CITY OF LAGUNA HILLS, CALIFORNIA
CITY COUNCIL/PLANNING AGENCY REGULAR MEETING
MINUTES
JUNE 12, 2012

CALL TO ORDER

Mayor Carruth called the Regular Meeting of the City Council of the City of Laguna Hills, California, to order at 7:00 PM in the Laguna Hills City Council Chamber, 24035 El Toro Road, Laguna Hills.

PLEDGE OF ALLEGIANCE: Council Member Bressette

ROLL CALL OF CITY COUNCIL MEMBERS

Present: Mayor Carruth, Mayor Pro Tempore Lautenschleger, Council Member Bressette, Council Member Kogerman, and Council Member Songstad

1. PRESENTATIONS AND PROCLAMATIONS

1.1 CERTIFICATE OF RECOGNITION, JEENA BONUTTO, LAGUNA HILLS HIGH SCHOOL STUDENT LIAISON FOR THE SPRING 2012 SEMESTER

MAYOR CARRUTH PRESENTED A CERTIFICATE TO JEENA BONUTTO RECOGNIZING HER SERVICE AS THE LAGUNA HILLS HIGH SCHOOL STUDENT LIAISON.

1.2 APPOINTMENT OF LAGUNA HILLS HIGH SCHOOL STUDENT LIAISON ADAM WONG AND STUDENT LIAISON ALTERNATE AMANDA JAFFE FOR THE FALL 2012 SEMESTER

THE CITY CLERK ISSUED THE OATH OF OFFICE TO LAGUNA HILLS HIGH SCHOOL STUDENT LIAISON ALTERNATE AMANDA JAFFE AND MAYOR CARRUTH PRESENTED A CERTIFICATE OF APPOINTMENT. LAGUNA HILLS HIGH SCHOOL STUDENT LIAISON ADAM WONG WAS ABSENT.

1.3 PRESENTATION ON THE CITRUS PEST AND DISEASE PREVENTION PROGRAM

THE CITY COUNCIL RECEIVED A PRESENTATION FROM REPRESENTATIVES OF THE CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE ON THE CITRUS PEST AND DISEASE PREVENTION PROGRAM.

IT WAS THE CONSENSUS OF THE CITY COUNCIL TO DIRECT STAFF TO TAKE STEPS TO INCREASE THE AWARENESS OF THE RESIDENTS REGARDING THIS PEST.

2. PUBLIC COMMENTS

DARK HORSE COMMITTEE

Richard Nagle, Laguna Hills, thanked the City for having the Marines participate in the Laguna Hills Memorial Day Half Marathon Event.

SAN ONOFRE NUCLEAR PLANT

Gary Headrick, representative of San Clemente Green, spoke on safety concerns at the San Onofre Nuclear Plant and handed out material to the City Council.

Laurie Headrick, spoke on safety concerns at the San Onofre Nuclear Plant.

Harold Johnston, San Diego, spoke on safety concerns at the San Onofre Nuclear Plant.

Karen Stone, spoke on safety concerns at the San Onofre Nuclear Plant.

IT WAS THE CONSENSUS OF THE CITY COUNCIL TO AGENDIZE THIS ITEM TO A FUTURE CITY COUNCIL MEETING.

2.1 LAGUNA HILLS HIGH SCHOOL STUDENT LIAISON

THE CITY COUNCIL RECEIVED AN ORAL REPORT FROM LAGUNA HILLS HIGH SCHOOL STUDENT LIAISON JEENA BONUTTO.

3. MINUTES

3.1 REGULAR MEETING, MAY 22, 2012

MOTION TO APPROVE THE MINUTES OF THE MAY 22, 2012, REGULAR MEETING, BY M/COUNCIL MEMBER KOGERMAN, S/COUNCIL MEMBER BRESSETTE.
APPROVED BY A VOTE OF 5-0.

4. CONSENT CALENDAR

MOTION TO APPROVE THE CONSENT CALENDAR, BY M/COUNCIL MEMBER BRESSETTE, S/MAYOR PRO TEMPORE LAUTENSCHLEGER, WITH COUNCIL MEMBER BRESSETTE REMOVING ITEM NO. 4.5.
APPROVED BY A VOTE OF 5-0.

