



CITY OF LAGUNA HILLS CITY COUNCIL/PLANNING AGENCY

REGULAR MEETING AGENDA Tuesday, September 12, 2023 – 7:00 PM (Closed Session at 6:00 PM when scheduled)

Janine Heft, Mayor

Dave Wheeler, Mayor Pro Tempore
Erica Pezold, Council Member

Don Caskey, Council Member
Joshua Sweeney, Council Member

Location: City Council Chamber, 24035 El Toro Road, Laguna Hills, CA 92653

In Person Public Comments: Any person wishing to address the City Council/Planning Agency on any matter, whether or not it appears on this Agenda, is asked to complete a pink "Request to Speak" form available on the table at the back of the Chamber and submit the form to the City Clerk. The Request to Speak form assists the Mayor in ensuring that all persons wishing to address the City Council are recognized and ensures accurate identification of meeting participants in the City Council/Planning Agency Minutes. Completion of the form is voluntary. It is City policy to limit public testimony to up to three minutes per person, an overall time limit of ten minutes for any one subject, and a total time limit of thirty minutes for Public Comments. If you are commenting on an Agenda item, your comments will be heard at the time that item is scheduled on the Agenda. If you are addressing the City Council on an item not listed on the Agenda, the City Council is prohibited by law from discussing or taking any action on that item.

Submission of Electronic Public Comments: Those wishing to make electronic public comments may submit their comments by email to the City Clerk at publiccomments@lagunahillsCA.gov, by 5:00 p.m. on Tuesday, September 12, 2023. In the subject line of the email, please state your name and the item number you are commenting on. Any public comment received that does not specify a particular agenda item number will be announced during the general public comment portion of the agenda. All comments received by 5:00 p.m. on the date of the meeting will be provided to the City Council and will be provided for public inspection at the meeting. During the applicable agenda item, the City Clerk will announce the name of the sender and subject matter of all electronic comments received by 5:00 p.m. on Tuesday, September 12, 2023. Email comments will NOT be read by the City Clerk during the meeting. Electronic public comments may only be submitted via email and comments via text and social media (Facebook, Twitter, etc.) will not be accepted.

Please note: The City Council is making every effort to follow the spirit and intent of the Brown Act and other applicable laws regulating the conduct of public meetings in order to maximize transparency and public access. For questions or assistance, please contact the City Clerk's Office at (949) 707-2635 or via email at jlee@lagunahillsca.gov.

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

Resolution No. 96-04-09-1 established rules of decorum for public meetings held by the City of Laguna Hills. Resolution No. 96-04-09-1 is available on the table at the back of the City Council Chamber.

INVOCATION: Pastor Kevin Sheldon of Lutheran Church of the Cross

PLEDGE OF ALLEGIANCE: Council Member Sweeney

ROLL CALL OF CITY COUNCIL MEMBERS**1. PRESENTATIONS AND PROCLAMATIONS****1.1 Appointment of Laguna Hills High School Student Liaisons Evan Figueroa and William Frey for the 2023 Fall Semester.**

Recommendation: That Mayor Heft present Certificates of Appointment to Laguna Hills High School 2023 Fall Student Liaisons Evan Figueroa and William Frey.

1.2 Laguna Hills High School Student Liaison Report

Recommendation: That the City Council receive an oral report from Laguna Hills High School 2023 Fall Student Liaison Evan Figueroa.

1.3 Presentation of Proclamation for Hunger Action Month

Recommendation: That the City Council issue a Proclamation declaring September 2023 as "Hunger Action Month" and that Mayor Heft present the Proclamation to Second Harvest Sourcing Manager Adam Go.

2. SCHEDULE OF FUTURE EVENTS**2.1 Schedule of Future Events**

Recommendation: That the City Clerk announce the upcoming meetings and events.

3. PUBLIC COMMENTS

This is the time to address the City Council on any matter not listed on this Agenda that is within the subject matter jurisdiction of the City Council. Public Comments are limited to three minutes per person, an overall time limit of ten minutes for any one subject, and a total time limit of thirty minutes.

4. CONSENT CALENDAR

All matters listed under “CONSENT CALENDAR” are considered to be routine and will be enacted by one motion approving the recommendation listed on the Agenda. There will be no separate discussion unless Members of the City Council or Staff request specific items be removed from the Consent Calendar.

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 August 22, 2023, Special Meeting

Recommendation: That the City Council approve the City Council Minutes for the August 22, 2023, Special Meeting.

