

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

**REGULAR MEETING
MINUTES
Tuesday, November 13, 2018**

CLOSED SESSION - CONVENING AT 6:00 PM

CALL TO ORDER

The meeting was called to order at 6:00 p.m. by Mayor Carruth.

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	

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. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957(b)(1)
Public Employee Title: City Manager - Annual Performance Evaluation

B. CONFERENCE WITH LABOR NEGOTIATOR

Pursuant to Government Code Section 54957.6
Agency Negotiator: Mel Carruth, Mayor
Unrepresented Employee: Don White, City Manager

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 CHAMBERS**RECESS****GENERAL BUSINESS - CONVENING AT 7:00 PM****CALL TO ORDER**

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

PLEDGE OF ALLEGIANCE: MAYOR PRO TEMPORE GILBERT**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	

CLOSED SESSION REPORT**A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

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

Public Employee Title: City Manager - Annual Performance Evaluation

B. CONFERENCE WITH LABOR NEGOTIATOR

Pursuant to Government Code Section 54957.6

Agency Negotiator: Mel Carruth, Mayor

Unrepresented Employee: Don White, City Manager

City Attorney Simonian stated that the City Council convened into Closed Session this evening pursuant to the authorities listed on the Agenda. The Council completed Items A and B with no reportable action taken.

Motion made by Mayor Carruth that in recognition of exceptional job performance during the calendar year under review, City Manager White be awarded on a one-time basis, eight (8) days of paid executive leave effective November 1, 2018, and the City

Council direct the City Attorney to return to the next regularly scheduled City Council meeting with a Resolution ratifying this action.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mel Carruth, Mayor
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

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.

1.2 Laguna Hills 3/5 Marine Support Committee

Recommendation: The City Council received an update from Committee Member, Roy Fussell on the 3/5 Dark Horse Committee.

1.3 OC Mosquito and Vector Control District

Recommendation: The City Council received an update from Larry Woodruff on the OC Mosquito and Vector Control District.

1.4 Recognition of Chef Leo Razo, First Place Winner at Orange County's World-Wide Semi-Finals for Paella Valenciana

Recommendation: Mayor Carruth presented a Certificate of Recognition to Chef Leo Razo.

2. PUBLIC COMMENTS

Chelsea Bowers, City Net Director of Public Affairs, spoke regarding the 2019 Orange County Homeless Point-in-Time count and survey.

3. CONSENT CALENDAR

Motion to approve the Consent Calendar, with Council Member Heft removing Item No. 3.5 and Mayor Carruth removing Items No. 3.7 and 3.12.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Don Sedgwick, Council Member
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

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 October 9, 2018, Regular Meeting

Recommendation: That the City Council approve the Minutes for the October 9, 2018, Regular Meeting.

3.3 Approval of Warrant Register for the November 13, 2018, Regular Meeting

Recommendation: That the City Council approve the Warrant Register in the amount of \$1,455,793.04.

3.4 Second Reading & Adoption of Proposed Ordinance Adopting Zoning Text Amendment No. 1-17-3757, Amending Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code to Update Regulations Related to Accessory Dwelling Units in Accordance with State Law

Recommendation: That the City Council Ordinance No. 2018-7: "An Ordinance of the City of Laguna Hills, California, adopting Zoning Text Amendment No. 1-17-3757, an amendment to Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code, amending and restating Chapter 9-68 (Accessory Living Quarters/Second Unit Housing) and amending Section 9-04.010 and Tables 9-10.050, 9-12.020, 9-14.020, 9-16.020, 9-18.020, 9-20.020, 9-44.A and 9-92.030 to allow Accessory Dwelling Units in Residential Zoning Districts in accordance with State law, including an exemption from the California Environmental Quality Act (CEQA) per CEQA Guidelines Sections 15060(C)(2) and (C)(3) and Public Resources Code Section 21080.17."

3.6 FY 2017-2018 Development Impact Fees Annual Report

Recommendation: That the City Council approve the FY 2017-2018 Development Impact Fees Annual Report pursuant to California Government Code Section 66006.

3.8 Report Regarding Implementation of 2017 Zoning Text Amendment for Limited Personal Cultivation of Marijuana Inside a Person's Private Residence in Accordance with Proposition 64.

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

3.9 Lake Forest Drive Traffic Signal Synchronization Project Grant Application

Recommendation: That the City Council adopt Resolution No. 2018-11-13-1: "A Resolution of the City Council of the City of Laguna Hills, California, approving the submittal of Traffic Signal Synchronization Program projects to the Orange County Transportation Authority for funding under the Competitive Measure M2 Regional Transportation Signal Synchronization Program for Lake Forest Drive."

3.10 Lease Termination Agreement for the Law Offices of Rick J. Finelli, LLP., a California Limited Liability Partnership, for 24031 El Toro Road, Suite 260, Laguna Hills, California

Recommendation: That the City Council approve a Lease Termination Agreement for Suite 260 with The Law Offices of Rick J. Finelli, LLP., a California Limited Liability Partnership, for 24031 El Toro Road, Suite 260, Laguna Hills, California, and authorize the City Manager to execute the Agreement.

3.11 Lease Termination Agreement for Carno Law Group, a Professional Law Corporation, for 24031 El Toro Road, Suite 210, Laguna Hills, California

Recommendation: That the City Council approve a Lease Termination Agreement for Suite 210 with Carno Law Group, a professional law corporation, for 24031 El Toro Road, Suite 210, Laguna Hills, California, and authorize the City Manager to execute the Agreement.

ITEMS REMOVED FROM THE CONSENT CALENDAR**3.5 Orange County Task Force on Drowning Prevention Request for Funding Support**

Council Member Heft removed Item No. 3.5 from the Consent Calendar to commend the members of the Orange County Task Force for their efforts and express her support of this cause.

Recommendation: That the City Council approve a sponsorship of \$5,000 to the Orange County Task Force on Drowning Prevention and authorize the City Manager to execute a Sponsorship Agreement.

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

3.7 Fourth Amendment to the Amended Joint Powers Authority Agreement with the Orange County Fire Authority Formalizing the Accelerated Pension Liability Reduction Plan

Mayor Carruth removed Item No. 3.7 to acknowledge two letters received regarding the item.

Recommendation: That the City Council approve the Fourth Amendment to the Amended Joint Powers Authority Agreement with the Orange County Fire Authority and authorize the Mayor to execute the Agreement.

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

3.12 Proposed Office Lease with Carno Law Group for 24031 El Toro Road, Suite 260, Laguna Hills, California

Mayor Carruth removed Item No. 3.12 to acknowledge a modification that was made to the Lease.

Recommendation: That the City Council approve the lease with Carno Law Group, a professional law corporation, for 24031 El Toro Road, Suite 260, Laguna Hills, California, and authorize the City Manager to execute the Lease.

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

4. PLANNING AGENCY

Mayor Carruth recessed the City Council Meeting, and acting in capacity as Chair, called the Regular Meeting of the Planning Agency of the City of Laguna Hills, California, to order at 7:25 p.m.

4.1. ROLL CALL OF PLANNING AGENCY MEMBERS

Attendee Name	Title	Status	Arrived
Mel Carruth	Chair	Present	
Dore J. Gilbert, M.D.	Vice Chair	Present	
Janine Heft	Agency Member	Present	
Don Sedgwick	Agency Member	Present	

4.2. PUBLIC COMMENTS

There were no Public Comments.

4.3. APPROVAL OF MINUTES FOR OCTOBER 9, 2018, REGULAR MEETING

4.3.1 Approval of Minutes for the October 9, 2018, Regular Meeting

Recommendation: That the Planning Agency approve the Minutes for the October 9, 2018, Regular Meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Don Sedgwick, Council Member
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

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

Chair Carruth adjourned the Planning Agency Meeting and, acting in the capacity of Chair/Mayor, called the Joint Planning Agency/City Council meeting to order at 7:26 p.m.

JOINT PLANNING AGENCY/CITY COUNCIL MEETING

ROLL CALL OF JOINT PLANNING AGENCY/CITY COUNCIL MEETING

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

PUBLIC COMMENTS

There were no Public Comments.

PUBLIC HEARING

Site Development Permit/ Conditional Use Permit/ Variance/ Zone Text Amendment No. 6-15-3234, a Request by Moulton Niguel Water District to Operate a Government Facility Consisting of a New Operations Center Involving the Construction of Three New Buildings Totaling 64,664 Square Feet for Administrative Offices, Field Crew Operations, and Vehicle Repair, Renovation of Two Existing Buildings Totaling 21,735 Square Feet for Warehousing and Storage Purposes, Expansion and Relocation of Fueling Facilities, Vehicle and Equipment Storage, and Utilizing Existing Non-Compliant Driveway Access on Property Located at 26161 Gordon Road, and Consideration of Zoning Text Amendments to Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code, Amending Table 9-32.040 to Remove the 25 Percent Open Space Requirement for Government Uses, Revising Chapter 9-32 by Adding a New Section 9-32.050 to Permit Outdoor Storage in the C/PI Zone for Government Uses, and by Adding a New Section 9-32.060 (Fences, Walls and Hedges) to Permit Fences Up to Eight (8) Feet High for Government Uses

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

Chair/Mayor Carruth opened the Public Hearing.

Joone Lopez, Moulton Niguel Water District General Manager, responded to Planning Agency/City Council requests for additional information.

Stuart Merrell, a resident of Laguna Hills, voiced his concerns regarding the project.

Scott Strichart, a resident of Laguna Hills, voiced his concerns regarding the project.

Jean M. Barry, a resident of Laguna Hills, voiced her concerns regarding the project.

Chair/Mayor Carruth closed the Public Hearing.

Recommendation: (1) That the Planning Agency and City Council conduct a Joint Public Hearing to consider the proposed Operations Center Project;

(2) That the Planning Agency and City Council consider the Final Initial Study/Mitigated Negative Declaration for the Moulton Niguel Water District Operations Center and Site Consolidation Project; make responsible Agency Findings; and adopt a Mitigation Monitoring and Reporting Program;

(3) That the City Council introduce for first reading, read by title only, and waive further reading of an Ordinance entitled: "An Ordinance of the City of Laguna Hills, California, approving and adopting Zone Text Amendments (ZTA) to Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code amending Table 9-32.040 to remove the 25 percent open space requirement in the C/PI Zone for government uses, revising Chapter 9-32 by adding new Section 9-32.050 to permit outdoor storage in the C/PI Zone for government uses, and revising Chapter 9-32 by adding new Section 9-32.060 (Fences, Walls and Hedges) to permit fences up to eight (8) feet high in the C/PI Zone for government uses."; and

(4) That the Planning Agency adopt Resolution No. PA2018-11-13-1: "A Resolution of the Planning Agency of the City of Laguna Hills, California, approving Site Development Permit/Conditional Use Permit/Variance/Zone Text Amendment 6-15-3234, a request by Moulton Niguel Water District to operate a

government facility consisting of a new operations center involving the construction of three new buildings totaling 64,664 square feet for administrative offices, field crew operations, and automobile vehicle repair, renovation of two existing buildings totaling 21,735 square feet for warehousing and storage purposes, expansion and relocation of fueling facilities, vehicle and equipment storage, and utilizing existing non-compliant driveway access on property located at 26161 Gordon Road in the Community/Private Institution (C/PI) Zoning District.”

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

JOINT PLANNING AGENCY/CITY COUNCIL MEETING ADJOURNMENT

Chair/Mayor Carruth recessed the Joint Planning Agency/City Council Meeting and reconvened the City Council Meeting at 8:42 p.m.

5. CITY COUNCIL PUBLIC HEARINGS

5.1 Security Deposit and Appeal Fee for the City’s Construction and Demolition Waste and Recycling Program

Deputy City Manager/Community Services Director Reynolds reviewed the information provided in the staff report.

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

Recommendation: That the City Council: 1) Conduct a Public Hearing; and 2) Adopt Resolution No. 2018-11-13-2: “A Resolution of the City Council of the City of Laguna Hills, California, adjusting the Security Deposits and Appeal Fee for the City of Laguna Hills Construction and Demolition Waste Recycling Program and finding that the action is exempt from the California Environmental Quality Act (CEQA) per Section 15273 of the CEQA Guidelines and Public Resources Code Section 21080(b)(8).”

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mel Carruth, Mayor
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

5.2 Introduction and First Reading of an Ordinance Adding Chapter 8-07 (Citywide Park and Recreation Facilities Fees) to the Laguna Hills Municipal Code, Establishing Development Impact Fees for Non-Subdivision Residential Development Pursuant to the Provisions of Government Code Section 66000 Under the Mitigation Fee Act for Citywide Parks, Recreation and Open Space Facilities, and Adoption of a Resolution Establishing the Fees.

Community Development Director Chantarangsu introduced Carlos Villarreal, Willdan Financial Services Project Manager and responded to City Council requests for additional information.

Carlos Villarreal provided a PowerPoint presentation and responded to City Council requests for additional information.

Mayor Carruth opened the Public Hearing.

Adam Wood, BIA Director of Government Affairs voiced his concerns over the proposed fee.

Mayor Carruth closed the Public Hearing.

Recommendation: That the City Council: (1) Conduct a Public Hearing ; (2) Introduce for first reading, read by title only, and waive further reading of an Ordinance entitled: "An Ordinance of the City of Laguna Hills, California, adding Chapter 8-07 (Citywide Park and Recreation Facilities Fees) to Title 8 (Recreation, Parks, and Facilities) of the Laguna Hills Municipal Code establishing Development Impact Fees for Citywide Parks, Recreation and Open Space Facilities for non-subdivision residential development."; and (3) Adopt Resolution No. 2018-11-13-3: "A Resolution of the City Council of the City of Laguna Hills, California, establishing the Citywide Park and Recreational Facilities Fees and finding that the action is exempt from the California Environmental Quality Act (CEQA) per Sections 15273 of the CEQA Guidelines and Public Resources Code Section 21080."

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

6. ADMINISTRATIVE REPORTS

6.1. City Manager

The City Manager gave no Administrative Reports.

6.2. Assistant City Manager/Public Services Director

6.2.1 Introduction and First Reading of an Ordinance Amending the Laguna Hills Municipal Code to Clarify the City's Authority to Prohibit the Discharge of Non-Stormwater Such as Runoff from Over-Irrigation to the City's Stormwater Drainage System

Assistant City Manager/Director of Public Services Rosenfield reviewed the information provided in the staff report, provided an update of newly received information regarding the issue and responded to City Council requests for additional information.

Recommendation: That the City Council introduce for first reading, read by title only, and waive further reading of an Ordinance entitled: "An Ordinance of the City of Laguna Hills, California, amending Section 5-36.040 of the Laguna Hills Municipal Code pertaining to prohibition on illicit connections and prohibited discharges to the Stormwater Drainage System, and repealing Section 12-20.030 of the Laguna Hills Municipal Code pertaining to running of water upon the right-of-way."

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Don Sedgwick, Council Member
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

7. MATTERS AGENDIZED AND PRESENTED BY CITY COUNCIL MEMBERS**7.1 San Diego Gas & Electric Rate Structure**

Duane Cave, San Diego Gas & Electric External Relations Manager, spoke regarding SDG&E rates and plans to address concerns of residents and responded to Council requests for additional information.

Recommendation: That the City Council direct staff to work cooperatively with San Diego Gas & Electric and other interested stakeholders to lobby the California Public Utilities Commission to make certain policy changes that will result in lower electricity bills for Laguna Hills rate payers.

8. CITY COUNCIL MEMBER COMMENTS**Mayor Pro Tempore**

Mayor Pro Tempore Gilbert reported that he attended the 4th Annual Veterans Resource Fair and Wounded Warrior Amputee Softball Game.

Mayor Carruth

Mayor Carruth reported that Joe Mueller, Mayor Pro Tempore, City of Dana Point, was elected by District Mayors to serve as the area representative on OCTA's Board of Directors.

Mayor Carruth mentioned that she attended the Veterans Day Observance event at the El Toro Memorial Park.

Mayor Carruth reminded the public that "Pizza with Police" at Mod Pizza is scheduled for November 15th.

Mayor Carruth requested staff provide a staff report regarding the City's ACC-OC membership to be agendized for the November 27, 2018 meeting.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Carruth declared the meeting adjourned at 9:40 p.m.

Melissa Au-Yeung, City Clerk

ATTEST:

Melody Carruth, Mayor

Approved at meeting of November 27, 2018