

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

**REGULAR MEETING
MINUTES
Tuesday, June 12, 2018**

GENERAL BUSINESS - CONVENING AT 7:00 PM

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE: COUNCIL MEMBER HEFT

ROLL CALL OF CITY COUNCIL MEMBERS

Attendee Name	Title	Status	Arrived
Mel Carruth	Mayor	Present	
Dore J. Gilbert, M.D.	Mayor Pro Tempore	Absent	
Janine Heft	Council Member	Present	
Barbara D. Kogerman	Council Member	Present	
Don Sedgwick	Council Member	Present	

1. PRESENTATIONS AND PROCLAMATIONS

1.1 Laguna Hills High School Student Liaison

Recommendation: The City Council received an oral report from Laguna Hills High School Student Liaison Kaylie Bair.

1.2 Certificate of Recognition, Kaylie Bair, Laguna Hills High School Student Liaison for Spring 2018

Recommendation: Mayor Carruth presented a Certificate of Recognition to Kaylie Bair recognizing her service as the Laguna Hills High School Student Liaison. Jefferson Cha, District Representative, Congresswoman Mimi Walters' Office, presented Ms. Bair with a Certificate of Congressional Recognition for her service to the community.

1.3 Laguna Hills 3/5 Marine Support Committee

Recommendation: The City Council received an update from Chair Karen Robbins on the 3/5 Dark Horse Committee.

2. PUBLIC COMMENTS

Laguna Hills Grad Night Community Preview Event

Meg Gorham, a resident of Laguna Hills, invited the City Council and community residents to attend this year's Grad Night Community Preview Event on Wednesday, June 13, 2018, from 6:00 p.m. – 8:00 p.m., on the Laguna Hills High School campus.

Sanctuary City Concerns

David Jackson, a resident of Laguna Hills, voiced his concerns regarding the California "Sanctuary State" law.

Shenith Jackson, a resident of Laguna Hills, voiced her concerns regarding the California "Sanctuary State" law.

Electric Vehicles

Scott Geller, a resident of Aliso Viejo, voiced his concerns over a particular OC Sheriff Deputy regarding receiving tickets for his electric vehicle.

3. CONSENT CALENDAR

Motion to approve the Consent Calendar:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Barbara D. Kogerman, Council Member
SECONDER:	Janine Heft, Council Member
AYES:	Mel Carruth, Mayor; Janine Heft, Council Member; Barbara D. Kogerman, Council Member; Don Sedgwick, Council Member
ABSENT:	Dore J. Gilbert, M.D., Mayor Pro Tempore

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 May 8, 2018, Regular Meeting

Recommendation: That the City Council approve the Minutes for the May 8, 2018, Regular Meeting.

3.3 Approval of Warrant Register for the June 12, 2018, Regular Meeting

Recommendation: That the City Council approve the Warrant Register in the amount of \$1,884,864.03.

3.4 Third Quarter Financial & Treasurer's Report for Fiscal Year 2017/2018

Recommendation: That the City Council receive and file the Third Quarter Financial and Treasurer's Report for Fiscal Year 2017/2018.

3.5 Approval of Fiscal Year 2018-19 Law Enforcement Services Agreement with the County of Orange

Recommendation: That the City Council approve the Fiscal Year 2018/19 Law Enforcement Services Agreement between the County of Orange and the City of Laguna Hills and authorize the Mayor to execute the Agreement.

3.6 Progress Payment No. 2, Final, for Citywide Pavement Rehabilitation Project, CIP No. 101-J

Recommendation: That the City Council Approve Contract Change Order No. 1 and Progress Payment No. 2, Final, in the Net Amount of \$582,309.77, to Hardy & Harper, Inc., for the Citywide Pavement Rehabilitation Project, CIP No. 101-J, and Authorize the Filing of the Notice of Completion and Subsequent Release of Retention in 35 Days if No Liens are Filed.

3.7 Renewed Measure M (M2) Compliance Reporting to the Orange County Transportation Authority (OCTA)

Recommendation: That the City Council approve the Measure M (M2) Compliance Submittal to OCTA including, but not limited to the Seven-Year Capital Improvement Program and adopt the Pavement Management Plan.

3.8 Grant of Permission to the Acorn Group and the City of Fullerton for Use of an Image from the "Discovering Orange County" Mural

Recommendation: That the City Council authorize the City Manager to grant permission to the Acorn Group and the City of Fullerton to use an image from the "Discovering Orange County" Mural.

3.9 Proposed Office Lease with Carno Law Group for 24031 El Toro Road, Suite 210, Laguna Hills, California

Recommendation: That the City Council approve the lease with Carno Law Group, a professional law corporation, for 24031 El Toro Road, Suite 210, Laguna Hills, California, and authorize the City Manager to execute the Lease.

ITEMS REMOVED FROM THE CONSENT CALENDAR**3.10 Memorandum of Understanding Between the City of Laguna Hills and the Laguna Hills City Employees Association**

Mayor Carruth removed Item No. 3.10 from the Consent Calendar to acknowledge a change that was made to the Memorandum of Understanding.

Recommendation: That the City Council: (1) Adopt Resolution No. 2018-06-12-1: "A Resolution of the City Council of the City of Laguna Hills, California, adopting an amended and restated Memorandum of Understanding between the City of Laguna Hills and the Laguna Hills City Employees Association (LHCEA), and superseding all previous LHCEA Memorandums of Understanding effective July 1, 2018"; and (2) Authorize the City Manager to execute the Memorandum of Understanding.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Barbara D. Kogerman, Council Member
SECONDER:	Janine Heft, Council Member
AYES:	Mel Carruth, Mayor; Janine Heft, Council Member; Barbara D. Kogerman, Council Member; Don Sedgwick, Council Member
ABSENT:	Dore J. Gilbert, M.D., Mayor Pro Tempore

4. PLANNING AGENCY

Mayor Carruth 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 7:25 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	Absent	
Janine Heft	Agency Member	Present	
Barbara D. Kogerman	Agency Member	Present	
Don Sedgwick	Agency Member	Present	

4.2. PUBLIC COMMENTS

There were no Public Comments.

4.3. APPROVAL OF MINUTES FOR MAY 8, 2018, REGULAR MEETING**4.3.1 Approval of Minutes for May 8, 2018, Regular Meeting**

Recommendation: That the Planning Agency approve the Minutes for the May 8, 2018, Regular Meeting.

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

4.4. ADMINISTRATIVE REPORTS

There were no Administrative Reports.

4.5. PLANNING AGENCY PUBLIC HEARINGS

4.5.1 Conditional Use Permit (CUP) No. 3-18-4143, a Request by Ericsson Inc., on Behalf of AT&T, to Construct and Operate a New Small Cell Communication Facility Constructed on a Southern California Edison Streetlight Standard in the Public Right-Of-Way Located on the West Side of Mill Creek Drive Approximately 640 Feet Southerly of Lake Forest Drive.

Katie Crockett, Assistant Planner, 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.

Franklin Orozco, applicant, spoke in favor of the recommendation and 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. 3-18-4143; and (2) Adopt Resolution No. PA2018-06-12-1: "A Resolution of the Planning Agency of the City of Laguna Hills, California, approving Conditional Use Permit (CUP) No. 3-18-4143, a request by Ericsson Inc., on behalf of AT&T, to construct and operate a new small cell communication facility constructed on a Southern California Edison streetlight standard in the public right-of-way located on the west side of Mill Creek Drive approximately 640 feet southerly of Lake Forest Drive".

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

4.5.2 Conditional Use Permit (CUP) No. 3-18-4144, a Request by Ericsson Inc., on Behalf of AT&T, to Construct and Operate a New Small Cell Communication Facility Constructed on a Southern California Edison Streetlight Standard in the Public Right-Of-Way Located in the Center Median of Paseo De Valencia Approximately 200 Feet Southerly of El Toro Road.

Katie Crockett, Assistant Planner, 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.

Franklin Orozco, applicant, made himself available for questions from the Planning Agency.

Chair Carruth closed the Public Hearing.

Recommendation: That the Planning Agency: (1) Conduct a Public Hearing for CUP No. 3-18-4144; and (2) Adopt Resolution No. PA2018-06-12-2: "A Resolution of the Planning Agency of the City of Laguna Hills, California, approving Conditional Use Permit (CUP) No. 3-18-4144, a request by Ericsson Inc., on behalf of AT&T, to construct and operate a new small cell communication facility constructed on a Southern California Edison streetlight standard in the public right-of-way located in the center median of Paseo de Valencia approximately 200 feet southerly of El Toro Road."

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

4.5.3 Conditional Use Permit (CUP) No. 3-18-4145, a Request by Ericsson Inc., on Behalf of AT&T, to Construct and Operate a New Small Cell Communication Facility Constructed on a Southern California Edison Streetlight Standard in the Public Right-Of-Way Located in the Center Median of Paseo De Valencia Approximately 250 Feet Northerly of Calle De La Magdalena.

Katie Crockett, Assistant Planner, 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.

Scott Geller, a resident of Aliso Viejo, asked if there were any plans to recycle or reuse the existing streetlight standards that are being replaced.

Frank Orozco, applicant, responded to the question raised by Mr. Geller.

Chair Carruth closed the Public Hearing.

Recommendation: That the Planning Agency: (1) Conduct a Public Hearing for CUP No. 3-18-4145; and (2) Adopt Resolution No. PA2018-06-12-3: "A Resolution of the Planning Agency of the City of Laguna Hills, California, approving Conditional Use Permit (CUP) No. 3-18-4145, a request by Ericsson Inc., on behalf of AT&T, to construct and operate a new small cell communication facility constructed on a Southern California Edison streetlight standard in the public right-of-way located in the center median of Paseo de Valencia approximately 250 feet northerly of Calle de la Magdalena."

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

4.5.4 Conditional Use Permit (CUP) No. 3-18-4146, a Request by Ericsson Inc., on Behalf of AT&T, to Construct and Operate a New Small Cell Communication Facility Constructed on a Southern California Edison Streetlight Standard in the Public Right-Of-Way Located in the Center Median of Paseo De Valencia Approximately 125 Feet Northerly of Calle De Los Caballeros.

Katie Crockett, Assistant Planner, 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.

Robin Jones, a resident of Laguna Beach, asked if the streetlight standards being installed are night sky compliant.

Chair Carruth closed the Public Hearing.

Recommendation: That the Planning Agency: (1) Conduct a Public Hearing for CUP No. 3-18-4146; and (2) Adopt Resolution No. PA2018-06-12-4: "A Resolution of the Planning Agency of the City of Laguna Hills, California, approving Conditional Use Permit (CUP) No. 3-18-4146, a request by Ericsson Inc., on behalf of AT&T, to construct and operate a new small cell communication facility constructed on a Southern California Edison streetlight standard in the public right-of-way located in the center median of Paseo de Valencia approximately 125 feet northerly of Calle de los Caballeros."

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

PLANNING AGENCY ADJOURNMENT

Mayor Carruth reconvened the City Council meeting at 7:53 p.m. All Council Members were present with the exception of Mayor Pro Tempore Gilbert.

5. CITY COUNCIL PUBLIC HEARINGS

5.1 Zone Text Amendment No. 8-17-3966, an Amendment to Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code, Modifying Chapters 9-04 (Definitions), 9-10 (Zoning Districts Established), 9-12 (Estate Residential District), and 9-74 (Property Maintenance) to Allow Apiaries as a Permitted Use in the Estate Residential District, Subject to Certain Provisions, and to Add Property Maintenance Standards Related to Apiaries.

