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**CITY OF LAGUNA HILLS, CALIFORNIA  
CITY COUNCIL/PLANNING AGENCY REGULAR MEETING  
MINUTES  
NOVEMBER 27, 2012**

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**CALL TO ORDER**

Mayor Carruth called the Regular Meeting of the City Council of the City of Laguna Hills, California, to order at 7:00 PM in the Laguna Hills City Council Chamber, 24305 El Toro Road, Laguna Hills.

**PLEDGE OF ALLEGIANCE:** Council Member Songstad

**ROLL CALL OF CITY COUNCIL MEMBERS**

Present: Mayor Carruth, Mayor Pro Tempore Lautenschleger, Council Member Bressette, Council Member Kogerman, and Council Member Songstad

**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 ADAM WONG.

**1.2 INTRODUCTION OF THE 2012 CITIZENS EMERGENCY PREPAREDNESS ACADEMY**

MAYOR CARRUTH RECOGNIZED THOSE RESIDENTS WHO HAD COMPLETED THE EIGHT WEEK 2012 CITIZENS EMERGENCY PREPAREDNESS ACADEMY COURSE.

**2. PUBLIC COMMENTS**

**DARK HORSE COMMITTEE**

Mike Bland, Laguna Hills, gave an update on the Dark Horse 3/5 Marine Battalion Committee.

**3. MINUTES**

**3.1 REGULAR MEETING, NOVEMBER 13, 2012**

**MOTION TO APPROVE THE MINUTES OF THE NOVEMBER 13, 2012, REGULAR MEETING, BY M/COUNCIL MEMBER SONGSTAD, S/COUNCIL MEMBER BRESSETTE.**

**APPROVED BY A VOTE OF 5-0.**

**4. CONSENT CALENDAR**

**MOTION TO APPROVE THE CONSENT CALENDAR, BY M/COUNCIL MEMBER BRESSETTE, S/COUNCIL MEMBER SONGSTAD, WITH COUNCIL MEMBER KOGERMAN REMOVING ITEMS NO. 4.1 AND NO. 4.7, AND COUNCIL MEMBER BRESSETTE REMOVING ITEM NO. 4.2  
APPROVED BY A VOTE OF 5-0.**

- 4.3 PROGRESS PAYMENT NO. 5, FINAL, FOR COMMUNITY CENTER & SPORTS COMPLEX PLAYGROUND RENOVATIONS AND LIGHT REFURBISHMENT, CIP NO. 514, AND COSTEAU PARK PLAYGROUND RENOVATIONS, CIP NO. 239

THE CITY COUNCIL APPROVED PROGRESS PAYMENT NO. 5, FINAL, IN THE NET AMOUNT OF \$1,578.47, TO SIGNATURE CONTRACTORS, FOR COMMUNITY CENTER & SPORTS COMPLEX PLAYGROUND RENOVATIONS AND LIGHT REFURBISHMENT, CIP NO. 514, AND COSTEAU PARK PLAYGROUND RENOVATIONS, CIP NO. 239, AND AUTHORIZED THE FILING OF THE NOTICE OF COMPLETION AND SUBSEQUENT RELEASE OF RETENTION IN 35 DAYS, IF NO LIENS HAVE BEEN FILED.

- 4.4 COOPERATIVE AGREEMENTS C-2-1995, C-2-1996, AND C-2-1997 WITH THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR THE IMPLEMENTATION OF TRAFFIC SIGNAL SYNCHRONIZATION PROJECTS ON OSO PARKWAY, LOS ALISOS BOULEVARD AND LAKE FOREST DRIVE, RESPECTIVELY, CIP NO. 168B

THE CITY COUNCIL APPROVED COOPERATIVE AGREEMENTS C-2-1995, C-2-1996, AND C-2-1997 WITH THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR THE IMPLEMENTATION OF TRAFFIC SIGNAL SYNCHRONIZATION PROJECTS ON OSO PARKWAY, LOS ALISOS BOULEVARD AND LAKE FOREST DRIVE, RESPECTIVELY, CIP NO. 168B, AND AUTHORIZED THE MAYOR TO SIGN THE AGREEMENTS AND THE CITY CLERK TO ATTEST THERETO.

- 4.5 STOP SIGN INSTALLATION ON LINDA FLORA STREET AT EL SEGUNDO STREET

THE CITY COUNCIL ADOPTED RESOLUTION NO. 2012-11-27-1, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, ESTABLISHING A SIDE STREET STOP SIGN ON LINDA FLORA STREET AT EL SEGUNDO STREET.

- 4.6 PROGRESS PAYMENT NO. 7, FINAL, FOR AVENIDA DE LA CARLOTA WIDENING PROJECT, CIP NO. 164

THE CITY COUNCIL APPROVED PROGRESS PAYMENT NO. 7, FINAL, IN THE NET AMOUNT OF \$61,610.97, TO HILLCREST CONTRACTING, INC., FOR THE AVENIDA DE LA CARLOTA WIDENING PROJECT, CIP NO. 164, AND AUTHORIZED THE FILING OF THE NOTICE OF COMPLETION AND SUBSEQUENT RELEASE OF RETENTION IN 35 DAYS, IF NO LIENS HAVE BEEN FILED.