4.1 MOTION TO APPROVE THE READING BY TITLE OF ALL ORDINANCES AND RESOLUTIONS, SAID TITLES, WHICH APPEAR ON THE PUBLIC AGENDA, SHALL BE DETERMINED TO HAVE BEEN READ BY TITLE

AND FURTHER READING WAIVED

THE CITY COUNCIL WAIVED READING OF ORDINANCES AND RESOLUTIONS.

4.2 APPROVAL OF WARRANT REGISTER FOR PERIOD ENDED JUNE 12, 2012

THE CITY COUNCIL APPROVED THE WARRANT REGISTER IN THE AMOUNT OF $641,261.65.

4.3 PROGRESS PAYMENT NO. 14 FOR LA PAZ ROAD WIDENING AT I-5 IMPROVEMENT PROJECT, CIP NO. 159

THE CITY COUNCIL APPROVED PROGRESS PAYMENT NO. 14, IN THE NET AMOUNT OF $349,216.60, TO SEMA CONSTRUCTION, INC., FOR THE LA PAZ ROAD WIDENING AT I-5 IMPROVEMENT PROJECT, CIP NO. 159.

4.4 AGREEMENT TO FUND NUTRIENT, FECAL COLIFORM AND TOXICS TOTAL MAXIMUM DAILY LOAD ("TMDL") PROGRAMS IN THE NEWPORT BAY WATERSHED, AGREEMENT NO. D11-066, WITH THE COUNTY OF ORANGE AND OTHER AGENCIES IN THE WATERSHED

THE CITY COUNCIL APPROVED THE AGREEMENT TO FUND NUTRIENT, FECAL COLIFORM AND TOXICS TOTAL MAXIMUM DAILY LOAD ("TMDL") PROGRAMS IN THE NEWPORT BAY WATERSHED, AGREEMENT NO. D11-066, WITH THE COUNTY OF ORANGE AND OTHER AGENCIES IN THE WATERSHED AND AUTHORIZED THE MAYOR TO SIGN THE AGREEMENT AND THE CITY CLERK TO ATTEST THERETO.

4.6 CITY'S CONFLICT OF INTEREST CODE

THE CITY COUNCIL ADOPTED RESOLUTION NO. 2012-06-12-1, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, REVISING THE CITY'S CONFLICT OF INTEREST CODE AND REPEALING RESOLUTION NO. 2009-03-24-1.

4.7 ESTABLISHMENT OF A NO PARKING ANYTIME ZONE ON BRIDLEWOOD DRIVE FROM APPIAN TO 180 FEET SOUTHERLY

THE CITY COUNCIL ADOPTED RESOLUTION NO. 2012-06-12-2, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, ESTABLISHING A NO PARKING ANYTIME ZONE ON THE EAST SIDE OF BRIDLEWOOD DRIVE FROM APPIAN TO 180 FEET SOUTHERLY.

4.8 CLAIM AGAINST THE CITY, HEIRS OF ROMEO JIMENEZ-ZAVALETA

THE CITY COUNCIL REJECTED THE CLAIM AND DIRECTED THE CITY CLERK TO SEND A CLAIM REJECTION LETTER.

4.9 FY 2012-2013 TRAUMA INTERVENTION PROGRAM AGREEMENT

THE CITY COUNCIL AUTHORIZED THE MAYOR TO EXECUTE THE FY 2012-2013 AGREEMENT BETWEEN THE CITY OF LAGUNA HILLS AND TRAUMA INTERVENTION PROGRAMS, INC.

ITEMS REMOVED FROM THE CONSENT CALENDAR

4.5 AWARD OF CONTRACT FOR CITYWIDE PAVEMENT REHABILITATION PROJECT, CIP NO. 101-H

Council Member Bressette removed this item from the Consent Calendar to discuss what he believed was unacceptable work of a recent project in Aliso Viejo that was performed by the same contractor, All American Asphalt. Public Services Director Rosenfield indicated that in his opinion, this was an issue of lack of proper inspection and management of the contract, and he would be open to receiving any suggestions from the City Council in this regard.

MOTION TO AWARD THE CONTRACT FOR THE CITYWIDE PAVEMENT REHABILITATION PROJECT, CIP NO. 101-H, TO THE APPARENT LOW BIDDER, ALL AMERICAN ASPHALT, INC., IN THE LOW BID AMOUNT OF $1,778,169.00, AND AUTHORIZED THE MAYOR TO SIGN AND THE CITY CLERK TO ATTEST TO THE CONTRACT DOCUMENTS, BY M/COUNCIL MEMBER BRESSETTE , S/MAYOR CARRUTH.
APPROVED BY A VOTE OF 5-0.

