



CITY OF LAGUNA HILLS CITY COUNCIL/PLANNING AGENCY

REGULAR MEETING AGENDA Tuesday, January 8, 2019 – 7:00 PM (Closed Session at 6:00 PM when scheduled)

Dore J. Gilbert, M.D., Mayor

**Janine Heft, Mayor Pro Tempore
Don Sedgwick, Council Member**

**Erica Pezold, Council Member
Dave Wheeler, Council Member**

Location: City Council Chamber, 24035 El Toro Road, Laguna Hills, CA 92653

Any person wishing to address the City Council/Planning Agency on any matter, whether or not it appears on this Agenda, is asked to complete a pink "Request to Speak" form available on the table at the back of the Chamber. The completed form is to be submitted to the City Clerk prior to an individual being heard by the City Council/Planning Agency. Completion of the form is voluntary. All persons may attend the meeting regardless of whether this form is completed.

Members of the public wishing to address the City Council can do so during the Public Comments portion of the Agenda with a time limitation of three minutes per person, an overall time limit of ten minutes for any one subject, and a total time limit of thirty minutes for Public Comments. If you are commenting on an Agenda item, your comments will be heard at the time that item is scheduled on the Agenda. If you are addressing the City Council on an item not listed on the Agenda, the City Council is prohibited by law from discussing or taking any action on that item.

CLOSED SESSION - CONVENING AT 6:00 PM

CALL TO ORDER

Resolution No. 96-04-09-1 established rules of decorum for public meetings held by the City of Laguna Hills. Resolution No. 96-04-09-1 is available on the table at the back of the City Council Chamber.

ROLL CALL OF CITY COUNCIL MEMBERS

ANNOUNCEMENT OF CLOSED SESSION ITEM(S)

The City Council will convene into Closed Session, in the City Council Conference Room, City Hall, Laguna Hills Civic Center, to consider the following matter(s):

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957(b)(1)

Public Employee Title: City Manager - Performance Evaluation

PUBLIC COMMENT ON CLOSED SESSION ITEM(S)

ADJOURN TO CITY COUNCIL CONFERENCE ROOM

CONVENE INTO CLOSED SESSION

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

RECONVENE TO CITY COUNCIL CHAMBERS

RECESS



CITY OF LAGUNA HILLS CITY COUNCIL/PLANNING AGENCY

REGULAR MEETING AGENDA Tuesday, January 8, 2019 – 7:00 PM (Closed Session at 6:00 PM when scheduled)

Dore J. Gilbert, M.D., Mayor

**Janine Heft, Mayor Pro Tempore
Don Sedgwick, Council Member**

**Erica Pezold, Council Member
Dave Wheeler, Council Member**

Location: City Council Chamber, 24035 El Toro Road, Laguna Hills, CA 92653

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GENERAL BUSINESS - CONVENING AT 7:00 PM

CALL TO ORDER

Resolution No. 96-04-09-1 established rules of decorum for public meetings held by the City of Laguna Hills. Resolution No. 96-04-09-1 is available on the table at the back of the City Council Chamber.

PLEDGE OF ALLEGIANCE: MAYOR PRO TEMPORE HEFT

ROLL CALL OF CITY COUNCIL MEMBERS

CLOSED SESSION REPORT

1. PRESENTATIONS AND PROCLAMATIONS**1.1 Laguna Hills High School Student Liaison**

Recommendation: That the City Council receive an oral report from Laguna Hills High School Student Liaison Julia Moon.

2. PUBLIC COMMENTS

This is the time to address the City Council on any matter not listed on this Agenda that is within the subject matter jurisdiction of the City Council. Public Comments are limited to three minutes per person, an overall time limit of ten minutes for any one subject, and a total time limit of thirty minutes.

3. CONSENT CALENDAR

All matters listed under "CONSENT CALENDAR" are considered to be routine and will be enacted by one motion approving the recommendation listed on the Agenda. There will be no separate discussion unless Members of the City Council or Staff request specific items be removed from the Consent Calendar.

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 December 7, 2018, Special Meeting

Recommendation: That the City Council approve the Minutes of the December 7, 2018, Special Meeting.

3.3 Approval of Minutes for December 11, 2018, Regular Meeting

Recommendation: That the City Council approve the Minutes for the December 11, 2018, Regular Meeting.

3.4 Warrant Register for the January 8, 2019, Regular Meeting

Recommendation: That the City Council ratify the accompanying Warrant Register for the period from December 5, 2018, to December 27, 2018, in the amount of \$1,482,145.35.

ITEMS REMOVED FROM THE CONSENT CALENDAR**4. PLANNING AGENCY****4.1. ROLL CALL OF PLANNING AGENCY MEMBERS****4.2. PUBLIC COMMENTS**

This is the time to address the Planning Agency on any matter not listed on this Agenda that is within the subject matter jurisdiction of the Planning Agency. Public Comments are limited to three minutes per person, an overall time limit of ten minutes for any one subject, and a total time limit of thirty minutes.

4.3. APPROVAL OF MINUTES FOR DECEMBER 11, 2018, REGULAR MEETING**4.3.1 Approval of Minutes for December 11, 2018, Regular Meeting**

Recommendation: That the Planning Agency approve the Minutes for the December 11, 2018, Regular Meeting.

4.4. ADMINISTRATIVE REPORTS**4.5. PLANNING AGENCY PUBLIC HEARINGS****PLANNING AGENCY ADJOURNMENT****5. CITY COUNCIL PUBLIC HEARINGS****6. ADMINISTRATIVE REPORTS****6.1. City Manager****6.2. City Attorney****6.2.1 First Reading and Introduction of an Ordinance Amending Title 12 (Streets and Sidewalks), Chapter 12-32 (Camping in Public Areas), Section 12-32.040 (Violation - Penalty) of the Laguna Hills Municipal Code.**

Recommendation: That the City Council (1) Receive staff presentation and report, and (2) Introduce for first reading, read by title only, and waive further reading, and Ordinance entitled: "An Ordinance of the City of Laguna Hills, California, Amending Title 12 (Streets and Sidewalks), Chapter 12-32 (Camping in Public Areas), Section 12-32.040 (Violation – Penalty) of the Laguna Hills Municipal Code."

6.3. Assistant City Manager/Public Services Director**6.3.1 Review of Integrated Pest Management Program Operations**

Recommendation: That the City Council consider the four options for the City's Integrated Pest Management Program and provide direction to staff.

7. MATTERS AGENDIZED AND PRESENTED BY CITY COUNCIL MEMBERS**8. CITY COUNCIL MEMBER COMMENTS****9. CLOSED SESSION**

The City Council will be reconvening into Closed Session as part of the General Business Session, if necessary, for purposes of completing its Closed Session discussions in the event the City Council does not complete the Closed Session discussion between 6:00p.m. and 7:00p.m.

PUBLIC COMMENT ON CLOSED SESSION ITEM(S)**ADJOURN TO CITY COUNCIL CONFERENCE ROOM****RECONVENE BACK INTO CLOSED SESSION****RECONVENE TO CITY COUNCIL CHAMBER****CLOSED SESSION REPORT****ADJOURNMENT**

The next Regular Meeting of the City Council/Planning Agency will be January 22, 2019, in the City Council Chamber, located at 24035 El Toro Road, Laguna Hills, California.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, you should contact the office of the City Clerk at (949) 707-2635. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

Materials related to an item on this Agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 24035 El Toro Road, Laguna Hills, California, during normal business hours.

City Council Members receive no additional compensation or stipend as a result of simultaneously convening meetings of the Laguna Hills Planning Agency.



City of Laguna Hills

City Council/Planning Agency

Staff Report

DATE: January 8, 2019
TO: Mayor and Council Members
FROM: Jennifer Lee
Assistant City Clerk
ISSUE: Approval of Minutes for December 7, 2018, Special Meeting

RECOMMENDATION: That the City Council approve the Minutes of the December 7, 2018, Special Meeting.

ATTACHMENTS:

- 181207 CC Special Minutes

**CITY OF LAGUNA HILLS
CITY COUNCIL**

**SPECIAL MEETING
MINUTES
Friday, December 7, 2018**

CALL TO ORDER

The meeting was called to order at 4:00 p.m. by Mayor Carruth.

ROLL CALL OF CITY COUNCIL MEMBERS

Attendee Name	Title	Status	Arrived
Mel Carruth	Mayor	Present	
Dore J. Gilbert	Mayor Pro Tempore	Present	
Janine Heft	Council Member	Present	
Don Sedgwick	Council Member	Present	

ANNOUNCEMENT OF CLOSED SESSION ITEMS

The City Council shall convene into Closed Session, in the City Council Conference Room, City Hall, Laguna Hills Civic Center, to consider the following matter(s):

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to paragraph (1) of subdivision (d) of Government Code Section 54956.9
Name of Case: George Dayeh and Maryam Dayeh vs. City of Laguna Hills; Orange County Superior Court; Case No. 30-2017-00909717-CU-IE-CXC

PUBLIC COMMENT ON CLOSED SESSION ITEMS

There were no Public Comments on Closed Session Items.

