

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

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**REGULAR MEETING  
MINUTES  
Tuesday, May 14, 2024**

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

**CALL TO ORDER**

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

**INVOCATION:** Pastor B.J. Beu of Laguna Country United Methodist Church

**PLEDGE OF ALLEGIANCE:** Council Member Caskey

**ROLL CALL OF CITY COUNCIL MEMBERS**

| Attendee Name  | Title             | Status  | Arrived |
|----------------|-------------------|---------|---------|
| Dave Wheeler   | Mayor             | Present |         |
| Joshua Sweeney | Mayor Pro Tempore | Present |         |
| Don Caskey     | Council Member    | Present |         |
| Janine Heft    | Council Member    | Present |         |
| Erica Pezold   | Council Member    | Present |         |

**1. PRESENTATIONS AND PROCLAMATIONS**

**1.1 Valencia Elementary School Student Liaison Report**

The City Council presented Certificates of Appointment and received a report from Valencia Elementary School Student Liaisons Sicily Montes De Oca and Julia Rossfeld.

**1.2 Laguna Hills High School Student Liaison Report**

The City Council received a report from Laguna Hills High School 2024 Spring Student Liaison Ava Kornegay.

**1.3 Certificate of Recognition for Laguna Hills High School Student Liaison Ava Kornegay**

Mayor Wheeler presented a Certificate of Recognition to Ava Kornegay recognizing her service as a Laguna Hills High School 2024 Spring Student Liaison.

**1.4 Presentation of Proclamation for "Drowning Prevention Awareness"**

The City Council issued a Proclamation encouraging participation in the "Always Watch the Water" and "Never Swim Alone" campaigns by highlighting May through August as a "Drowning Prevention Awareness" period and presented the Proclamation to Augie Romo, Captain, Orange County Fire Authority.

**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 addressed the City Council on non-agendized items:

Harry Huggins, a representative of the Laguna Terrace Beautification Team and a resident of Laguna Hills, recognized several City staff members for their assistance with the May 11, 2024 Plein Air Painting Event and announced the winners of the painting contest.

**4. CONSENT CALENDAR**

Motion to approve the Consent Calendar with Council Member Heft removing Item No. 4.5 and Item No. 4.7 and Council Member Pezold removing Item No. 4.9.

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|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                                                                                                         |
| <b>MOVER:</b>    | Janine Heft, Council Member                                                                                                                         |
| <b>SECONDER:</b> | Erica Pezold, Council Member                                                                                                                        |
| <b>AYES:</b>     | Dave Wheeler, Mayor; Joshua Sweeney, Mayor Pro Tempore;<br>Don Caskey, Council Member; Janine Heft, Council Member;<br>Erica Pezold, 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 April 23, 2024, Regular Meeting**

**Recommendation:** That the City Council approve the City Council Minutes for the April 23, 2024, Regular Meeting.

**4.3 Ratification of May 14, 2024, Warrant Register**

**Recommendation:** That the City Council ratify the accompanying Warrant Register for the period from April 12, 2024, to May 2, 2024, in the amount of \$625,848.96.

**4.4 Approval of New Master Services Agreement with Flock Group, Inc., for an Automated License Plate Reader (ALPR) System.**

**Recommendation:** That the City Council: 1) Waive formal competitive bidding requirements and procedures set forth in the Laguna Hills Municipal Code (LHMC) Section 3-08.090, and authorize the procurement of an Automated License Plate Reader (ALPR) system and services from Flock Group, Inc., as it is hereby found and determined, pursuant to LHMC Section 3-08.110(B), Section 3-08.110(K), and Section 3-08.110(L)(4), that the proposed ALPR system procurement is exempt from the City's formal competitive bidding requirements and procedures based on the facts, findings, and information set forth herein by City staff; 2) Approve the proposed Master Services Agreement with Flock Group, Inc. for the procurement of an Automated License Plate Reader (ALPR) system and related services for a 3-year term in the total not to exceed contract amount of \$364,380.82; 3) Authorize the City Manager to execute the proposed Master Services Agreement with Flock Group, Inc.; and 4) Find and determine that the deployment of an Automated License Plate Reader System is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, Cal. Code of Regs., Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment directly or indirectly.

**4.6 Summary Vacation of a Portion of Spotted Pony Lane**

**Recommendation:** That the City Council adopt Resolution No. 2024-05-14-2: "A Resolution of the City Council of the City of Laguna Hills, California, approving and ordering the Summary Vacation of two 4-foot-wide unused portions of Spotted Pony Lane adjacent to those lots designated as nos. 25 and 23 of Tract 9292 recorded in the Official Records of the County of Orange, commonly known as 25472 and 25512 Spotted Pony Lane."