4.3 Approval of Minutes for August 22, 2023, Regular Meeting

Recommendation: That the City Council approve the City Council Minutes for the August 22, 2023, Regular Meeting.

4.4 Ratification of September 12, 2023, Warrant Register

Recommendation: That the City Council ratify the accompanying Warrant Register for the period from August 11, 2023, to August 31, 2023, in the amount of \$1,551,036.65.

4.5 2023 Holiday Lighting and Decorations Agreement with the Christmas Kings

Recommendation: That the City Council: 1) Waive competitive formal bidding requirements and procedures set forth in the City of Laguna Hills Municipal Code (LHMC) Section 3-08.090 with regard to approval of the proposed Holiday Lighting and Decorations Agreement with The Christmas Kings, as it is hereby found and determined, pursuant to LHMC Section 3-08.110, that the recommended contract is for entertainment services and community support; and 2) Approve the proposed Holiday Lighting and Decorations Agreement and authorize the City Manager to execute the Agreement.

4.6 Notice of Completion and Final Payment for the Phase XI Water Quality Project, CIP No. 412-K

Recommendation: That the City Council: 1) Certify the completion of and accept the improvements for the subject project; 2) Authorize the Public Works Director to sign the Notice of Completion; 3) Authorize the recording of the Notice of Completion with the County of Orange and to release the faithful performance and payment bonds one year and 35 days, respectively, after the date of recordation of the Notice of Completion contingent upon no claims or liens being filed with the City; and 4) Authorize payment of the final retention 35 days after the date of recordation of the Notice of Completion in the net amount of \$12,500.00, if no liens have been filed.

4.7 Award of Public Works Construction Contract for the Citywide Sidewalk Repairs and Concrete Construction Project Re-Bid, CIP No. 106

Recommendation: That the City Council: 1) Award the Public Works Construction Contract for the Citywide Sidewalk Repairs and Concrete Construction Project Re-Bid, CIP No. 106, to the lowest responsive bidder, CT&T Concrete Paving, Inc., in the amount of \$607,850; 2) Find that the Project is Categorically Exempt from the California Environmental Quality Act (CEQA), Class 1 Existing Facilities, pursuant to CEQA Guidelines, Section 15301; 3) Reject all other bids; 4) Authorize the Mayor to sign the Public Works Construction Contract; and 5) Authorize the Finance Director to amend the budget by transferring \$100,000 from CIP No. 184 to CIP No. 106, \$26,350 from CIP No. 513 to CIP No. 106, and \$63,650 from CIP No. 101 to CIP No. 106.

4.8 Second Reading & Adoption of Proposed Ordinance Adding Chapter 4-48 (Sidewalk Vending) to the Laguna Hills Municipal Code Establishing a Sidewalk Vending Regulatory Program

Recommendation: That the City Council: 1) Adopt an Ordinance entitled: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, ADDING NEW CHAPTER 4-48 (SIDEWALK VENDING) TO TITLE 4 (BUSINESS REGULATIONS) OF THE LAGUNA HILLS MUNICIPAL CODE ESTABLISHING A SIDEWALK VENDING REGULATORY PROGRAM; and 2) Authorize the Mayor/Mayor Pro Tempore to execute the Ordinance.

4.9 Adoption of a Resolution to Amend the City's Master Fee Schedule Establishing Sidewalk Vending Permit Program Fees

Recommendation: That the City Council adopt a Resolution entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, ADOPTING SIDEWALK VENDING PERMIT PROGRAM FEES, AMENDING THE CITY'S MASTER FEE SCHEDULE, AND FINDING THAT THE ACTION IS STATUTORILY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PER SECTION 15273 OF THE CEQA GUIDELINES AND PUBLIC RESOURCES CODE SECTION 21080(B)(8)."

4.10 Professional Services Agreement with Nobel Systems, Inc., for Enterprise Cloud Geographic Information Systems Services

Recommendation: That the City Council: 1) Find and determine it is appropriate to waive formal bidding requirements of the Laguna Hills Municipal Code (LHMC) for the award of the Professional Services Agreement for Enterprise Cloud Geographic Information Systems Services to Nobel Systems, Inc., because: a) The goods and supplies, equipment, materials, and contract services to be provided by Nobel Systems, Inc., are of a unique, sole source nature because of their quality, durability, availability, or fitness for a particular use and are available only from one source (LHMC Section 3-08.110(A)); b) The goods and supplies, equipment, materials, or non-professional services are proprietary (LHMC Section 3-08.110(B)); c) Compliance with procurement policies, procedures, and/or requirements is not in the best interest of the City (LHMC Section 3-08.110(J)); and d) The goods and supplies, equipment, or nonprofessional services are for information technology, software, programming, or related equipment and devices (LHMC Section 3-08.110(K)); 2) Award the Professional Services Agreement to Nobel Systems, Inc.; and 3) Authorize the Mayor to sign the Agreement.

ITEMS REMOVED FROM THE CONSENT CALENDAR**5. PLANNING AGENCY****5.1. ROLL CALL OF PLANNING AGENCY MEMBERS**

5.2. PUBLIC COMMENTS

This is the time to address the Planning Agency on any matter not listed on this Agenda that is within the subject matter jurisdiction of the Planning Agency. Public Comments are limited to three minutes per person, an overall time limit of ten minutes for any one subject, and a total time limit of thirty minutes.

5.3. APPROVAL OF MINUTES**5.3.1 Approval of Planning Agency Minutes for August 22, 2023, Regular Meeting**

Recommendation: That the Planning Agency approve the Planning Agency Minutes for the August 22, 2023, Regular Meeting.

5.4. ADMINISTRATIVE REPORTS**5.5. PLANNING AGENCY PUBLIC HEARINGS****5.5.1 Site Development Permit/Master Sign Program (SDP/MSP) No. USE-0126-2022, a Request by Miguel Cuevas, Principal Architect of C|A Architects on Behalf of Property Owner MemorialCare Saddleback Medical Center for Approval of a Master Sign Program for the New Women's Health Pavilion Located at 24401 Calle De La Louisa**

Recommendation: That the Planning Agency:

- 1) Conduct the public hearing continued from August 22, 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 a Resolution entitled: "A RESOLUTION OF THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING SITE DEVELOPMENT PERMIT/MASTER SIGN PROGRAM (SDP/MSP) NO. USE-0126-2022, A REQUEST BY MIGUEL CUEVAS, PRINCIPAL ARCHITECT OF C|A ARCHITECTS ON BEHALF OF PROPERTY OWNER MEMORIALCARE SADDLEBACK MEDICAL CENTER FOR APPROVAL OF A MASTER SIGN PROGRAM FOR THE NEW WOMEN'S HEALTH PAVILION LOCATED AT 24401 CALLE DE LA LOUISA."

5.5.2 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

Recommendation: That the Planning Agency:

- 1) Conduct a public hearing;
- 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 a Resolution entitled: "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."

PLANNING AGENCY ADJOURNMENT

6. CITY COUNCIL PUBLIC HEARINGS

7. ADMINISTRATIVE REPORTS

7.1. City Manager

7.1.1 Approval of Proposed Design for 3RD Battalion, 5TH Marines Darkhorse Bronze Memorial Sculpture

Recommendation: That the City Council approve the proposed design of the 3rd Battalion, 5th Marines Darkhorse Bronze Memorial Sculpture.

8. MATTERS AGENDIZED AND PRESENTED BY CITY COUNCIL MEMBERS

9. CITY COUNCIL MEMBER COMMITTEE REPORTS**9.1 Committee Assignment Reports**

Recommendation: That the City Council receive reports from City Council Members on the City Council Committee Assignments listed in the staff report.

10. CITY COUNCIL MEMBER COMMENTS**ADJOURNMENT**

The next Regular Meeting of the City Council/Planning Agency will be September 26, 2023, at 7:00 p.m., in the City Council Chamber, located at 24035 El Toro Road, Laguna Hills, California.

CERTIFICATION

I, JENNIFER LEE, City Clerk of the City of Laguna Hills, do hereby certify that a copy of the foregoing Agenda was posted at Laguna Hills City Hall, Laguna Hills Community Center, and the Courtyard at La Paz Center by September 8, 2023, at 5:00 p.m.



Jennifer Lee, City Clerk

September 8, 2023

Date

It is the intention of the City of Laguna Hills to comply with the Americans with Disabilities Act in all respects. If as an attendee or a participant at this meeting you will need special assistance beyond what is normally provided, the City of Laguna Hills will attempt to accommodate you in every reasonable manner. Please contact the office of the City Clerk at (949) 707-2635. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

Materials related to an item on this Agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 24035 El Toro Road, Laguna Hills, California, during normal business hours. In addition, such writings or documents will be made available for public review on the City's website at: <https://www.lagunahillsca.gov/supplementalagenda> and at the respective public meeting.

City Council Members receive no additional compensation or stipend as a result of simultaneously convening meetings of the Laguna Hills Planning Agency.