ADJOURN TO CITY COUNCIL CONFERENCE ROOM

CONVENE INTO CLOSED SESSION

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

RECONVENE TO CITY COUNCIL CHAMBER

CLOSED SESSION REPORT**A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Pursuant to paragraph (1) of subdivision (d) of Government Code Section 54956.9
Name of Case: George Dayeh and Maryam Dayeh vs. City of Laguna Hills; Orange
County Superior Court; Case No. 30-2017-00909717-CU-IE-CXC

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.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Carruth declared the meeting adjourned at 4:28 p.m.

Melissa Au-Yeung, City Clerk

ATTEST:

Dore J. Gilbert, M.D., Mayor

Approved at meeting of January 8, 2018



City of Laguna Hills

City Council/Planning Agency

Staff Report

DATE: January 8, 2019
TO: Mayor and Council Members
FROM: Jennifer Lee
Assistant City Clerk
ISSUE: Approval of Minutes for December 11, 2018, Regular Meeting

RECOMMENDATION: That the City Council approve the Minutes for the December 11, 2018, Regular Meeting.

ATTACHMENTS:

- 181211 CC Minutes

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

**REGULAR MEETING
MINUTES
Tuesday, December 11, 2018**

GENERAL BUSINESS - CONVENING AT 7:00 PM

CALL TO ORDER

The meeting was called to order at 7:01 p.m. by Mayor Carruth.

PLEDGE OF ALLEGIANCE: COUNCIL MEMBER SEDGWICK

ROLL CALL OF CITY COUNCIL MEMBERS

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

CITY COUNCIL REORGANIZATION

CERTIFICATION OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 6, 2018

Certification of the General Municipal Election Held on November 6, 2018

Recommendation: That the City Council: (1) Receive and file the Certificate of Results for the General Municipal Election held on Tuesday, November 6, 2018; and (2) Adopt Resolution No. 2018-12-11-1: "A Resolution of the City Council of the City of Laguna Hills, California, reciting the fact of the General Municipal Election held on Tuesday, November 6, 2018, declaring the results and such other matters as provided by law."

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

RECOGNITION OF OUTGOING MAYOR AND RESOLUTION OF COMMENDATION, MEL CARRUTH, MAYOR**Recognition of Outgoing Mayor and Resolution of Commendation, Mel Carruth, Mayor**

Recommendation: That the City Council adopt Resolution No. 2018-12-11-2: “ A Resolution of the City Council of the City of Laguna Hills, California, commending Mel Carruth as Mayor and recognizing the service of Mayor Mel Carruth,” and that the City Council present a Resolution of Commendation to Mel Carruth.

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

Mayor Pro Tempore Gilbert, on behalf of the Council, presented a Resolution of Commendation, Mayors’ plaque, and City tile to Mayor Carruth and spoke of his appreciation to Mayor Carruth for her service to the City.

City Manager White presented a historical panel to complete the City’s public art timeline which recognizes Mayor Carruth and the other members of the inaugural City Council for their contribution to the City of Laguna Hills.

Mayor Carruth was also recognized by State Senator Patricia Bates, former Council Members Allan Songstad, Joel Lautenschleger and Randal Bressette, Moulton Niguel Water District Board of Directors, and former City Manager Bruce Channing. Mayor Pro Tempore Gilbert read aloud a letter recognizing Mayor Carruth from former Council Member Barbara Kogerman.

Council Member Sedgwick and Council Member Heft expressed their appreciation to Mayor Carruth and acknowledged her accomplishments and service to the City.

Mayor Carruth thanked everyone for their comments and expressed her appreciation to Council Members, City Staff, and residents.

RECESS AND RECONVENE

Mayor Pro Tempore Gilbert recessed the meeting at 7:45 p.m. for a brief reception and reconvened the meeting at 8:11 p.m.

OATH OF OFFICE FOR NEW COUNCIL MEMBERS

Mayor Pro Tempore Gilbert administered the ceremonial Oath of Office to Council Member Don Sedgwick. Council Member Heft administered the ceremonial Oath of Office to incoming Council Member Dave Wheeler. Council Member Sedgwick administered the ceremonial Oath of Office to incoming Council Member Erica Pezold.

ROLL CALL OF CITY COUNCIL MEMBERS

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

ELECTION OF MAYOR

The City Council nominated and elected Dore J. Gilbert, M.D., as Mayor.

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

REMARKS OF NEWLY ELECTED MAYOR

Mayor Gilbert thanked the Council Members for electing him as Mayor.

ELECTION OF MAYOR PRO TEMPORE

The City Council nominated and elected Janine Heft as Mayor Pro Tempore.

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

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 Julia Moon.

2. PUBLIC COMMENTS

Jake Anderson, Government Affairs Chair for the Laguna Hills Chamber of Commerce, spoke regarding the annual Mayor's State of the City Address scheduled for January 11, 2019, at the Laguna Hills Community Center.

3. CONSENT CALENDAR

Motion to approve the Consent Calendar, with Mayor Gilbert removing Item No. 3.2 and Council Member Wheeler removing Item No. 3.6.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Janine Heft, Mayor Pro Tempore
SECONDER:	Don Sedgwick, Council Member
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.

3.3 Warrant Register for the December 11, 2018, Regular Meeting

Recommendation: That the City Council ratify the accompanying Warrant Register for the period from November 16, 2018, to November 29, 2018, in the amount of \$311,338.77.

3.4 Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended June 30, 2018

Recommendation: That the City Council receive and file the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year ended June 30, 2018, together with the audit letters.

3.5 Amended and Restated Administrative Order No. 27 Regarding Policy for Review and Appeal of Parking Citations in Accordance with AB 503 and AB 2544

Recommendation: That the City Council approve the proposed Amended and Restated Administrative Order No. 27 Regarding Policy for Review and Appeal of Parking Citation.

3.7 Grant Application to the Orange County Transportation Authority for Project W - Safe Transit Stops Improvements

Recommendation: That the City Council approve the submission of a grant application to the Orange County Transportation Authority for the Measure M2 Project W Safe Transit Stops Improvements for upgrading passenger amenities at the El Toro Road farside at Paseo de Valencia bus stop (adjacent to BJ's Restaurant and across the street from the Civic Center) and adopt Resolution No. 2018-12-11-3: "A Resolution of the City Council of the City of Laguna Hills, California, authorizing an application for funds for the Measure M2 Project W, Safe Transit Stops Grant Program, under Orange County Local Transportation Ordinance No. 3 for the Bus Stop Passenger Amenity Improvements Project."

3.8 2019 City Council Meeting Schedule

Recommendation: That the City Council adopt the proposed calendar for 2019.

3.9 Affirmation of Appointments List for City Boards, Commissions, and Committees

Recommendation: That the City Council affirm the Local Appointments List and direct that it be posted on the City's web site, at City Hall and in the Laguna Hills Branch Technology Library in accordance with the Maddy Act.

ITEMS REMOVED FROM THE CONSENT CALENDAR

3.2 Approval of Minutes for November 27, 2018, Regular Meeting

Mayor Gilbert removed Item No. 3.2 from the Consent Calendar to allow Council Member Pezold and Council Member Wheeler to abstain.

Recommendation: That the City Council approve the Minutes for the November 27, 2018, Regular Meeting.

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

3.6 Cooperative Agreement with the Orange County Transportation Authority for the Administration of the Orange County Taxi Administration Program

Council Member Wheeler removed Item No. 3.6 from the Consent Calendar to request additional information.

Recommendation: That the City Council approve Cooperative Agreement No. C-8-2015 with the Orange County Transportation Authority for the administration of the Orange County Taxi Administration Program, effective January 1, 2019, through December 31, 2020, and authorize the City Manager to execute the Agreement.

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

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 8:34 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 NOVEMBER 27, 2018, REGULAR MEETING**4.3.1 Approval of Minutes for November 27, 2018, Regular Meeting**

Recommendation: That the Planning Agency approve the Minutes for the November 27, 2018, Regular Meeting.

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; Don Sedgwick, Council Member
ABSTAIN:	Erica Pezold, Council Member; Dave Wheeler, Council 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

Mayor Gilbert reconvened the City Council Meeting at 8:35 p.m. All Council Members were present.

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.

6.2. Deputy City Manager/City Clerk

6.2.1 Direction Regarding Unscheduled Vacancy for Traffic Commission

Deputy City Manager/City Clerk Au-Yeung reviewed the information in the staff report.

Recommendation: That the City Council direct Staff to proceed with the appointment process to fill the unscheduled vacancy on the Traffic Commission, per Government Code Section 54974, and Laguna Hills Municipal Code Section 2-28.080.

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

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

Council Member Pezold

Council Member Pezold thanked her supporters and family members and wished everyone a wonderful holiday.

Council Member Sedgwick

Council Member Sedgwick expressed his appreciation for all the candidates who ran for City Council this past election and offered a warm welcome to our new City Council Members.

Mayor Gilbert

Mayor Gilbert spoke on the collegiality of the City Council and his hopes for it continuing with the new Council.

