
**CITY OF LAGUNA HILLS, CALIFORNIA
CITY COUNCIL/PLANNING AGENCY REGULAR MEETING
MINUTES
APRIL 10, 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 Bressette

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

1.1 TEN YEAR ANNIVERSARY AWARD

MAYOR CARRUTH RECOGNIZED PEGGY JOHNS, CITY CLERK, FOR TEN YEARS OF SERVICE TO THE CITY OF LAGUNA HILLS AND PRESENTED A CERTIFICATE OF RECOGNITION AND GIFT.

2. PUBLIC COMMENTS

TELEPHONE SURVEY

Loree Blough, Laguna Hills, indicated she had received a telephone call wherein the caller had indicated they were conducting a survey regarding the City of Laguna Hills' government structure.

City Manager Channing indicated the City of Laguna Hills was not conducting any type of survey.

PARKS AND RECREATION COMMISSION PROPOSAL

Jeff McPherson, Laguna Hills, indicated he had concerns regarding the Parks and Recreation Commission proposal to ban golf, model rockets, and radio controlled devices in the City parks.

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, MARCH 27, 2012

MOTION TO APPROVE THE MINUTES OF THE MARCH 27, 2012, REGULAR MEETING, BY M/COUNCIL MEMBER BRESSETTE, S/MAYOR PRO TEMPORE LAUTENSCHLEGER.

APPROVED BY A VOTE OF 4-0-1 (COUNCIL MEMBER SONGSTAD ABSTAINED).

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. 4.4.

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 ENDING APRIL 10, 2012.

THE CITY COUNCIL APPROVED THE WARRANT REGISTER IN THE AMOUNT OF \$165,301.75.

4.3 2012 FOURTH OF JULY FIREWORKS SHOW AGREEMENT

THAT THE CITY COUNCIL AUTHORIZED THE CITY MANAGER TO EXECUTE THE AGREEMENT WITH PYRO ENGINEERING, INC., APPROVED AS TO FORM BY THE CITY ATTORNEY, FOR THE 2012 FOURTH OF JULY FIREWORKS SHOW.

ITEMS REMOVED FROM THE CONSENT CALENDAR**4.4 PUBLIC INFORMATION MEETING FOR THE PASEO DE VALENCIA
WIDENING IMPROVEMENT PROJECT, CIP NO. 145A**

Council Member Kogerman removed this item from the Consent Calendar to inquire from staff regarding the timing and funding of the Paseo de Valencia Widening Improvement project.

**MOTION TO RECEIVE AND FILE THE REPORT, 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 7:34 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, MARCH 27, 2012**

**MOTION TO APPROVE THE MINUTES OF THE MARCH 27, 2012, REGULAR
MEETING, AS REFERENCED IN CITY COUNCIL MINUTES BEGINNING ON
PAGE 3, BY M/AGENCY MEMBER BRESSETTE, S/AGENCY MEMBER
KOGERMAN.**

**APPROVED BY A VOTE OF 4-0-1 (AGENCY MEMBER SONGSTAD
ABSTAINED).**

5.4 PLANNING AGENCY PUBLIC HEARINGS

**5.4.1 CHANGED PLAN NO. 11-11-2113, A REQUEST BY AT&T
MOBILITY TO MODIFY AN EXISTING COMMUNICATIONS
FACILITY, LOCATED AT 25655 NELLIE GAIL ROAD IN THE
COMMUNITY/PRIVATE INSTITUTION (C/PI) ZONING DISTRICT**

Chair Carruth opened the Public Hearing.

Alex Tsaturov, AT&T Representative, spoke on Changed Plan No. 11-11-2113, to modify an existing Communications Facility, located at 25655 Nellie Gail Road and answered questions from the Planning Agency.

There were five Laguna Hills residents that spoke in opposition to modifying the existing Communications Facility located at 25655 Nellie Gail Road.

Alex Tsaturov, AT&T representative, indicated that he had read and agreed to all of the Conditions of Approval.

Chair Carruth closed the Public Hearing.

**MOTION TO ADOPT RESOLUTION NO. PA2012-04-10-1, A RESOLUTION OF THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING CHANGED PLAN NO. 11-11-2113, A REQUEST BY AT&T MOBILITY TO MODIFY AN EXISTING COMMUNICATIONS FACILITY, LOCATED AT 25655 NELLIE GAIL ROAD IN THE COMMUNITY/PRIVATE INSTITUTION (C/PI) ZONING DISTRICT.
APPROVED BY A VOTE OF 5-0.**

PLANNING AGENCY ADJOURNMENT

6. JOINT CITY COUNCIL/PLANNING AGENCY 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 VINTAGE REAL ESTATE 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; AND CONSIDERATION OF A DETERMINATION THAT THE DISPOSAL OF CERTAIN PUBLIC PROPERTY INCLUDED IN THE DEVELOPMENT PROPOSAL IS IN CONFORMANCE WITH THE GENERAL PLAN.