4.8 WEBSITE MEETING AGENDA ACCESS ISSUES

THE CITY COUNCIL RECEIVED AND FILED THE REPORT.

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

4.1 APPROVAL OF WARRANT REGISTER FOR PERIOD ENDED NOVEMBER 27, 2012

Council Member Kogerman removed this item from the Consent Calendar to comment regarding the City's annual membership to the Association of California Cities - OC .

**MOTION TO APPROVE THE WARRANT REGISTER IN THE AMOUNT OF \$893,033.08, BY M/COUNCIL MEMBER BRESSETTE, S/MAYOR CARRUTH. APPROVED BY A VOTE OF 5-0.**

4.7 PRESENTATION OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR FISCAL YEAR 2011/12

Council Member Kogerman removed this item from the Consent Calendar to ask Assistant City Manager White questions regarding the Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2011/2012.

**MOTION TO RECEIVE AND FILE THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FY 2011/12, TOGETHER WITH THE AUDIT LETTERS, BY M/COUNCIL MEMBER SONGSTAD, S/COUNCIL MEMBER BRESSETTE. APPROVED BY A VOTE OF 5-0.**

4.2 INITIATION OF THE PUBLIC PROCESS AND DESIGN SERVICES FOR THE LA PAZ OPEN SPACE PROJECT, CIP NO. 615A

Mayor Pro Tempore Lautenschleger stated that he had a potential conflict of interest because he owned real property that was located within 500 feet of the subject property and that, as such, recused himself from discussion of this item and left the dias.

Council Member Bressette removed this item from the Consent Calendar to discuss the preliminary concept design for the La Paz Open Space Project and discussed his concerns with the scope of the project.

Richard Fisher, Architect from Richard Fisher Associates, spoke on the initiation of the public process and design services for the La Paz Open Space Project, CIP No. 615A and answered questions from the City Council.

**A SUBSTITUTE MOTION WAS MADE TO APPROVE THE ITEM AND LET THE DESIGN PROCESS MOVE FORWARD, BY M/COUNCIL MEMBER SONGSTAD, S/COUNCIL MEMBER KOGERMAN.**

**MOTION FAILED BY A VOTE OF 2-2-1 (COUNCIL MEMBER BRESSETTE AND MAYOR CARRUTH VOTING NO, MAYOR PRO TEMPORE LAUTENSCHLEGER ABSENT).**

**THE CITY COUNCIL APPROVED THE PROFESSIONAL SERVICES AGREEMENT WITH RICHARD FISHER ASSOCIATES FOR LANDSCAPE ARCHITECTURE DESIGN SERVICES FOR THE LA PAZ OPEN SPACE PROJECT, CIP NO. 615A, SUBJECT TO REVISING THE SCOPE OF WORK TO INCLUDE AT TASK 8-A, TO RETURN TO THE CITY COUNCIL WITH A PRESENTATION OF THE CONCEPT PLANS, BY M/COUNCIL MEMBER SONGSTAD, S/COUNCIL MEMBER KOGERMAN.**

**APPROVED BY A VOTE OF 4-0-1 (MAYOR PRO TEMPORE LAUTENSCHLEGER ABSENT).**

Mayor Pro Tempore Lautenschleger returned to the meeting.

## **5. PLANNING AGENCY**

Mayor Carruth 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 8:32 PM.

### **5.1 ROLL CALL OF PLANNING AGENCY MEMBERS**

Present: Chair Carruth, Vice Chair Lautenschleger, Agency Member Bressette, Agency Member Kogerman, and Agency Member Songstad

### **5.2 PUBLIC COMMENTS**

There were no Public Comments.

### **5.3 MINUTES**

#### **5.3.1 REGULAR MEETING, NOVEMBER 13, 2012**

**MOTION TO APPROVE THE MINUTES OF THE NOVEMBER 13, 2012, REGULAR MEETING, BY M/AGENCY MEMBER SONGSTAD, S/VICE CHAIR LAUTENSCHLEGER.**

**APPROVED BY A VOTE OF 5-0.**

### **5.4 PLANNING AGENCY PUBLIC HEARINGS**

There were no Planning Agency Public Hearings.

**PLANNING AGENCY ADJOURNMENT**

Mayor Carruth reconvened the City Council meeting at 8:33 PM. All Council Members were present.

**6. CITY COUNCIL PUBLIC HEARINGS**

- 6.1 ZONING TEXT AMENDMENT NO. 04-12-2230, AN AMENDMENT TO TITLE 9 OF THE LAGUNA HILLS MUNICIPAL CODE (ZONING AND SUBDIVISIONS) TO ALLOW EMERGENCY SHELTERS BY-RIGHT IN THE MIXED USE ZONE AND TO ALLOW SUPPORTIVE HOUSING AND TRANSITIONAL HOUSING AS RESIDENTIAL USES IN ALL RESIDENTIAL ZONES IN ORDER TO COMPLY WITH STATE REQUIREMENTS GENERALLY KNOWN AS "SB 2."

