

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

**REGULAR MEETING
MINUTES
Tuesday, October 9, 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 ITEM(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

B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

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

C. 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 ITEM(S)

There were no Public Comments 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 CHAMBER**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:

The colors were presented and the Pledge of Allegiance was led by Boy Scout Troop 12.

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. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

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City Attorney Simonian stated that the City Council convened in Closed Session this evening pursuant to the authorities listed on the agenda. The Council completed Item A with no reportable action taken. The Council had not yet completed its discussion of Items B and C. The City Council will reconvene back into Closed Session following the General Business meeting and, at that time, there will be a further Closed Session report.

1. PRESENTATIONS AND PROCLAMATIONS

1.1 Laguna Hills High School Student Liaison

Recommendation: Laguna Hills High School Student Liaison Julia Moon was not available at the meeting to give the presentation.

1.2 Presentation of Proclamation for Pumpkin City's 40 Year Anniversary

Recommendation: Mayor Carruth presented a Proclamation to Debbie Derentz, Will Derentz and Jeff Keenan of Pumpkin City recognizing their 40 Year Anniversary.

1.3 Presentation from Moulton Niguel Water District - 50 Years of Water Recycling

Recommendation: The City Council received a presentation from Donald Froelich, President of Moulton Niguel Water District Board of Directors on 50 Years of Water Recycling.

2. PUBLIC COMMENTS

Kelly Jennings introduced herself as a candidate for the Moulton Niguel Water District Board of Directors.

Muriel Witham, a representative of St. George's Episcopal Church, voiced her concerns over the Interstate 5 Improvement Project.

Meg Gorham, a resident of Laguna Hills, voiced her concerns regarding a parking issue in the Sunrise Tract neighborhood.

Robert Hellander, a resident of Laguna Hills, voiced his concerns regarding a parking issue in the Sunrise Tract neighborhood.

Derek Lorati, a resident of Laguna Hills, voiced his concerns regarding a parking issue in the Sunrise Tract neighborhood.

Mohammad Matar, a resident of Laguna Hills, voiced his concerns regarding a parking issue in the Sunrise Tract neighborhood.

Edward Shew, a resident of Laguna Hills, voiced his concerns regarding a parking issue in the Sunrise Tract neighborhood.

3. CONSENT CALENDAR

Motion to approve the Consent Calendar, with Mayor Carruth removing Item No. 3.10.

RESULT:	APPROVED [4 TO 0]
MOVER:	Don Sedgwick, Council Member
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

3.1 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 September 11, 2018, Regular Meeting

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

3.3 Approval of Warrant Register for the October 9, 2018, Regular Meeting

Recommendation: That the City Council approve the Warrant Register in the amount of \$1,455,236.52.

3.4 FY 2017/18 Budget Amendment for Interfund Transfers

Recommendation: That the City Council adopt Resolution No. 2018-10-09-1: "A Resolution of the City Council of the City of Laguna Hills, California, amending the Budget for Fiscal Year 2017/2018 for Interfund Transfers to the General Fund from the SB1 RMRA Gas Tax Fund, Measure M Fund, and the SLESF/COPS Brulte Fund."

3.5 Appointment of Labor Negotiator

Recommendation: That the City Council, pursuant to Government Code Section 54957.6, select and appoint Mayor Carruth to serve as the Council's designated representative for purposes of: (A) Facilitating the Annual Performance Evaluation of the City Manager, and (B) Conducting Labor Negotiations with the City Manager, an Unrepresented Employee.

3.6 Rejection of Bids and Authorization to Re-Advertise the Tenant and Site Improvements at 24031 El Toro Road, Suite 160, Laguna Hills Civic Center.

Recommendation: That the City Council reject all bids received on October 2, 2018, and authorize the re-advertisement of the Tenant and Site Improvements at 24031 El Toro Road, Suite 160, Laguna Hills Civic Center, for bids.

3.7 Cooperative Agreement No. C-8-1799 with OCTA for the Los Alisos Boulevard, Paseo De Valencia, Laguna Hills Drive, Aliso Viejo Parkway and Melinda Road Route for Regional Traffic Signal Synchronization

Recommendation: That the City Council approve the Cooperative Agreement No. C-8-1799 with the Orange County Transportation Authority for the Los Alisos Boulevard, Paseo de Valencia, Laguna Hills Drive, Aliso Viejo Parkway, and Melinda Road Route for Regional Traffic Signal Synchronization and authorize the Mayor to sign the Agreement.

3.8 Modification of On-Street Parking on Santa Vittoria Drive Northerly of Caminito Costa

Recommendation: That the City Council: (1) Find and determine that the proposed parking restriction is not subject to the California Environmental Quality Act pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA guidelines, Cal. Code of Regs, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly, and (2) Adopt Resolution No. 2018-10-09-2: "A Resolution of the City Council of the City of Laguna Hills, California, establishing a No Parking Anytime zone on the easterly side of Santa Vittoria Drive 60 feet northerly of Caminito Costa (private street)".

3.9 Progress Payment No. 1, Final, for Turf Renovation, CIP No. 238-C, Phase 1

Recommendation: That the City Council approve Progress Payment No. 1, Final, in the net amount of \$55,537.00, to CSA Holdings, Inc., dba Sports Field Services, for Turf Renovation, CIP No. 238-C, Phase 1, and authorize the filing of the Notice of Completion for Phase 1 and subsequent Release of Retention in 35 days, if no liens have been filed.

3.11 22ND Annual Inner-Coastal & Watershed Cleanup Day

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

3.12 Notice of Funding Award of Debris Gates Project, Phase VII, CIP No. 412G, Environmental Determination and Notice to Proceed for G2 Construction, Inc.

Recommendation: That the City Council find and determine the Debris Gates Project, Phase VII, CIP No. 412G, is exempt from the California Environmental Quality Act (CEQA) under the Class 1 Exemption for existing facilities pursuant to Section 15301 of the CEQA Guidelines and authorize the project to be implemented.

ITEMS REMOVED FROM THE CONSENT CALENDAR**3.10 Adoption of the 2018 Integrated Regional Water Management (IRWM) Plan**

Mayor Carruth removed Item No. 3.10 from the Consent Calendar to acknowledge a change made to the staff report to include the attachment of the IRWM Plan.

Recommendation: That the City Council adopt Resolution No. 2018-10-09-3: "A Resolution of the City Council of the City of Laguna Hills, California, adopting the 2018 South Orange County Integrated Regional Water Management Plan".

RESULT:	APPROVED [4 TO 0]
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 7:39 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 SEPTEMBER 11, 2018, REGULAR MEETING**4.3.1 Approval of Minutes for September 11, 2018, Regular Meeting**

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dore J. Gilbert, M.D., Vice Chair
SECONDER:	Don Sedgwick, Agency Member
AYES:	Mel Carruth, Chair; Dore J. Gilbert, M.D., Vice Chair; Janine Heft, Agency Member; Don Sedgwick, Agency Member

4.4. ADMINISTRATIVE REPORTS

There were no Administrative Reports.

4.5. PLANNING AGENCY PUBLIC HEARINGS

4.5.1 Conditional Use Permit No. 6-18-4235, a Request by Mobilitie, LLC, to Construct and Operate Three New Small Cell Communication Facilities Constructed on Southern California Edison Streetlight Standards in the Public Right-Of-Way Located Near the Intersections of (1) Ridge Route Drive and Moulton Parkway, (2) Verdugo Drive and El Pacifico Drive, and (3) Avenida De La Carlota and Los Alisos Boulevard.

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

Chair Carruth opened the Public Hearing.

Barbara Breeden, project applicant, responded to Planning Agency requests for additional information.

Chair Carruth closed the Public Hearing.

