

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

**REGULAR MEETING
MINUTES
Tuesday, March 22, 2022**

CLOSED SESSION - CONVENING AT 6:00 PM

CALL TO ORDER

The meeting was called to order at 6:02 p.m. by Mayor Pro Tempore Heft.

ROLL CALL OF CITY COUNCIL MEMBERS

Attendee Name	Title	Status	Arrived
Dave Wheeler	Mayor	Absent	
Janine Heft	Mayor Pro Tempore	Present	
Don Caskey	Council Member	Present	
Erica Pezold	Council Member	Present	
Don Sedgwick	Council Member	Present	

ANNOUNCEMENT OF CLOSED SESSION ITEM(S)

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 (1) of subdivision (e) of Government Code Section 54956.9: (1 potential case).

PUBLIC COMMENT ON CLOSED SESSION ITEM(S)

There were no public comments on the closed session item.

CONVENE INTO CLOSED SESSION

The City Council convened into closed session to consider the matter listed above.

RECONVENE TO CITY COUNCIL CHAMBER

RECESS

GENERAL BUSINESS - CONVENING AT 7:00 PM**CALL TO ORDER**

The meeting was called to order at 7:00 p.m. by Mayor Pro Tempore Heft.

INVOCATION: Pastor Leland Lantz of Lutheran Church of the Cross

PLEDGE OF ALLEGIANCE: Council Member Sedgwick

ROLL CALL OF CITY COUNCIL MEMBERS

Attendee Name	Title	Status	Arrived
Dave Wheeler	Mayor	Absent	
Janine Heft	Mayor Pro Tempore	Present	
Don Caskey	Council Member	Present	
Erica Pezold	Council Member	Present	
Don Sedgwick	Council Member	Present	

CLOSED SESSION REPORT

City Attorney Simonian stated that the City Council convened into closed session this evening pursuant to the authorities listed on the Agenda with no reportable action taken.

1. PRESENTATIONS AND PROCLAMATIONS**1.1 San Joaquin Elementary School Student Liaison**

Recommendation: The City Council presented a Certificate of Appointment and received an oral report from San Joaquin Elementary School Student Liaison Vanessa Vivar.

1.2 Laguna Hills High School Student Liaison

Recommendation: The City Council received an oral report from Laguna Hills High School 2022 Spring Student Liaison Kaitlyn Heinecke.

1.3 Recognition of Kenneth H. Rosenfield on the Occasion of His Retirement

Recommendation: That the City Council present a City Tile and adopt Resolution No. 2022-03-22-1: "A Resolution of the City Council of the City of Laguna Hills, California, recognizing Kenneth H. Rosenfield, P.E., for his service to the City as Interim City Manager, February 10, 2021 through April 1, 2022, and Public Services Director/City Engineer, July 17, 1995 through February 9, 2021."

RESULT:	APPROVED [3 TO 1]
MOVER:	Don Sedgwick, Council Member
SECONDER:	Don Caskey, Council Member
AYES:	Janine Heft, Mayor Pro Tempore; Don Caskey, Council Member; Don Sedgwick, Council Member
NAYS:	Erica Pezold, Council Member
ABSENT:	Dave Wheeler, Mayor

Mayor Pro Tempore Heft presented a Resolution of Commendation and City Tile to Kenneth H. Rosenfield, P.E., spoke of Mr. Rosenfield's accomplishments and expressed her appreciation for Mr. Rosenfield's 30 years of service to the City.

Interim City Manager Rosenfield was also recognized by Sergio Prince, on behalf of Supervisor Lisa Bartlett, former Council Member Randy Bressette, and Chief of Police Services Captain Stiverson, on behalf of Orange County Sheriff Barnes.

2. SCHEDULE OF FUTURE EVENTS

2.1 Schedule of Future Events

Recommendation: Assistant City Clerk Lee announced the upcoming City events for the months of March and April 2022.

3. PUBLIC COMMENTS

The following individual submitted electronic public comments on non-agendized items that were received, forwarded to the Council prior to the meeting, and announced into the record by Assistant City Clerk Lee:

Monica Gibbons, a resident of Laguna Hills, submitted an email opposing any high-density housing in the La Paz/McIntyre area.

