVEMENT REHABILITATION PROJECT, CIP NO. 101-H

Council Member Kogerman removed this item from the Consent Calendar to inquire from City Attorney Simonian about her possible conflict of interest on this project, since her street was one of the streets scheduled for rehabilitation. City Attorney Simonian indicated that with this type of maintenance project, there was no conflict.

**MOTION TO APPROVE THE PLANS AND SPECIFICATIONS AND AUTHORIZE THE ADVERTISEMENT FOR BIDS OF THE CITYWIDE PAVEMENT REHABILITATION PROJECT, CIP NO. 101-H, BY M/COUNCIL MEMBER KOGERMAN, S/COUNCIL MEMBER BRESSETTE.
APPROVED BY A VOTE OF 5-0.**

5. PLANNING AGENCY

Mayor Carruth 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 7:13 PM.

5.1 ROLL CALL OF PLANNING AGENCY MEMBERS

Present: Chair Carruth, Vice Chair Lautenschleger, Agency Member Bressette, Agency Member Kogerman, and Agency Member Songstad

5.2 PUBLIC COMMENTS

There were no Public Comments.

5.3 MINUTES

5.3.1 REGULAR MEETING, APRIL 10, 2012

MOTION TO APPROVE THE MINUTES OF THE APRIL 10, 2012, REGULAR MEETING, AS PRESENTED IN CITY COUNCIL MINUTES BEGINNING ON PAGE 3, BY M/AGENCY MEMBER SONGSTAD, S/VICE CHAIR LAUTENSCHLEGER. APPROVED BY A VOTE OF 5-0.

5.4 PLANNING AGENCY PUBLIC HEARINGS

5.4.1 ZONING TEXT AMENDMENT NO. 01-12-2163, AN ORDINANCE ADDING CHAPTER 9-93, ENTITLED "REASONABLE ACCOMMODATION FOR PERSONS WITH DISABILITIES," TO THE LAGUNA HILLS MUNICIPAL CODE, PROVIDING A PROCEDURE FOR GRANTING REASONABLE ACCOMMODATION IN THE CITY'S ZONING AND LAND USE REGULATIONS, POLICIES, AND PRACTICES PURSUANT TO FEDERAL AND STATE FAIR HOUSING LAWS.

The public notice for this zoning text amendment was incorrectly published as a Planning Agency item when this item is subject to review by the City Council. Therefore, staff must provide the proper public notice as a City Council agenda item, and anticipates bringing this item forward for review by the City Council at the regular meeting of May 8, 2012.

MOTION TO RECEIVE AND FILE THE REPORT, BY M/AGENCY MEMBER KOGERMAN, S/VICE CHAIR LAUTENSCHLEGER. APPROVED BY A VOTE OF 5-0.

PLANNING AGENCY ADJOURNMENT

6. JOINT PLANNING AGENCY/CITY COUNCIL MEETING

6.1 ROLL CALL OF JOINT CITY COUNCIL/PLANNING AGENCY MEETING

Present: Mayor/Chair Carruth, Mayor Pro Tempore/Vice Chair Lautenschleger, Council Member/Agency Member Bressette, Council Member/Agency Member Kogerman, and Council Member/Agency Member Songstad

6.2 PUBLIC COMMENTS

There were no Public Comments.