Council Member Wheeler

Council Member Wheeler thanked the constituents who voted for him, gave a special thanks to his wife, Nancie Wheeler, and wished all a merry Christmas.

Mayor Pro Tempore Heft

Mayor Pro Tempore Heft expressed her appreciation for the Council Members and echoed Mayor Gilbert's remarks regarding collegiality. Mayor Pro Tempore Heft recognized her father and mother-in-law who are visiting from Switzerland.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Gilbert declared the meeting adjourned at 8:41 p.m.

Melissa Au-Yeung, City Clerk

ATTEST:

Dore J. Gilbert, M.D., Mayor

Approved at meeting of January 8, 2019



City of Laguna Hills

City Council/Planning Agency

Staff Report

DATE: January 8, 2019
TO: Mayor and Council Members
FROM: Janice Reyes
Finance Director
ISSUE: Warrant Register for the January 8, 2019, Regular Meeting

RECOMMENDATION: That the City Council ratify the accompanying Warrant Register for the period from December 5, 2018, to December 27, 2018, in the amount of \$1,482,145.35.

SUMMARY:

The City issues accounts payable disbursements on a regular basis and presents it to City Council for ratification at its next regularly scheduled City Council Meeting. The attached Warrant Register containing checks and electronic funds transfers for the period from December 5, 2018, to December 27, 2018, is being presented for ratification by the City Council. Payments have been reviewed and approved by the appropriate departmental staff. The Director of Finance certifies to the accuracy of the attached register and to the availability of monies for payment thereof.

ATTACHMENTS:

- Warrant Register - January 08, 2019



City of Laguna Hills, CA

Warrant Register - January 08, 2019

By Check Number

Date Range: 12/05/2018 - 12/27/2018

Check Number	Vendor Number	Vendor Name	Payment Date	Payment Amount
8815442	A-0370	ACCONTEMPS	12/06/2018	647.50
8815443	A-0138	ALL CITY MANAGEMENT, INC.	12/06/2018	4,177.44
8815444	A-0327	ASSOCIATION OF CA CITIES -OC	12/06/2018	9,337.00
8815445	A-0365	AT&T - CALNET 3	12/06/2018	216.24
8815446	Z-CS-0146	BALDERRAMA, OSCAR	12/06/2018	500.00
8815447	B-0304	BEE MAN, THE	12/06/2018	350.00
8815448	C-1160	CALIFORNIA SPECIAL DISTRICTS ASSOCIATION	12/06/2018	1,377.00
8815449	C-1191	COMMUNICATIONS CHGS- LAW ENF - COUNTY OF ORANGE	12/06/2018	1,000.00
8815450	C-1139	COMPLETE OFFICE OF CALIFORNIA	12/06/2018	384.65
8815451	C-1176	COMPUTER SERVICE CO.	12/06/2018	4,805.65
8815452	C-0023	COX COMMUNICATION	12/06/2018	613.32
8815453	D-0561	DOCU-TRUST LAGUNA VAUL	12/06/2018	75.00
8815454	E-0554	ECONOMICS, INC.	12/06/2018	3,130.83
8815455	E-0504	EL TORO WATER DISTRICT	12/06/2018	12,952.62
8815456	G-0844	GREEN MART, INC.	12/06/2018	926.65
8815457	H-0960	HR GREEN PACIFIC, INC.	12/06/2018	20,291.27
8815458	J-1057	JAMEY CLARK, INC.	12/06/2018	1,131.32
8815459	Z-CS-0079	MCCLELLAN, ANN-MARIE	12/06/2018	500.00
8815460	M-1513	MEEHAN, DANIEL	12/06/2018	51.61
8815461	M-1590	MILLENNIUM ALARM SYSTEMS, INC.	12/06/2018	1,968.40
8815462	N-1474	NIEVES LANDSCAPE, INC.	12/06/2018	91,509.25
8815463	Z-CS-0145	OLAGUE, MYLA	12/06/2018	500.00
8815464	Z-CS-0144	ORTIZ, GILBERTO	12/06/2018	500.00
8815465	R-1830	RALPHS GROCERY COMPANY	12/06/2018	54.95
8815466	M-1352	REYES, JANICE MATEO	12/06/2018	814.11
8815467	R-1813	RPW SERVICES, INC.	12/06/2018	1,560.00
8815468	S-2289	SANDS, CINDY	12/06/2018	847.26
8815469	S-1904	SOUTHERN CALIFORNIA EDISON	12/06/2018	1,924.73
8815470	S-1940	STATE WATER RESOURCES CONTROL BOARD	12/06/2018	13,065.00
8815471	U-2165	UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA	12/06/2018	125.50
8815472	W-2337	WEST COAST ARBORISTS, INC.	12/06/2018	11,979.20
8815473	W-2441	WEST COAST MOVEMENT PROJECT, LLC	12/06/2018	224.00
8815474	R-1801	WOODRUFF, SPRADLIN & SMART	12/06/2018	70,224.96
8815475	Z-CS-0143	ZARAGOZA, STEPHANIE	12/06/2018	500.00
8815476	A-0370	ACCONTEMPS	12/13/2018	740.00
8815477	A-0311	ALLIANT INSURANCE SERVICES	12/13/2018	2,386.00
8815478	C-1184	CEP AMERICA AUC PC	12/13/2018	395.00
8815479	C-0324	CITY OF MISSION VIEJO	12/13/2018	48,319.75
8815480	C-1139	COMPLETE OFFICE OF CALIFORNIA	12/13/2018	39.23
8815481	C-1146	CYBERSOURCE CORPORATION	12/13/2018	29.00
8815482	D-0461	DATA TICKET, INC.	12/13/2018	843.05
8815483	E-0593	EISENBERG, DALE	12/13/2018	661.50
8815484	E-0553	ELKINS, CHRISTINA	12/13/2018	291.20
8815485	G-0843	GRIEGO-SANDS, CINDY	12/13/2018	57.06
8815486	H-0959	HABASH, JOHN	12/13/2018	28.00
8815487	H-0804	HINDERLITER, DE LLAMAS & ASSOC., INC.	12/13/2018	2,228.74
8815488	H-0960	HR GREEN PACIFIC, INC.	12/13/2018	26,671.02
8815489	J-1082	JONES DAY	12/13/2018	2,721.86
8815490	L-1381	LEE, JENNIFER	12/13/2018	107.74
8815491	Z-CS-0040	MARTINEZ, VIRGINIA	12/13/2018	500.00
8815492	M-1388	MOBILE MINI, INC.	12/13/2018	82.97
8815493	M-1535	MUSIC MOVES ACADEMY, INC.	12/13/2018	224.00
8815494	O-1546	OFFICE SOLUTIONS	12/13/2018	736.87

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Check Number	Vendor Number	Vendor Name	Payment Date	Payment Amount
8815495	O-1500	ORANGE COUNTY REGISTER	12/13/2018	397.16
8815496	O-1575	ORANGE COUNTY REGISTER-FREEDOM CA. NEWSPAPER PARTNERSHIP	12/13/2018	2,987.00
8815497	C-1003	PARKING VIOLATIONS OC TREASURER-TAX COLLECTOR	12/13/2018	2,089.50
8815498	Q-1707	QUEST DIAGNOSTICS	12/13/2018	18.87
8815499	R-1967	RUSSELL, RICHARD WYATT	12/13/2018	2,356.00
8815500	S-2267	SINTA DESIGN	12/13/2018	770.00
8815501	S-2250	SPARKLETTS	12/13/2018	117.64
8815502	S-2095	STONE IMAGERY	12/13/2018	3,922.10
8815503	S-2016	SYSTEMS INTERNATIONAL	12/13/2018	2,980.00
8815504	T-2682	THE LIFE TRENDS GROUP, TLTG, INC.	12/13/2018	104.10
8815505	V-2249	US BANK VOYAGER FLEET SYSTEM	12/13/2018	1,351.92
8815506	Y-2511	YALE CHASE MATERIALS HANDLING	12/13/2018	334.10
8815507	A-0370	ACCOUNTEMPS	12/20/2018	740.00
8815508	A-0334	AGE WELL SENIOR SERVICES	12/20/2018	140,000.00
8815509	Z-CS-0147	ALICEA, MIA	12/20/2018	12.50
8815510	A-0138	ALL CITY MANAGEMENT, INC.	12/20/2018	2,320.80
8815511	A-0359	ANDERSON PENNA PARTNERS, INC.	12/20/2018	16,150.00
8815512	Z-CS-0149	ANGELES, MARINELA	12/20/2018	500.00
8815513	A-0360	ARC DOCUMENT SOLUTIONS, LLC	12/20/2018	38.93
8815514	A-0365	AT&T - CALNET 3	12/20/2018	235.71
8815515	C-0412	C&D ELECTRIC, INC.	12/20/2018	506.50
8815516	C-1133	CALIFORNIA YELLOW CAB	12/20/2018	2,220.00
8815517	C-1179	CANON SOLUTIONS AMERICA	12/20/2018	248.01
8815518	C-1144	CHARLES ABBOTT ASSOCIATES, INC	12/20/2018	39,163.90
8815519	Z-CS-0151	CHEGOUNCHEI, MOJGAN	12/20/2018	500.00
8815520	C-1139	COMPLETE OFFICE OF CALIFORNIA	12/20/2018	151.36
8815521	C-1176	COMPUTER SERVICE CO.	12/20/2018	8,971.90
8815522	C-0059	COUNTY OF ORANGE HEALTH CARE AGENCY	12/20/2018	5,000.00
8815523	C-0023	COX COMMUNICATION	12/20/2018	1,141.40
8815524	D-0513	DOGGIE WALK BAGS, INC.	12/20/2018	522.31
8815525	D-0552	DUNBAR ARMORED, INC.	12/20/2018	148.90
8815526	E-0601	ECOGREEN SOLUTIONS, INC.	12/20/2018	3,382.90
8815527	G-0844	GREEN MART, INC.	12/20/2018	926.65
8815528	H-0959	HABASH, JOHN	12/20/2018	14.70
8815529	H-0805	HARRINGTON GEOTECH ENGINEERING	12/20/2018	1,652.50
8815530	H-0829	HARTZOG & CRABILL, INC.	12/20/2018	2,606.94
8815531	H-0960	HR GREEN PACIFIC, INC.	12/20/2018	1,160.00
8815532	I-0942	IRVINE RANCH WATER DISTRICT	12/20/2018	116.70
8815533	J-1057	JAMEY CLARK, INC.	12/20/2018	4,266.24
8815534	K-1126	KNIGHT, LORNA ANGELA	12/20/2018	962.50
8815535	C-0448	LUCY, STEVEN	12/20/2018	550.00
8815536	Z-CS-0148	LUND, ELIZABETH	12/20/2018	500.00
8815537	M-1552	MARTIN-RUSK, DINA	12/20/2018	42.00
8815538	M-1513	MEEHAN, DANIEL	12/20/2018	128.08
8815539	M-1302	MOULTON NIGUEL WATER DISTRICT	12/20/2018	17,360.50
8815540	N-1474	NIEVES LANDSCAPE, INC.	12/20/2018	829.20
8815541	O-1546	OFFICE SOLUTIONS	12/20/2018	421.06
8815542	P-1829	PEST OPTIONS, INC.	12/20/2018	225.00
8815543	S-1902	SAN DIEGO GAS & ELECTRIC	12/20/2018	40,190.54
8815544	S-2285	SIMONSON PHOTOGRAPHY	12/20/2018	538.75
8815545	S-1949	SMART & FINAL	12/20/2018	923.29
8815546	S-1904	SOUTHERN CALIFORNIA EDISON	12/20/2018	13,543.64
8815547	S-2250	SPARKLETTS	12/20/2018	125.33
8815548	S-2059	STAPLETON, VIVIAN	12/20/2018	197.05
8815549	S-1940	STATE WATER RESOURCES CONTROL BOARD	12/20/2018	14,230.00
8815550	T-2682	THE LIFE TRENDS GROUP, TLTG, INC.	12/20/2018	420.00
8815551	T-2706	TREVINO, ROCIO	12/20/2018	205.80
8815552	T-2656	TYLER TECHNOLOGIES, INC.	12/20/2018	14,203.90
8815553	U-2166	UTILITY COST MANAGEMENT LLC	12/20/2018	66.15
8815554	Z-CS-0150	VASQUEZ, ALMA	12/20/2018	500.00
8815555	V-2224	VERIZON WIRELESS	12/20/2018	944.69

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Check Number	Vendor Number	Vendor Name	Payment Date	Payment Amount
8815556	W-2337	WEST COAST ARBORISTS, INC.	12/20/2018	6,546.75
8815557	W-2441	WEST COAST MOVEMENT PROJECT, LLC	12/20/2018	78.40
8815558	W-2302	WEST PUBLISHING CORPORATION THOMSON REUTERS - WEST	12/20/2018	232.84
8815559	W-2426	WHITE NELSON DIEHL EVANS LLP	12/20/2018	5,215.00
8815560	X-2400	XEROX CORPORATION	12/20/2018	889.04
8815561	A-0349	A SOURCE OF PRIDE	12/27/2018	92.67
8815562	A-0370	ACCONTEMP	12/27/2018	740.00
8815563	C-1177	CANON FINANCIAL SERVICES, INC.	12/27/2018	500.75
8815564	C-1139	COMPLETE OFFICE OF CALIFORNIA	12/27/2018	209.04
8815565	F-0604	FEDERAL EXPRESS CORPORATION	12/27/2018	133.00
8815566	C-1190	FINGERPRINT ID (AFIS) LAW ENF. - COUNTY OF ORANGE	12/27/2018	1,272.00
8815567	Z-CS-0153	HOSPITAL ASSOCIATION OF SOUTHERN CALIFORNIA	12/27/2018	250.00
8815568	H-0960	HR GREEN PACIFIC, INC.	12/27/2018	20,695.24
8815569	I-0981	ICF JONES & STOKES, INC.	12/27/2018	1,660.00
8815570	Z-CS-0152	MOULTON RANCH III HOMEOWNERS ASSOC.	12/27/2018	250.00
8815571	P-1832	PRINTEX PRINTING AND GRAPHICS INC.	12/27/2018	80.81
8815572	S-1949	SMART & FINAL	12/27/2018	103.59
8815573	W-2439	WESTAMERICA COMMUNICATIONS, INC.	12/27/2018	8,175.00
8815574	R-1801	WOODRUFF, SPRADLIN & SMART	12/27/2018	52,001.50

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Check Number	Vendor Number	Vendor Name	Payment Date	Payment Amount
Payment Type: Bank Draft				
DFT0000577	C-1007	OCSD LAW ENFORCEMENT CONTRACT, OC TREASURER-TAX COLLECTOR	12/05/2018	668,660.49
DFT0000598	B-0276	BANK OF AMERICA VISA CARD	12/27/2018	3,515.89
DFT0000599	B-0276	BANK OF AMERICA VISA CARD	12/27/2018	6,291.33
DFT0000600	B-0276	BANK OF AMERICA VISA CARD	12/27/2018	305.00
DFT0000601	B-0276	BANK OF AMERICA VISA CARD	12/27/2018	699.32
DFT0000602	B-0276	BANK OF AMERICA VISA CARD	12/27/2018	984.52

Bank Code AP Bank Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	194	133	0.00	801,688.80
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	6	6	0.00	680,456.55
EFT's	0	0	0.00	0.00
	200	139	0.00	1,482,145.35

Attachment: Warrant Register - January 08, 2019 (1761 : Approval of Warrant Register for January 8, 2019)



City of Laguna Hills

City Council/Planning Agency

Staff Report

DATE: January 8, 2019
TO: Chair and Agency Members
FROM: Jennifer Lee
Assistant City Clerk
ISSUE: Approval of Minutes for December 11, 2018, Regular Meeting

RECOMMENDATION: That the Planning Agency approve the Minutes for the December 11, 2018, Regular Meeting.

ATTACHMENTS:

- 181211 PA Minutes

Mayor Gilbert removed Item No. 3.2 from the Consent Calendar to allow Council Member Pezold and Council Member Wheeler to abstain.

Recommendation: That the City Council approve the Minutes for the November 27, 2018, Regular Meeting.

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

3.6 Cooperative Agreement with the Orange County Transportation Authority for the Administration of the Orange County Taxi Administration Program

Council Member Wheeler removed Item No. 3.6 from the Consent Calendar to request additional information.

Recommendation: That the City Council approve Cooperative Agreement No. C-8-2015 with the Orange County Transportation Authority for the administration of the Orange County Taxi Administration Program, effective January 1, 2019, through December 31, 2020, and authorize the City Manager to execute the Agreement.

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

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 8:34 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 NOVEMBER 27, 2018, REGULAR MEETING**4.3.1 Approval of Minutes for November 27, 2018, Regular Meeting**

Recommendation: That the Planning Agency approve the Minutes for the November 27, 2018, Regular Meeting.

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; Don Sedgwick, Council Member
ABSTAIN:	Erica Pezold, Council Member; Dave Wheeler, Council 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

Mayor Gilbert reconvened the City Council Meeting at 8:35 p.m. All Council Members were present.

5. CITY COUNCIL PUBLIC HEARINGS

There were no City Council Public Hearings.



City of Laguna Hills

City Council/Planning Agency

Staff Report

DATE: January 8, 2019

TO: Mayor and Council Members

FROM: Melissa Au-Yeung
Deputy City Manager

ISSUE: First Reading and Introduction of an Ordinance Amending Title 12 (Streets and Sidewalks), Chapter 12-32 (Camping in Public Areas), Section 12-32.040 (Violation - Penalty) of the Laguna Hills Municipal Code.

RECOMMENDATION: That the City Council (1) Receive staff presentation and report, and (2) Introduce for first reading, read by title only, and waive further reading, and Ordinance entitled: "An Ordinance of the City of Laguna Hills, California, Amending Title 12 (Streets and Sidewalks), Chapter 12-32 (Camping in Public Areas), Section 12-32.040 (Violation – Penalty) of the Laguna Hills Municipal Code."