**4.8 Trash and Debris Capture Devices Maintenance Services Agreement with G2 Construction, Inc., for the Implementation of the City's Phase XII Water Quality Project, CIP No. 412-L**

**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 Trash and Debris Capture Devices Maintenance Services Agreement to G2 Construction, Inc., because: a) The goods and supplies, equipment, materials, and contract services to be provided by G2 Construction, 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) A specific make, model, or brand is necessary to match existing City equipment or to facilitate the continuity of effective maintenance and support (LHMC Section 3-08.110(F)); and d) Compliance with procurement policies, procedures, and/or requirements is not in the best interest of the City (LHMC Section 3-08.110(J)); 2) Award the Trash and Debris Capture Devices Maintenance Services Agreement to G2 Construction, Inc.; 3) Authorize the Mayor to sign the Agreement; and 4) Authorize the Finance Director to amend the CIP budget by \$250,000, transfer \$50,000 from the Public Works operations budget to afford the City match, and to recognize grant revenue in the amount of \$200,000 from OCTA.

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

**4.5 Installation of a Multi-Way (3-Way) Stop at Grissom Road and Pike Road**

Council Member Heft removed Item No. 4.5 from the Consent Calendar to allow for discussion on the item.

**Recommendation:** That the City Council: 1) Find and determine that the proposed stop intersection controls are not subject to the California Environmental Quality Act pursuant to Sections 15060(C)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(C)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, Cal. Code of Regs, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly; and 2) Adopt Resolution No. 2024-05-14-1: "A Resolution of the City Council of the City of Laguna Hills, California, designating the intersection of

Grissom Road at Pike Road as a multi-way (3-way) stop intersection and authorizing the installation of stop signs on Grissom Road and Pike Road."

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                                                                                                         |
| <b>MOVER:</b>    | Janine Heft, Council Member                                                                                                                         |
| <b>SECONDER:</b> | Erica Pezold, Council Member                                                                                                                        |
| <b>AYES:</b>     | Dave Wheeler, Mayor; Joshua Sweeney, Mayor Pro Tempore;<br>Don Caskey, Council Member; Janine Heft, Council Member;<br>Erica Pezold, Council Member |

**4.7 Authority to Advertise Laguna Hills Civic Center Suite 205 Tenant Improvements Project, CIP No. 505-B**

Council Member Heft removed Item No. 4.7 from the Consent Calendar to allow for discussion on the item.

**Recommendation:** That the City Council: 1) Approve the plans and specifications for the Laguna Hills Civic Center Suite 205 Tenant Improvements Project, CIP No. 505-B; 2) Authorize the advertisement for bids for the Laguna Hills Civic Center Suite 205 Tenant Improvements Project, CIP No. 505-B; 3) Authorize the City Engineer to make minor edits to the plans and specifications as necessary; 4) Find that environmental review is not required under the California Environmental Quality Act (CEQA) pursuant to the California Code of Regulations, Title 14, Chapter 3, Section 15301 as a Class 1 Categorical Exemption - "Existing Facilities."

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                                                                                                         |
| <b>MOVER:</b>    | Janine Heft, Council Member                                                                                                                         |
| <b>SECONDER:</b> | Don Caskey, Council Member                                                                                                                          |
| <b>AYES:</b>     | Dave Wheeler, Mayor; Joshua Sweeney, Mayor Pro Tempore;<br>Don Caskey, Council Member; Janine Heft, Council Member;<br>Erica Pezold, Council Member |

**4.9 Periodic Review of Development Agreement (Ordinance No. 2022-1) Between the City of Laguna Hills and MGP Fund X Laguna Hills, LLC: Village at Laguna Hills Mixed-Use Project**

Council Member Pezold removed Item No. 4.9 from the Consent Calendar to oppose the item.

**Recommendation:** That the City Council: 1) Receive and file a report demonstrating the Property Owner's good faith compliance with the terms and conditions of the Development Agreement; and 2) Find and determine that MGP

Fund X Laguna Hills, LLC has complied in good faith with the terms and conditions of the Development Agreement for the period of April 22, 2022, through April 21, 2024.

Mayor Wheeler called for a roll call vote on the motion to move staff's recommendation.

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|------------------|---------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [4 TO 1]</b>                                                                                            |
| <b>MOVER:</b>    | Janine Heft, Council Member                                                                                         |
| <b>SECONDER:</b> | Joshua Sweeney, Mayor Pro Tempore                                                                                   |
| <b>AYES:</b>     | Dave Wheeler, Mayor; Joshua Sweeney, Mayor Pro Tempore;<br>Don Caskey, Council Member; Janine Heft, Council Member; |
| <b>NAYS:</b>     | Erica Pezold, Council Member                                                                                        |

## 5. PLANNING AGENCY

There were no separate Planning Agency Business Items for this meeting.