6.3 PUBLIC HEARINGS

6.3.1 SITE DEVELOPMENT PERMIT/CONDITIONAL USE PERMIT/PARKING USE PERMIT NO. 12-11-2131, A REQUEST BY MOULTON LA PAZ, LLC, TO REMODEL AND EXPAND THE MOULTON LA PAZ SHOPPING CENTER AT 26534-26562 MOULTON PARKWAY, INCLUDING THE ADDITION OF APPROXIMATELY 30,000 SQUARE FEET OF NEW COMMERCIAL SPACE, UPDATED FACADES, AND NEW PARKING LOT LAYOUT AND LANDSCAPING, CONSIDERATION OF A DETERMINATION THAT THE DISPOSAL OF CERTAIN CITY-OWNED REAL PROPERTY INCLUDED IN THE DEVELOPMENT PROPOSAL IS IN CONFORMANCE WITH THE GENERAL PLAN, AND CONSIDERATION AND APPROVAL BY THE CITY COUNCIL OF A PROPOSED REAL PROPERTY PURCHASE AND SALE AGREEMENT ENTITLED "AGREEMENT FOR PURCHASE AND SALE BY AND BETWEEN MOULTON LA PAZ, LLC, AND CITY OF LAGUNA HILLS," CONCERNING THE PROPOSED SALE OF PARCEL 1 (3.365 ACRES) OF FINAL PARCEL MAP NO. 2009-134 TO ALLOW FOR THE REMODEL AND EXPANSION OF THE MOULTON LA PAZ SHOPPING CENTER.

Vice Chair/Mayor Pro Tempore Lautenschleger announced that he had a potential conflict of interest under FPPC rules because he owns real property that is located within 500 feet of the subject property and that, as such, recused himself from participating in the discussion of this item and left the dais.

Mayor/Chair Carruth opened the Public Hearing.

Jerry Garner, Vintage Property Group representative, spoke on the proposed remodel and expansion of the Moulton La Paz Shopping Center and answered questions from the City Council/Planning Agency Members. Mr. Garner indicated he had read and agreed to all of the Conditions of Approval.

Jim Leach, CEO of the South Orange County Regional Chamber and Economic Coalition, supported the proposed renovations of the Moulton La Paz Shopping Center.

There were five Laguna Hills residents that spoke in opposition to the proposed modifications for the Moulton La Paz Shopping Center.

Jerry Kramer, Nadel Architects representative, spoke on the proposed remodel and expansion of the Moulton La Paz shopping Center and answered questions from the City Council/Planning Agency Members.

Mayor/Chair Carruth closed the Public Hearing.

(1) THE PLANNING AGENCY ADOPTED RESOLUTION NO. PA2012-04-24-1, A RESOLUTION OF THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING SITE DEVELOPMENT PERMIT/CONDITIONAL USE PERMIT/PARKING USE PERMIT NO. 12-11-2131, A REQUEST BY MOULTON LA PAZ, LLC, TO REMODEL AND EXPAND THE MOULTON LA PAZ SHOPPING CENTER LOCATED AT 26534-26562 MOULTON PARKWAY, INCLUDING THE ADDITION OF APPROXIMATELY 30,000 SQUARE FEET OF NEW COMMERCIAL SPACE, UPDATED FACADES, AND NEW PARKING LOT LAYOUT AND LANDSCAPING; AND MADE A DETERMINATION THAT THE DISPOSAL OF CERTAIN CITY-OWNED REAL PROPERTY INCLUDED IN THE DEVELOPMENT PROPOSAL IS IN CONFORMANCE WITH THE GENERAL PLAN;" AND

(2) THE CITY COUNCIL APPROVED THE PROPOSED REAL PROPERTY PURCHASE AND SALE AGREEMENT FOR PURCHASE AND SALE BY AND BETWEEN MOULTON LA PAZ, LLC, AND THE CITY OF LAGUNA HILLS, CONCERNING THE PROPOSED SALE OF PARCEL 1 (3.365 ACRES) OF FINAL PARCEL MAP NO. 2009-134 TO ALLOW FOR THE REMODEL AND EXPANSION OF THE MOULTON LA PAZ SHOPPING CENTER, AND AUTHORIZED THE MAYOR TO EXECUTE SAME, BY M/AGENCY MEMBER/COUNCIL MEMBER KOGERMAN, S/CHAIR/MAYOR CARRUTH.
APPROVED BY A VOTE OF 4-0-1 (VICE CHAIR/MAYOR PRO TEMPORE LAUTENSCHLEGER ABSENT).

JOINT PLANNING AGENCY/CITY COUNCIL MEETING ADJOURNMENT

Vice Chair/Mayor Pro Tempore Lautenschleger returned to the meeting.