Mayor/Chair Carruth opened the Public Hearing.

Michael Anderson, spoke in favor of the proposed remodel and expansion of the Moulton La Paz Shopping Center.

Nickki Anderson, spoke in favor of the proposed remodel and expansion of the Moulton La Paz Shopping Center.

Mayor/Chair Carruth closed the Public Hearing.

MOTION THAT THE CITY COUNCIL/PLANNING AGENCY CONTINUE SITE DEVELOPMENT PERMIT/CONDITIONAL USE PERMIT/PARKING USE PERMIT NO. 12-11-2131, AND CONSIDERATION OF A DETERMINATION THAT THE DISPOSAL OF CERTAIN PUBLIC PROPERTY INCLUDED IN THE DEVELOPMENT PROPOSAL IS IN CONFORMANCE WITH THE GENERAL PLAN TO A DATE CERTAIN OF APRIL 24, 2012, BY M/COUNCIL MEMBER/AGENCY MEMBER BRESSETTE, S/MAYOR PRO TEMPORE/VICE CHAIR LAUTENSCHLEGER.

APPROVED BY A VOTE OF 5-0.

JOINT CITY COUNCIL/PLANNING AGENCY ADJOURNMENT

Mayor Carruth reconvened the City Council meeting at 9:09 PM. All Council Members were present.

7. ADMINISTRATIVE REPORTS

7.1 City Manager

The City Manager made no reports.

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

8.1 COUNCIL MEMBER KOGERMAN

8.1.1 DISCUSSION OF THE PREPARATION OF A RESOLUTION TO ESTABLISH A FEE OF ONE PERCENT OF COX COMMUNICATIONS GROSS REVENUES FROM FRANCHISE FEES TO SUPPORT PUBLIC, EDUCATIONAL AND GOVERNMENT PROGRAMMING (PEG) TO BE PRODUCED BY LAGUNA HILLS HIGH SCHOOL

Art Yoon, Director of Public Affairs for Cox Communications, spoke about the pros and cons of the establishment of a fee of one percent of Cox Communications gross revenues from franchise fees to support public, educational, and government programming to be produced by Laguna Hills High School.

There were six residents that spoke in favor of the establishment of a fee of one percent of Cox Communications gross revenues.

There was one resident that was opposed to the establishment of a fee of one percent of Cox Communications gross revenues.

There was no action taken by the City Council.

9. CITY COUNCIL MEMBER COMMENTS

MAYOR PRO TEMPORE LAUTENSCHLEGER

Mayor Pro Tempore Lautenschleger indicated that he presented Certificates of Recognition from the City to the Laguna Hills High School wrestling team for their 15th consecutive League Championship.

Mayor Pro Tempore Lautenschleger reported on his attendance at the League of California Cities meeting in Ontario, California, on March 29, 2012.

Mayor Pro Tempore Lautenschleger reported on his attendance at the Southern California Association of Governments two-day meeting held in **Los Angeles**.

10. CLOSED SESSION

Mayor Carruth recessed the meeting into Closed Session at 10:35 PM.

10.1 CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to Government Code Section 54956.8

Property: 24031 El Toro Road, Suite 301, Laguna Hills

Agency Negotiator: Bruce Channing, City Manager and Don White, Assistant City Manager

Negotiating Parties: City of Laguna Hills and the Law Offices of Fay Blix

Under Negotiation: Terms and Conditions of Lease Payment

10.2 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to subdivision (a) of Government Code Section 54956.9

Name of Case: Kirsten Cook, et al., vs. Transportation Corridor Agency, et al., Orange County Superior Court Case No.: 30-2012-00551394-CU-EI-CJC.

10.3 CONFERENCE WITH LABOR NEGOTIATOR (CONTINUED)

Pursuant to Government Code Section 54957.6

Agency Negotiator: Daniel C. Cassidy, Special Labor Counsel

Unrepresented Employee: City Manager

Under Negotiation: Terms and conditions of employment

Mayor Carruth reconvened the meeting at 11:20 PM. All Council Members were present.

There was no reportable action taken in Closed Session.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Carruth declared the meeting adjourned at 11:20 PM.

PEGGY J. JOHNS, CITY CLERK

ATTEST:

MELODY CARRUTH, MAYOR

APPROVED AT MEETING OF APRIL 24, 2012.