

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

**REGULAR MEETING
MINUTES
Tuesday, March 9, 2021**

GENERAL BUSINESS - CONVENING AT 7:00 PM

CALL TO ORDER

The meeting was called to order at 7:00 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	

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 Kory Arfania.

2. SCHEDULE OF FUTURE EVENTS

2.1 Schedule of Future Events

Recommendation: That the City Council announce the upcoming events for the month of March 2021.

Mayor Pezold introduced Interim City Manager Rosenfield who announced the upcoming events provided in the staff report.

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:

Alfred Polidoro, a resident of Laguna Hills, submitted an email opposing reconsideration of city memberships.

Anne Taylor-Loughran, a resident of Laguna Hills, submitted an email suggesting the consideration of medical marijuana at the old mall site and an email requesting the City produce something similar to the City of Mission Viejo's Newsletter.

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

Jim Ford, a resident of Laguna Hills, spoke regarding various issues, including the reading of electronic public comments, landscape maintenance, and crime and safety.

4. CONSENT CALENDAR

Motion to approve the Consent Calendar.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Janine Heft, Council Member
SECONDER:	Dave Wheeler, Council Member
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 February 23, 2021, Regular Meeting

Recommendation: That the City Council approve the Minutes for the February 23, 2021, Regular Meeting.

4.3 Ratification of March 9, 2021, Warrant Register

Recommendation: That the City Council ratify the accompanying Warrant Register for the period from February 12, 2021, to March 1, 2021, in the amount of \$1,091,414.83.

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

4.5 Progress Payment No. 1, for Water Quality Improvement Catch Basin Debris Gate Project Phase IX, CIP No. 412-I

Recommendation: That the City Council approve Progress Payment No. 1, in the net amount of \$131,520.85, to G2 Construction, Inc., for Water Quality Improvement Catch Basin Debris Gate Project Phase IX, CIP No. 412-I.

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 7:13 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 February 23, 2021, Regular Meeting

Recommendation: That the Planning Agency approve the Minutes for the February 23, 2021, Regular Meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Don Sedgwick, Vice Chair
SECONDER:	Janine Heft, Agency Member
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

5.5.1 Conditional Use Permit No. 0053-2021 (Starbucks)/Conditional Use Permit No. 0054-2021 (Plant Power)/Site Development Permit No. 0031-2020, a Request by Clay Toombs on Behalf of EMJ, Ltd. to Construct a New 2,175 Square-Foot Drive-Thru Restaurant (Starbucks), a New 2,503 Square-Foot Drive-Thru Restaurant (Plant Power), and Related Site Improvements on a Portion of a 2.4-Acre Commercial Property at 24888 Alicia Parkway, in the Neighborhood Mixed Use (NMU) Zoning District.

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

Chair Pezold opened the Public Hearing.

Clay Toombs, project applicant on behalf of EMJ, Ltd., provided information on the project, responded to Agency Member requests for additional information and agreed to abide by the conditions of approval.

Justin Tucker, Transportation Engineer at Linscott, Law & Greenspan Engineers provided a PowerPoint presentation on the project's Parking

and Traffic Study and responded to Agency Member requests for additional information.

The following individuals addressed the Planning Agency on this item:

Ralph Perovano, a resident of Laguna Hills, spoke regarding concerns of traffic increase on Bentley Lane and Alicia Parkway due to the project.

Michael Whaling, spoke regarding the parking queues and egress for the project.

Chair Pezold closed the Public Hearing.

Recommendation: That the Planning Agency:

- 1) Conduct a Public Hearing for Conditional Use Permit No. 0053-2021 (Starbucks)/Conditional Use Permit No. 0054-2021 (Plant Power)/Site Development Permit No. 0031-2020;
- 2) Find and determine that the proposed Project is consistent with the Class 3 Categorical Exemption determination made for this Project in connection with the previous approval of USE-0015-2020 by the Planning Agency on December 8, 2020, (Notice of Exemption filed on December 15, 2020), and determine that no further environmental review is required;
- 3) Adopt Resolution No. PA2021-03-09-1: "A Resolution of the Planning Agency of the City of Laguna Hills, California, approving Site Development Permit (SDP) No. 0031-2020, a request by Clay Toombs on behalf of EMJ, Ltd. to construct a new 2,175 square-foot drive-thru restaurant (Starbucks), a new 2,503 square-foot drive-thru restaurant (Plant Power), and related site improvements on a portion of a 2.46-acre commercial property at 24888 Alicia Parkway";
- 4) Adopt Resolution No. PA2021-03-09-2: "A Resolution of the Planning Agency of the City of Laguna Hills, California, approving Conditional Use Permit (CUP) No. 0053-2021 a request by Clay Toombs on behalf of EMJ, Ltd. to allow the operation of a new 2,175 square-foot Starbucks drive-thru restaurant at 24888 Alicia Parkway"; and

5) Adopt Resolution No. PA2021-03-09-3: "A Resolution of the Planning Agency of the City of Laguna Hills, California, approving Conditional Use Permit (CUP) No. 0054-2021, a request by Clay Toombs on behalf of EMJ, Ltd. to allow the operation of a new 2,503 square-foot Plant Power drive-thru restaurant at 24888 Alicia Parkway."

