
**CITY OF LAGUNA HILLS, CALIFORNIA
CITY COUNCIL/PLANNING AGENCY
REGULAR MEETING
MINUTES
JANUARY 12, 2016**

GENERAL BUSINESS - CONVENING AT 7:00 PM

CALL TO ORDER

Mayor Kogerman called the Regular Meeting of the City Council of the City of Laguna Hills, California, to order at 7:01 p.m. in the Laguna Hills City Council Chamber, 24035 El Toro Road, Laguna Hills, California.

PLEDGE OF ALLEGIANCE: COUNCIL MEMBER GILBERT

ROLL CALL OF CITY COUNCIL MEMBERS

Present: Mayor Kogerman, Mayor Pro Tempore Sedgwick, Council Member Carruth, Council Member Gilbert

Absent: Council Member Blount

CLOSED SESSION REPORT

There was no Closed Session Report.

1. PRESENTATIONS AND PROCLAMATIONS

1.1 LAGUNA HILLS HIGH SCHOOL STUDENT LIAISON

THE CITY COUNCIL RECEIVED AN ORAL REPORT FROM LAGUNA HILLS HIGH SCHOOL STUDENT LIAISON TESSIE MIRAKI.

1.2 LAGUNA HILLS 3/5 MARINE SUPPORT COMMITTEE

CHAIR KAREN ROBBINS PROVIDED AN UPDATE ON THE STATUS OF THE 3/5 DARK HORSE COMMITTEE.

1.3 OC ANIMAL CARE SERVICES PRESENTATION AND UPDATE ON PROGRESS RELATED TO PERFORMANCE AUDIT AND GRAND JURY REPORT RECOMMENDATIONS

THE CITY COUNCIL RECEIVED A PRESENTATION FROM STEVEN FRANKS, DIRECTOR OF ORANGE COUNTY COMMUNITY RESOURCES, AND DR. JENNIFER HAWKINS, DIRECTOR OF ORANGE COUNTY ANIMAL CARE.

Mr. Franks provided an update on the County's construction efforts and tentative timeline for the design and construction of the new Orange County Animal Shelter. Dr. Hawkins reviewed and responded to: (1) the ten principal findings of the 2014-15 Grand Jury Report: "If Animals Could Talk About the Orange County Animal Shelter;" (2) reviewed various recommendations listed in the Performance Audit of Orange County Animal Care, and (3) responded to City Council requests for additional information.

2. PUBLIC COMMENTS

OC ANIMAL CARE SERVICES

Fran Tardiff, a resident of Laguna Hills, expressed concerns regarding the quality of service provided by the County.

Dr. Jim Gardner, a resident and Council Member of the City of Lake Forest, expressed concerns regarding the quality of service provided by the County.

Jean Bland, a resident of Laguna Hills, had questions regarding the Performance Audit conducted by Phillip Chang, Orange County Performance Audit Director, and expressed concerns regarding the services provided by the County.

Rose Tingle, a resident of Laguna Hills, reported that the public is not allowed to attend Financial and Operations Advisory Board (FOAB) meetings and reported that they do not take minutes of their meetings. Ms. Tingle requested that City Council make a motion to allow the public to attend future FOAB meetings.

April Josephson, Fifth District Representative to the Orange County Animal Care Community Outreach Committee, stated that there will be an Outreach meeting on January 27, 2016, and she will share information received during tonight's City Council meeting at that time.

CALIFORNIAFIRST PROPERTY ASSESS CLEAN ENERGY (PACE) PROGRAM

Jeremy Hutman, a CaliforniaFIRST PACE Financing Program representative, asked City Council to pass a resolution allowing CaliforniaFIRST the opportunity to offer their program to property owners in Laguna Hills for the financing of energy and water efficiency improvements for business and residential projects. CaliforniaFIRST is supported by the League of California Cities and is similar to the HERO program currently available in the City.

Ken Rosenfield, Director of Public Services, will provide a staff report regarding the CaliforniaFIRST PACE Program at a future City Council meeting.

3. CONSENT CALENDAR

MOTION TO APPROVE THE CONSENT CALENDAR, WITH MAYOR KOGERMAN REMOVING ITEM NO. 3.6, BY M/COUNCIL MEMBER CARRUTH, S/COUNCIL MEMBER GILBERT.

APPROVED BY A VOTE OF 4-0 (COUNCIL MEMBER BLOUNT ABSENT).

3.1 WAIVE READING IN FULL OF ALL ORDINANCES AND RESOLUTIONS ON THE AGENDA

THE CITY COUNCIL WAIVED READING IN FULL OF ALL ORDINANCES AND RESOLUTIONS ON THE AGENDA AND DECLARED 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 DECEMBER 8, 2015, REGULAR MEETING

THE CITY COUNCIL APPROVED THE MINUTES OF THE DECEMBER 8, 2015, REGULAR MEETING.

3.3 APPROVAL OF WARRANT REGISTER FOR PERIOD ENDED JANUARY 12, 2016

THE CITY COUNCIL APPROVED THE WARRANT REGISTER IN THE AMOUNT OF \$1,525,046.00.

3.4 PROGRESS PAYMENT NO. 1 FOR LAGUNA HILLS COMMUNITY CENTER AND SPORTS COMPLEX SITE IMPROVEMENTS, CIP NO. 514

THE CITY COUNCIL APPROVED PROGRESS PAYMENT NO. 1, IN THE NET AMOUNT OF \$69,839.25, TO HORIZONS CONSTRUCTION COMPANY FOR LAGUNA HILLS COMMUNITY CENTER AND SPORTS COMPLEX SITE IMPROVEMENTS, CIP NO. 514.

3.5 PROGRESS PAYMENT NO. 1, FINAL, FOR BRIDGE DECK SEALING AND JOINT REPAIR, LAGUNA HILLS DRIVE/ALISO CREEK AND MILL CREEK DRIVE/CAÑADA CHANNEL, CIP NO. 189

THE CITY COUNCIL APPROVED PROGRESS PAYMENT NO. 1, FINAL, IN THE NET AMOUNT OF \$43,263.64, TO WESTERN STRUCTURES FOR BRIDGE DECK SEALING AND JOINT REPAIR, LAGUNA HILLS DRIVE/ALISO CREEK AND MILL CREEK DRIVE/CANADA CHANNEL, CIP NO. 189, AND AUTHORIZED THE FILING OF THE NOTICE OF COMPLETION AND SUBSEQUENT RELEASE OF RETENTION IN 35 DAYS, IF NO LIENS HAVE BEEN FILED.

3.7 PROGRESS PAYMENT NO. 5 FOR LAGUNA HILLS COMMUNITY CENTER SOFTBALL FIELD IMPROVEMENTS PROJECT, CIP NO. 240

THE CITY COUNCIL APPROVED PROGRESS PAYMENT NO. 5, IN THE NET AMOUNT OF \$140,139.11, TO LEHMAN CONSTRUCTION FOR LAGUNA HILLS COMMUNITY CENTER SOFTBALL FIELD IMPROVEMENTS PROJECT, CIP NO. 240.

ITEMS REMOVED FROM THE CONSENT CALENDAR**3.6 CONTRACT WITH AGE WELL SENIOR SERVICES FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR FISCAL YEAR 2015/2016**

Mayor Kogerman removed Item No. 3.6 from the Consent Calendar to give a brief overview of the item.

THE CITY COUNCIL APPROVED THE CONTRACT BETWEEN AGE WELL SENIOR SERVICES AND THE CITY OF LAGUNA HILLS FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR FISCAL YEAR 2015/2016 AND AUTHORIZED THE CITY MANAGER TO EXECUTE THE CONTRACT, BY M/MAYOR KOGERMAN, S/COUNCIL MEMBER CARRUTH.

APPROVED BY A VOTE OF 4-0 (COUNCIL MEMBER BLOUNT ABSENT).

4. PLANNING AGENCY

Mayor Kogerman 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 8:38 p.m.

4.1 ROLL CALL OF PLANNING AGENCY MEMBERS

Present: Chair Kogerman, Vice Chair Sedgwick, Agency Member Carruth, Agency Member Gilbert

Absent: Agency Member Blount

4.2 PUBLIC COMMENTS

There were no Public Comments

4.3 APPROVAL OF MINUTES FOR DECEMBER 8, 2015

THE PLANNING AGENCY APPROVED THE MINUTES OF THE DECEMBER 8, 2015, REGULAR MEETING, BY M/AGENCY MEMBER GILBERT, S/AGENCY MEMBER CARRUTH.

APPROVED BY A VOTE OF 4-0 (AGENCY MEMBER BLOUNT ABSENT).

4.4 ADMINISTRATIVE REPORTS

There were no Administrative Reports.

4.5 PLANNING AGENCY PUBLIC HEARINGS

4.5.1 CONDITIONAL USE PERMIT (CUP) NO. 1-15-3098, A REQUEST BY VERIZON WIRELESS TO ESTABLISH AND OPERATE A NEW

WIRELESS COMMUNICATIONS FACILITY STEALTHED AS A
EUCALYPTUS TREE AT 23300 SANTA VITTORIA DRIVE
(APN 588-042-15) IN THE OS-1 ZONE

Katie Crockett, Assistant Planner, reviewed the project in detail and provided a PowerPoint presentation. Assistant Planner Crockett stated that subject to the Conditions of Approval, the project meets the requirements and objectives of the City's Development Code and is consistent with the General Plan.

Assistant Planner Crockett, City Attorney Simonian, and Planning Agency members engaged in a detailed discussion regarding this CUP.

Chair Kogerman opened the Public Hearing.

Maree Hoeger, an authorized agent for Verizon Wireless, addressed the Planning Agency on behalf of the applicant and reported that Verizon Wireless identified the need for a new wireless communications facility (WCF) at this location due to a deficiency in service in the vicinity of Laguna Village. Ms. Hoeger stated that the facility will fit in with the context of the neighborhood and will not interfere with the use of the property, or that of neighboring land uses, and will comply with all FCC standards.

