

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

**REGULAR MEETING
MINUTES
Tuesday, October 10, 2023**

GENERAL BUSINESS - CONVENING AT 7:00 PM

CALL TO ORDER

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

INVOCATION: Pastor Simon Price Grace Hills Church

PLEDGE OF ALLEGIANCE: Council Member Caskey

ROLL CALL OF CITY COUNCIL MEMBERS

Attendee Name	Title	Status	Arrived
Janine Heft	Mayor	Present	
Dave Wheeler	Mayor Pro Tempore	Present	
Don Caskey	Council Member	Present	
Erica Pezold	Council Member	Present	
Joshua Sweeney	Council Member	Present	

1. PRESENTATIONS AND PROCLAMATIONS

1.1 Laguna Hills High School Student Liaison Report

The City Council received an oral report from Laguna Hills High School 2023 Fall Student Liaison Evan Figueroa.

1.2 City of Hope Orange County

The City Council received a presentation from Executive Director of Strategic Implementation Laura Grant regarding the City of Hope Orange County Lennar Foundation Cancer Center.

1.3 Moulton Niguel Water District (MNWD)

The City Council received a presentation from Board President Duane Cave, Assistant Director of Engineering Todd Dmytryshyn, P.E., Senior Water Resources Planner Laura Rocha, and Principal Engineer Alex Thomas, P.E. regarding proposed OASIS Water Recycling, South County Emergency Water Interconnection, and Crown Valley Pipeline Replacement projects.

2. SCHEDULE OF FUTURE EVENTS

2.1 Schedule of Future Events

City Clerk Lee announced the upcoming meetings and events.

3. PUBLIC COMMENTS

The following individual addressed the City Council on non-agendized items:

Ronald Vaca, a resident of Laguna Hills, inquired about the process to remove the parking permit requirement on Southport Street.

4. CONSENT CALENDAR

Motion to approve the Consent Calendar with Mayor Heft, Mayor Pro Tempore Wheeler, and Council Member Pezold removing Item No. 4.5, Item No. 4.6, and Item No. 4.7.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Erica Pezold, Council Member
SECONDER:	Dave Wheeler, Mayor Pro Tempore
AYES:	Janine Heft, Mayor; Dave Wheeler, Mayor Pro Tempore; Don Caskey, Council Member; Erica Pezold, Council Member; Joshua Sweeney, Council Member

4.1 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.

4.2 Approval of Minutes for September 26, 2023, Regular Meeting

Recommendation: That the City Council approve the City Council/Planning Agency Minutes for the September 26, 2023, Regular Meeting.

4.3 Ratification of October 10, 2023, Warrant Register

Recommendation: That the City Council ratify the accompanying Warrant Register for the period from September 16, 2023, to October 2, 2023, in the amount of \$266,174.10.

4.4 An Amendment to the City's Schedule of Administrative Citation Fines and Penalties Related to Implementation of a Sidewalk Vending Regulatory Program.

Recommendation: That the City Council: 1) Find and determine that the proposed project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15273 (Rates, Tolls, Fares, and Charges) of Title 14, Chapter 3 of the California Code of Regulations, and Section 21080(b)(8) of Division 13, Chapter 2.6 of the Public Resources Code; and 2) Adopt Resolution No. 2023-10-10-1: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, AMENDING AND RESTATING THE SCHEDULE OF ADMINISTRATIVE CITATION FINES AND PENALTIES."

ITEMS REMOVED FROM THE CONSENT CALENDAR

4.5 OCTA Regional Traffic Signal Synchronization Project: Paseo De Valencia - Moulton Parkway Confluence Bypass Corridor

Mayor Heft, Mayor Pro Tempore Wheeler, and Council Member Pezold removed Item No. 4.5 from the Consent Calendar to request additional information.

Public Works Director/City Engineer Ames responded to Council Member requests for additional information.

Recommendation: That the City Council adopt Resolution No. 2023-10-10-2 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING THE SUBMITTAL OF A GRANT APPLICATION TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR FUNDING UNDER THE COMPREHENSIVE TRANSPORTATION FUNDING PROGRAMS."

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Erica Pezold, Council Member
SECONDER:	Don Caskey, Council Member
AYES:	Janine Heft, Mayor; Dave Wheeler, Mayor Pro Tempore; Don Caskey, Council Member; Erica Pezold, Council Member; Joshua Sweeney, Council Member

4.6 Proposed Professional Services Agreement with Jamey Clark, Inc., Db a SafePark Playground Services to Provide Quarterly Playground Equipment Safety Inspection Consulting Services

Mayor Heft, Mayor Pro Tempore Wheeler, and Council Member Pezold removed Item No. 4.6 from the Consent Calendar to request additional information.

Public Works Director/City Engineer Ames responded to Council Member requests for additional information.

