

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

**REGULAR MEETING
MINUTES
Tuesday, March 12, 2019**

CLOSED SESSION - CONVENING AT 6:00PM

CALL TO ORDER

The meeting was called to order at 6:04 p.m. by Mayor Gilbert.

ROLL CALL OF CITY COUNCIL MEMBERS

Attendee Name	Title	Status	Arrived
Dore J. Gilbert, M.D.	Mayor	Present	
Janine Heft	Mayor Pro Tempore	Present	
Erica Pezold	Council Member	Present	
Don Sedgwick	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).

ADJOURN TO CITY COUNCIL CONFERENCE ROOM

CONVENE INTO CLOSED SESSION

The City Council convened into Closed Session to consider the matter(s) listed above.

RECONVENE TO CITY COUNCIL CHAMBERS

RECESS

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

The meeting was called to order at 7:00 p.m. by Mayor Gilbert.

PLEDGE OF ALLEGIANCE: COUNCIL MEMBER WHEELER**ROLL CALL OF CITY COUNCIL MEMBERS**

Attendee Name	Title	Status	Arrived
Dore J. Gilbert, M.D.	Mayor	Present	
Janine Heft	Mayor Pro Tempore	Present	
Erica Pezold	Council Member	Present	
Don Sedgwick	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. No reportable action was taken as a result of tonight's Closed Session Meeting.

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 Lucas Fellows.

1.2 2018 Laguna Hills Deputy of the Year

Recommendation: Mayor Gilbert presented a Certificate of Recognition to Deputy Anthony Sambrano, 2018 Laguna Hills Deputy of the Year.

2. PUBLIC COMMENTS

There were no Public Comments.

3. CONSENT CALENDAR

Motion to approve the Consent Calendar, with Mayor Pro Tempore Heft and Council Member Wheeler removing Item No. 3.6 and City Manager White, Mayor Pro Tempore Heft, and Council Member Wheeler removing Item No. 3.10.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Don Sedgwick, Council Member
SECONDER:	Janine Heft, Mayor Pro Tempore
AYES:	Dore J. Gilbert, M.D., Mayor; Janine Heft, Mayor Pro Tempore; Erica Pezold, Council Member; Don Sedgwick, Council Member; Dave Wheeler, Council Member

3.1 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.

3.2 Approval of Minutes for February 12, 2019, Regular Meeting

Recommendation: That the City Council approve the Minutes for the February 12, 2019, Regular Meeting.

3.3 Warrant Register for the March 12, 2019, Regular Meeting

Recommendation: That the City Council ratify the accompanying Warrant Register for the period from February 1, 2019, to February 28, 2019, in the amount of \$1,359,724.65.

3.4 Second Quarter Financial & Treasurer's Report for Fiscal Year 2018/2019

Recommendation: That the City Council receive and file the Second Quarter Financial and Treasurer's Report for Fiscal Year 2018/2019.

3.5 Cost Sharing and Cooperative Agreement with the City of Aliso Viejo for the Alicia Parkway Street Improvement Project

Recommendation: That the City Council approve the Cost Sharing and Cooperative Agreement with the City of Aliso Viejo for the Alicia Parkway Street Improvement Project and authorize the City Manager to execute the Agreement.

3.7 2019 Volunteer Connection Day and Arbor Day Recognition

Recommendation: That the City Council receive and file the report and authorize the Mayor to sign the attached Arbor Day Proclamation as required by the Arbor Day Foundation for the Tree City USA Certification.

3.8 Submission of an Aerial Waste Waiver to the San Diego Regional Water Quality Control Board for Pollutant Discharges from 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

Recommendation: That the City Council: (1) Direct staff to submit an Aerial Waste Waiver to the San Diego Regional Water Quality Control Board for pollutant discharges from the City's Fourth of July fireworks display, and (2) Adopt a Categorical Exemption.

3.9 2019 Fourth of July Celebration Pre-Event Report and Fireworks Agreement

Recommendation: That the City Council 1) Receive and file the 2019 Fourth of July Celebration pre-event report, and 2) Approve the fireworks display Agreement between Fireworks and Stage FX America, LLC, and the City of Laguna Hills for 2019 and authorize the City Manager to execute the Agreement.

ITEMS REMOVED FROM THE CONSENT CALENDAR**3.6 Approval of the Plans and Specifications and Authorization to Advertise for Bids for HVAC Equipment Replacements and Roofing Repairs at the Laguna Hills Community Center & Sports Complex, CIP No. 513B**

Recommendation: That the City Council approve the plans and specifications and authorize the advertisement for bids for HVAC equipment replacements and roofing repairs at the Laguna Hills Community Center & Sports Complex, CIP

No. 513B, and find that environmental review is not required under the California Environmental Quality Act (CEQA) pursuant to the California Code of Regulations, Title 14, Chapter 3, Section 15301 as a Class 1 Categorical Exemption - Existing Facilities. The proposed project will result in rooftop exterior alterations to an existing recreation building constructed in 2000, involving primarily the replacement of HVAC equipment and associated roofing repairs.