The following individuals addressed the City Council on non-agendized items:

Dawn Ford, a resident of Laguna Hills, spoke in favor of the banners celebrating the City's 30th Anniversary and the progress of the LH on the Hill project.

Karen Litfin, a resident of Laguna Hills, spoke in opposition to a rezoning of the La Paz Village commercial center and requested confirmation of the March 26, 2021, City Council Special Meeting.

4. CONSENT CALENDAR

Motion to approve the Consent Calendar with Council Member Pezold removing Item No. 4.5 and Item No. 4.12.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Don Sedgwick, Council Member
SECONDER:	Don Caskey, Council Member
AYES:	Janine Heft, Mayor Pro Tempore; Don Caskey, Council Member; Erica Pezold, Council Member; Don Sedgwick, Council Member
ABSENT:	Dave Wheeler, Mayor

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 March 8, 2022, Special Meeting

Recommendation: That the City Council approve the Minutes for the March 8, 2022, Special Meeting.

4.3 Approval of Minutes for March 8, 2022 Regular Meeting

Recommendation: That the City Council approve the Minutes for the March 8, 2022, Regular Meeting.

4.4 Ratification of March 22, 2022, Warrant Register

Recommendation: That the City Council ratify the accompanying Warrant Register for the period from February 25, 2022, to March 10, 2022, in the amount of \$1,126,778.27.

4.6 Legislative Update for the 2022 Regular Session and Overview of Initiative No. 21-0042A1

Recommendation: That the City Council receive and file the report and take a Watch position on Legislation until later in the Legislative Session.

4.7 Proposed Office Lease for Suite 203 with Premier Group International for 24031 El Toro Road, Suite 203, Laguna Hills, California

Recommendation: That the City Council approve an office lease with Premier Group International, a California corporation, for 24031 El Toro Road, Suite 203, Laguna Hills, California, and authorize the City Manager to execute the Lease.

4.8 Resolution Establishing Banking Relations with Bank of the West and Designating the Persons Authorized to Transact Business on Behalf of the City

Recommendation: That the City Council adopt Resolution No. 2022-03-22-2: "A Resolution of the City Council of the City of Laguna Hills, California, establishing banking relations with Bank of the West, designating the persons authorized to transact business on behalf of the City, and rescinding Resolution No. 2010-08-24-1."

4.9 2021 General Plan Annual Progress Report

Recommendation: That the City Council approve and direct Staff to forward the 2021 General Plan Annual Progress Report and Housing Element Annual Progress Report-Housing Implementation to the State of California Department of Housing and Community Development (HCD).

4.10 Progress Payment No. 4 for Citywide Pavement Rehabilitation, CIP No. 101-L & Ridge Route Drive Pavement Resurfacing, CIP No. 188

Recommendation: That the City Council approve Progress Payment No. 4, in the net amount of \$623,861.67, to Petrochem Materials Innovation, LLC, for Citywide Pavement Rehabilitation, CIP No. 101-L & Ridge Route Drive Pavement Resurfacing, CIP No. 188.

4.11 April 2022 Rooted Campaign Event and Arbor Day Recognition

Recommendation: That the City Council receive and file the report, and authorize the Mayor to sign the attached Arbor Day Proclamation as required by the Arbor Day Foundation for the Tree City USA Certification.

ITEMS REMOVED FROM THE CONSENT CALENDAR

4.5 Second Reading & Adoption of Proposed Ordinance Approving and Adopting a Development Agreement Between the City of Laguna Hills and MGP Fund X Laguna Hills, LLC for the Village at Laguna Hills Project

Council Member Pezold removed Item No. 4.5 to vote against the item.

Recommendation: That the City Council (1) adopt Ordinance No. 2022-1: "An Ordinance of the City Council of the City of Laguna Hills, California, approving and adopting a Development Agreement between the City of Laguna Hills and MGP

Fund X Laguna Hills, LLC for the Village at Laguna Hills project”, and (2) authorize the Mayor/Mayor Pro Tempore to execute the Ordinance.

RESULT:	APPROVED [3 TO 1]
MOVER:	Don Sedgwick, Council Member
SECONDER:	Don Caskey, Council Member
AYES:	Janine Heft, