
**CITY OF LAGUNA HILLS, CALIFORNIA
CITY COUNCIL/PLANNING AGENCY
REGULAR MEETING
MINUTES
MAY 10, 2016**

CLOSED SESSION - CONVENING AT 6:00 P.M.

CALL TO ORDER

ROLL CALL OF CITY COUNCIL MEMBERS

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

ANNOUNCEMENT OF CLOSED SESSION ITEMS

A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) and paragraph (2) of subdivision (e) of Government Code Section 54956.9: (1 potential case).

Receipt of comment and project opposition letter from attorney Jason Holder of the Holder Law Group, dated March 22, 2016, submitted on behalf of the City of Laguna Beach, challenging the Addendum and the environmental review and analysis for the Five Lagunas Mall Redevelopment Project, a copy of which is on file in the Office of the City Clerk; March 22, 2016 Public Hearing Item Re: Resolution No. PA2016-03-22-1 entitled: "A Joint Resolution of the Planning Agency and City Council of the City of Laguna Hills, California, Adopting a Third Addendum to the City of Laguna Hills Program Environmental Impact Report (State Clearinghouse No. 20080811100) and Approving a Site Development Permit, Master Sign Program, Conditional Use Permit, Parking Use Permit, Vesting Tentative Tract Map, Precise Plan No. 2-15-3114, a Request by Merlone Geier Management, LLC, to Redevelop the Laguna Hills Mall Site Located at 24155 Laguna Hills Mall, and Making Certain Findings in Connection Therewith."

B. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6(a)

City Designated Representatives: Bruce Channing, City Manager

Don White, Assistant City Manager

Melissa Au-Yeung, Assistant to the City Manager

Employee Organization: Laguna Hills City Employees Association,
City Employee Organization

PUBLIC COMMENTS ON CLOSED SESSION ITEMS

There were no Public Comments.

ADJOURN TO CITY COUNCIL CONFERENCE ROOM

CONVENE INTO CLOSED SESSION

RECONVENE TO CITY COUNCIL CHAMBER

RECESS

GENERAL BUSINESS - RECONVENING AT 7:00 PM

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE: MAYOR PRO TEMPORE SEDGWICK

ROLL CALL OF CITY COUNCIL MEMBERS

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

CLOSED SESSION REPORT

CITY ATTORNEY SIMONIAN STATED THAT THE CITY COUNCIL CONVENED IN CLOSED SESSION THIS EVENING PURSUANT TO THE CLOSED SESSION AUTHORITY LISTED ON THE AGENDA. WITH RESPECT TO CLOSED SESSION ITEM A, "CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION," NO REPORTABLE ACTION WAS TAKEN; HOWEVER, THE CITY HAS ENTERED INTO A TOLLING AGREEMENT BETWEEN THE CITY OF LAGUNA HILLS, THE CITY OF LAGUNA BEACH, AND MERLONE GEIER PARTNERS, A COPY OF WHICH IS AVAILABLE FOR PUBLIC REVIEW AND INSPECTION THROUGH THE CITY CLERK'S OFFICE. WITH RESPECT TO CLOSED SESSION ITEM B, "CONFERENCE WITH LABOR NEGOTIATORS," NO REPORTABLE ACTION WAS TAKEN AS A RESULT OF THAT MEETING.

1. PRESENTATIONS AND PROCLAMATIONS

1.1 LAGUNA HILLS HIGH SCHOOL STUDENT LIAISON

LAGUNA HILLS HIGH SCHOOL STUDENT LIAISON CALISTA SHANG WAS NOT AVAILABLE AT THE MEETING TO GIVE THE PRESENTATION.

1.2 SPOTLIGHT ON LOCAL BUSINESS

THE CITY COUNCIL RECEIVED A BRIEF ORAL REPORT AND POWERPOINT PRESENTATION FROM DEAN MORASH, PRESIDENT, SOCAL CLASSIC CAR STORAGE.

1.3 CERTIFICATE OF RECOGNITION FOR CLIFF JARMIE, HEAD COACH OF THE LAGUNA HILLS HIGH SCHOOL WRESTLING TEAM

MAYOR KOGERMAN PRESENTED A CERTIFICATE OF RECOGNITION TO CLIFF JARMIE, HEAD COACH OF THE LAGUNA HILLS HIGH SCHOOL WRESTLING TEAM.

