CITY OF LAGUNA HILLS, CALIFORNIA
CITY COUNCIL/PLANNING AGENCY REGULAR MEETING
MINUTES
APRIL 12, 2011

CALL TO ORDER

Mayor Songstad 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 Bressette

ROLL CALL OF CITY COUNCIL MEMBERS

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

STAFF PRESENT: Bruce Channing, City Manager; Donald White, Assistant City Manager; Peggy Johns, City Clerk; Greg Simonian, City Attorney; Ken Rosenfield, Public Services Director/City Engineer; Vern Jones, Community Development Director; Steve Doan, Chief of Police Services; David Reynolds, Deputy City Manager; Ron Roberts, Battalion Chief, Orange County Fire Authority; Melissa Au-Yeung, Senior Management Analyst; Dan Meehan, Community Services Superintendent; and Sandi Mogan, Deputy City Clerk.

1. PRESENTATIONS AND PROCLAMATIONS

1.1 PRESENTATION FROM ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA) TO THE CITY OF LAGUNA HILLS REGARDING MEASURE M (0410-65)

The City Council received a Resolution of Appreciation presented by OCTA Vice Chair Paul Glaab for partnering with OCTA to deliver much needed transportation solutions to Orange County Residents through Measure M funding. Vice Chair Glaab introduced new staff member Lance Larsen, Executive Director for Governmental Affairs.

2. PUBLIC COMMENTS

<u>DARK HORSE COMMITTEE (0120-40)</u>

Mike Bland showed the City Council the new logo for the 3/5 Dark Horse Battalion and gave an update on the recent activities of the 3/5 Dark Horse Battalion Committee. Mr. Bland introduced the Davis family whose son had served with the 3/5 Battalion. Jamie Davis thanked the City Council for all of their support.

2.1 LAGUNA HILLS HIGH SCHOOL STUDENT LIAISON (0930-40)

The City Council received an oral report from Laguna Hills High School Student Liaison Lyndsey Kaan.

3. MINUTES

3.1 REGULAR MEETING, MARCH 22, 2011 (0410-50)

Motion to approve the minutes of the March 22, 2011, regular meeting by m/Mayor Pro Tempore Carruth, s/Council Member Bressette.
Approved by a vote of 5-0.

4. CONSENT CALENDAR

Motion to approve the Consent Calendar, by m/Mayor Pro Tempore Carruth, s/Council Member Bressette, with Council Member Bressette removing Item No. 4.4, and Mayor Pro Tempore Carruth 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

Waived reading of Ordinances and Resolutions.

4.2 APPROVAL OF WARRANT REGISTER FOR PERIOD ENDED APRIL 12, 2011 (0300-30)

Approved the Warrant Register in the amount of $1,590,431.54.

4.3 AGREEMENT WITH THE CITY OF LAGUNA WOODS FOR THE JOINT SHARE OF THE SANTA MARIA AVENUE RECONSTRUCTION PROJECT (0400-10)

Approved the Agreement for the joint share of Santa Maria Avenue Reconstruction Project with the City of Laguna Woods and authorized the City Manager to execute the Agreement and the City Clerk to attest thereto.

4.5 PROGRESS PAYMENT NO. 7, FINAL, FOR ALICIA PARKWAY TRAFFIC SIGNAL SYNCHRONIZATION PROJECT, CIP NO. 173, AND LA PAZ ROAD TRAFFIC SIGNAL SYNCHRONIZATION PROJECT, CIP NO. 174 (0400-10)

Approved Contract Change Order No. 2 and Progress Payment No. 7, Final, in the net amount of $37,842.53, to Steiny and Company, Inc., for Alicia Parkway Traffic Signal Synchronization Project, CIP No. 173, and La Paz Road Traffic Signal Synchronization Project, CIP No. 174, and authorized the filing of the Notice of Completion and subsequent release of retention in 35 days, if no liens had been filed.

4.7 PROGRESS PAYMENT NO. 1 FOR COMMUNITY CENTER & SPORTS COMPLEX PLAYGROUND RENOVATIONS AND LIGHT REFURBISHMENT, CIP NO. 514, AND COSTEAU PARK PLAYGROUND RENOVATIONS, CIP NO. 239 (0400-10)

Approved Progress Payment No. 1, in the net amount of $38,037.58, to Signature Contractors, for Community Center & Sports Complex Playground Renovations and Light Refurbishment, CIP No. 514, and Costeau Park Playground Renovations, CIP No. 239.

4.8 BUDGET AMENDMENT AND PROGRESS PAYMENT NO. 1 FOR LA PAZ ROAD WIDENING AT I-5 IMPROVEMENT PROJECT, CIP NO. 159 (0400-10)

1. Adopted Resolution No. 2011-04-12-1, a Resolution of the City Council of the City of Laguna Hills, California, amending the Fiscal Year 2010-2011 Capital Improvement Program Budget for the La Paz Road Widening at I-5 Improvement Project CIP No. 159; and
2. Approved Progress Payment No. 1 in the net amount of $38,047.50, to SEMA Construction, Inc., for the La Paz Road Widening at I-5 Improvement Project, CIP No. 159.