5. 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 7:42 PM.

5.1 ROLL CALL OF PLANNING AGENCY MEMBERS

Present: Chair Carruth, Vice Chair Lautenschleger, Agency Members Bressette, Agency Member Kogerman, and Agency Member Songstad

5.2 PUBLIC COMMENTS

There were no Public Comments.

5.3 MINUTES

5.3.1 REGULAR MEETING, MAY 22, 2012

MOTION TO APPROVE THE MINUTES OF THE MAY 22, 2012, REGULAR MEETING AS REFERENCED IN CITY COUNCIL MINUTES BEGINNING ON PAGE 5, BY M/AGENCY MEMBER BRESSETTE, S/VICE CHAIR LAUTENSCHLEGER.
APPROVED BY A VOTE OF 5-0.

5.4 PLANNING AGENCY PUBLIC HEARINGS

5.4.1 CONDITIONAL USE PERMIT/SITE DEVELOPMENT PERMIT NO. 4-12-2219, A REQUEST BY GENSLER, ON BEHALF OF CHASE BANK, TO CONSTRUCT A NEW CHASE BANK BUILDING WITH DRIVE-THRU ATM, INCLUDING DEMOLITION OF THE EXISTING GAS STATION ON THE SUBJECT PROPERTY AT 24799 ALICIA PARKWAY.

Chair Carruth opened the Public Hearing.

Chip Williams, Architect for Gensler, spoke on Conditional Use Permit/Site Development Permit No. 4-12-2219.

Austin Hahn, Civil Engineer, representative of Chase Bank, spoke on Conditional Use Permit/Site Development Permit No. 4-12-2219 and answered questions from the City Council.

Chair Carruth closed the Public Hearing.

THE PLANNING AGENCY ADOPTED RESOLUTION NO. PA2012-06-12-1, A RESOLUTION OF THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT/SITE DEVELOPMENT PERMIT NO. 4-12-2219, A REQUEST BY GENSLER, ON BEHALF OF CHASE, TO CONSTRUCT A NEW CHASE BANK BUILDING WITH DRIVE-THRU ATM, INCLUDING DEMOLITION OF THE EXISTING GAS STATION ON THE SUBJECT PROPERTY AT 24799 ALICIA PARKWAY; AND THE CITY COUNCIL DIRECTED STAFF TO WORK WITH THE APPLICANT TO MAKE APPROPRIATE CHANGES TO THE LANDSCAPE ENHANCEMENTS, BY M/AGENCY MEMBER SONGSTAD, S/AGENCY MEMBER BRESSETTE.
APPROVED BY A VOTE OF 5-0.

5.5 ADMINISTRATIVE REPORTS

5.5.1 SITE DEVELOPMENT PERMIT/MASTER SIGN PROGRAM NO. 11-11-2114, A REQUEST TO ESTABLISH A NEW MASTER SIGN PROGRAM FOR THE HILLS HOTEL AT 25202 LA PAZ ROAD IN THE (FC) FREEWAY COMMERCIAL ZONING DISTRICT.

Michael Mofid, owner of The Hills Hotel, spoke on the proposed new Master Sign program for The Hills Hotel and answered questions from the City Council.
Dr. Raghu Mathur, Laguna Hills, spoke in support of the owner of The Hills Hotel and the proposed new Master Sign program.

THE PLANNING AGENCY ADOPTED RESOLUTION NO. PA2012-06-12-2, A RESOLUTION OF THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING SITE DEVELOPMENT PERMIT/MASTER SIGN PROGRAM NO. 11-11-2114, A REQUEST TO ESTABLISH A NEW MASTER SIGN PROGRAM FOR THE HILLS HOTEL AT 25202 LA PAZ ROAD IN THE (FC) FREEWAY COMMERCIAL ZONING DISTRICT, AMENDING CONDITION OF APPROVAL NO. 13 TO ADD THE FOLLOWING SENTENCE: "THE LED READER BOARD MESSAGE COPY SHALL NOT CHANGE MORE THAN FIVE TIMES WITHIN A 24-HOUR PERIOD, BY AGENCY MEMBER BRESSETTE, S/AGENCY MEMBER SONGSTAD.
APPROVED BY A VOTE OF 4-1 (CHAIR CARRUTH VOTING NO).

PLANNING AGENCY ADJOURNMENT

Mayor Carruth reconvened the City Council meeting at 9:06 PM. All Council Members were present.