## 6. CITY COUNCIL PUBLIC HEARINGS

### 6.1 Public Hearing on 2024 Weed, Rubbish, and Refuse Abatement

Public Works Director/City Engineer Ames reviewed the information provided in the staff report.

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

**Recommendation:** That the City Council:

- 1) Conduct a Public Hearing, receive and consider all objections; and
- 2) Adopt Resolution No. 2024-05-14-3: "A Resolution of the City Council of the City of Laguna Hills, California, issuing an abatement order and authorizing the Public Works Director to commence enforcing weed, rubbish, and refuse abatement against specified parcels of land."

Mayor Wheeler called for a roll call vote on the motion to move staff's recommendation.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                                                                                                         |
| <b>MOVER:</b>    | Erica Pezold, Council Member                                                                                                                        |
| <b>SECONDER:</b> | Joshua Sweeney, Mayor Pro Tempore                                                                                                                   |
| <b>AYES:</b>     | Dave Wheeler, Mayor; Joshua Sweeney, Mayor Pro<br>Tempore; Don Caskey, Council Member; Janine Heft,<br>Council Member; Erica Pezold, Council Member |

## 7. ADMINISTRATIVE REPORTS

### 7.1. City Manager

The City Manager provided no administrative reports.

### 7.2. Public Works Director/City Engineer

#### 7.2.1 Award of Professional Services Agreements for Landscape Architectural Services, CIP No. 241, General Park Improvements

Public Works Director/City Engineer Ames reviewed the information provided in the staff report, provided a PowerPoint presentation, and responded to Council Member requests for additional information.

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

City Manager Hildenbrand responded to Council Member requests for additional information.

Larry Ryan, RJM Design Group, Inc., responded to Council Member requests for additional information.

Kevin Volz, David Volz Designs Landscape Architects, Inc., responded to Council Member requests for additional information.

**Recommendation:** That the City Council:

- 1) Award a Professional Services Agreement to RJM Design Group, Inc., for Landscape Architectural Design Services for Cabot Park Rehabilitation Project in the total Maximum Contract Amount of \$193,500;
- 2) Award a Professional Services Agreement to David Volz Design Landscape Architects, Inc., for Landscape Architectural Design Services for El Conejo Park and Mackenzie Park Rehabilitation Project in the total Maximum Contract Amount of \$173,700;
- 3) Award a Professional Services Agreement to RJM Design Group, Inc., for Landscape Architectural Design Services for Veeh Ranch Park and San Remo Park Rehabilitation Project in the total Maximum Contract Amount of \$285,390; and
- 4) Authorize the City Manager to sign the proposed Professional Services Agreements.

A motion to move staff's recommendation was moved by Council Member Pezold, seconded by Council Member Caskey.

A substitute motion to repair and restore existing equipment to bring the parks up to code and table the award of professional services agreements for landscape architectural services until a later date when more funds are available was moved by Mayor Wheeler and no second was made. As a result, no action was taken on this substitute motion.

Mayor Wheeler called for a roll call vote on the original motion to move staff's recommendation.

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| <b>RESULT:</b>   | <b>APPROVED [4 TO 1]</b>                                                                                                 |
| <b>MOVER:</b>    | Erica Pezold, Council Member                                                                                             |
| <b>SECONDER:</b> | Don Caskey, Council Member                                                                                               |
| <b>AYES:</b>     | Joshua Sweeney, Mayor Pro Tempore; Don Caskey, Council Member; Janine Heft, Council Member; Erica Pezold, Council Member |
| <b>NAYS:</b>     | Dave Wheeler, Mayor                                                                                                      |

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

### 8.1 Discussion on the Formation of an Ad-Hoc Committee to Explore the Feasibility of Establishing a Community Garden

Mayor Pro Tempore Sweeney provided information on the item.

The following individual addressed the City Council on Item No. 8.1:

Abdul Dandan, a resident of Laguna Hills, provided comments in favor of the item.

**Recommendation:** Mayor Pro Tempore Sweeney recommends that the City Council discuss and provide direction to staff.

A motion to direct staff to establish the Community Garden Ad-Hoc Committee appointing Council Member Caskey and Mayor Pro Tempore Sweeney as Committee Members to explore and develop the concept of a community garden was moved by Mayor Pro Tempore Sweeney, seconded by Council Member Pezold.

Mayor Wheeler called for a roll call vote on the motion.



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

**8.2 Discussion on Vacant City-Owned Parcels that Can be Considered for Future Development to Benefit the Citizens of Laguna Hills.**

Council Member Heft provided information on the item.

City Manager Hildenbrand responded to Council Member requests for additional information.

Council Member Pezold provided information on the item.

At Council Member Pezold's request, Felipe Delgado, a resident of Laguna Hills, provided information on the item.