Recommendation: That the City Council: 1) Find and determine that it is appropriate to waive formal competitive selection requirements of Laguna Hills Municipal Code (LHMC) Section 3-08.150 for the award of a proposed Professional Services Agreement to Jamey Clark, Inc., because a) "an unusual or unique situation exists, in that due to experience, specialized qualifications, particular expertise, performance history, and/or reputation, a particular company, vendor, consultant, or contractor is uniquely qualified for a particular task or project, which makes application of the requirements for competitive solicitation under this chapter contrary to either the intended purpose of the project or the public interest" (LHMC Section 3-08.110(I)); and b) compliance with procurement policies, procedures, and/or requirements is not in the best interest of the City (LHMC Section 3-08.110(J)); 2) Approve the proposed Professional Services Agreement for Playground Inspection Services with Jamey Clark, Inc.; and 3) Authorize the Mayor to execute the Agreement.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Erica Pezold, Council Member
SECONDER:	Janine Heft, Mayor
AYES:	Janine Heft, Mayor; Dave Wheeler, Mayor Pro Tempore; Don Caskey, Council Member; Erica Pezold, Council Member; Joshua Sweeney, Council Member

4.7 2023 Summer Post Event Report

Mayor Heft, Mayor Pro Tempore Wheeler, and Council Member Pezold removed Item No. 4.7 from the Consent Calendar to allow for discussion on the item.

City Manager Hildenbrand responded to Council Member requests for additional information.

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Erica Pezold, Council Member
SECONDER:	Don Caskey, Council Member
AYES:	Janine Heft, Mayor; Dave Wheeler, Mayor Pro Tempore; Don Caskey, Council Member; Erica Pezold, Council Member; Joshua Sweeney, Council Member

5. PLANNING AGENCY

Mayor Heft 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 8:21 p.m.

5.1. ROLL CALL OF PLANNING AGENCY MEMBERS

Attendee Name	Title	Status	Arrived
Janine Heft	Char	Present	
Dave Wheeler	Vice Chair	Present	
Don Caskey	Agency Member	Present	
Erica Pezold	Agency Member	Present	
Joshua Sweeney	Agency Member	Present	

5.2. PUBLIC COMMENTS

There were no Planning Agency public comments on non-agendized items.

5.3. APPROVAL OF MINUTES

The Planning Agency Minutes were approved by the City Council.

5.4. ADMINISTRATIVE REPORTS

There were no Planning Agency administrative reports.

5.5. PLANNING AGENCY PUBLIC HEARINGS

5.5.1 Site Development Permit/ Master Sign Program (SDP/MSP) No. USE-0144-2023, a Request by Chris Mendoza, Project Manager on Behalf of Better Buzz Coffee Company, LLC, for Approval of an Amendment to an Existing Master Sign Program to Accommodate the New Better Buzz Coffee Shop Located at 25252 La Paz Road

Assistant Planner Ash reviewed the information provided in the staff report, provided a PowerPoint presentation, and responded to Agency Member request for additional information.

Chair Heft resumed the Public Hearing continued from September 12, 2023.

The following individual addressed the Planning Agency on Item No. 5.5.1:

Project Applicant Corey Becker, Director of Construction, Better Buzz Coffee, responded to Agency Member request for additional information.

City Attorney Simonian responded to Agency Member request for additional information.

Chair Heft closed the Public Hearing.

Chair Heft reopened the Public Hearing.

The following individual addressed the Planning Agency on Item No. 5.5.1:

Project Applicant Corey Becker, Director of Construction, Better Buzz Coffee, responded to Agency Member request for additional information.

Chair Heft closed the Public Hearing.

Recommendation: That the Planning Agency:

- 1) Conduct the public hearing continued from September 12, 2023;
- 2) Find and determine that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15311(a) (Class 11, Accessory Structures); and
- 3) Adopt Resolution No. PA2023-10-10-1: "A RESOLUTION OF THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING SITE DEVELOPMENT PERMIT/ MASTER SIGN PROGRAM (SDP/MSP) NO. USE-0144-2023, A REQUEST BY CHRIS MENDOZA, PROJECT MANAGER OF BETTER BUZZ COFFEE ROASTERS ON BEHALF OF BETTER BUZZ COFFEE ROASTERS FOR APPROVAL OF AN AMENDMENT TO AN EXISTING MASTER SIGN PROGRAM TO ACCOMMODATE THE NEW BETTER BUZZ COFFEE SHOP LOCATED AT 25252 LA PAZ ROAD."