RESULT:	APPROVED [4 TO 1]
MOVER:	Don Sedgwick, Council Member
SECONDER:	Janine Heft, Mayor Pro Tempore
AYES:	Dore J. Gilbert, M.D., Mayor; Janine Heft, Mayor Pro Tempore; Erica Pezold, Council Member; Don Sedgwick, Council Member
NAYS:	Dave Wheeler, Council Member

3.10 Amendment No. 1 to an Existing Professional Services Agreement with HR Green Pacific Authorizing a Two-Year Extension for On-Call Professional Civil Engineering, Building & Safety, Civil Plan Check, Building Code Compliance, and Building Inspection Consulting Services through August 2020

Recommendation: That the City Council: 1) Waive competitive formal bidding requirements and procedures set forth in the City of Laguna Hills Municipal Code (LHMC) Section 3-08.150 with regard to approval of the proposed Amendment No. 1 to the Professional Services Agreement for On-Call Professional Civil Engineering, Building & Safety, Civil Plan Check, Building Code Compliance, and Building Inspection Consulting Services, with HR Green Pacific, Inc., as it is hereby found and determined, pursuant to LHMC Section 3-08.110, that compliance is not in the City's best interest at this time based on the information presented herein by City staff; 2) Approve the proposed Amendment No. 1 to the Professional Services Agreement with HR Green Pacific, Inc., for On-Call Professional Civil Engineering, Building & Safety, Civil Plan Check, Building Code Compliance, and Building Inspection Consulting Services, with HR Green Pacific Inc., extending the term of the Agreement for an additional two years through August 31, 2020, and increasing the hourly rates and plan check fees; and 3) Authorize the Mayor to execute the attached Amendment No. 1 to the Professional Services Agreement with HR Green Pacific, Inc.

RESULT:	APPROVED [4 TO 0]
MOVER:	Don Sedgwick, Council Member
SECONDER:	Janine Heft, Mayor Pro Tempore
AYES:	Dore J. Gilbert, M.D., Mayor; Janine Heft, Mayor Pro Tempore; Erica Pezold, Council Member; Don Sedgwick, Council Member
ABSTAIN:	Dave Wheeler, Council Member

4. PLANNING AGENCY

Mayor Gilbert 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 7:34 p.m.

4.1. ROLL CALL OF PLANNING AGENCY MEMBERS

Attendee Name	Title	Status	Arrived
Dore J. Gilbert, M.D.	Chair	Present	
Janine Heft	Vice Chair	Present	
Erica Pezold	Agency Member	Present	
Don Sedgwick	Agency Member	Present	
Dave Wheeler	Agency Member	Present	

4.2. PUBLIC COMMENTS

There were no Planning Agency Public Comments.

4.3. APPROVAL OF MINUTES FOR FEBRUARY 12, 2019, REGULAR MEETING

4.3.1 Approval of Minutes for February 12, 2019, Regular Meeting

Recommendation: That the Planning Agency approve the Minutes for the February 12, 2019, Regular Meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Janine Heft, Vice Chair
SECONDER:	Dave Wheeler, Agency Member
AYES:	Dore J. Gilbert, M.D., Chair; Janine Heft, Vice Chair; Erica Pezold, Agency Member; Don Sedgwick, Agency Member; Dave Wheeler, Agency Member

4.4. ADMINISTRATIVE REPORTS

There were no Planning Agency Administrative Reports.

4.5. PLANNING AGENCY PUBLIC HEARINGS

There were no Planning Agency Public Hearings.

PLANNING AGENCY ADJOURNMENT

Chair Gilbert adjourned the Planning Agency Meeting and, acting in the capacity of Chair/Mayor, called the Joint Planning Agency/City Council Meeting to order at 7:35 p.m.

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

Attendee Name	Title	Status	Arrived
Dore J. Gilbert, M.D.	Chair/Mayor	Present	
Janine Heft	Vice Chair/Mayor Pro Tempore	Present	
Erica Pezold	Agency/Council Member	Present	
Don Sedgwick	Agency/Council Member	Present	
Dave Wheeler	Agency/Council Member	Present	

PUBLIC COMMENTS

There were no Joint Planning Agency/City Council Public Comments.

PUBLIC HEARING

Site Development Permit/Conditional Use Permit/Tentative Parcel Map/Zoning Text Amendment No. 7-18-4244, a Request by ActivCare Living, Inc. to Construct an Approximately 31,500 Square Foot Residential Care Facility for the Elderly at 24888 Alicia Parkway, to Subdivide the Property into Two Parcels, to Consider a Zoning Text Amendment to Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code, Amending Chapter 9-64 to Permit Residential Care Facilities for the Elderly (7+ Occupants) Within the Neighborhood Mixed Use Zoning District, and to Adopt a Mitigated Negative Declaration and Associated Mitigation Monitoring & Reporting Program

Community Development Director Chantarangsu reviewed the information provided in the staff report, provided a PowerPoint presentation and responded to Planning Agency/City Council requests for additional information.