1.4 TEN YEAR ANNIVERSARY AWARD

TODD SMYSER, COMMUNITY SERVICES SENIOR LEADER, WAS NOT AVAILABLE AT THE MEETING TO RECEIVE THE CERTIFICATE OF RECOGNITION AND GIFT.

1.5 PRESENTATION OF PROCLAMATION FOR "DROWNING PREVENTION AWARENESS"

THE CITY COUNCIL ISSUED A PROCLAMATION DECLARING MAY THROUGH OCTOBER AS "DROWNING PREVENTION AWARENESS" AND MAYOR PRO TEMPORE SEDGWICK ACCEPTED THE PROCLAMATION IN THE ABSENCE OF MIKE CONTRERAS, BATTALION CHIEF, ORANGE COUNTY FIRE AUTHORITY.

1.6 AGE WELL SENIOR SERVICES PRESENTATION TO THE CITY OF LAGUNA HILLS

MAYOR KOGERMAN RECEIVED AN APPRECIATION PLAQUE FROM DR. MARILYN DITTY, CHIEF EXECUTIVE OFFICER, AGE WELL SENIOR SERVICES, INC., AND SHIRLEY WITT, DIRECTOR OF THE FLORENCE SYLVESTER MEMORIAL SENIOR CENTER, RECOGNIZING THE CITY'S CONTINUED SUPPORT OF THE FLORENCE SYLVESTER MEMORIAL SENIOR CENTER.

2. PUBLIC COMMENTS

AERIAL SPRAYING

John Wallace spoke in opposition to the Orange County Mosquito and Vector Control District allowing aerial spraying of the anti-mosquito chemical Duet in an effort to suppress mosquito-borne diseases such as the West Nile virus.

3. CONSENT CALENDAR

**MOTION TO APPROVE THE CONSENT CALENDAR, WITH COUNCIL MEMBER CARRUTH REMOVING ITEM NO. 3.7 AND ITEM NO. 3.8, AND MAYOR KOGERMAN REMOVING ITEM NO. 3.10, BY M/COUNCIL MEMBER GILBERT, 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 APRIL 12, 2016

THE CITY COUNCIL APPROVED THE MINUTES OF THE APRIL 12, 2016, REGULAR MEETING.

3.3 APPROVAL OF WARRANT REGISTER FOR PERIOD ENDED MAY 10, 2016

THE CITY COUNCIL APPROVED THE WARRANT REGISTER IN THE AMOUNT OF \$1,043,285.44.

3.4 CIVIC CENTER THIRD QUARTER FINANCIAL REPORT FOR FISCAL YEAR 2015/2016

THE CITY COUNCIL RECEIVED AND FILED THE REPORT.

3.5 FISCAL YEAR 2016/2017 SCHOOL CROSSING GUARD AGREEMENT

THE CITY COUNCIL APPROVED THE PROPOSED CROSSING GUARD SERVICES AGREEMENT FOR FISCAL YEAR 2016/2017 WITH ALL CITY MANAGEMENT SERVICES AND AUTHORIZED THE MAYOR TO EXECUTE THE AGREEMENT.

3.6 FISCAL YEAR 2016/2017 TRAUMA INTERVENTION PROGRAM AGREEMENT

THE CITY COUNCIL APPROVED THE PROPOSED VICTIM SUPPORT SERVICES AGREEMENT FOR FISCAL YEAR 2016/2017 WITH TRAUMA INTERVENTION PROGRAMS, INC. AND AUTHORIZED THE MAYOR TO EXECUTE THE AGREEMENT.

3.9 AGENCY SERVICE PLAN FOR THE CITY OF LAGUNA HILLS' SENIOR DIAL-A-TAXI PROGRAM

THE CITY COUNCIL APPROVED THE AGENCY SERVICE PLAN FOR THE CITY OF LAGUNA HILLS' SENIOR DIAL-A-TAXI PROGRAM IN ORDER TO RECEIVE FUNDING FROM THE ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA) SENIOR MOBILITY PROGRAM (SMP).