RESULT:	APPROVED [3 TO 2]
MOVER:	Erica Pezold, Agency Member
SECONDER:	Don Caskey, Agency Member
AYES:	Don Caskey, Agency Member; Erica Pezold, Agency Member; Joshua Sweeney, Agency Member
NAYS:	Janine Heft, Chair; Dave Wheeler, Vice Chair

PLANNING AGENCY ADJOURNMENT

Chair Heft adjourned the Planning Agency Meeting at 8:48 p.m. and reconvened the City Council Meeting. All Council Members were present in Chamber.

6. CITY COUNCIL PUBLIC HEARINGS

There were no City Council public hearings.

7. ADMINISTRATIVE REPORTS

7.1. City Manager

The City Manager provided no Administrative Reports.

7.2. Deputy City Manager/Community Services Director

7.2.1 2023 Heritage Day Post Event Report

Community Services Manager Gannon reviewed the information provided in the staff report, provided a video presentation, and responded to Council Member requests for additional information.

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

RESULT:	RECEIVE AND FILE [UNANIMOUS]
MOVER:	Erica Pezold, Council Member
SECONDER:	Joshua Sweeney, Council Member
AYES:	Janine Heft, Mayor; Dave Wheeler, Mayor Pro Tempore; Don Caskey, Council Member; Erica Pezold, Council Member; Joshua Sweeney, Council Member

7.3. Public Works Director/City Engineer

7.3.1 Draft Local Hazard Mitigation Plan Update

Public Works Director/City Engineer Ames reviewed the information provided in the staff report.

Starla Barker, AICP, Principle Planner, De Novo Planning Group provided a PowerPoint presentation and responded to Council Member requests for additional information

Recommendation: That the City Council authorize City staff to submit the Draft Local Hazard Mitigation Plan to the California Governor's Office of Emergency Services (Cal OES) and the Federal Emergency Management Agency (FEMA).

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Erica Pezold, Council Member
SECONDER:	Joshua Sweeney, Council Member
AYES:	Janine Heft, Mayor; Dave Wheeler, Mayor Pro Tempore; Don Caskey, Council Member; Erica Pezold, Council Member; Joshua Sweeney, Council Member

7.3.2 California Uniform Public Construction Cost Accounting Act

Public Works Director/City Engineer Ames reviewed the information provided in the staff report and responded to Council Member requests for additional information.

City Attorney Simonian responded to Council Member requests for additional information.

City Manager Hildenbrand responded to Council Member 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, ADDING CHAPTER 3-36 (INFORMAL BIDDING - PUBLIC PROJECTS) TO TITLE 3 (REVENUE AND FINANCE) OF THE LAGUNA HILLS MUNICIPAL CODE TO PROVIDE INFORMAL BIDDING PROCEDURES IN ACCORDANCE WITH THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT."

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Erica Pezold, Council Member
SECONDER:	Dave Wheeler, Mayor Pro Tempore
AYES:	Janine Heft, Mayor; Dave Wheeler, Mayor Pro Tempore; Don Caskey, Council Member; Erica Pezold, Council Member; Joshua Sweeney, Council Member

8. MATTERS AGENDIZED AND PRESENTED BY CITY COUNCIL MEMBERS

8.1 Resolution Amending and Restating City Council Policy No. 120 Regarding Procedures for Placing Items on Future City Council Agendas

Mayor Pro Tempore Wheeler provided comments on the item.

Recommendation: Mayor Pro Tempore Wheeler and Mayor Heft recommend that the City Council adopt Resolution No. 2023-10-10-3: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, AMENDING AND RESTATING CITY COUNCIL POLICY NO. 120 REGARDING PROCEDURES FOR PLACING ITEMS ON A FUTURE CITY COUNCIL AGENDA."

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Erica Pezold, Council Member
SECONDER:	Joshua Sweeney, Council Member
AYES:	Janine Heft, Mayor; Dave Wheeler, Mayor Pro Tempore; Don Caskey, Council Member; Erica Pezold, Council Member; Joshua Sweeney, Council Member

9. CITY COUNCIL MEMBER COMMITTEE REPORTS

9.1 Committee Assignment Reports

The City Council received reports from City Council Members on the City Council Committee Assignments listed in the staff report.

10. CITY COUNCIL MEMBER COMMENTS

Council Member Pezold

Council Member Pezold reported on the positive impact the first responders from the Orange County Sheriff's Department had on a recent incident in her neighborhood.

City Attorney Simonian provided the Closed Session Report below that, due to technical difficulties, was not provided on the recording of the October 10, 2023, Special Meeting.

CLOSED SESSION REPORT

A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) and paragraph (1) of subdivision (e) of Government Code Section 54956.9: (1 potential case)

City Attorney Simonian stated that the City Council convened into closed session pursuant to the authorities listed on the Agenda with no reportable action taken.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Heft declared the meeting adjourned at 9:59 p.m.

Jennifer Lee, City Clerk

ATTEST:

Janine Heft, Mayor

Approved at meeting of October 24, 2023