Recommendation: That the Planning Agency: (1) Conduct a Public Hearing for CUP No. 6-18-4235; (2) Find and determine that the proposed project is exempt from CEQA under the Class 3 “New Construction or Conversion of Small Structures” categorical exemption set forth in CEQA Guidelines Section 15303 as the Class 3 exemption applies to the “construction and location of limited numbers of new, small facilities or structures” and the “installation of small new equipment and facilities in small structures.” The Class 3 exemption applies to the installation of wireless telecommunications equipment at multiple locations; and (3) Adopt Resolution No. PA2018-10-09-1: “A Resolution of the Planning Agency of the City of Laguna Hills, California, approving Conditional Use Permit No. 6-18-4235, a request by Mobilitie, LLC, to construct and operate three new small cell communication facilities constructed on Southern California Edison streetlight standards in the public right-of-way near the intersections of (1) Ridge Route Drive and Moulton Parkway, (2) Verdugo Drive and El Pacifico Drive, and (3) Avenida De La Carlota and Los Alisos Boulevard.”

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dore J. Gilbert, M.D., Vice Chair
SECONDER:	Janine Heft, Agency Member
AYES:	Mel Carruth, Chair; Dore J. Gilbert, M.D., Vice Chair; Janine Heft, Agency Member; Don Sedgwick, Agency Member

PLANNING AGENCY ADJOURNMENT

Mayor Carruth reconvened the City Council Meeting at 7:54 p.m. All Council Members were present.

5. CITY COUNCIL PUBLIC HEARINGS

5.1 **Zoning Text Amendment No. 1-17-3757, an Amendment to Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code to Update Regulations Related to Accessory Dwelling Units in Accordance with State Law**

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

Mayor Carruth opened the Public Hearing.

Len Herman, a resident of Laguna Hills, asked a question regarding the owner-occupied restriction of the Ordinance.

Mayor Carruth closed the Public Hearing.

City Attorney Simonian responded to the question raised by Mr. Herman and recommended the Council proceed forward with the ordinance adoption process.

Recommendation: That the City Council: (1) Conduct a Public Hearing for Zoning Text Amendment No. 1-17-3757; (2) Find and determine that the proposed activity is not subject to the California Environmental Quality Act (CEQA) per Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines and Public Resources Code Section 21080.17; and (3) 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, 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."

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

6. ADMINISTRATIVE REPORTS

6.1. City Manager

The City Manager gave no Administrative Reports.

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

Mayor Carruth

Mayor Carruth reported that the last week of October is Red Ribbon Week.

Mayor Carruth spoke regarding disparity of rates between the City's two utility providers and, with consensus of other Council Members, called for staff to provide a report regarding the issue on a future agenda.

9. CLOSED SESSION (Continued)

PUBLIC COMMENT ON CLOSED SESSION ITEM(S)

There were no Public Comments on Closed Session Item(s).

ADJOURN TO CITY COUNCIL CONFERENCE ROOM

RECONVENE BACK INTO CLOSED SESSION

The City Council reconvened into Closed Session, as part of the General Business Session, for purposes of completing its Closed Session discussions on Item B and Item C.

RECONVENE TO CITY COUNCIL CHAMBER

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

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

Public Employee Title: City Manager - Annual Performance Evaluation

C. CONFERENCE WITH LABOR NEGOTIATOR

Pursuant to Government Code Section 54957.6

Agency Negotiator: Mel Carruth, Mayor

Unrepresented Employee: Don White, City Manager

No reportable action was taken as a result of tonight's Closed Session meeting.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Carruth declared the meeting adjourned at 8:39 p.m. The next Regular Meeting of the City Council/Planning Agency scheduled for October 23, 2018, will be canceled. The next regularly scheduled City Council Meeting will be held November 13, 2018.

Melissa Au-Yeung, City Clerk

ATTEST:

Melody Carruth, Mayor

Approved at meeting of November 13, 2018