ITEMS REMOVED FROM THE CONSENT CALENDAR

3.7 AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE CABOT ROAD BIOSWALE PROJECT, CIP NO. 410A

Council Member Carruth removed Item No. 3.7 from the Consent Calendar to ask Public Services Director Rosenfield for additional information regarding the current landscape.

THE CITY COUNCIL APPROVED THE PLANS AND SPECIFICATIONS AND AUTHORIZED THE ADVERTISEMENT FOR BIDS OF THE CABOT ROAD BIOSWALE PROJECT, CIP NO. 410A, BY M/COUNCIL MEMBER CARRUTH, S/MAYOR PRO TEMPORE SEDGWICK. APPROVED BY A VOTE OF 5-0.

3.8 GRANT OF REAL PROPERTY EASEMENTS AND TEMPORARY CONSTRUCTION EASEMENTS TO MOULTON NIGUEL WATER DISTRICT FOR WATER PRESSURE REDUCING STATION FACILITIES AT: (1) SOUTH SIDE LARGO DRIVE EASTERLY OF SUNBURST AVENUE; AND (2) NORTH SIDE STOCKPORT STREET WESTERLY OF WILKES PLACE

Council Member Carruth removed Item No. 3.8 from the Consent Calendar to inquire if the Moulton Niguel Water District would inform residents on Largo Drive and Stockport Street of the adjustment to the water pressure.

Public Services Director Rosenfield reported that he will work with Moulton Niguel Water District to ensure that residents are notified.

THE CITY COUNCIL AUTHORIZED THE GRANTING OF EASEMENTS AND TEMPORARY CONSTRUCTION EASEMENTS TO MOULTON NIGUEL WATER DISTRICT FOR THE CONSTRUCTION AND MAINTENANCE OF WATER PRESSURE REDUCING STATION FACILITIES AT: (1) SOUTH SIDE LARGO DRIVE EASTERLY OF SUNBURST AVENUE; AND (2) NORTH SIDE STOCKPORT STREET WESTERLY OF WILKES PLACE AND AUTHORIZED THE MAYOR TO SIGN THE DOCUMENTS, BY M/COUNCIL MEMBER CARRUTH, S/COUNCIL MEMBER GILBERT. APPROVED BY A VOTE OF 5-0.

3.10 THIRD QUARTER FINANCIAL AND TREASURER'S REPORT FOR FISCAL YEAR 2015/16

Mayor Kogerman removed Item No. 3.10 from the Consent Calendar in order to receive a brief report.

Finance Manager Reyes briefly reviewed the information provided in the Staff Report.

**THE CITY COUNCIL RECEIVED AND FILED THE REPORT, BY M/MAYOR KOGERMAN, S/COUNCIL MEMBER GILBERT.
APPROVED BY A VOTE OF 5-0.**

4. PLANNING AGENCY

Mayor Kogerman recessed the City Council meeting and acting in capacity of Chair, called the regular meeting of the Planning Agency of the City of Laguna Hills, California, to order at 7:50 p.m.

4.1 ROLL CALL OF PLANNING AGENCY MEMBERS

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

4.2 PUBLIC COMMENTS

There were no Public Comments.

4.3 APPROVAL OF MINUTES FOR APRIL 12, 2016

**THE PLANNING AGENCY APPROVED THE MINUTES OF THE APRIL 12, 2016, REGULAR MEETING, BY M/CHAIR KOGERMAN, S/AGENCY MEMBER CARRUTH.
APPROVED BY A VOTE OF 4-0 WITH AGENCY MEMBER BLOUNT ABSTAINING.**

4.4 ADMINISTRATIVE REPORTS

There were no Administrative Reports.

4.5 PLANNING AGENCY PUBLIC HEARINGS

4.5.1 CONDITIONAL USE PERMIT (CUP) NO. 9-15-3309, A REQUEST BY BOB BEHRAVAN TO ESTABLISH AND OPERATE A VEHICLE BODY REPAIR AND PAINT BUSINESS AT 23251 VISTA GRANDE DRIVE (APN 588-064-18), SUITE A, IN THE MIXED USE (MXU) ZONE

Katie Crockett, Assistant Planner, reviewed the project, provided a PowerPoint presentation, and responded to City Council questions.