Katie Crockett, Assistant Planner, reviewed the information provided in the staff report, provided a PowerPoint presentation, and responded to Council requests for additional information.

Mayor Carruth opened the Public Hearing.

Pamela Fraser, a resident of Laguna Hills, expressed her overall support for the item, with one requested modification pertaining to proof of severe bee allergies. Ms. Fraser responded to Council requests for additional information.

Mark Haag, a Bee Science/Bee Keeping Instructor at Cal Poly Pomona, spoke of his experiences with regulations in the City of Fullerton, provided further education on bees and bee behaviors and responded to Council requests for additional information.

Loree Blough, a resident of Laguna Hills and President of the Board of Directors for the Nellie Gail Owners Association, reported to the City Council that the Nellie Gail Ranch Owners Association has not received any opposition to the issue of residential beekeeping, encouraged the Council Members to be as “beekeeper friendly” as possible, and responded to Council requests for additional information.

Karine Pouliquen, Head Beekeeper and Master Gardener and Beekeeping Educator at South Coast Research and Extension Center, provided educational information regarding bees and beekeeping, and emphasized the importance of education in order to have the necessary knowledge to properly care for the bee colonies. Ms. Pouliquen requested a modification pertaining to proof of severe bee allergies.

Diane Bianchini, a beekeeper and resident of Dana Point, detailed her experience with beekeeping and expressed her desire to see beekeeping permitted throughout the City.

Robin Jones, a beekeeper and resident of Laguna Beach, communicated her hope to see an increase in the number of hives allowed, expressed concerns with the regulation regarding proof of severe bee allergies and provided information regarding bee behaviors.

Susan Caskey, a beekeeper and resident of Laguna Hills, spoke of her concerns with the regulation regarding proof of severe bee allergies, requested a modification pertaining to proof of severe bee allergies, and invited the Council to attend a Nellie Gail Garden Club event in October.

Robert Stone, owner/operator of Orange County Bee Keeping Supplies in Fullerton, shared his experiences with the regulations in Fullerton and responded to Council requests for additional information.

Mayor Carruth closed the Public Hearing.

Recommendation: That the City Council: (1) Conduct a Public Hearing; and, (2) Introduce for first reading, read by title only, and waive further reading of an Ordinance : “An Ordinance of the City of Laguna Hills, California, adopting Zone Text Amendment No. 8-17-3966, an Amendment to Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code, Modifying Chapters 9-04 (Definitions), 9-10 (Zoning Districts Established), 9-12 (Estate Residential District), and 9-74 (Property Maintenance) to allow apiaries as a permitted use in the Estate Residential District subject to certain provisions and to add property maintenance standards related to apiaries”.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Janine Heft, Council Member
SECONDER:	Mel Carruth, Mayor
AYES:	Mel Carruth, Mayor; Janine Heft, Council Member; Barbara D. Kogerman, Council Member; Don Sedgwick, Council Member
ABSENT:	Dore J. Gilbert, Mayor Pro Tempore

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**Council Member Sedgwick**

Council Member Sedgwick stated that while he did not want to propose that the City Council enact a Resolution or Ordinance formally regarding the California “Sanctuary State” law, he did want to state his personal position publically. Council Member Sedgwick indicated that because the City does not have its own Police Department or jails, the City is limited in what it can do from a practical standpoint. Council Member Sedgwick stated that although the Council has not formally adopted a Resolution or Ordinance, it does not necessarily mean that the Council feels one way or another on the issue. Council Member Sedgwick indicated that he is troubled by the notion that cities and States in our nation would defy Federal law and oppose or disregard Federal law, and he supports an attitude towards supporting Federal law and enforcement of those laws. Council Member Sedgwick further detailed he believes that we have the responsibility as cities and as part of our nation to abide by the rule of law. Council Member Sedgwick concluded his statement by stating that discussions on choosing which laws to support or not to support is not something that he finds tasteful. Council Member Sedgwick indicated that while the City has not taken a formal position, he wanted to provide his thoughts on the issue.

