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**CITY OF LAGUNA HILLS, CALIFORNIA  
CITY COUNCIL/PLANNING AGENCY  
REGULAR MEETING  
MINUTES  
JULY 14, 2015**

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**GENERAL BUSINESS - CONVENING AT 7:00 PM**

**CALL TO ORDER**

Mayor Gilbert called the Regular Meeting of the City Council of the City of Laguna Hills, California, to order at 7:03 p.m. in the Laguna Hills City Council Chamber, 24035 El Toro Road, Laguna Hills, California.

**PLEDGE OF ALLEGIANCE:** Council Member Carruth

**ROLL CALL OF CITY COUNCIL MEMBERS**

Present: Mayor Gilbert, Mayor Pro Tempore Kogerman, Council Member Blount, Council Member Carruth, Council Member Sedgwick

**CLOSED SESSION REPORT**

There was no Closed Session Report.

**1. PRESENTATIONS AND PROCLAMATIONS**

There were no presentations or proclamations.

**2. PUBLIC COMMENTS**

**LAGUNA HILLS LITTLE LEAGUE**

Randall Bressette, President of the Laguna Hills Little League (League), thanked City staff and City Council for their support. Mr. Bressette spoke in favor of Item No. 3.13 on the Agenda and stated that the League appreciates City Council's consideration of reducing the outstanding fee balance due to the City.

**TREE ISSUES**

Aaron Cooney, a resident of Laguna Hills, addressed the City Council regarding his concerns about the eucalyptus trees behind his home located on El Capitan.

### **3. CONSENT CALENDAR**

**ITEM NO. 3.12 WAS REMOVED BY STAFF PRIOR TO THE MEETING.**

**MOTION TO APPROVE THE CONSENT CALENDAR, WITH MAYOR PRO TEMPORE KOGERMAN REMOVING ITEM NO. 3.4 AND ITEM NO. 3.8, AND WITH COUNCIL MEMBER CARRUTH REMOVING ITEM NO. 3.10, BY M/MAYOR PRO TEMPORE KOGERMAN, S/COUNCIL MEMBER CARRUTH. APPROVED BY A VOTE OF 5-0.**

- 3.1 WAIVE READING IN FULL OF ALL ORDINANCES AND RESOLUTIONS ON THE AGENDA

THE CITY COUNCIL WAIVED READING IN FULL OF ALL ORDINANCES AND RESOLUTIONS ON THE AGENDA AND DECLARED 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 JUNE 23, 2015, REGULAR MEETING.

THE CITY COUNCIL APPROVED THE MINUTES OF THE JUNE 23, 2015, REGULAR MEETING.

- 3.3 APPROVAL OF WARRANT REGISTER FOR PERIOD ENDED JULY 14, 2015.

THE CITY COUNCIL APPROVED THE WARRANT REGISTER IN THE AMOUNT OF \$704,708.43.

- 3.5 ADOPTION OF THE 2015/2016 CIVIC CENTER BUDGET

THE CITY COUNCIL APPROVED AND ADOPTED THE 2015-2016 CIVIC CENTER BUDGET.

- 3.6 FIRST AMENDMENT TO OPERATING MEMORANDUM NO. 1 TO DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LAGUNA HILLS AND LAGUNA HILLS INVESTMENT COMPANY (OAKBROOK VILLAGE PROJECT)

THE CITY COUNCIL APPROVED AND AUTHORIZED THE CITY MANAGER TO EXECUTE THE FIRST AMENDMENT TO OPERATING MEMORANDUM NO. 1 TO DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LAGUNA HILLS AND THE LAGUNA HILLS INVESTMENT COMPANY.

3.7 PROGRESS PAYMENT NO. 1 FOR STOCKPORT PARK RENOVATION PROJECT, CIP NO. 239-B

THE CITY COUNCIL APPROVED PROGRESS PAYMENT NO. 1, IN THE NET AMOUNT OF \$30,996.60, TO HONDO COMPANY, INC. FOR STOCKPORT PARK RENOVATION PROJECT, CIP NO. 239-B.

3.9 CONTRACT WITH COUNTY OF ORANGE FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR FISCAL YEAR 2015/2016

THE CITY COUNCIL APPROVED THE CONTRACT BETWEEN THE COUNTY OF ORANGE AND THE CITY OF LAGUNA HILLS FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR FISCAL YEAR 2015/2016 AND AUTHORIZED THE MAYOR AND CITY MANAGER TO EXECUTE THE CONTRACT.

3.11 GRANT OF A RECYCLED WATER ON-SITE CONVERSION-ENTRY LICENSE AGREEMENT TO EL TORO WATER DISTRICT FOR MULTIPLE CITY LANDSCAPED PROPERTIES IN NORTH LAGUNA HILLS

THE CITY COUNCIL APPROVED THE RECYCLED WATER ON-SITE CONVERSION-ENTRY LICENSE AGREEMENT WITH EL TORO WATER DISTRICT AND AUTHORIZED THE CITY MANAGER TO EXECUTE THE AGREEMENT.

