CITY OF LAGUNA HILLS
CITY COUNCIL/PLANNING AGENCY

REGULAR MEETING
MINUTES
Tuesday, September 12, 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 Kevin Sheldon of Lutheran Church of the Cross

PLEDGE OF ALLEGIANCE: Council Member Sweeney

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 Appointment of Laguna Hills High School Student Liaisons Evan Figueroa and William Frey for the 2023 Fall Semester.

Mayor Heft presented a Certificate of Appointment to Laguna Hills High School 2023 Fall Student Liaison William “Forrest” Frey.

1.2 Laguna Hills High School Student Liaison Report

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

1.3 Presentation of Proclamation for Hunger Action Month

The City Council issued a Proclamation declaring September 2023 as "Hunger Action Month" and Mayor Heft presented the Proclamation to Second Harvest Sourcing Manager Adam Go.

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 submitted an electronic public comment on non-agendized items that was received, forwarded to the Council prior to the meeting, posted on the City's website, and announced into the record by City Clerk Lee:

Christina Lockwood, a Laguna Hills resident, submitted an electronic comment expressing concern regarding a potential development project on La Paz Road.

4. CONSENT CALENDAR

Motion to approve the Consent Calendar with Mayor Pro Tempore Wheeler removing Item No. 4.3, Item No. 4.5, Item No. 4.6 and Item No. 4.7.

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

4.1 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.

4.4 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.

4.8 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 Ordinance No. 2023-4: "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 Resolution No. 2023-09-12-1: "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

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

Mayor Pro Tempore Wheeler removed Item No. 4.3 from the Consent Calendar to request a minor edit to the Minutes.

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

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

4.5 2023 Holiday Lighting and Decorations Agreement with the Christmas Kings

Mayor Pro Tempore Wheeler removed Item No. 4.5 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: 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.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Dave Wheeler, Mayor Pro Tempore
SECONDER:	Erica Pezold, 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 Notice of Completion and Final Payment for the Phase XI Water Quality Project, CIP No. 412-K

Mayor Pro Tempore Wheeler removed Item No. 4.6 from the Consent Calendar to provide comments on the item.

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.

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

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

Mayor Pro Tempore Wheeler 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.

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

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

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.

RESULT:	**APPROVED [4-1]**
MOVER:	Erica Pezold, Council Member
SECONDER:	Don Caskey, Council Member
AYES:	Janine Heft, Mayor; Don Caskey, Council Member; Erica Pezold, Council Member; Joshua Sweeney, Council Member
NAYS:	Dave Wheeler, Mayor Pro Tempore

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 7:43 p.m.

5.1. ROLL CALL OF PLANNING AGENCY MEMBERS

Attendee Name	Title	Status	Arrived
Janine Heft	Chair	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

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.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Erica Pezold, Agency Member
SECONDER:	Don Caskey, Agency Member

AYES:	Janine Heft, Chair; Dave Wheeler, Vice Chair; Don Caskey, Agency Member; Erica Pezold, Agency Member; Joshua Sweeney, Agency Member

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-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

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

Chair Heft reopened the Public Hearing continued from August 22, 2023.

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

> Project Applicant Miguel Cuevas responded to Agency Members request for additional information.

Chair Heft closed the Public Hearing.

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 Resolution No. PA2023-09-12-1: “A RESOLUTION OF THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING SITE DEVELOPMENT PERMIT/MASTER SIGN PROGRAM (SDP/MSP) NO. USE-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.”

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

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

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

Community Development Director Longenecker responded to Agency Member request for additional information.

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

Chair Heft opened the Public Hearing.

The following individuals addressed the Planning Agency on Item No. 5.5.2:

> Project Applicant Chris Mendoza responded to Agency Member request for additional information.
>
> Property Owner Nick Buchanan provided comments in favor of the project.

Chair Heft closed the Public Hearing.

Chair Heft reopened the Public Hearing.

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."

A motion to reopen and continue the public hearing to October 10, 2023, at 7:00 p.m., or as soon thereafter as possible, in order to give the applicant an opportunity to work with the Community Development Director to revise the proposed MSP and address Planning Agency Member concerns regarding the size, height, aesthetics, location, creativity in design, compatibility with surrounding land uses, and number of proposed exterior signs, so as to ensure a harmonious and compatible design between advertising and building design, was moved by Agency Member Caskey, seconded by Agency Member Pezold.

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

PLANNING AGENCY ADJOURNMENT

Chair Heft adjourned the Planning Agency Meeting at 8:36 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

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

Mayor Heft and Council Member Caskey provided a report on the proposed design of the 3rd Battalion, 5th Marines Darkhorse Bronze Memorial Sculpture.

The following individual submitted an electronic public comment on Item No. 7.1.1 that was received, forwarded to the Council prior to the meeting, posted on the City's website, and announced into the record by City Clerk Lee:

> Traffic Commissioner Neel Patel submitted an electronic public comment requesting an alternate location for the memorial sculpture.

City Manager Hildenbrand provided information on public art location requirements stipulated by the Urban Village Specific Plan (UVSP).

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

A motion to approve movement to the next step to fabricate a 12" maquette was made by Mayor Pro Tempore Wheeler, seconded by Council Member Caskey.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Dave Wheeler, Mayor Pro Tempore
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

8. MATTERS AGENDIZED AND PRESENTED BY CITY COUNCIL MEMBERS

There were no matters agendized by City Council Members.

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 Caskey

Council Member Caskey reported on a recent conversation he had with David Geiser of Merlone Geier Partners.

Mayor Heft

Mayor Heft indicated that she would like to discuss potential presentations and logistics for future public safety workshops.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Heft declared the meeting adjourned at 9:42 p.m.

Jennifer Lee, City Clerk

ATTEST:

Janine Heft, Mayor

Approved at meeting of September 26, 2023