SUMMARY:

On September 4, 2018, the Ninth Circuit Court of Appeals issued its ruling in *Martin v. City of Boise*, (9th Cir. 2018) 902 F.3d 1031, regarding the constitutionality of the City of Boise's enforcement of its anti-camping ordinances against indigent, homeless persons. The Ninth Circuit Court of Appeals ultimately ruled that the Cruel and Unusual Punishments Clause of the Eighth Amendment prohibits cities from enforcing anti-camping ordinances against indigent, homeless persons for sitting, lying, or sleeping on public property when no alternative shelter is available. Since the Ninth Circuit Court of Appeals is the controlling federal appeals court for the State of California, Staff recommends, after having consulted with the City Attorney, that the City update Section 12-32.040 of the Laguna Hills Municipal Code ("LHMC") to reflect the Ninth Circuit's recent holding in the *Boise* case.

First Reading and Introduction of Ordinance Amending Title 12

January 8, 2019

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Section 12-32.040 currently provides for criminal enforcement of any violation of Chapter 12-32 (Camping in Public Areas). The proposed Ordinance addresses the *Martin v. City of Boise* ruling by adding clarifying language expressly prohibiting criminal enforcement of Chapter 12-32 against indigent, homeless persons sitting, lying, or sleeping on public property when no alternative shelter is available.

BACKGROUND:

As a municipality, Article XI, Section 7 of the California Constitution authorizes the City, under its police powers, to make and enforce ordinances designed to promote the public peace, safety, and welfare. Currently, the City regulates camping in public areas pursuant to LPMC Chapter 12-32, which prohibits any person from camping and/or storing personal property upon any public street or public area. Any violation of Chapter 12-32 may be prosecuted as a misdemeanor.

In September 2018, however, the Ninth Circuit Court of Appeals issued its ruling in *Martin v. City of Boise*, (9th Cir. 2018) 902 F.3d 1031, regarding the constitutionality of the City of Boise's enforcement of its anti-camping ordinances against indigent, homeless persons. The Plaintiffs in the case were six homeless individuals from the City of Boise, Idaho, who were prosecuted for violating the City's Camping Ordinance and Disorderly Conduct Ordinance. Since 2014, the number of homeless individuals in the City of Boise continued to significantly rise, however, the number of homeless shelters stayed the same. Due to the shelters' limited capacity and high demand for beds, many homeless individuals were turned away and forced to seek shelter elsewhere, including camping on the streets. The City of Boise's Camping and Disorderly Conduct Ordinances made it a crime to camp and use public places as temporary or permanent residences. As such, Plaintiffs initiated this lawsuit against the City of Boise to seek relief against future prosecution.

The Ninth Circuit Court of Appeals held that the Cruel and Unusual Punishments Clause of the Eighth Amendment precludes cities from enforcing anti-camping ordinances against indigent, homeless individuals who have no alternative shelter. The ruling, however, is a narrow one and expressly does not impose an obligation on cities to provide sufficient shelter for homeless persons, and does not require cities to allow anyone who wishes to sit, lie, or sleep on streets at any time and at any place. Rather, the ruling merely prohibits criminal prosecution of indigent, homeless persons for involuntarily sitting, lying, or sleeping on public property when no alternative shelter is available to them. Therefore, in response to the Ninth Circuit Court of Appeals' ruling in

First Reading and Introduction of Ordinance Amending Title 12

January 8, 2019

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Martin v. City of Boise, Staff recommends that the City update LPMC Chapter 12-32 to reflect the Ninth Circuit's holding in the *Boise* decision, as set forth in the proposed Ordinance (Attachment "A").

CEQA FINDINGS:

Public Resources Code § 21065 defines "project" as "an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." The proposed Ordinance does not have the potential to result in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, as the Ordinance does not call for any change in the existing environmental conditions within the City. The proposed Ordinance merely clarifies existing law prohibiting camping in public areas and does not authorize new programs or activities. Accordingly, the Ordinance is not a "project" subject to CEQA. (Public Resources Code § 21065; CEQA Guidelines § 15378(a).)

Even if the Ordinance could be construed to be a project subject to CEQA, the proposed Ordinance is exempt. CEQA's Class 1 Exemption applies to the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private facilities, structures or topographical features involving negligible or no expansion of a use beyond the use existing at the time of the lead agency's CEQA determination. (CEQA Guidelines, § 15301.) Because the proposed Ordinance merely clarifies existing law prohibiting camping in public areas and does not authorize new programs or activities, the proposed Ordinance calls for the continued operation of existing public or private facilities involving no expansion of the existing uses. As a result, the proposed Ordinance is exempt from CEQA pursuant to the Class 1 exemption.

ATTACHMENTS:

- Proposed Ordinance

ORDINANCE NO. 2019 - x

AN ORDINANCE OF THE CITY OF LAGUNA HILLS, CALIFORNIA, AMENDING TITLE 12 (STREETS AND SIDEWALKS), CHAPTER 12-32 (CAMPING IN PUBLIC AREAS), SECTION 12-32.0404 (VIOLATION – PENALTY) OF THE LAGUNA HILLS MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, HEREBY FINDS AND DETERMINES AS FOLLOWS:

WHEREAS, Article XI, Section 7 of the California Constitution authorizes the City of Laguna Hills ("City"), under its police powers, to enact regulations for the preservation of the public peace, safety, and welfare; and

WHEREAS, Chapter 12-32 of Title 12 of the Laguna Hills Municipal Code imposes restrictions related to camping in public areas that are reasonably necessary to maintain public property within the City in a clean, sanitary, safe, and accessible condition that adequately protects the public peace, safety, and welfare; and

WHEREAS, the City Council finds that the use of public property within the City for camping purposes and/or for the storage of personal property interferes with the public's use and enjoyment of these public areas as intended, and can constitute a public health and safety hazard; and

WHEREAS, the City cannot, however, enforce criminal sanctions against indigent homeless persons for sitting, lying, or sleeping on public property when no alternative shelter is available. *Martin v. City of Boise* (9th Cir. 2018) 902 F.3d 1031.

THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The above recitals are true and correct, and are incorporated herein by reference.

SECTION 2. CEQA. Public Resources Code § 21065 defines "project" as "an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." The proposed Ordinance does not have the potential to result in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, as the Ordinance does not call for any change in the existing environmental conditions within the City. The proposed Ordinance merely clarifies existing law prohibiting camping in public areas and does not authorize new programs or activities. Accordingly, the Ordinance is not a "project" subject to CEQA. (Public Resources Code § 21065; CEQA Guidelines § 15378(a).)

Even if the Ordinance could be construed to be a project subject to CEQA, the proposed Ordinance is exempt. CEQA's Class 1 Exemption applies to the operation, repair,

maintenance, permitting, leasing, licensing, or minor alteration of existing public or private facilities, structures or topographical features involving negligible or no expansion of a use beyond the use existing at the time of the lead agency's CEQA determination. (CEQA Guidelines, § 15301.) Because the proposed Ordinance merely clarifies existing law prohibiting camping in public areas and does not authorize new programs or activities, the proposed Ordinance calls for the continued operation of existing public or private facilities involving no expansion of the existing uses. As a result, the proposed Ordinance is exempt from CEQA pursuant to the Class 1 exemption.

SECTION 3. Code Amendment. Title 12 (Streets and Sidewalks), Chapter 12-32 (Camping in Public Areas), Section 12-32.040 (Violation—Penalty) of the Laguna Hills Municipal Code is hereby amended to add a new subdivision "A" to read as follows:

"A. Any violation of the provisions of this chapter may be prosecuted as a misdemeanor, pursuant to Section 1-32.010 of this code."

SECTION 4. Code Amendment. Title 12 (Streets and Sidewalks), Chapter 12-32 (Camping in Public Areas), Section 12-32.040 (Violation—Penalty) of the Laguna Hills Municipal Code is hereby amended to add new subdivision "B" to read as follows:

"B. Notwithstanding the foregoing, absent exigent circumstances the provisions of this chapter will not be enforced against indigent homeless persons sitting, lying, or sleeping on public property when no alternative shelter is available in accordance with the holding in *Martin v. City of Boise*, (9th Cir. 2018) 902 F.3d 1031."

SECTION 5. This Ordinance shall take effect the 31st day following the adoption of this Ordinance by the City Council. Upon the effective date of this Ordinance, the provisions hereof shall supersede any inconsistent or conflicting provisions of the Laguna Hills Municipal Code.

SECTION 6. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more section, subsection, subdivision, sentence, clause, phrase, or portion thereof be declared invalid or unconstitutional.

SECTION 7. The City Clerk shall certify to the adoption of this Ordinance and cause the same to be posted at the duly designated posting places within the City and published once within fifteen days after passage and adoption as may be required by law; or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the Office of the City Clerk five days prior to the date of adoption of this Ordinance; and, within fifteen days after adoption, the City Clerk shall cause to be published, the aforementioned summary and

shall post a certified copy of this Ordinance, together with the vote for and against the same, in the Office of the City Clerk.

PASSED, APPROVED, AND ADOPTED this ___ day of _____ 2019.