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

**Recommendation:** Council Members Heft and Pezold recommend that the City Council direct staff to prepare a comprehensive inventory and assessment of vacant City-owned parcels that includes identifying the location, size, condition, ownership status, zoning classification, and potential uses of each property in an effort to ensure that the highest and best use is being considered and maximized.

A motion to direct staff to prepare and issue a Request for Proposals (RFP) to retain a qualified firm to prepare a feasibility study on the assessment of City-owned parcels that includes identifying the location, size, condition, ownership status, zoning classification, and potential uses of each property and to bring the potential award of a professional services agreement to the Council for approval.

Mayor Wheeler called for a roll call vote on the motion.

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|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                                                                                                   |
| <b>MOVER:</b>    | Janine Heft, Council Member                                                                                                                   |
| <b>SECONDER:</b> | Erica Pezold, Council Member                                                                                                                  |
| <b>AYES:</b>     | Dave Wheeler, Mayor; Joshua Sweeney, Mayor Pro Tempore; Don Caskey, Council Member; Janine Heft, Council Member; Erica Pezold, Council Member |

Item No. 8.4 was taken out of order on the Agenda by Mayor Wheeler.

**8.4 Potential Changes To, Clarified Interpretation, and Discussion of Laguna Hills Municipal Code Chapter 9-92: Application Process and Submittal Requirements**

Mayor Wheeler provided information and a PowerPoint presentation on the item.

Community Development Director Longenecker responded to Council Member requests for additional information.

City Manager Hildenbrand responded to Council Member requests for additional information.

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

**Recommendation:** Mayor Wheeler recommends that the City Council discuss and provide direction to staff.

A motion to direct staff to amend the application process to align with the flow diagram provided by Mayor Wheeler as a supplemental agenda item, designating the City Council to be the approval body for consistency determination of the application was moved by Mayor Wheeler, seconded by Council Member Pezold.

A substitute motion to continue the item to the May 28, 2024, regular meeting was made by Council Member Heft, seconded by Council Member Caskey.

Mayor Wheeler called for a roll call vote on the substitute motion.

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|------------------|--------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>CONITNUED [3 TO 2]</b>                                                                  |
| <b>MOVER:</b>    | Janine Heft, Council Member                                                                |
| <b>SECONDER:</b> | Don Caskey, Council Member                                                                 |
| <b>AYES:</b>     | Joshua Sweeney, Mayor Pro Tempore; Don Caskey, Council Member; Janine Heft, Council Member |
| <b>NAYS:</b>     | Dave Wheeler, Mayor; Erica Pezold, Council Member                                          |

**8.3 Potential Changes To, Clarified Interpretation, and Discussion of the Urban Village Specific Plan (UVSP)**

Mayor Wheeler provided information on the item.

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

Community Development Director Longenecker responded to Council Member requests for additional information.

**Recommendation:** Mayor Wheeler recommends that the City Council discuss and provide direction to staff.

A motion to direct staff to consider the Urban Village Specific Plan (UVSP) a requirements document, specifically, the paragraph stating that the area will be mostly commercial or office, and the references to limitations of 200 residences, shall be interpreted as requirements was moved by Mayor Wheeler, seconded by Council Member Pezold.

Mayor Wheeler called for a roll call vote on the motion.

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|------------------|--------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>FAILED {2 TO 3}</b>                                                                     |
| <b>MOVER:</b>    | Dave Wheeler, Mayor                                                                        |
| <b>SECONDER:</b> | Erica Pezold, Council Member                                                               |
| <b>AYES:</b>     | Dave Wheeler, Mayor; Erica Pezold, Council Member                                          |
| <b>NAYS:</b>     | Joshua Sweeney, Mayor Pro Tempore; Don Caskey, Council Member; Janine Heft, Council Member |

## 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 Pezold

Council Member Pezold requested a discussion on the formation of an ad-hoc committee consisting of Council Member Heft and Council Member Pezold to explore the feasibility of establishing an aquatic center within the City and received a second from Council Member Heft.

Council Member Pezold inquired on the status of the program to highlight businesses in the City of Laguna Hills.

Council Member Pezold indicated that emails from OC Mosquito and Vector Control District are being blocked by the City's spam filter and requested that the email address be whitelisted so the emails are received.

**Mayor Wheeler**

Mayor Wheeler reported on a situation in the City of San Juan Capistrano regarding storage of lithium waste containers.

**Council Member Caskey**

Council Member Caskey expressed his appreciation for his colleagues for their candor and thoughtfulness throughout the meeting.

**ADJOURNMENT**

There being no further business before the City Council at this session, Mayor Wheeler declared the meeting adjourned at 12:13 a.m. on May 15, 2024.

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Jennifer Lee, City Clerk

ATTEST:

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Dave Wheeler, Mayor

Approved at meeting of May 28, 2024