CITY OF LAGUNA HILLS
CITY COUNCIL/PLANNING AGENCY

REGULAR MEETING
MINUTES
Tuesday, February 27, 2024

GENERAL BUSINESS - CONVENING AT 7:00 PM

CALL TO ORDER

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

INVOCATION: Elder Tom Munson of Christ Community Church

PLEDGE OF ALLEGIANCE: Mayor Pro Tempore Sweeney

ROLL CALL OF CITY COUNCIL MEMBERS

Attendee Name	Title	Status	Arrived
Dave Wheeler	Mayor	Present	
Joshua Sweeney	Mayor Pro Tempore	Present	
Don Caskey	Council Member	Present	
Janine Heft	Council Member	Present	
Erica Pezold	Council Member	Present	

1. PRESENTATIONS AND PROCLAMATIONS

1.1 Laguna Hills High School Student Liaison Report

Laguna Hills High School 2024 Spring Student Liaison Michael Holland was not available at the meeting to provide a report.

1.2 Presentation of Proclamation for American Red Cross Month

The City Council issued a Proclamation declaring March 2024 as "American Red Cross Month" and Mayor Wheeler presented the Proclamation to American Red Cross Southern California Orange County Volunteer Coordinator Ross Chun, Board Member Susan Degrassi, and Youth Council Member Pari Shah.

1.3 League of California Cities (Cal Cities)

The City Council received a presentation from Cal Cities Orange County Division Regional Public Affairs Manager Connor Medina and La Palma Mayor Marshall Goodman.

2. SCHEDULE OF FUTURE EVENTS

2.1 Schedule of Future Events

City Clerk Lee announced the upcoming meetings and events.

3. PUBLIC COMMENTS

There were no public comments on non-agendized items.

4. CONSENT CALENDAR

Motion to approve the Consent Calendar.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Erica Pezold, Council Member
SECONDER:	Janine Heft, Council Member
AYES:	Dave Wheeler, Mayor; Joshua Sweeney, Mayor Pro Tempore; Don Caskey, Council Member; Janine Heft, Council Member; Erica Pezold, 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 13, 2024, Regular Meeting

Recommendation: That the City Council approve the City Council/Planning Agency Minutes for the February 13, 2024, Regular Meeting.

4.3 Ratification of February 27, 2024, Warrant Register

Recommendation: That the City Council ratify the accompanying Warrant Register for the period from February 2, 2024, to February 15, 2024, in the amount of $1,494,363.77.

4.4 Treasurer's Investment Report for January 2024

Recommendation: That the City Council receive and file the Treasurer's Investment Report for the month of January 2024.

ITEMS REMOVED FROM THE CONSENT CALENDAR

There were no items removed from the Consent Calendar.

5. PLANNING AGENCY

Mayor Wheeler 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 7:27 p.m.

5.1. ROLL CALL OF PLANNING AGENCY MEMBERS

Attendee Name	Title	Status	Arrived
Dave Wheeler	Chair	Present	
Joshua Sweeney	Vice Chair	Present	
Don Caskey	Agency Member	Present	
Janine Heft	Agency Member	Present	
Erica Pezold	Agency Member	Present	

5.2. PUBLIC COMMENTS

There were no Planning Agency public comments on non-agendized items.

5.3. APPROVAL OF MINUTES

The Planning Agency Minutes were approved by the City Council.

5.4. ADMINISTRATIVE REPORTS

There were no Planning Agency administrative reports.

5.5. PLANNING AGENCY PUBLIC HEARINGS

5.5.1 <u>Conditional Use Permit (CUP) No. USE-0161-2023, a Request by Wendy Zhang, Project Manager with Curo Pet Management Corp, on Behalf of Dr. Claire Gunderson, to Establish a Veterinary Clinic, Muirlands Animal and Avian Hospital, in an Existing 3,600 Square-Foot Tenant Space Located at 23052 Lake Forest Drive, Suite C-2</u>

Assistant Planner Ash reviewed the information provided in the staff report, provided a PowerPoint presentation, and responded to Agency Member request for additional information.