DORE J. GILBERT, M.D., MAYOR

ATTEST:

MELISSA AU-YEUNG, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) §§
CITY OF LAGUNA HILLS)

I, Melissa Au-Yeung, City Clerk of the City of Laguna Hills, California, DO HEREBY CERTIFY that the foregoing Ordinance No. 2019-X was duly introduced and placed upon its first reading at a Regular Meeting of the City Council on the 8th day of January 2019, and that thereafter, said Ordinance was duly adopted and passed at a Regular Meeting of the City Council held on the ___ day of _____ 2019, by the following vote, to wit:

AYES:

NOES

ABSENT:

ABSTAIN:

(SEAL)

MELISSA AU-YEUNG, CITY CLERK

Attachment: Proposed Ordinance (1762 : First Reading and Introduction of Ordinance Amending Title 12)

Ordinance No. 2019-x

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LAGUNA HILLS)

AFFIDAVIT OF POSTING
AND PUBLICATION

MELISSA AU-YEUNG, being first duly sworn, deposes and says:

That she is the duly appointed and qualified City Clerk of the City of
Laguna Hills;

That in compliance with State Laws of the State of California,
ORDINANCE NO. 2019-X, being:

AN ORDINANCE OF THE CITY OF LAGUNA HILLS,
CALIFORNIA, AMENDING TITLE 12 (STREETS AND
SIDEWALKS), CHAPTER 12-32 (CAMPING IN PUBLIC
AREAS), SECTION 12-32.0404 (VIOLATION – PENALTY)
OF THE LAGUNA HILLS MUNICIPAL CODE

on the __ day of _____ 2019, was published in summary in the Saddleback Valley
News, and on the __ day of _____ 2019, was published in summary in the
Saddleback Valley News; and was, in compliance with City Resolution
No. 2004-05-25-2, on the __ day of _____ 2019, and the __ day of _____ 2018,
caused to be posted in three places in the City of Laguna Hills, to wit:

Laguna Hills City Hall
Laguna Hills Community Center
La Paz Center

MELISSA AU-YEUNG, CITY CLERK
Laguna Hills, California

Attachment: Proposed Ordinance (1762 : First Reading and Introduction of Ordinance Amending Title 12)



City of Laguna Hills

City Council/Planning Agency

Staff Report

DATE: January 8, 2019
TO: Mayor and Council Members
FROM: Kenneth H. Rosenfield P.E.
Assistant City Manager/Director of Public Services
ISSUE: Review of Integrated Pest Management Program Operations

RECOMMENDATION: That the City Council consider the four options for the City's Integrated Pest Management Program and provide direction to staff.

SUMMARY:

In response to a City Council request for information, Staff has undertaken a review of the use of synthetic-based pest control products relative to a community request to consider the use of organic-based pest control products on City owned properties involved with public use activity. The City's contractors are required to utilize an integrated pest management program approach and are trained and regulated in the use of pest control products. Pre-emergent and post-emergent herbicides and plant nutrients are only used at the minimum quantities needed for the control of invasive plant species and for the promotion of good horticultural practices, respectively. The City does not regularly, or on any scheduled basis, utilize pesticides for insect control. Staff has met with interested community members and also interviewed other agencies to learn of their experiences with organic-based pest control products in their landscape maintenance operations. Agencies with experience utilizing organic-based pest control products have advised of mixed field results coupled with additional labor and product costs. Staff proposes four options for City Council consideration on this matter: 1) Make no changes; 2) Select one park for a one-year test bed to determine the efficacy of the use of organic-based products for pest management; 3) Modify the City's landscape maintenance specifications to establish additional opportunities to reduce the use synthetic-based products in the next citywide landscape maintenance contract; or

Review of Integrated Pest Management Program Operations

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4) Include the usage of organic-based products as an Alternate Bid in the next citywide landscape maintenance contract scheduled to be advertised in spring 2019 and implemented as of July 1, 2019.

BACKGROUND:

The University of California Statewide Integrated Pest Management Program (IPMP) defines an IPMP "... as an ecosystem-based strategy that focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties. Pesticides are used only after monitoring indicates they are needed according to established guidelines, and treatments are made with the goal of removing only the target organism. Pest control materials are selected and applied in a manner that minimizes risks to human health, beneficial and nontarget organisms, and the environment." Source: <https://www.cdpr.ca.gov/docs/pestmgt/ipminov/overview.htm>

The City of Laguna Hills utilizes an IPMP approach in our landscape maintenance operations and includes such requirements in our contract work specifications.

Synthetic-based herbicides, fertilizers and pesticides are regularly utilized in the farming and horticultural industries for the control of pests and for the healthy development of plant materials. The uses of these synthetics in our environment are highly regulated:

- The Environmental Protection Agency (EPA) regulates the usage of herbicides and pesticides and assigns to these products specific signal words. Signal words describe potential human toxicity. The product labels also provide related personal protection protocols recommended for use during the application of the product. The signal words, on a scale of least to most concern, are caution, warning or danger. Each product is provided a registration number and their use must be meticulously recorded and reported.
- The use of synthetic-based products for horticultural purposes is also locally regulated through a use audit and the issuance of an annual permit by the Orange County Agricultural Commissioner.
- Fertilizer is regulated by the California Food and Drug Administration, they test these products for appropriate usage in the California environment, using product identification labels for acceptable use. Fertilizer is regulated as a plant nutrient as compared to an invasive species control. Product labels also provide

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personal protection protocol recommendations for use during the application of the product.

- Every use of a synthetic-based herbicide is also regulated by a requirement to receive a product specific Pest Control Recommendation issued by a third party independent Licensed Pest Control Adviser prior to any application of these products in the environment. The recommendations include use restrictions and safety protocols to be followed.
- The California Department of Pesticide Regulation (CDPR) regulates the licensing of Pest Control Advisers, Qualified Applicators and related licenses.

The City of Laguna Hills contractors only utilize products that either have no specific toxicity ratings (such as fertilizers) or that otherwise only include EPA “caution” designations. The City’s contractors limit the use of pre-emergent and post-emergent herbicides and plant nutrient fertilizers to minimum quantities needed for the control of invasive plant species and for good horticultural practices, respectively, and only after utilizing other efforts to control pests. The City does not regularly utilize pesticides for insect control.

A community concern has been raised regarding the use of synthetic-based products on City properties that host public use activities; along with a request to cease such usage in favor of “organic-based” products. Community members have requested the City consider using the alternate products listed on the Organic Materials Review Institute website (Omri.org) for pest control rather than commercial synthetic-based products. Staff has reviewed the Omri.org site and discussed the organic-based products with some suppliers, the City’s landscape maintenance contractor and other public agencies.

It is noted that some of the organic-based products also reference the signal words caution, warning or danger, similar to that of synthetic-based products. These products can be reviewed on the CDPR website. Community members have also encouraged staff to review the experience of other agencies that are utilizing organic-based products for pest control. Staff has subsequently interviewed personnel, or reviewed the records, of the following agencies: The cities of Irvine, Mission Viejo, San Juan Capistrano, Encinitas and Tustin, and the school districts of Irvine and Tustin.

The review of each above agency’s use of organic-based products identified mixed pest management results ranging from unsatisfactory for the control of certain pests to acceptable results. The acceptable determination of the use of some of the organic-

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based products, however, often required supplementary additional labor due to the limited efficacy of these products. Generally, agencies reported higher costs in the 5% to 10% range for their entire landscape management program. However, the cost data was not particularly well presented and staff is unable to develop a firm conclusion as to the total cost impact of a change to organic-based products. What was clear, however, was that a substantial increase in manual labor is required to manage the invasive pests that are not otherwise well controlled by the organic-based products and, as well, it is still necessary to occasionally utilize synthetic-based products.

The most robust and developed organic-based landscape maintenance program in our area is that as utilized by the City of Irvine. An annual report of this program, the 2017 City of Irvine Integrated Pest Management Program, is attached for information. As can be seen in this report, the use of all organic-based products for pest control is successful in some areas and not successful in certain environments or when addressing certain pests; costs are increased for products; application frequency of products is greatly increased and additional labor usage is significant. The City of Irvine Policy is to utilize organic-based products first but does allow the use of synthetic-based products when the field condition need so dictates.

For the City of Laguna Hills, Staff has reviewed our landscape maintenance operations which occasionally use synthetic-based products for the control of pests as well as our specifications for the IPMP. Staff has identified some future opportunities to somewhat lessen the use of synthetic-based products.

At this time, Staff cannot recommend an immediate shift in the City's pest management practices as it is indeterminate that the sole usage of organic-based products will adequately control pests in our landscape areas without a substantial contractual and budget impact and, as well, cause adverse community reaction to the long-term landscape condition.

Staff proposes four options for City Council consideration on this matter: 1) Make no changes; 2) Select one park for a one-year test bed to determine the efficacy of the use of organic-based products for pest management; 3) Modify the City's landscape maintenance specifications to establish additional opportunities to reduce the use synthetic-based products in the next citywide landscape maintenance contract; or 4) Include the usage of organic-based products as an Alternate Bid in the next citywide landscape maintenance contract scheduled to be advertised in spring 2019 and implemented as of July 1, 2019.