Mayor Carruth opened the Public Hearing upon seeing no one rise, closed the Public Hearing.

**THE CITY COUNCIL INTRODUCED FOR FIRST READING, READ BY TITLE ONLY, AND WAIVED FURTHER READING OF, AN ORDINANCE ENTITLED: "AN ORDINANCE OF THE CITY OF LAGUNA HILLS, CALIFORNIA, AMENDING TITLE 9 OF THE LAGUNA HILLS MUNICIPAL CODE (ZONING AND SUBDIVISIONS) TO ALLOW EMERGENCY SHELTERS BY-RIGHT IN THE MIXED USE ZONE AND TO ALLOW SUPPORTIVE HOUSING AND TRANSITIONAL HOUSING AS RESIDENTIAL USES IN ALL RESIDENTIAL ZONES IN ORDER TO COMPLY WITH STATE REQUIREMENTS GENERALLY KNOWN AS "SB 2," BY M/MAYOR CARRUTH, S/MAYOR PRO TEMPORE LAUTENSCHLEGER. APPROVED BY A VOTE OF 4-1, (COUNCIL MEMBER SONGSTAD VOTING NO.)**

**7. ADMINISTRATIVE REPORTS**

- 7.1 City Manager

7.1.1 2012 CITY MANAGER'S YEAR END REPORT

**THE CITY COUNCIL RECEIVED AND FILED THE 2012 CITY MANAGER'S YEAR END REPORT, BY M/COUNCIL MEMBER BRESSETTE, S/COUNCIL MEMBER SONGSTAD. APPROVED BY A VOTE OF 5-0.**

- 7.2 Assistant City Manager

7.2.1 MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF LAGUNA HILLS AND THE LAGUNA HILLS CITY EMPLOYEES ASSOCIATION

Dr. Dore Gilbert, Laguna Hills Council-Member Elect, spoke in support of the Memorandum of Understanding between the City of Laguna Hills and the Laguna Hills City Employees Association.

Andrew Blount, Laguna Hills Council-Member Elect, spoke in support of the Memorandum of Understanding between the City of Laguna Hills and the Laguna Hills City Employees Association.

**THE CITY COUNCIL APPROVED AND AUTHORIZED THE CITY MANAGER TO EXECUTE THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF LAGUNA HILLS AND THE LAGUNA HILLS EMPLOYEES ASSOCIATION, BY M/COUNCIL MEMBER BRESSETTE, S/MAYOR PRO TEMPORE LAUTENSCHLEGER.  
APPROVED BY A VOTE OF 5-0.**

**7.3 Community Development Director**

**7.3.1 ADOPTION OF AN ORDINANCE APPROVING AND ADOPTING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LAGUNA HILLS AND LAGUNA HILLS INVESTMENT COMPANY**

**THE CITY COUNCIL CONDUCTED THE SECOND READING, READ BY TITLE ONLY, WAIVED FURTHER READING OF, AND ADOPTED ORDINANCE NO. 2012-4, AN ORDINANCE OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING AND ADOPTING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LAGUNA HILLS AND LAGUNA HILLS INVESTMENT COMPANY FOR THE OAKBROOK VILLAGE SHOPPING CENTER REDEVELOPMENT PROJECT, BY M/COUNCIL MEMBER SONGSTAD, S/COUNCIL MEMBER BRESSETTE.  
APPROVED BY A VOTE OF 5-0.**

**8. MATTERS AGENDIZED AND PRESENTED BY CITY COUNCIL MEMBERS AND MAYOR**

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

**9. CITY COUNCIL MEMBER COMMENTS**

**COUNCIL MEMBER BRESSETTE**

Council Member Bressette asked why the Ordinances were read by title during the motions.

City Attorney Simonian indicated that historically the City had a standing Consent Calendar item concerning the adoption of Ordinances. Mr. Simonian stated in an effort to update and refresh the City Council Agenda, it was determined that it would be in the best interest of the City to make the Agenda self-contained and eliminate the Consent Calendar item.

**COUNCIL MEMBER KOGERMAN**

Council Member Kogerman congratulated City Manager Channing on the birth of his grandson.

**10. CLOSED SESSION**

Mayor Carruth recessed the meeting into Closed Session at 9:15 PM.

**10.1 CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

Pursuant to Government Code Section 54956.8

Property: 24031 El Toro Road, Suite 300, Laguna Hills

Agency Negotiator: Bruce Channing, City Manager, and Don White, Assistant City Manager

Negotiating Parties: City of Laguna Hills and Jon W. Swallow on behalf of Dayle McIntosh Center

Under Negotiation: Terms and Conditions of Lease Payment

Mayor Carruth reconvened the meeting at 9:19 PM. All Council Members were present.

City Attorney Simonian indicated that no reportable action was taken by the City Council in Closed Session.

**ADJOURNMENT**

There being no further business before the City Council at this session. Mayor Carruth declared the meeting adjourned at 9:20 PM.

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PEGGY J. JOHNS, CITY CLERK

ATTEST:

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, MAYOR

APPROVED AT MEETING OF DECEMBER 11, 2012.