7. ADMINISTRATIVE REPORTS

7.1 City Manager

The City Manager made no reports.

7.2 Public Services Director/City Engineer

7.2.1 PROJECT SELECTION FOR STATE-LOCAL PARTNERSHIP PROGRAM FUNDING THROUGH THE ORANGE COUNTY TRANSPORTATION AUTHORITY

**MOTION TO TABLE THIS ITEM UNTIL AFTER THE DISCUSSION OF ITEM NO. 7.2.3, LA PAZ ROAD SIDEWALK ADJACENT TO VALENCIA ELEMENTARY SCHOOL, BY M/COUNCIL MEMBER BRESSETTE, S/MAYOR CARRUTH.
APPROVED BY A VOTE OF 3-2, (COUNCIL MEMBER SONGSTAD, AND MAYOR PRO TEMPORE LAUTENSCHLEGER VOTING NO).**

This item was taken out of order on the Agenda.

7.2.3 LA PAZ ROAD SIDEWALK ADJACENT TO VALENCIA
ELEMENTARY SCHOOL

**MOTION TO DIRECT STAFF TO RETURN WITH AN OPTION AT THE MID-YEAR
BUDGET REVIEW, TO INCLUDE DESIGN COSTS AT THAT TIME, BY/COUNCIL
MEMBER BRESSETTE, S/MAYOR CARRUTH.
APPROVED BY A VOTE OF 5-0.**

7.2.1 PROJECT SELECTION FOR STATE-LOCAL PARTNERSHIP
PROGRAM FUNDING THROUGH THE ORANGE COUNTY
TRANSPORTATION AUTHORITY(CONTINUED)

**MOTION TO AUTHORIZE STAFF TO SUBMIT AN APPLICATION TO THE
ORANGE COUNTY TRANSPORTATION AUTHORITY FOR STATE-LOCAL
PARTNERSHIP PROGRAM FUNDING IN ACCORDANCE WITH THE
FOLLOWING PRIORITY OF PROJECTS LIST: (1) RIDGE ROUTE DRIVE
PAVEMENT REHABILITATION, CIP NO. 172A; (2) EL TORO ROAD PAVEMENT
REHABILITATION, CIP NO. 179; AND (3) ACCESS RAMP CONSTRUCTION, CIP
NO. 170, BY M/COUNCIL MEMBER BRESSETTE, S/COUNCIL MEMBER
SONGSTAD.
APPROVED BY A VOTE OF 5-0.**

7.2.2 AUTHORIZATION TO ADVERTISE FOR BIDS FOR TURF
RENOVATION AT THE COMMUNITY CENTER AND SPORTS
COMPLEX, CIP NO. 238

**MOTION TO APPROVE THE PLANS AND SPECIFICATIONS, AUTHORIZED THE
SOLE-SOURCE PURCHASE OF SAND AND TURF MATERIALS, AND
AUTHORIZED THE ADVERTISEMENT FOR BIDS FOR THE TURF RENOVATION
AT THE COMMUNITY CENTER AND SPORTS COMPLEX, CIP NO. 238.
APPROVED BY A VOTE OF 5-0.**

**8. MATTERS AGENDIZED AND PRESENTED BY CITY COUNCIL MEMBERS AND
MAYOR**

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

9. CITY COUNCIL MEMBER COMMENTS

MAYOR CARRUTH

Mayor Carruth thanked the Community Services staff for a great Earth Day event held on Saturday, April 21, 2012.

COUNCIL MEMBER KOGERMAN

Council Member Kogerman indicated that Saturday, April 28, 2012, was National Prescription Medication Take Back Day, and indicated that she would like the City to participate next year.

Council Member Kogerman discussed the placement of items on the City Council Agendas by the Council Members.

10. CLOSED SESSION

There was no Closed Session.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Carruth declared the meeting adjourned at 11:03 PM.

PEGGY J. JOHNS, CITY CLERK

ATTEST:

MELODY CARRUTH, MAYOR

APPROVED AT MEETING OF MAY 8, 2012.