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FISCAL IMPACT:

To be determined based upon the options being considered as described herein.

ATTACHMENTS:

- City of Irvine IPMP 2017



CITY OF IRVINE
Integrated Pest Management Program
2017 Annual Report

Introduction

The City of Irvine continued to implement the Public Works Integrated Pest Management Program (IPM) adopted by the City Council in February 2016. This policy set forth the following goals:

Citywide Pest Management Guiding Principles

- a) Use of organic pesticides in all City properties.
- b) Limit exposure to any pesticides where children and the general public congregate.
- c) Incorporate additional guidance on use of pesticides for city rights of way, facilities, and other properties as reflected in the February 23, 2016 staff report.
- d) Use EPA Level pesticides in a targeted manner, and only if deemed necessary to protect public health and economic loss by a licensed pest control advisor and City staff, when pests cannot be managed by other methods that we would have.

This report presents the 2017 IPM program activities and application data. The IPM Program applies to all City departments, although the majority of pest management responsibilities fall within the Public Works Landscape Division.

Program Components

The City of Irvine IPM Policy promotes environmentally sensitive pest management practices while preserving assets and protecting the health and safety of the public and City employees. All costs and impacts associated with pesticide use, including community and environmental health, will be considered.

IPM is a decision-making process for managing pests that use monitoring to determine pest levels and tolerance thresholds and combines biological, cultural, physical, and chemical tools to minimize health, environmental, and financial risks. The method uses extensive knowledge about pests, such as infestation thresholds, life histories,

environmental requirements, and natural enemies to compliment and facilitate biological and other natural control of pests.

As part of an IPM program, pesticides may be used when pest thresholds get too high. The definition of a pesticide is any substance, or the mixture of substances, used for defoliating plants, regulating plant growth, or for preventing, destroying, repelling, or mitigating any pest, which may be detrimental to vegetation, humans, or animals. Regardless of the pesticide being organic or synthetic, the goal is to rid a pest and caution must be taken when applying the product.

To ensure that the IPM program continues to be an adequate tool to meet the City's pest challenges while upholding the program goals adopted by the City Council; staff continuously examines and evaluates components of the program effectiveness. In addition, all contractors that apply pesticides on the City's behalf are required to subscribe to the IPM Policy.

Alternative Pest Control Projects

The Public Works Landscape Division employs alternative methods of weed control such as mechanical removal through mowing and hand pulling. City landscape maintenance contractors provide approximately 22 full-time equivalent employees to hand pull weeds in City parks and public roadway right-of-ways. Other non-pesticide weed control measures include the application of mulch in landscape planter areas to minimize weed growth and operating Smart irrigation controllers to apply the proper amount of water to City landscapes, which minimizes disease and weed growth, thus limiting pesticide use. City contract services have also moved away from pesticides in drainage facilities to utilizing manual removal of cattails to ensure proper water flow with no pesticide residue.

The City is responsible for maintenance of some fuel modification zones in the Village of Turtle Rock and an open space area in the City of Newport Beach. The use of motorized weed cutting tools is utilized to manage these zones. The Landscape

Division plans to test the effectiveness of goats in City open space in 2018 and compare the results to existing practices.

The Landscape Division also utilizes biological control to reduce pest populations. Biological control uses organisms often referred to as beneficials, natural enemies or biocontrols. They act to keep pest populations low enough to prevent significant economic damage. The most common organisms used for biological control in landscapes are predators and parasites. In 2017, the City contractor released close to one million beneficial insects in the parks and streetscapes to combat destructive pests, instead of relying on pesticides.

Another method employed by staff to control pests is habitat modification which was used on a few median planters in the Spectrum area. Small rodents, called voles, were damaging the landscape groundcover and control with an organic repellent was unsuccessful.

As an alternative to higher level pesticide application, the City's landscape maintenance contractor converted the landscape palette to a ground cover type that deters the vole activity. This project eliminated the need for any pesticide and improved the overall appearance of the street median.



Example of successful habitat modification.

Parks, Fields, and Playgrounds

Since the Policy implementation, the Landscape Division has successfully managed a healthy turf grass population with no weed killer applications on any turf areas. The City has continued the practice of not using “Speedzone” (2, 4-D) and “Round-Up” (glyphosate) weed killers.



The practice of using contract labor to mechanically and manually control weeds has proven effective in the parks. In addition, organic products have provided adequate control for insects and algae. However, the use of traps for rodent control has not been effective for ground squirrels and rats. Going forward, staff will transition to organic baits in secured boxes, per the tiered approach of the IPM Policy, to control rodents on City park property.

Table 2, Appendix 1 shows the pesticide usage in parks and athletic fields since 2015 for weeds, algae and disease control. Tables 3 and 4, Appendix 1 highlight the number of pesticides used for rodent and insect control since 2015.

Right-of-Way

For right-of-way weed control, the City's landscape maintenance contractors were effective at controlling a majority of the weeds using organic products. For approximately 100 acres of non-landscaped areas (concrete medians and sidewalks), weekly treatments during the spring months and bi-weekly treatments the rest of the year provided satisfactory control. For approximately 900 acres of landscaped medians and parkways, manual hand weeding still remains a priority to limit pesticide usage. However, the vast acreage, rapid regrowth of perennial weeds, and the abundance of weed seed that gets dispersed daily by winds and traffic limits the City's ability to completely control weeds in these areas. The presence of perennial weeds, nutsedge, field bindweed and Bermuda grass equates to roughly five percent of the weed population not successfully controlled by the current maintenance practice.



Nutsedge in a street median that has overtaken the desirable plant material.

These weeds have extensive vegetative root systems that require systemic activity to control not only the top growth but the aggressive underground roots as well. The use of selective and systemic synthetic products to adequately control perennial weeds will be evaluated in 2018 in limited areas not readily accessible to the public, primarily street medians.



Field Bindweed has woven itself into the ground cover, making it impossible to control with non-selective organic products.

Selective and systemic weed killer products only affect the weed and not the desirable plant material surrounding the weed. The weed killer enters the plant through the leaf and moves throughout the weed for a complete eradication. Organic products available for use at this time are neither selective nor systemic. The organic products burn down all foliage they come in contact with, including desirable plants.



Bermuda grass sprayed with an organic product that burned desirable native grasses.

Table 5, Appendix 1 lists the pesticides used to control weeds in the right-of-way in 2015, compared to 2016 and 2017.

Using the products identified in Tables 3 and 4, Appendix 1, in the right-of-way areas for control of rodents and insect produced similar results as to what was achieved in Parks.

Public Facilities

The Facilities Maintenance Division of Public Works has implemented an integrated and tiered approach to manage pests in compliance with the City's IPM policy. Facilities maintenance personnel perform routine inspections to identify, report, and manage pest activity. Compliance has been achieved using monthly services provided by the City's existing pest control contractors and ongoing staff training. Staff communicates frequently with building operators and tenants to identify and control pest activity and is continually working with facility operators to improve food storage, sanitation, and waste management practices. Exclusion methods and barriers have been deployed at several City facilities to minimize pest intrusions and staff is dedicating additional time to pest management research, planning and response.

Facilities maintenance staff completed 59 requests for pest control service during the 2017 calendar year separate from the monthly services provided by the City's pest control contractor. The requests were logged in the division work order system. In response to an increase in rodent activity in the absence of pesticides, the use of snap traps was increased at several City facilities. Facility maintenance staff is tracking the use of rodent snap traps and will report the data in the next annual report. Staff is also documenting preventive pest related inspections, field reports, and service requests using the City's Computer Maintenance Management System (CMMS).

The Landscape Division has been working closely with Facilities Maintenance to reduce the density of foliage around facilities to minimize pest activity. The effectiveness of the modified program has provided control of the rodents in most cases. The program also

places an emphasis on controlling rodent, roach and ant activity at facilities routinely serving food to the public.

Behavioral and operational changes will play a key role in maintaining tolerable pest control under the new IPM Policy due to limited availability of compliant insecticides and rodenticides.

Staff is also evaluating non-toxic methods associated with the treatment of termites. The current treatment for termites has been removal and replacement of the affected portions of structures to remove termites. The overall pest program in Facilities Maintenance is working towards improvements in seasonal planning, preventive control measures, monitoring, and reporting to better assess and control pests.

Other City Properties

City open space and City farm lease property is also covered by the IPM policy. The City contracts with The Irvine Ranch Conservancy (IRC) for its open space management and IRC has incorporated the City's IPM policy into its maintenance protocols. Priority invasive species were removed or treated across approximately 405 acres, of which 275 were within the Natural Community Conservation Plan (NCCP) and an additional 130 acres were within non-NCCP open space boundaries. A total of 1,827 person-hours were spent on Open Space weed abatement control in 2017. Artichoke thistle continued to be a major target species due to past effort invested and the ability of this species to rebound without control. Efforts continued to expand to include other species, such as Sahara mustard, garland chrysanthemum, stinknet, and fountain grass. Invasive control activities were conducted by staff, contractors, and volunteers. No synthetic pesticides were used to control invasive species in 2017; only manual methods and organic pesticides were utilized. IRC experimented with using the organic herbicide Suppress® in controlling various annual and perennial weeds. 227 ounces was applied in seven treatments between January and May at the Quail Hill Restoration and Mule Deer Site. The Contractor determined that Suppress® was not an effective tool for their treatment of perennial and pernicious annual weeds and therefore reverted to use of manual control methods.