4.9 PROFESSIONAL SERVICES AGREEMENT WITH BUCKNAM & ASSOCIATES, INC., FOR THE UPDATE TO THE PAVEMENT MANAGEMENT PLAN (0400-10)

Approved the Professional Services Agreement with Bucknam & Associates, Inc., for the Pavement Management Plan Update and authorized the City Manager to execute the Agreement and the City Clerk to attest thereto.

ITEMS REMOVED FROM THE CONSENT CALENDAR

4.4 ZONING TEXT AMENDMENT NO. 3-11-1891, AMENDING TITLE 9 OF THE LAGUNA HILLS MUNICIPAL CODE ENTITLED "ZONING AND SUBDIVISIONS" INCLUDING CHAPTER 9-4 (DEFINITIONS) CHAPTER 9-42 (SIGNS AND ADVERTISING DEVICES) AND CHAPTER 9-92 (APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS) TO ALLOW THE LIMITED USE OF NEON AND LIGHT-EMITTING DIODE (LED) SIGNS SUBJECT TO APPROVAL OF A MASTER SIGN PROGRAM (0610-15)

Motion to adopt Ordinance No. 2011-2, with an amendment to Section 9-42.240, that the use of exposed neon or LED to outline individual windows, rooflines, or buildings be permitted only in the Freeway Commercial and Village Commercial zones subject to the approval of a master sign program, by m/Council Member Bressette, s/Mayor Pro Tempore Carruth.
Failed by a vote of 2-3 (Council Member Kogerman, Council Member Lautenschleger, and Mayor Songstad voting no).

Motion to adopt Ordinance No. 2011-2, an Ordinance of the City of Laguna Hills, California, amending Title 9 of the Laguna Hills Municipal Code entitled "Zoning and Subdivisions" including Chapter 9-42 (Definitions) Chapter 9-42 (Signs and Advertising Devices) and Chapter 9-92 (Application Process and Submittal Requirements) to allow the limited use of neon and light-emitting diode (LED) signs subject to approval of a master sign program, by m/Council Member Lautenschleger, s/Mayor Songstad.
Adopted by a vote of 3-2. (Council Member Bressette and Mayor Pro Tempore Carruth voting no.)

4.6 PROGRESS PAYMENT NO. 4 FOR CITYWIDE WAYFINDING SIGN PROGRAM, CIP NO. 329 (0400-10)

Motion to approve Contract Change Order No. 2 and Progress Payment No. 4, in the net amount of $7,279.74, to Green Giant Landscape, Inc., for the Citywide Wayfinding Sign Program, CIP No. 329, by m/Mayor Pro Tempore Carruth, s/Council Member Bressette.
Approved by a vote of 5-0.

5. PLANNING AGENCY

Mayor Songstad 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 7:35 PM.

5.1 ROLL CALL OF PLANNING AGENCY MEMBERS

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

5.2 PUBLIC COMMENTS

There were no Public Comments.

5.3 MINUTES OF THE MARCH 22, 2011, REGULAR MEETING (0120-10)

Motion to approve the minutes of the March 22, 2011, regular meeting as referenced in Item 3.1, beginning on Page 3, by m/Vice Chair Carruth, s/Agency Member Lautenschleger
Approved by a vote of 5-0.

5.4 PLANNING AGENCY PUBLIC HEARINGS

5.4.1. CONDITIONAL USE PERMIT/SITE DEVELOPMENT PERMIT/MASTER SIGN PROGRAM/VARIANCE NO. 2-11-1877, A REQUEST BY G&M OIL COMPANY TO RECONSTRUCT THE EXISTING GAS STATION AND ADD A NEW 1,379 SQUARE FOOT CONVENIENCE STORE, LOCATED AT 23991 EL TORO ROAD IN THE VILLAGE COMMERCIAL (VC) ZONING DISTRICT (0610-55)

Motion to continue this Agenda item to its regular meeting of April 26, 2011, m/Vice Chair Carruth, s/Agency Member Bressette.
Approved by a vote of 5-0.

PLANNING AGENCY ADJOURNMENT

Mayor Songstad reconvened the City Council meeting at 7:36 p.m. All Council Members were present.

6. CITY COUNCIL PUBLIC HEARINGS

6.1 URBAN VILLAGE SPECIFIC PLAN AMENDMENT (0630-50)

Mayor Songstad opened the Public Hearing.