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

PLANNING AGENCY ADJOURNMENT

Chair Pezold adjourned the Planning Agency Meeting at 8:25 p.m. All Council Members were present in chamber.

6. CITY COUNCIL PUBLIC HEARINGS

There were no City Council public hearings.

7. ADMINISTRATIVE REPORTS

7.1. City Manager

7.1.1 2020 City Manager's Year End Report

Interim City Manager Rosenfield reviewed the information provided in the staff report.

Recommendation: That the City Council receive and file the report.

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

7.1.2 Legislative Update for the 2021-2022 Regular Session of the California State Legislature and Positions to be Taken on Proposed Legislation Including Senate Bill 9, Senate Bill 10, Senate Bill 278 and Assembly Bill 339

Interim City Manager Rosenfield reviewed the information provided in the staff report.

Recommendation: That the City Council affirm the position to Oppose Unless Amended on Senate Bill 9, approve of an Oppose position to Senate Bill 278, approve of an Oppose position to Assembly Bill 339 and take a Watch position on other Legislation until later in the Legislative Calendar.

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

A motion was made to support SB75 and AB259 by Council Member Heft, seconded by Mayor Pro Tempore Sedgwick.

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

7.2. Deputy City Manager/Community Services Director

7.2.1 Rooted Volunteer Campaign/Volunteer Connection Day 2021 and Arbor Day Recognition

Community Services Superintendent Meehan reviewed the information provided in the staff report and responded to Council requests for additional information.

Recommendation: That the City Council direct staff to offer two additional “Rooted Volunteer Campaign” events this fiscal year as described in this

staff 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.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bill Hunt, 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

7.3. Chief of Police Services

7.3.1 2020 Laguna Hills Police Services Annual Report Including Crime Statistics and Enforcement Actions and Update on the Work Program Related to Automated License Plate Readers (ALPRs)

Chief of Police Services Capt. Stiverson reviewed the information provided in the staff report, and responded to Council requests for additional information.

Recommendation: That the City Council: 1) Receive and file the 2020 Laguna Hills Police Services Annual Report; and 2) Direct staff to seek proposals for the first phase implementation of ALPRs near Interstate 5 Freeway off-ramp areas leading into the City.

Jesse Mund, Territory Account Manager for Flock Safety, provided a PowerPoint presentation on Flock Safety and responded to Council requests for additional information.

A motion to direct staff to research license plate readers in the amount of 10 ALPRs at \$2,500 per piece, including researching what is available, what other cities have done, what procurement methodology is available under our municipal code, and whether sole sourcing is a viable option or not was made by Mayor Pro Tempore Sedgwick, seconded by Council Member Heft.

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

Michael and Roberta Austin, Lauren Helsel, Aurie Vochoska, and Robin Jochims, all residents of Laguna Hills, submitted electronic comments in favor of installing ALPRs throughout the City.

Adam Brohimer, a resident of Laguna Hills, submitted an electronic comment in opposition of installing ALPRs throughout the City.

A substitute motion was made to deviate from the procurement code and award a sole source contract to Flock Safety in the amount of 10 ALPRs by Mayor Pezold and no second was made. As a result, no action was taken on this motion.

Mayor Pezold called for a vote on the original motion as moved by Mayor Pro Tempore Sedgwick, seconded by Council Member Heft.

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

8. MATTERS AGENDIZED AND PRESENTED BY CITY COUNCIL MEMBERS

8.1. Council Member Wheeler

8.1.1 Community Crime Reports with an Emphasis on the Laguna Village Development Area

Recommendation: That the City Council: 1) Discuss community reports of increased crime incidents in Laguna Hills with an emphasis on the Laguna Village development area; and 2) Direct staff to provide a report on the recent past crime incidents and steps being taken to address these issues.

Council Member Wheeler requested that the Council take no action on this item.

9. CITY COUNCIL MEMBER COMMITTEE REPORTS**Council Member Wheeler**

Council Member Wheeler reported on the Association of California Cities-Orange County Board of Directors meeting of February 25, 2021.

Council Member Wheeler reported on the South Orange County Watershed Management Area Executive Committee meeting of March 4, 2021.

10. CITY COUNCIL MEMBER COMMENTS**Council Member Heft**

Council Member Heft indicated that she forwarded information regarding the decommissioning of the San Onofre Nuclear Generating Station (SONGS) to Interim City Manager Rosenfield.

Council Member Hunt

Council Member Hunt requested that the issue of reading electronic public comments into the record be agendized for a future meeting and received a second from Mayor Pezold.

Council Member Wheeler

Council Member Wheeler requested that the issue of reviewing City Council Policy 120 be agendized for a future meeting and received a second from Council Member Heft.

Mayor Pezold

Mayor Pezold requested that the issue of slope maintenance be agendized for a future meeting and received a second from Council Member Heft.

Mayor Pro Tempore Sedgwick

Mayor Pro Tempore Sedgwick reported that the Orange County Fire Authority recently proposed a contract that was pulled from the agenda due to using sole source and not going out to bid.

Mayor Pro Tempore Sedgwick spoke regarding detrimental trends in the community due to the COVID-19 pandemic.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Pezold declared the meeting adjourned at 10:21 p.m.

Melissa Au-Yeung, City Clerk

ATTEST:

Erica Pezold, Mayor

Approved at meeting of March 23, 2021