Chair Wheeler opened the Public Hearing.

The following individuals addressed the Planning Agency on Item No. 5.5.1:

> Project Applicant Dr. Claire Gunderson, responded to Agency Member requests for additional information and agreed to abide by the project’s conditions of approval.

City Attorney Simonian responded to Agency Member requests for additional information.

Chair Wheeler closed the Public Hearing.

Recommendation: That the Planning Agency:

1) Conduct a public hearing;

2) Find and determine that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 of Title 14, Chapter 3 of the California Code of Regulations (Class 1, Existing Facilities); and

3) Adopt Resolution No. PA2024-02-27-1: "A RESOLUTION OF THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP) NO. USE-0161-2023, A REQUEST BY WENDY ZHANG, PROJECT MANAGER WITH CURO PET MANAGEMENT CORP., ON BEHALF OF DR. CLAIRE GUNDERSON TO ESTABLISH A VETERINARY CLINIC IN AN EXISTING 3,600 SQUARE-FOOT TENANT SPACE LOCATED AT 23052 LAKE FOREST DRIVE, SUITE C-2, INCLUDING AN EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PER CEQA GUIDELINES SECTION 15301 OF TITLE 14, CHAPTER 3 OF THE CALIFORNIA CODE OF REGULATIONS (CLASS 1, EXISTING FACILITIES)."

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Erica Pezold, Agency Member
SECONDER:	Joshua Sweeney, Vice Chair
AYES:	Dave Wheeler, Chair; Joshua Sweeney, Vice Chair; Don Caskey, Agency Member; Janine Heft, Agency Member; Erica Pezold, Agency Member

5.5.2 Conditional Use Permit and Change Plan-Major No. USE-0151-2023, a Request by Shelby Eldridge, Project Planner with Barghausen Consulting Engineers, Inc., on Behalf of Dutch Bros Inc., a Delaware Corporation, to Construct a New 950 Square-Foot Drive-Thru Coffee Shop with Walk-Up Services and No Interior Seating, and Related Site Improvements on a 0.77-Acre Commercial Property at 24791 Alicia Parkway, Within Laguna Hills Plaza, in the Neighborhood Mixed Use (NMU) Zoning District.

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

Vice Chair Sweeney recused himself from participating in the item due to a potential conflict of interest caused by his residence being located within 1,000 feet of the subject parcel and left the dais.

Chair Wheeler opened the Public Hearing.

The following individuals addressed the Planning Agency on Item No. 5.5.1:

> Project Architect Paul Deppe, Armet Davis Newlove & Associates, responded to Agency Member requests for additional information.
>
> Project Applicant John Caglia, Dutch Bros, responded to Agency Member requests for additional information and agreed to abide by the project's conditions of approval.

Chair Wheeler closed the Public Hearing.

Recommendation: That the Planning Agency:

1) Conduct a Public Hearing;

2) Find and determine that the proposed project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303, (Class 3, New Construction or Conversion of Small Structures); and

3) Adopt Resolution No. PA2024-02-27-2: "A RESOLUTION OF THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP)/ CHANGE PLAN-MAJOR NO. USE-0151-2023, A REQUEST BY SHELBY ELDRIDGE, PROJECT PLANNER WITH BARGHAUSEN CONSULTING ENGINEERS, INC., ON BEHALF OF DUTCH BROS INC., A DELAWARE CORPORATION, TO CONSTRUCT A NEW 950 SQUARE-FOOT DRIVE-THRU COFFEE SHOP WITH WALK-UP SERVICES AND NO INTERIOR SEATING AND RELATED SITE IMPROVEMENTS ON A 0.77-ACRE OF COMMERCIAL PROPERTY AT 24791 ALICIA PARKWAY, WITHIN LAGUNA HILLS PLAZA, INCLUDING AN EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PER CEQA GUIDELINES SECTION 15303, (CLASS 3, NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES)."