Chair/Mayor Gilbert opened the Public Hearing.

Kevin Moriarty, Chief Executive Officer for ActivCare Living, Inc., gave a brief presentation on the project and responded to Planning Agency/City Council requests for additional information.

Susan Davids, a resident of Laguna Hills, spoke in favor of the project.

Edie Montgomery, a resident of Laguna Hills, spoke in favor of the project.

Ralph Perovano, a resident of Laguna Hills, spoke in favor of the project.

David Cunningham, a resident of Laguna Hills, spoke in opposition of the project.

Mark C., a resident of Laguna Hills, spoke in opposition of the project.

Chair/Mayor Gilbert closed the Public Hearing.

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

- (1) Conduct a Joint Public Hearing;
- (2) That the City Council and Planning Agency adopt Joint Resolution No. PA2019-03-12-1: "A Joint Resolution of the City Council of the City of Laguna Hills and the Planning Agency of the City of Laguna Hills adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for Site Development Permit/Conditional Use Permit/Tentative Parcel Map/Zoning Text Amendment No. 7-18-4244, a request by ActivCare Living, Inc. to construct an approximately 31,500 square foot Residential Care Facility for the Elderly at 24888 Alicia Parkway";
- (3) 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 of Laguna Hills, California, adopting Zoning Text Amendment No. 7-18-4244, an amendment to Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code amending Chapter 9-64 (Community Care Facilities) to permit Residential Care Facilities for the Elderly (7+ occupants) subject to a Conditional Use Permit within the Neighborhood Mixed Use zoning district"; and
- (4) That the Planning Agency adopt Resolution No. PA2019-03-12-2: "A Resolution of the Planning Agency of the City of Laguna Hills, California,

approving Site Development Permit/Conditional Use Permit/Tentative Parcel Map/Zoning Text Amendment No. 7-18-4244, a request by ActivCare Living, Inc. to construct an approximately 31,500 square foot Residential Care Facility for the Elderly at 24888 Alicia Parkway.”

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Don Sedgwick, Agency/Council Member
SECONDER:	Janine Heft, Vice Chair/Mayor Pro Tempore
AYES:	Dore J. Gilbert, M.D., Chair/Mayor; Janine Heft, Vice Chair/Mayor Pro Tempore; Erica Pezold, Agency/Council Member; Don Sedgwick, Agency/Council Member; Dave Wheeler, Agency/Council Member

JOINT PLANNING AGENCY/CITY COUNCIL MEETING ADJOURNMENT

Chair/Mayor Gilbert adjourned the Joint Planning Agency/City Council Meeting and reconvened the City Council Meeting at 9:02 p.m.

5. CITY COUNCIL PUBLIC HEARINGS

There were no City Council Public Hearings.

6. ADMINISTRATIVE REPORTS

6.1. City Manager

The City Manager gave no Administrative Reports.

7. MATTERS AGENDIZED AND PRESENTED BY CITY COUNCIL MEMBERS

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

8. CITY COUNCIL MEMBER COMMENTS

Mayor Pro Tempore Heft

Mayor Pro Tempore Heft stated that she attended the Opening Day for Laguna Hills Little League.

Mayor Pro Tempore Heft mentioned that she and Assistant City Manager/Public Services Director Rosenfield met with California Consulting regarding potential grant opportunities for the City.

Mayor Pro Tempore Heft reported that she, along with Council Member Pezold and Council Member Sedgwick, attended the Orange County Government Leaders Prayer Breakfast. She further reported that she and her family attended the South Orange County Pet Expo.

Mayor Pro Tempore Heft informed the public that she is looking into the City providing a pamphlet similar to the City of Aliso Viejo's, Your Neighborhood Fire Information, to provide safety information to the residents of Laguna Hills.

Mayor Pro Tempore reported that she has been working with Saddleback Valley Unified School District to implement a drowning prevention program into our local schools.

Council Member Wheeler

Council Member Wheeler reported that he was privileged to represent the City at the grand opening of WoodFire Kabob Restaurant and the I'magine VIP Night at MemorialCare Saddleback Medical Center. He further reported that he, along with Council Member Pezold, attended a South OC Watershed Meeting.

Council Member Wheeler voiced his concerns regarding the recent rains and its impact on landscape growth and the added fuel to potential fires.

Council Member Pezold

Council Member Pezold informed the public that the LA Times recently featured Mayor Gilbert, honoring him for his service.

Council Member Pezold also mentioned that she, along with Chief of Police Stiverson, attended a meeting regarding safety measures being implemented in Laguna Hills. She further reported that she attended an OC Public Library Advisory Board and a South OC Watershed meeting.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Gilbert declared the meeting adjourned at 9:12 p.m.

Melissa Au-Yeung, City Clerk

ATTEST:

Dore J. Gilbert, M.D., Mayor

Approved at meeting of April 9, 2019