Attorney Matt Ober, a representative for the Laguna Village HOA, assured the Planning Agency that the lease between the Laguna Village HOA and Verizon Wireless is a valid contract; and stated that any issues with the contract should be addressed between objecting homeowners and the HOA.

Serafin Tagarao, a resident of Laguna Village, stated that he is in opposition to the installation of the WCF.

Maria Tagarao, a resident of Laguna Village, stated that she is in opposition to the installation of the WCF.

Leslie Millender-Irwin, Laguna Village HOA General Manager, stated that the contract between the Laguna Village HOA and Verizon Wireless was signed during an open session meeting with the homeowners and in accordance with the HOA's governing documents.

Jane Doseff, a resident of Laguna Village, stated that she is in opposition to the installation of the WCF.

Lawrence Fleming, a resident of Laguna Village, stated that he is in opposition to the installation of the WCF and presented the City Council with copies of the HOA's CC&R's, signed petitions in opposition to installation of the cell tower, and other documents.

David Riley, a resident of Laguna Village, stated that he is in opposition to the installation of the WCF.

Chair Kogerman closed the Public Hearing.

Agency Member Carruth moved to continue the item.

The Planning Agency approved the Resolution as originally written.

THE PLANNING AGENCY: (1) CONDUCTED A PUBLIC HEARING; AND (2) ADOPTED RESOLUTION NO. PA2016-01-12-1, A RESOLUTION OF THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP) NO. 1-15-3098, A REQUEST BY VERIZON WIRELESS TO ESTABLISH AND OPERATE A NEW WIRELESS COMMUNICATIONS FACILITY STEALTHED AS A EUCALYPTUS TREE AT 23300 SANTA VITTORIA DRIVE (APN 588-042-15) IN THE OS-1 ZONE, BY M/AGENCY MEMBER GILBERT, S/VICE CHAIR SEDGWICK.

APPROVED BY A VOTE OF 3-1 (AGENCY MEMBER BLOUNT ABSENT AND AGENCY MEMBER CARRUTH VOTING NO).

PLANNING AGENCY ADJOURNMENT

Mayor Kogerman reconvened the City Council meeting at 9:52 p.m. All Council Members were present with the exception of Council Member Blount.

5. CITY COUNCIL PUBLIC HEARINGS

There were no City Council Public Hearings.

6. ADMINISTRATIVE REPORTS

6.1 City Manager

There was no City Manager report.

6.2 Assistant City Manager

6.2.1 ANIMAL CARE SERVICES UPDATE – EVALUATION OF INITIAL RESPONSE FROM THE CITY OF MISSION VIEJO

Assistant City Manager Don White reviewed the information provided in the Staff Report.

Jean Bland, a resident of Laguna Hills, had questions regarding the indemnification language in the animal service contracts and inquired about what type of experience the OC Animal Services consultant and Dr. Hawkins have in turning around a problematic animal shelter.

Mike Bland, a resident of Laguna Hills, thanked the City Council and staff for their work on this issue and is in support of contracting with the City of Mission Viejo for animal care services.

April Josephson, founder of the non-profit Pet Adoption Center of Orange County, expressed concerns regarding the City of Mission Viejo's animal care laws and ordinances and how they may affect the Pet Adoption Center.

Fran Tardiff, a resident of Laguna Hills, asked that City Council not only consider the construction of the new building but also consider the plight of the animals.

**THE CITY COUNCIL RECEIVED AND FILED THE ANIMAL CARE SERVICES UPDATE – EVALUATION OF INITIAL RESPONSE FROM THE CITY OF MISSION VIEJO, BY M/COUNCIL MEMBER GILBERT, S/COUNCIL MEMBER CARRUTH.
APPROVED BY A VOTE OF 4-0 (COUNCIL MEMBER BLOUNT ABSENT).**

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

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

8. CITY COUNCIL MEMBER COMMENTS

MAYOR KOGERMAN

Mayor Kogerman reported that she attended the SCAG Southern California Economic Summit on Thursday, January 7, 2016, where they featured a discussion on the economic analysis and benefits of the Draft 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy. Mayor Kogerman encouraged fellow Council Members to attend the Elected Official Briefing sponsored by Supervisor Bartlett to be held on Wednesday, January 20, 2016.

Mayor Kogerman made reference to a letter from the Saddleback Valley Unified School District to OCTA opposing the proposed service plan of 2016 eliminating Routes 85, 87, and 188. Mayor Kogerman requested that City staff also draft letter to OCTA stating the City's opposition. City Manager Channing stated that Public Services Director Rosenfield is involved in ongoing discussions with OCTA regarding the proposal.

ADJOURNMENT

There being no further business at this City Council session, Mayor Kogerman adjourned the City Council meeting at 10:36 p.m.

MELISSA AU-YEUNG, CITY CLERK

ATTEST:

BARBARA D. KOGERMAN, MAYOR

APPROVED AT MEETING OF FEBRUARY 9, 2016.