Coralee Newman, Principal of Government Solutions, representing Golden Rain Foundation and United Laguna Hills Mutual of Laguna Woods, expressed the organizations' concerns regarding noise mitigation measures. Ms. Newman indicated that the foundations did not oppose the project, but would be monitoring its progress.

Carol Moore, Representative of the 3rd Laguna Hills Mutual Homeowners Association, wanted to make sure that the City Council would see the letter she had given to the City Clerk expressing concerns regarding the project.

Mayor Songstad closed the Public Hearing.

Motion to introduce an Ordinance of the City of Laguna Hills, California, amending Section V of the Urban Village Specific Plan relating to land use and development standards to ensure consistency with the General Plan, to

improve internal consistency, to incorporate existing mixed use application and development standards, and to clarify aspects of the Public Art Program, by m/Council Member Bressette, s/Mayor Pro Tempore Carruth.
Approved by a vote of 5-0.

7. ADMINISTRATIVE REPORTS

7.1 City Manager

The City Manager made no reports.

7.2 Public Services Director/City Engineer

7.2.1. UPDATE OF THE CITY'S BIKEWAYS, TRAILS & OPEN SPACE MASTER PLAN (0630-10)

Motion to approve the updates to the Bikeways, Trails & Open Space Master Plan, by m/Mayor Pro Tempore Carruth, s/Council Member Lautenschleger.
Approved by a vote of 5-0.

7.3 Chief of Police Services

7.3.1. 2010 POLICE SERVICES ANNUAL REPORT (0260-05)

Motion to receive and file the 2010 Annual Report, by m/Council Member Bressette, s/Mayor Pro Tempore Carruth.
Approved by a vote of 5-0.

7.3.2. DESIGNATION OF COUNTY ROUTE S18 AS THE ORANGE COUNTY DEPUTY SHERIFFS MEMORIAL HIGHWAY (0260-05)

Motion to adopt Resolution No. 2011-04-12-2, a Resolution of the City Council of the City of Laguna Hills, California, officially recognizing the designation of County Route S18 (El Toro Road) as the Orange County Deputy Sheriffs Memorial Highway, by m/Council Member Kogerman, s/Council Member Bressette. Adopted by a vote of 5-0.

8. OTHER BUSINESS

There was no Other Business.

9. MATTERS PRESENTED BY MAYOR AND COUNCIL MEMBERS

COUNCIL MEMBER KOGERMAN

Council Member Kogerman asked for an update from the City Manager regarding the coyote problem, particularly in the Nellie Gail area.

Council Member Kogerman wanted to correct a comment that had been made at the March 22, 2011, City Council meeting. In the discussion regarding the Orange County Animal Shelter and the numbers associated with the Laguna Hills contract, it was misstated that the City had a seven day holding period before the City's animals were euthanized. It had been misstated that it could be another ten days; the correct time was an additional three days, for a total time of ten days.

MAYOR SONGSTAD

Mayor Songstad stated that there had been an article in the OC Register looking at the high in-take numbers from the Irvine Shelter. The article explained that they had an arrangement with a rescue center and many of the adoptable animals coming in were from many other jurisdictions.

Mayor Songstad indicated that he and Council Member Lautenschleger attended the Policy Committee Meeting of the League on Friday, April 8, 2011. There had been interesting discussions about the budget, and the Policy Committee asked State Senator Dutton to provide his perspective on the budget, which was not encouraging. Mayor Songstad stated that he found most interesting that at the time Governor Brown had decided not to negotiate with the Republicans, this was the exact time that the polling on the tax extensions went south, and it was not going to pass.

COUNCIL MEMBER BRESSETTE

Council Member Bressette indicated that he appreciated receiving the General Plan Program EIR on CD Rom in the Agenda packet. If the City Council needed to receive large documents in the future, he would be happy to receive them in this format.

COUNCIL MEMBER LAUTENSCHLEGER

Council Member Lautenschleger indicated he attended an all day session of SCAG as the District 13 Delegate, coupled with the OC Council of Governments meeting. Council Member Lautenschleger noted that the Draft Sustainable Communities Strategy Report would be the guiding force as to how development would occur in the entire SCAG region. The Report was now available in Draft form on-line. As the City went through this process and comments had to be made regarding the report, the City Council was welcome to do so. A presentation could be made available to the City Council if there was any interest. The Committee was concentrating not only on the Sustainable Communities Strategy but also on RHNA numbers. The Subcommittee had come back to the Major Committee of SCAG and would be working over the next 18 months, and as a result, some jurisdictions would be required to redo their General Plans.

10. CLOSED SESSION

10.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9-1 potential case.

City Attorney Simonian Indicated there was no need for a Closed Session.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Songstad declared the meeting adjourned at 9:22 PM.

____
PEGGY J. JOHNS, CITY CLERK

ATTEST:

____
L. ALLAN SONGSTAD, JR., MAYOR

APPROVED AT MEETING OF APRIL 26, 2011.