2017 marked the first year that the joint Invasive Plant Management Plan for the Coastal NCCP was implemented. The Plan prioritized control of more widespread species and focused in core areas within Shady Canyon. Early detection/rapid response was successfully implemented through NCC-funded surveys of all trails. Several species and populations were not treated because currently available tools and resources were inadequate to effectively control them. These include, but are not limited to pampas grass, tamarisk, larger remote stands of fountain grass, and perennial pepperweed.

Other City properties, including agricultural field leases managed by the City's Community Development Department, reported that all property leases were in compliance with the City's organic pesticide policy.

2017 Pesticide Use and Analysis

The City's contractors are all licensed by the State of California to use organic and synthetic pesticides, as required by their contracts with the City. As the party responsible to the State for the application for any pesticide, the City's maintenance contractors researched available organic products approved for use in the State of California. All products used were reviewed by the City's Maintenance Superintendents or Department Managers and approved prior to use. Due to the high acidity of the organic weed control products, applicators must use protective equipment to shield their eyes and skin which can sometimes give the public the perception the pesticide being applied is toxic. Table 1, Appendix 1 provides the active ingredient for the approved organic pesticides used in 2017.

IPM Program Cost Impacts

Manual hand weeding and organic pesticides require the use of more labor and product, and an increase in the frequency of applications to provide a similar result as compared to past pesticide practices. Table 6, Appendix 1 provides a comparative example of the difference in costs between the alternative organic pesticides.

The budget impact for 2017 remained in the range of 5.6% of the Public Works \$21.2 million annual Landscape Maintenance budget with six newly bided landscape maintenance contracts that start in 2018. These contracts include the minimum wage increase mandated by the State to increase from \$11.00 per hour to \$15.00 per hour in 2022 and provide the necessary contract staff to manually remove pests and apply organic products.

All City staff involved with pest control will continue to evaluate non-toxic options to control pests and associated costs to adhere to the Citywide Pest Management Guiding Principles.

Appendix 1

TABLE 1 ORGANIC PESTICIDES			
PRODUCT	ACTIVE INGREDIENT	TARGET PEST	EPA CATEGORY
Avenger	Limonene citrus oil	Weeds	Caution
Fiesta	Iron HEDTA	Weeds	Caution
PreEmerge	Soybean Oil	Weeds	Caution
Finalsan	Ammoniated soap of fatty acids	Weeds	Warning
Scythe	Pelargonic acid	Weeds	Warning
Suppress EC	Caprylic acid	Weeds	Warning
Weed Pharm	Acetic Acid	Weeds	Danger
Rat X	Corn gluten meal	Rodents	N/A
Uncle Ian's Gopher Repellent	Dried blood	Gophers	N/A
Eco Exempt Jet	2 Phenethyl proprionate, Rosemary oil	Insects	N/A
WHY Spray	Lemongrass Oil	Insects	N/A
Eco Via EC	Thyme oil, rosemary oil , 2 phenethyl proprionate	Insects	Caution
Essentria IC3	Rosemary oil	Insects	Caution

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TABLE 2 CITY OF IRVINE PESTICIDE USAGE SUMMARY PARKS AND ATHLETIC FIELDS					
LOCATION	PRODUCT	PEST	TOTAL USE IN 2015	TOTAL USE IN 2016	TOTAL USE IN 2017
Parks and Athletic Fields	3336 F	Disease	47 oz.	0	0
	3336 WP	Disease	4 lbs.	0	0
	Aqua Shade	Algae	2 gal	0	0
	Arrow 2EC	Weeds	10 oz.	0	0
	Fosetyl-A1 80 WDG	Disease	22 lbs.	0	0
	Glyphosate 4 Plus	Weeds	1,564 oz.	0	0
	Power Zone	Weeds	57 oz.	0	0
	Revolver	Weeds	432 oz.	0	0
	Round Up Custom	Weeds	1,104 oz.	0	0
	Sedge Hammer	Weeds	18 gal	0	0
	Speed Zone	Weeds	17 oz.	0	0
	Stone Wall 65 WDG	Weeds	12 lbs.	0	0
	SurflanXL 2G	Weeds	400 lbs.	0	0
OC Great Park	Glyphosate 4 Plus	Weeds	1,438 oz.	0	0
	Orazylin 4	Weeds	128 oz.	0	0
	Power Zone	Weeds	331 oz.	0	0
	Speed Zone	Weeds	137 oz.	0	0
	Turf Wash	Bacteria	6 oz.	0	0
	Phycomycin*	Algae	16,400 oz.	12,000 oz.	13,200 oz.
	Finalsan*	Weeds	0	0	1,616 oz.
	Suppress EC*	Weeds	0	0	1,048 oz.

*Phycomycin, an organic product for control of algae in the ponds and basins. Finalsan and Suppress EC are organic weed killer products.

TABLE 3 CITY OF IRVINE PESTICIDE USAGE SUMMARY CITYWIDE – RODENTS				
PRODUCT	PEST	TOTAL USE IN 2015	TOTAL USE IN 2016	TOTAL USE IN 2017
SYNTHETIC PESTICIDES				
Fumitoxin Tablets	Rodent	1.09 lb.	0	0
Diphacinone	Rodent	69.0 lb.	0	0
Rozol Vole	Rodent	2 lb.	0	0
Maki Mini	Rodent	6.0 lb.	0	0
Avalon Strchnine	Rodent	1.44 lb.	0	0
Omega Gopher Grain	Rodent	30 lb.	0	0
Contract Bait Block	Rodent	28 oz.	52 oz.	0
ORGANIC PESTICIDES				
Rat X	Rodent	1.25 lb.	60 lb.	126.34 lb.
Uncle Ian's Gopher Repellant	Rodent	1.0 lb.	212 lb.	997.93 lb.

TABLE 4 CITY OF IRVINE PESTICIDE USAGE SUMMARY CITYWIDE – INSECTS				
PRODUCT	PEST	TOTAL USE IN 2015	TOTAL USE IN 2016	TOTAL USE IN 2017
SYNTHETIC PESTICIDES				
Temprid	Insects	8 ml	0	0
Transport GHP	Insects	74.9 oz.	0	0
PT Wasp Freeze	Insects	8 oz.	0	0
P.I. Contact	Insects	156 oz.	0	0
Demand CS	Insects	24.5 oz.	0	0
Tengard	Insects	12.2 oz.	0	0
Tempo SC Ultra	Insects	7.5 oz.	0	0
UP Star Gold	Insects	6 oz.	0	0
Talstar	Insects	71.7 oz.	208 oz.	0
Masterline Bifenthrin	Insects	95.93 oz.	6.49 oz.	0
ORGANIC PESTICIDES				
Essentria IC3	Insects	0	13,516 oz.	22,696.41 oz.
Eco EXEMPT Jet	Insects	0	1,625 oz.	591 oz.

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EcoVia	Insects	0	43 oz.	121.60 oz.
WHY Spray	Insects	0	0	2,268 oz.
TABLE 5 CITY OF IRVINE PESTICIDE USAGE SUMMARY RIGHT-OF-WAYS				
PRODUCT	PEST	TOTAL USE IN 2015	TOTAL USE IN 2016	TOTAL USE IN 2017
SYNTHETIC PESTICIDES				
Round Up	Weeds	8,139 oz.	0	0
Arrow 2EC	Bermuda grass	115 oz.	0	0
Speed Zone	Turf Weeds	227.9 oz.	0	0
Power Zone	Turf Weeds	14,848 oz.	0	0
Turflon Ester	Turf Weeds	56 oz.	0	0
Sedge Hammer	Nutsedge	432 oz.	0	0
Gallery 75	Pre-emergent	16 oz.	0	0
Orazylin 4	Pre-emergent	89 oz.	0	0
ORGANIC PESTICIDES				
Avenger	Weeds	0	20,672 oz.	512 oz.
Scythe	Weeds	0	9,538 oz.	10,748 oz.
Suppress EC	Weeds	0	17,316 oz.	223,484 oz.
Finalsan	Weeds	0	0	1,700 oz.
Weed Pharm	Weeds	0	0	327,879 oz.
Fiesta	Weeds	0	0	1,812 oz.
PreEmerge	Weeds	0	0	768 oz.

TABLE 6				
PRODUCT	COST PER GALLON	DILUTION RATE	100 GALLONS OF SOLUTION	TOTAL COST
ORGANIC PESTICIDES				
Weed Pharm	\$12.00	N/A	100 gal	\$1200.00
Scythe	\$95.00	7%	7 gal	\$ 665.00
Suppress EC	\$70.00	9%	9 gal	\$ 630.00

Appendix 2

Contractor daily application logs and reports for 2017

(Not attached)