Council Member Sedgwick indicated to Community Services staff his appreciation and enjoyment of the Memorial Day Race event. Council Member Sedgwick stated that he feels it is the jewel of our City and regionally it is the best Memorial Day event in Orange County. He indicated that he loves the statement that we are making involving the 3/5 Battalion and recognizing the gold star families. Council Member Sedgwick expressed his desire to dress up the City even more patriotically between the Memorial Day and 4th of July events.

Council Member Heft

Council Member Heft voiced her agreement of Council Member Sedgwick’s comments and that she believes that SB54 is not just about “Sanctuary State” policies, it puts into question if we still have the rule of law in our State and if the

Constitution still applies to the State of California. Council Member Heft stated that she believes that it is a very important fight that we cannot afford to lose.

Council Member Heft asked Lt. Stiverson for information regarding helicopters circling overhead within City limits and if that information can be incorporated into the Alert OC and Crime Mapping programs.

Lt. Stiverson responded by stating that the helicopters are used for a variety of operational needs. He indicated that often the helicopters are flying over our city just in passing from one location to the next. When helicopters are orbiting or circling, that usually indicates that they are communicating with ground units. Lt. Stiverson further detailed that helicopters do have a public address system in order to make public safety announcements to residents.

Council Member Heft asked if there is a blotter or some sort of system available that residents can access for live and interactive information.

Lt. Stiverson responded that we do not have a system like that at this stage. He indicated that the Crime Mapping application shows crime-specific data, including the locations on a pin map to indicate where incidents occurred over a specified time frame inputted by the user, but it is not in real time and does have some lag time for updates.

Mayor Carruth

Mayor Carruth asked Lt. Stiverson for information regarding tools for communication with residents regarding crimes in progress. Mayor Carruth indicated that the Council has received a number of inquiries from residents regarding an incident that recently occurred at a commercial center in our City.

Lt. Stiverson responding to Mayor Carruth that the Sheriff's Department is looking at their operational tactics and techniques to find ways to improve communication with the public regarding public safety information. Lt. Stiverson did indicate that the department recently went live with AlertOC, a mass notification program that was successfully used for notifications and evacuations in recent wildfire incidents in Aliso Viejo and Laguna Beach. Lt. Stiverson also highlighted a new application called Crime Mapping, which serves as an interactive crime mapping program that allows residents to receive customized alerts for their home, children's school, or place of business regarding crime data in their communities.

Council Member Kogerman

Council Member Kogerman stated that she had signed up for Alert OC, encouraged others to also sign up for the alerts and asked Lt. Stiverson for additional information regarding the Alert OC program.

Lt. Stiverson responded that both programs rely on individual users to sign up for alerts. Lt. Stiverson indicated that residents can indicate their desired method of communication, including text messages, voice mails, or emails. Lt. Stiverson reported that the system was used effectively in the recent Laguna Beach fires to inform residents of proper evacuations routes.

Council Member Kogerman stated that she appreciated the comments from both Council Members Sedgwick and Heft regarding the California "Sanctuary State" law and stated this is not a situation where silence indicates assent. Council Member Kogerman indicated that whether or not the Council takes a formal stance on SB54 is more a matter of strategy in her case, but would not want anyone to think that remaining silent would indicate that she or anyone on the Council would approve of that measure.

Council Member Kogerman reported that several of the Council Members attended a Circus Vargas performance at the Five Lagnas mall property and indicated her enjoyment of the performance, encouraging others to attend.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Carruth declared the meeting adjourned at 9:27 p.m. The next regularly scheduled City Council Meeting will be held June 26, 2018.

Melissa Au-Yeung, City Clerk

ATTEST:

Melody Carruth, Mayor

Approved at meeting of June 26, 2018.