Chair Kogerman opened the Public Hearing.

Bob Behravan, Applicant, spoke in favor of the project.

Chair Kogerman closed the Public Hearing.

THE PLANNING AGENCY RESUMED THE PUBLIC HEARING AND ADOPTED RESOLUTION NO. PA2016-05-10-1, A RESOLUTION OF THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP) NO. 9-15-3309, A REQUEST BY BOB BEHAVAN TO ESTABLISH AND OPERATE A VEHICLE BODY REPAIR AND PAINT BUSINESS AT 23251 VISTA GRANDE DRIVE (APN 588-064-18), SUITE A, IN THE MIXED USE (MXU) ZONE, BY M/VICE CHAIR SEDGWICK, S/AGENCY MEMBER BLOUNT. APPROVED BY A VOTE OF 5-0.

4.5.2 CONDITIONAL USE PERMIT (CUP) NO. 2-16-3444, A REQUEST BY FUTURES IN EDUCATION, INC. TO ESTABLISH AND OPERATE HALSTROM ACADEMY, AN ALTERNATIVE SCHOOL FOR GRADES 6-12, AT 25201 PASEO DE ALICIA, SUITE 250, (APN 620-221-42), IN THE NEIGHBORHOOD MIXED USE (NMU) ZONE

Katie Crockett, Assistant Planner, reviewed the project, provided a PowerPoint presentation, and responded to City Council questions.

Chair Kogerman opened the Public Hearing.

Ramon Dourado, Applicant, spoke in favor of the project.

Chair Kogerman closed the Public Hearing.

THE PLANNING AGENCY CONDUCTED A PUBLIC HEARING AND ADOPTED RESOLUTION NO. PA2016-05-10-2, A RESOLUTION OF THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP) NO. 2-16-3444, A REQUEST BY FUTURES IN EDUCATION, INC. TO ESTABLISH AND OPERATE HALSTROM ACADEMY, AN ALTERNATIVE SCHOOL FOR GRADES 6-12, AT 25201 PASEO DE ALICIA, SUITE 250, (APN 620-221-42), IN THE NEIGHBORHOOD MIXED USE (NMU) ZONE, M/AGENCY MEMBER BLOUNT, S/AGENCY MEMBER CARRUTH. APPROVED BY A VOTE OF 5-0.

4.5.3 **CONDITIONAL USE PERMIT (CUP) NO. 3-16-3469, A REQUEST BY MEHDI MOTADI TO ESTABLISH AND OPERATE GOLDEN TOUCH, A VEHICLE BODY REPAIR AND PAINT BUSINESS, AT 22912 EL PACIFICO DRIVE (APN 588-061-16) IN THE MIXED USE (MXU) ZONE**

Katie Crockett, Assistant Planner, reviewed the project, provided a PowerPoint presentation, and responded to City Council questions.

Chair Kogerman opened the Public Hearing.

Nina Motadi, Applicant, spoke in favor of the project.

Chair Kogerman closed the Public Hearing.

THE PLANNING AGENCY CONDUCTED A PUBLIC HEARING AND ADOPTED RESOLUTION NO. PA2016-05-10-3, A RESOLUTION OF THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP) NO. 3-16-3469, A REQUEST BY MEHDI MOTADI TO ESTABLISH AND OPERATE GOLDEN TOUCH, A VEHICLE BODY REPAIR AND PAINT BUSINESS, AT 22912 EL PACIFICO DRIVE (APN 588-061-16) IN THE MIXED USE (MXU) ZONE, BY M/AGENCY MEMBER GILBERT, S/AGENCY MEMBER BLOUNT. APPROVED BY A VOTE OF 5-0.

PLANNING AGENCY ADJOURNMENT

Mayor Kogerman reconvened the City Council meeting at 8:22 p.m. All Council Members were present.

5. CITY COUNCIL PUBLIC HEARINGS

5.1 PUBLIC HEARING ON 2016 WEED, RUBBISH, AND REFUSE ABATEMENT

Public Services Director Rosenfield reviewed the information provided in the Staff Report.

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

THE CITY COUNCIL CONDUCTED A PUBLIC HEARING AND ADOPTED RESOLUTION NO. 2016-05-10-1, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, ISSUING AN ABATEMENT ORDER AND AUTHORIZING THE DIRECTOR OF PUBLIC SERVICES/CITY ENGINEER TO COMMENCE ENFORCING WEED, RUBBISH, AND REFUSE ABATEMENT AGAINST SPECIFIED PARCELS OF LAND, BY M/COUNCIL MEMBER GILBERT, S/COUNCIL MEMBER CARRUTH. APPROVED BY A VOTE OF 5-0.

6. ADMINISTRATIVE REPORTS**6.1 City Manager**

The City Manager gave no Administrative Reports.

6.2 Public Services Director/City Engineer**6.2.1 LA PAZ ROAD SIDEWALK WIDENING PROJECT, CIP NO. 171,
STATUS REPORT**

Public Services Director Rosenfield reviewed the information provided in the Staff Report, summarized the options available to modify or cancel the project due to funding limitations, and responded to City Council requests for additional information.

THE CITY COUNCIL DIRECTED STAFF TO: (1) DEFER RIGHT-OF-WAY ACQUISITION; (2) SEEK APPROVAL FROM THE STATE OF CALIFORNIA ACTIVE TRANSPORTATION PROGRAM FOR ADDITIONAL FUNDING AND A RESCOPING OF THE PROJECT TO ONLY WIDEN THE NORTHERLY LA PAZ ROAD SIDEWALK; AND (3) PURSUE ADDITIONAL GRANT FUNDING FOR THE SOUTHERLY LA PAZ ROAD SIDEWALK, BY M/MAYOR PRO TEMPORE SEDGWICK, S/COUNCIL MEMBER CARRUTH.

APPROVED BY A VOTE OF 5-0.

7. MATTERS AGENDIZED AND PRESENTED BY CITY COUNCIL MEMBERS AND MAYOR**7.1 MAYOR PRO TEMPORE SEDGWICK****7.1.1 ORANGE COUNTY TASK FORCE ON DROWNING PREVENTION
REQUEST FOR FUNDING SUPPORT**

Mayor Pro Tempore Sedgwick reviewed the information provided in the Staff Report.

**THE CITY COUNCIL APPROVED THE DONATION OF \$5,000 TO THE ORANGE COUNTY TASK FORCE ON DROWNING PREVENTION, BY M/MAYOR PRO TEMPORE SEDGWICK, S/COUNCIL MEMBER BLOUNT.
APPROVED BY A VOTE OF 5-0.**

8. CITY COUNCIL MEMBER COMMENTS**COUNCIL MEMBER BLOUNT**

Council Member Blount stated that he would not be running for reelection in November due to his busy work schedule.

MAYOR PRO TEMPORE SEDGWICK

Mayor Pro Tempore Sedgwick reported that he attended the Southern California Association of Governments (SCAG) 2016 Regional Conference & General Assembly held in La Quinta from May 5 - 6, 2016, and stated that it was a great experience learning about the future of cities.

MAYOR KOGERMAN

Mayor Kogerman made comments in regards to the Orange County Mosquito and Vector Control District and addressed remarks made during the Public Comments section of the meeting.

9. CLOSED SESSION, CONTINUED

Mayor Kogerman recessed the meeting into Closed Session at 9:05 p.m.

B. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6(a)

City Designated Representatives: Bruce Channing, City Manager

Don White, Assistant City Manager

Melissa Au-Yeung, Assistant to the City Manager

Employee Organization: Laguna Hills City Employees Association,
City Employee Organization

Mayor Kogerman reconvened the City Council meeting at 10:42 p.m. All Council Members were present.

Mayor Kogerman indicated that no reportable action was taken by the City Council during Closed Session.

ADJOURNMENT

There being no further business at the City Council session, Mayor Kogerman adjourned the City Council meeting at 10:45 p.m.

MELISSA AU-YEUNG, CITY CLERK

ATTEST:

BARBARA D. KOGERMAN, MAYOR

APPROVED AT MEETING OF JUNE 14, 2016.