RESULT:	**APPROVED [4 TO 0]**
MOVER:	Don Caskey, Agency Member
SECONDER:	Janine Heft, Agency Member
AYES:	Dave Wheeler, Chair; Don Caskey, Agency Member; Janine Heft, Agency Member; Erica Pezold, Agency Member
RECUSED:	Joshua Sweeney, Vice Chair

PLANNING AGENCY ADJOURNMENT

Chair Wheeler adjourned the Planning Agency Meeting at 8:36 p.m. and reconvened the City Council Meeting. All Council Members were present in Chamber.

PUBLIC IMPROVEMENT CORPORATION

Mayor Wheeler recessed the City Council Meeting at 8:36 p.m. and convened the Public Improvement Corporation (PIC) Meeting. Mayor Wheeler reconvened the City Council Meeting at 8:38 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

The City Manager provided no administrative reports.

7.2. Deputy City Manager/Community Services Director

7.2.1 Solid Waste Collection and Recycling Rate Adjustments for Residential and Commercial Collection Services and Proposed One-Year Extension to Franchise Agreement with CR&R, Inc.

Deputy City Manager/Community Services Director Reynolds reviewed information provided in the staff report, provided a PowerPoint presentation, and responded to Council Member requests for additional information.

William O'Toole, President, EcoNomics, Inc. responded to Council Member requests for additional information.

Recommendation: That the City Council:

1) Receive and file staff report; and

2) Direct staff to proceed with a Proposition 218 notification and public hearing process to establish the requisite new rate schedule for all residential and commercial customers due to inflationary factors and to extend the term of the current Franchise Agreement with CR&R, Inc. for one year, setting a public hearing for City Council consideration on April 23, 2024; and

3) Review proposed Amendment No. 3 to the CR&R Franchise Agreement.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Erica Pezold, Council Member
SECONDER:	Don Caskey, Council Member
AYES:	Dave Wheeler, Mayor; Joshua Sweeney, Mayor Pro Tempore; Don Caskey, Council Member; Janine Heft, Council Member; Erica Pezold, Council Member

8. MATTERS AGENDIZED AND PRESENTED BY CITY COUNCIL MEMBERS

8.1 Facility Reservation Information Display System

Council Member Pezold provided information on the item.

City Manager Hildenbrand responded to Council Member requests for additional information.

Recommendation: Council Member Pezold and Mayor Wheeler recommend that the City Council direct staff to explore options for implementing a facility reservation information display system.

A motion to move the item’s recommendation, including additional direction provided during the meeting and return to a meeting in 60-90 days for Council consideration, was moved by Council Member Pezold, seconded by Mayor Pro Tempore Sweeney.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Erica Pezold, Council Member
SECONDER:	Joshua Sweeney, Mayor Pro Tempore
AYES:	Dave Wheeler, Mayor; Joshua Sweeney, Mayor Pro Tempore; Don Caskey, Council Member; Janine Heft, Council Member; Erica Pezold, Council Member

9. CITY COUNCIL MEMBER COMMITTEE REPORTS

9.1 Committee Assignment Reports

The City Council received reports from City Council Members on the City Council Committee Assignments listed in the staff report.

10. CITY COUNCIL MEMBER COMMENTS

Mayor Pro Tempore Sweeney

Mayor Pro Tempore Sweeney announced an event he is organizing for later this year to honor fallen firefighters.

CLOSED SESSION

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 COMMENTS ON CLOSED SESSION ITEM(S)

There were no public comments on the closed session Item.

ADJOURN TO CITY COUNCIL CONFERENCE ROOM OR CITY COUNCIL CHAMBER

CONVENE INTO CLOSED SESSION

The City Council convened into closed session to consider the matter listed above.

RECONVENE TO CITY COUNCIL CHAMBER

The City Council reconvened the City Council Meeting at 10:31 p.m. All Council Members were present in Chamber with the exception of Council Member Caskey.

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 pursuant to the authorities listed on the Agenda with no reportable actin taken.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Wheeler declared the meeting adjourned at 10:32 p.m.

Jennifer Lee, City Clerk

ATTEST:

Dave Wheeler, Mayor

Approved at meeting of March 12, 2024