
**CITY OF LAGUNA HILLS, CALIFORNIA
CITY COUNCIL/PLANNING AGENCY REGULAR MEETING
MINUTES
NOVEMBER 13, 2012**

CALL TO ORDER

Mayor Carruth called the Regular Meeting of the City Council of the City of Laguna Hills, California, to order at 7:02 PM in the Laguna Hills City Council Chamber, 24305 El Toro Road, Laguna Hills.

PLEDGE OF ALLEGIANCE: Council Member Bressette

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

LAGUNA HILLS HIGH SCHOOL STUDENT LIAISON ADAM WONG WAS NOT PRESENT AT THE MEETING.

2. PUBLIC COMMENTS

LAGUNA HILLS HIGH SCHOOL HAWK CHALLENGE

Teresa Bonutto, Laguna Hills, spoke on the success of the Laguna Hills High School Hawk Challenge, held on Monday, November 12, 2012, (observed Veteran's Day) honoring the 3/5 Marine Battalion.

TEEN DARK HORSE COMMITTEE

Teresa Bonutto, Laguna Hills, indicated Teen Dark Horse, in conjunction with Win-Win Wednesday at Polly's Pies in Laguna Hills on November 21, 2012, was selling pies to be delivered to the family members of the 3/5 Marine Battalion. In addition, a portion of the proceeds from Win-Win Wednesday would be going to the families of the Marines.

3. MINUTES

3.1 REGULAR MEETING, OCTOBER 23, 2012

**MOTION TO APPROVE THE MINUTES OF THE OCTOBER 23, 2012, REGULAR MEETING, BY M/COUNCIL MEMBER SONGSTAD, S/MAYOR PRO TEMPORE LAUTENSCHLEGER.
APPROVED BY A VOTE OF 5-0.**

4. CONSENT CALENDAR

**MOTION TO APPROVE THE CONSENT CALENDAR, BY M/COUNCIL MEMBER BRESSETTE, S/COUNCIL MEMBER KOGERMAN.
APPROVED BY A VOTE OF 5-0.**

- 4.1 MOTION TO APPROVE THE READING BY TITLE OF ALL ORDINANCES AND RESOLUTIONS, SAID TITLES, WHICH APPEAR ON THE PUBLIC AGENDA, SHALL BE DETERMINED TO HAVE BEEN READ BY TITLE AND FURTHER READING WAIVED

THE CITY COUNCIL WAIVED READING OF ORDINANCES AND RESOLUTIONS.

- 4.2 APPROVAL OF WARRANT REGISTER FOR PERIOD ENDED NOVEMBER 13, 2012

THE CITY COUNCIL APPROVED THE WARRANT REGISTER IN THE AMOUNT OF \$488,360.69.

- 4.3 2012-13 CIVIC CENTER BUDGET - BUDGET AMENDMENT

THE CITY COUNCIL APPROVED AN AMENDMENT TO THE 2012-13 CIVIC CENTER BUDGET IN THE AMOUNT OF \$25,000.

- 4.4 GRANT OF WATERLINE EASEMENT TO THE EL TORO WATER DISTRICT AT THE LAGUNA HILLS CIVIC CENTER

THE CITY COUNCIL ADOPTED RESOLUTION NO. 2012-11-13-1, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, GRANTING A WATERLINE EASEMENT TO THE EL TORO WATER DISTRICT AT THE LAGUNA HILLS CIVIC CENTER, AND APPROVED AND AUTHORIZED THE MAYOR TO SIGN THE DEED OF EASEMENT.

- 4.5 GRANT OF WATERLINE EASEMENT FOR A RECYCLED WATERLINE TO THE EL TORO WATER DISTRICT AT VEEH RANCH PARK

THE CITY COUNCIL ADOPTED RESOLUTION NO. 2012-11-13-2, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, GRANTING A WATERLINE EASEMENT FOR A RECYCLED WATERLINE TO THE EL TORO WATER DISTRICT AT VEEH RANCH PARK, APPROVED AND AUTHORIZED THE MAYOR TO EXECUTE THE

DEED OF EASEMENT, AND APPROVED AND AUTHORIZED THE MAYOR TO EXECUTE THE ACCEPTANCE AGREEMENT.

- 4.6 AUTHORIZATION TO FILE A GRANT APPLICATION WITH THE STATE DEPARTMENT OF RESOURCES, RECYCLING AND RECOVERY FOR RUBBERIZED ASPHALT CONCRETE FUNDING IN COOPERATION WITH THE CITY OF LAGUNA WOODS

THE CITY COUNCIL ADOPTED RESOLUTION NO. 2012-11-13-3, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, AUTHORIZING AN APPLICATION FOR GRANT FUNDING FROM THE SB 1346 RUBBERIZED ASPHALT CONCRETE GRANT PROGRAM.

- 4.7 AWARD OF CONTRACT FOR COMMUNITY CENTER BUILDING REFURBISHMENT, CIP NO. 513A

THE CITY COUNCIL DENIED THE BID PROTEST BY ACR BUILDERS, INC., DIRECTED THE CITY ENGINEER TO ISSUE A RESPONSE TO THE NOTICE OF BID PROTEST BY ACR BUILDERS, INC., AND AWARD THE CONTRACT FOR THE COMMUNITY CENTER BUILDING REFURBISHMENT, CIP NO. 513A, TO THE APPARENT LOW BIDDER, NICK STAVRIANOPOULOS CONSTRUCTION AND PAINTING.

- 4.8 PROGRESS PAYMENT NO. 19 FOR LA PAZ ROAD WIDENING AT I-5 IMPROVEMENT PROJECT, CIP NO. 159

THE CITY COUNCIL APPROVED PROGRESS PAYMENT NO. 19, IN THE NET AMOUNT OF \$63,617.73, TO SEMA CONSTRUCTION, INC., FOR THE LA PAZ ROAD WIDENING AT I-5 IMPROVEMENT PROJECT, CIP NO. 159.

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 7:07 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, OCTOBER 23, 2012

**MOTION TO APPROVE THE MINUTES OF THE OCTOBER 23, 2012, REGULAR MEETING, BY M/AGENCY MEMBER KOGERMAN, S/AGENCY MEMBER BRESSETTE.
APPROVED BY A VOTE OF 5-0.**

5.4 PLANNING AGENCY PUBLIC HEARINGS

There were no Planning Agency Public Hearings.

PLANNING AGENCY ADJOURNMENT

6. JOINT MEETING OF THE PLANNING AGENCY AND CITY COUNCIL TO CONSIDER THE PROPOSED LAND USE AND DEVELOPMENT ENTITLEMENTS AND ADOPTION OF A PROPOSED DEVELOPMENT AGREEMENT FOR THE REDEVELOPMENT OF THE OAKBROOK VILLAGE SHOPPING CENTER LOCATED AT 24231-24391 AVENIDA DE LA CARLOTA

6.1 ROLL CALL OF PLANNING AGENCY AND CITY COUNCIL MEMBERS

Mayor/Chair Carruth, Mayor Pro Tempore/Vice Chair Lautenschleger, Council Member/Agency Member Bressette, Council Member/Agency Member Kogerman, and Council Member/Agency Member Songstad

6.2 PUBLIC COMMENTS

There were no Public Comments.

6.3 PUBLIC HEARING

6.3.1 SITE DEVELOPMENT PERMIT/MASTER SIGN PROGRAM/ CONDITIONAL USE PERMIT/ PARKING USE PERMIT/VESTING TENTATIVE TRACT MAP/PRECISE PLAN/ DEVELOPMENT AGREEMENT NO. 12-11-2137, A REQUEST BY LAGUNA HILLS INVESTMENT COMPANY TO REDEVELOP OAKBROOK VILLAGE SHOPPING CENTER LOCATED AT 24231-24391 AVENIDA DE LA CARLOTA.

Chair/Mayor Carruth opened the Public Hearing.

John Loper, representative of Palm Tree Communities Consulting, Inc., spoke on the redevelopment of Oakbrook Village Shopping Center and answered questions from the City Council/Planning Agency Members. Mr. Loper indicated that he had received letters from the Golden Rain Foundation and had analyzed their concerns.

Mike Winter, representative of Sares-Regis Group, gave background on his company and the potential success of this project.

Donna Varner, Mission Viejo, South Orange County Regional Chamber of Commerce, spoke in support of the project.

Vicki Fetterman, ex-director of South Orange County Regional Chamber of Commerce, spoke in support of the project.

Tony Dauer, Laguna Woods, spoke in opposition to the project.

Coralee Newman, Government Solutions, expressed concern about the lack of sufficient advance notification of the project.

Robert Hawkins, Attorney for Laguna Woods Foundation, referenced his comment letter that was distributed to the City Council regarding the use of the Addendum to the EIR.

Dr. Dore Gilbert, Council-Member Elect, inquired about sales tax impact fees.

Joe Molanero, Traffic Engineer for the project, clarified information in the traffic study.

Mayor/Chair Carruth closed the Public Hearing.

- (1) THE PLANNING AGENCY AND CITY COUNCIL CONDUCTED A JOINT PUBLIC HEARING AND INDEPENDENTLY ADOPTED THE "ADDENDUM TO THE CITY OF LAGUNA HILLS GENERAL PLAN UPDATE EIR - OAKBROOK RESIDENTIAL PROJECT" ALONG WITH THE "CITY OF LAGUNA HILLS GENERAL PLAN PROGRAM ENVIRONMENTAL IMPACT REPORT (STATE CLEARING HOUSE NO. 20080811100)" AND FOUND THAT NO ADDITIONAL ENVIRONMENTAL DOCUMENTATION WAS REQUIRED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 21166 AND 21083.3, AND CEQA GUIDELINES SECTIONS 15168, 15162, 15164, AND 15183 FOR THE REASONS SET FORTH IN RESOLUTION NO. PA2012-11-13-1 AND ORDINANCE NO. 2012-4, BY M/AGENCY MEMBER/COUNCIL MEMBER SONGSTAD, S/AGENCY MEMBER/COUNCIL MEMBER BRESSETTE.**

APPROVED BY A VOTE OF 5-0.

- (2) THE PLANNING AGENCY ADOPTED RESOLUTION NO. PA2012-11-13-1, A RESOLUTION OF THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING SITE DEVELOPMENT PERMIT/MASTER SIGN PROGRAM/CONDITIONAL USE PERMIT/PARKING USE**

**PERMIT/VESTING TENTATIVE TRACT MAP/PRECISE
PLAN/DEVELOPMENT AGREEMENT NO. 12-11-2137, A REQUEST BY
LAGUNA HILLS INVESTMENT COMPANY TO REDEVELOP OAKBROOK
VILLAGE SHOPPING CENTER LOCATED AT 24231-24391 AVENIDA DE LA
CARLOTA, WITH AN AMENDMENT TO DELETE CONDITION NO. 35,
MODIFY TEXT ON CONDITION NO. 51; AND DELETE PARAGRAPHS D, I,
AND J TO CONDITION NO. 55, BY/AGENCY MEMBER BRESSETTE,
S/AGENCY MEMBER KOGERMAN.
APPROVED BY A VOTE OF 5-0.**

- (3) THE CITY COUNCIL INTRODUCED AN ORDINANCE ENTITLED: "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/COUNCIL MEMBER KOGERMAN, S/COUNCIL MEMBER BRESSETTE.
APPROVED BY A VOTE OF 5-0.**

JOINT PLANNING AGENCY/CITY COUNCIL ADJOURNMENT

7. ADMINISTRATIVE REPORTS

7.1 City Manager

The City Manager made no reports.

7.2 Deputy City Manager/Community Services

7.2.1 WEBSITE COMMUNITY BULLETIN BOARD

**THE CITY COUNCIL AUTHORIZED STAFF TO DEVELOP A COMMUNITY
BULLETIN BOARD PRESENCE ON THE CITY'S WEBSITE FOR THE POSTING
OF NONCOMMERCIAL MESSAGES TO PROMOTE LOCAL COMMUNITY
EVENTS AND ACTIVITIES IN ACCORDANCE WITH THE DRAFT
ADMINISTRATIVE POLICY, BY M/COUNCIL MEMBER BRESSETTE,
S/COUNCIL MEMBER KOGERMAN.
APPROVED BY A VOTE OF 5-0.**

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

8.1 COUNCIL MEMBER BRESSETTE

8.1.1 DROWNING PREVENTION INFORMATION PROGRAM

**THE CITY COUNCIL DIRECTED CITY STAFF TO WORK WITH THE ORANGE
COUNTY FIRE AUTHORITY IN DEVELOPING A PILOT PROGRAM THAT
WOULD ENSURE THAT ALL PROPERTY OWNERS AND RESIDENTS WERE
PROVIDED WITH POOL SAFETY AND DROWNING PREVENTION**

**EDUCATIONAL INFORMATION COINCIDENT WITH THE CONSTRUCTION OF A SWIMMING POOL, BY M/COUNCIL MEMBER BRESSETTE, S/COUNCIL MEMBER KOGERMAN.
APPROVED BY A VOTE OF 5-0.**

9. CITY COUNCIL MEMBER COMMENTS

COUNCIL MEMBER BRESSETTE

Council Member Bressette reported on his attendance, on behalf of the City, at the Local Agency Investment Fund Conference held on November 1, 2012.

Council Member Bressette indicated that the Laguna Hills High School Win-Win-Wednesday Program was a benefit to the community by increasing sales revenues for local restaurants while raising money for various activities at Laguna Hills High School. Council Member Bressette was happy to report that the 3/5 Marine families would be receiving donated pies and also a portion of the proceeds from the Win-Win Wednesday Program, to be conducted on November 21, 2012 at Polly's Pies in Laguna Hills.

10. CLOSED SESSION

Mayor Carruth recessed the meeting into Closed Session at 10:35 PM.

10.1 CONFERENCE WITH LABOR NEGOTIATOR

Pursuant to Government Code Section 54957.6(a)

City Designated Representative: Bruce Channing, City Manager, and
Don White, Assistant City Manager

Employee Organization: Laguna Hills City Employees Association
City Employee Organization

10.2 CONFERENCE WITH LABOR NEGOTIATOR

Pursuant to Government Code Section 54957.6

Agency Negotiator: John Goss, Labor Representative

Unrepresented Employee: City Manager

Under Negotiation: Terms and Conditions of Employment

10.3 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

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

Public Employee Title: City Manager - Annual Performance Evaluation

Mayor Carruth reconvened the meeting at 11:40 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 11:45 PM.

PEGGY J. JOHNS, CITY CLERK

ATTEST:

MELODY CARRUTH, MAYOR

APPROVED AT MEETING OF NOVEMBER 27, 2012.