3.13 LAGUNA HILLS LITTLE LEAGUE'S OUTSTANDING BALANCE OF FACILITY USE FEES FOR 2013 ACTIVITY

THE CITY COUNCIL APPROVED DECREASING THE LAGUNA HILLS LITTLE LEAGUE'S OUTSTANDING BALANCE OF \$3,802.50 TO \$3,042.00 FOR ITS 2013 FACILITY RESERVATION FEES.

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

3.4 RESPONSE TO THE 2014-2015 ORANGE COUNTY GRAND JURY REPORT ENTITLED - "THE ORANGE COUNTY ANIMAL SHELTER: THE FACILITY, THE FUNCTION, THE FUTURE"

Mayor Pro Tempore Kogerman removed Item No. 3.4 from the Consent Calendar for discussion.

Assistant City Manager Don White provided a brief overview of the Orange County Grand Jury Report: "The Orange County Animal Shelter: The Facility, The Function, The Future," in which the Grand Jury requested a response to

Recommendation No. 4. Assistant City Manager White discussed the parameters the City is to follow when responding to a Grand Jury finding per California Penal Code Section 933.05 and stated that the City's proposed response to Recommendation No. 4 is: "The recommendation has not been implemented, but will be implemented in the future. The time frame for implementation is dependent on the Department of the Navy's completion of the following: (1) environmental documentation; (2) making the Finding of Suitability to Transfer (FOST); and (3) the processing of all necessary documentation to transfer land at the former Tustin Marine Corps Air Station to the County of Orange."

Dr. Jim Gardner, a resident and Council Member of the City of Lake Forest, referred to a document that he presented to City Council and City staff entitled: "Joint Statement on Orange County Animal Shelter," with photos attached. Dr. Gardner stated that in his opinion the County does not have a viable plan to remedy situations at the shelter and believes the best way to represent the citizens of Orange County is to work together to explore the feasibility of locating, building, operating, and maintaining a multi-city animal shelter to service South Orange County cities.

Lynn Gabrielson, a resident of Aliso Viejo, gave a short PowerPoint Presentation and described the conditions of the Orange County Animal Shelter.

Rose Tingle, a resident of Laguna Woods and member of the Citizens for Animal Shelter Orange County, presented a short video regarding animal consciousness and stated that she would like the City to withdraw from contracting with the County and look at alternate methods.

Randy Johnson, a resident of Lake Forest, is in favor of South Orange County cities working together to form their own regional agency.

Julie Bierman, a resident of Laguna Hills, read a prepared statement written by the National PTA Congress and posed the question as to what the Orange County Animal Shelter is modeling for our children.

Tom Epperson, a resident of Laguna Hills, stated that he is opposed to the recommended response to the Grand Jury Report and is in favor of South Orange County cities forming an association to maintain a multi-city animal shelter.

Mike Bland requested that the City consider an option other than the Orange County Animal Shelter.

Mayor Pro Tempore Kogerman reported that the City Council received emails from residents unavailable to attend the City Council meeting expressing similar concerns to those that have been discussed.

Mayor Pro Tempore Kogerman presented a substitute response.

Following a discussion between City Council and staff, the final response to the 2014-2015 Orange County Grand Jury Report, Recommendation No. 4, reads: "The R4 recommendation will not be implemented because it is not reasonable, as phrased. Instead, the City intends to join with neighboring cities that currently contract with OC Animal Care Services to pursue potential animal care opportunities. In addition, the City will ask that the County provide a viable plan with cost and schedule estimates for a new facility or facilities to evaluate as part of their review of alternative animal care opportunities."

**THE CITY COUNCIL AUTHORIZED THE MAYOR TO SIGN THE LETTER, WITH THE SUBSTITUTE RESPONSE, TO THE 2014-2015 ORANGE COUNTY GRAND JURY REPORT ENTITLED - "THE ORANGE COUNTY ANIMAL SHELTER: THE FACILITY, THE FUNCTION, THE FUTURE," BY M/MAYOR PRO TEMPORE KOGERMAN, S/MAYOR GILBERT. APPROVED BY A VOTE OF 5-0.**

**3.8 THIRD AMENDMENT TO THE ORANGE COUNTY FIRE AUTHORITY JOINT POWERS AUTHORITY AGREEMENT**

Mayor Pro Tempore Kogerman removed Item No. 3.8 from the Consent Calendar in order to congratulate City Manager Bruce Channing and Council Member Don Sedgwick on their work in lobbying for a satisfactory resolution to AB 1217. Council Member Sedgwick gave a brief oral presentation.

**THE CITY COUNCIL: (1) ADOPTED RESOLUTION NO. 2015-07-14-1, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING THE THIRD AMENDMENT TO THE ORANGE COUNTY FIRE AUTHORITY AMENDED JOINT POWERS AUTHORITY AGREEMENT, AND AUTHORIZING ITS EXECUTION; AND (2) AUTHORIZED THE MAYOR TO SIGN THE AMENDMENT, BY M/COUNCIL MEMBER SEDGWICK, S/COUNCIL MEMBER BLOUNT. APPROVED BY A VOTE OF 5-0.**

**3.10 AWARD OF CONTRACT FOR THE CIVIC CENTER SITE IMPROVEMENTS**

Council Member Carruth removed Item No. 3.10 from the Consent Calendar for clarification on two items.

**THE CITY COUNCIL AWARDED THE BASE BID CONTRACT FOR THE LAGUNA HILLS CIVIC CENTER SITE IMPROVEMENT PROJECT, TO HARDY & HARPER, INC., IN THE LOW BID AMOUNT OF \$258,975.00, REJECTED ALL OTHER BIDS, AND AUTHORIZED THE MAYOR TO SIGN THE CONSTRUCTION CONTRACT, BY M/MAYOR PRO TEMPORE KOGERMAN, S/COUNCIL MEMBER BLOUNT.  
APPROVED BY A VOTE OF 5-0.**

3.12 AUTHORIZATION TO LEASE CITY VEHICLE

**THIS ITEM WAS REMOVED BY STAFF PRIOR TO THE MEETING – NO ACTION WAS TAKEN.**

**4. PLANNING AGENCY**

Mayor Gilbert 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 8:31 p.m.

4.1 ROLL CALL OF PLANNING AGENCY MEMBERS

Present: Chair Gilbert, Vice Chair Kogerman, Agency Member Blount, Agency Member Carruth, and Agency Member Sedgwick.

4.2 PUBLIC COMMENTS

There were no Public Comments.

4.3 APPROVAL OF MINUTES FOR JUNE 23, 2015.

**THE PLANNING AGENCY APPROVED THE MINUTES OF THE JUNE 23, 2015, REGULAR MEETING, BY/CHAIR GILBERT, S/AGENCY MEMBER SEDGWICK.  
APPROVED BY A VOTE OF 4-0, WITH AGENCY MEMBER CARRUTH ABSTAINING.**

4.4 ADMINISTRATIVE REPORTS

4.4.1 OAKBROOK VILLAGE SHOPPING CENTER MIXED-USE PROJECT  
- REVIEW AND APPROVAL OF FINAL PUBLIC ART PLAN

Sarah Klaustermeier, Development Manager for Shea Properties, discussed the project and provided a brief PowerPoint presentation.

Jeffrey Reed and Jennifer Madden, artists for the project, discussed the final concept for the public art project, gave a brief PowerPoint presentation, and displayed samples of the materials to be utilized.

**THE PLANNING AGENCY APPROVED THE FINAL PUBLIC ART PLAN PRESENTED BY THE LAGUNA HILLS INVESTMENT COMPANY FOR THE OAKBROOK VILLAGE SHOPPING CENTER MIXED-USE PROJECT, BY/AGENCY MEMBER CARRUTH, S/AGENCY MEMBER BLOUNT. APPROVED BY A VOTE OF 5-0.**

#### 4.5 PLANNING AGENCY PUBLIC HEARINGS

4.5.1 PARKING USE PERMIT (PUP) NO. 6-15-3228, A REQUEST BY SHARI HOGAN TO PERMIT SHARED PARKING AMONG ALL TENANTS AT 25260 AND 25254 LA PAZ ROAD (A PORTION OF LA PAZ VILLAGE, APN 620-211-17) IN THE COMMUNITY COMMERCIAL ZONE

Community Development Director Chantarangsu reviewed the request for a Parking Use Permit (PUP) at 25260 and 25254 La Paz Road and provided a brief PowerPoint Presentation.

Chair Gilbert opened the Public Hearing.

Greg Clayton addressed the City Council on behalf of the applicant, Sheri Hogan, and stated he is available to answer any questions regarding the operation.

Ron Bamberger, developer of the shopping center, stated he was available to answer any questions and thanked City Council for their support.

James Thor spoke in favor of the PUP.

Chair Gilbert closed the Public Hearing.

**THE PLANNING AGENCY ADOPTED RESOLUTION NO. PA2015-07-14-1, A RESOLUTION OF THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING PARKING USE PERMIT (PUP) NO. 6-15-3228, A REQUEST BY SHARI HOGAN TO PERMIT SHARED PARKING AMONG ALL TENANTS AT 25260 AND 25254 LA PAZ ROAD (A PORTION OF LA PAZ VILLAGE, APN 620-211-17) IN THE COMMUNITY COMMERCIAL ZONE, BY M/VICE CHAIR KOGERMAN, S/AGENCY MEMBER BLOUNT. APPROVED BY VOTE OF 5-0.**

4.5.2 **CONDITIONAL USE PERMIT (CUP) NO. 5-15-3216, A REQUEST BY APRIL JOSEPHSON ON BEHALF OF THE PET ADOPTION CENTER OF ORANGE COUNTY TO ESTABLISH AND OPERATE A PET ADOPTION, BOARDING, AND TRAINING CENTER AT 23024 LAKE FOREST DRIVE, SUITES E & F, IN THE MIXED USE ZONE.**

Community Development Director Chantarangsu reviewed the project in detail and provided a PowerPoint presentation.

Chair Gilbert opened the Public Hearing.

April Josephson, applicant, thanked the City Council for their consideration and discussed the project in detail.

Brad McGirr, City of Rancho Santa Margarita Mayor, spoke in support of the project.

Mike Vaughn, City of Rancho Santa Margarita Council Member, spoke in support of the project.

Chair Gilbert closed the Public Hearing.

**THE PLANNING AGENCY ADOPTED RESOLUTION NO. PA2015-07-14-2, A RESOLUTION OF THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP) NO. 5-15-3216, A REQUEST BY APRIL JOSEPHSON ON BEHALF OF THE PET ADOPTION CENTER OF ORANGE COUNTY TO ESTABLISH AND OPERATE A PET ADOPTION, BOARDING, AND TRAINING CENTER AT 23024 LAKE FOREST DRIVE, SUITES E & F, IN THE MIXED USE ZONE, BY M/AGENCY MEMBER CARRUTH, S/VICE CHAIR KOGERMAN. APPROVED BY A VOTE OF 5-0.**

## **PLANNING AGENCY ADJOURNMENT**

Mayor Gilbert reconvened the City Council Meeting at 9:39 p.m. All Council Members were present.

## **5. CITY COUNCIL PUBLIC HEARINGS**

### **5.1 PUBLIC HEARING AND RECEIPT OF 2015 WEED ABATEMENT COST REPORT**

Mayor Gilbert opened the Public Hearing and, upon seeing no one rise, closed the Public Hearing.

**THE CITY COUNCIL RECEIVED AND FILED THE 2015 WEED ABATEMENT COST REPORT, BY M/COUNCIL MEMBER SEDGWICK, S/COUNCIL MEMBER CARRUTH.  
APPROVED BY A VOTE OF 5-0.**

**6. ADMINISTRATIVE REPORTS**

**6.1 City Clerk**

**6.1.1 DESIGNATION OF VOTING DELEGATE FOR LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE**

**THE CITY COUNCIL APPOINTED MAYOR PRO TEMPORE KOGERMAN AS THE VOTING DELEGATE FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE, BY M/MAYOR GILBERT, S/COUNCIL MEMBER CARRUTH.  
APPROVED BY A VOTE OF 5-0.**

**THE CITY COUNCIL APPOINTED COUNCIL MEMBER BLOUNT AS THE ALTERNATE FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE, BY M/MAYOR PRO TEMPORE KOGERMAN, S/MAYOR GILBERT.  
APPROVED BY A VOTE OF 5-0.**

**6.2 Community Development Director**

**6.2.1 FIRST READING AND INTRODUCTION OF AN ORDINANCE ADDING CHAPTER 10-56 TO TITLE 10 OF THE LAGUNA HILLS MUNICIPAL CODE TO PROVIDE AN EXPEDITED, STREAMLINED PERMITTING PROCESS FOR SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEMS**

**THE CITY COUNCIL INTRODUCED FOR FIRST READING, READ BY TITLE ONLY, AND WAIVED FURTHER READING, AN ORDINANCE ENTITLED: "AN ORDINANCE OF THE CITY OF LAGUNA HILLS, CALIFORNIA, ADDING CHAPTER 10-56 TO TITLE 10 OF THE LAGUNA HILLS MUNICIPAL CODE TO PROVIDE AN EXPEDITED, STREAMLINED PERMITTING PROCESS FOR SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEMS," BY M/COUNCIL MEMBER CARRUTH, S/MAYOR PRO TEMPORE KOGERMAN.  
APPROVED BY A VOTE OF 5-0.**

**7. MATTERS AGENDIZED AND PRESENTED BY CITY COUNCIL MEMBERS AND MAYOR**

There were no Matters Agendized and Presented by City Council Members and Mayor.

**8. CITY COUNCIL MEMBER COMMENTS**

There were no City Council Member comments.

**ADJOURNMENT**

There being no further business before the City Council at this session, Mayor Gilbert adjourned the City Council Meeting at 9:43 p.m.

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MELISSA AU-YEUNG, CITY CLERK

ATTEST:

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DORE J. GILBERT, M.D., MAYOR

APPROVED AT MEETING OF AUGUST 25, 2015.