6. CITY COUNCIL PUBLIC HEARINGS

There were no Public Hearings.

7. ADMINISTRATIVE REPORTS

7.1 City Manager

The City Manager made no reports.

7.2 Deputy City Manager/Community Services

7.2.1 FOURTH OF JULY EVENT BOOTHS

Council Member Kogerman announced that she had an issue with this item, as her husband was mentioned in the staff report and that he had voluntarily consulted with these two City Council candidates. Council Member Kogerman indicated there was no financial conflict of interest involved or legal reason not to participate, but in order to avoid the appearance of impropriety, she would excuse herself from the discussion and the dais, and left the meeting.

Mav Bressette, Laguna Hills, supported the proposed City policy to restrict the rental of booths to resident, nonprofit organizations only, for the Fourth of July Event.

THE CITY COUNCIL MOVED TO ESTABLISH A FORMAL POLICY OF RESTRICTING THE RENTAL OF BOOTHS AT THE ANNUAL FOURTH OF JULY CELEBRATION TO RESIDENT, NON-PROFIT ORGANIZATIONS ONLY, FOR THEIR FUND RAISING PURPOSES, BY M/MAYOR CARRUTH, S/MAYOR PRO TEMPORE LAUTENSCHLEGER.
APPROVED BY A VOTE OF 4-0-1 (COUNCIL MEMBER KOGERMAN ABSENT).

Council Member Kogerman returned to the meeting.

7.3 Public Services Director/City Engineer

7.3.1 REQUEST FOR PARKING ZONE ON THE SOUTHERLY SIDE OF LA PAZ ROAD WESTERLY OF PASEO DE VALENCIA

Clarence Hauschild, Laguna Hills, spoke in favor of allowing parking on the southerly side of La Paz Road westerly of Paseo de Valencia.

John Hauschild, Mission Viejo, spoke in favor of allowing parking on the southerly side of La Paz Road westerly of Paseo de Valencia.

Pamela Dow, Laguna Hills Traffic Commissioner, spoke as a Traffic Commissioner and explained their reasoning for approving this request.

THE CITY COUNCIL ADOPTED RESOLUTION NO. 2012-06-12-3, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, AMENDING RESOLUTION NO. 2009-10-13-2, TO ALLOW PARKING ON A PORTION OF THE SOUTHSIDE OF LA PAZ ROAD WESTERLY OF PASEO DE VALENCIA, BY M/COUNCIL MEMBER SONGSTAD, S/COUNCIL MEMBER KOGERMAN.
APPROVED BY A VOTE OF 3-2 (COUNCIL MEMBER BRESSETTE, AND MAYOR CARRUTH VOTING NO).

8. MATTERS AGENDIZED AND PRESENTED BY CITY COUNCIL MEMBERS AND MAYOR

8.1 MAYOR CARRUTH

8.1.1 CITY OF MISSION VIEJO SIGN CODE AMENDMENT

THE CITY COUNCIL DIRECTED STAFF TO: (1) SEND A FORMAL LETTER TO THE CITY OF MISSION VIEJO CITY COUNCIL STATING THE CITY OF LAGUNA HILLS OPPOSITION TO THE KALEIDOSCOPE PROPOSED SIGN PROGRAM, MORE SPECIFICALLY TO THE PROPOSED ELECTRONIC SIGNS AND OFF-SITE ADVERTISING; AND (2) NOTIFY ALL LAGUNA HILLS HOMEOWNER ASSOCIATIONS LOCATED ALONG THE I-5 CORRIDOR REGARDING THE PROPOSED SIGN PROGRAM AND ITS POTENTIAL IMPACT TO THE MISSION VIEJO FREEWAY CENTER OFF CABOT, BY M/COUNCIL MEMBER SONGSTAD, S/COUNCIL MEMBER KOGERMAN.

APPROVED BY A VOTE OF 5-0.

9. CITY COUNCIL MEMBER COMMENTS

COUNCIL MEMBER KOGERMAN

Council Member Kogerman stated that she enjoyed the Laguna Hills Memorial Day Run Event.

10. CLOSED SESSION

There was no Closed Session.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Carruth declared the meeting adjourned at 10:28 PM.

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PEGGY J. JOHNS, CITY CLERK

ATTEST:

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MELODY CARRUTH, MAYOR

APPROVED AT MEETING OF JUNE 26, 2012.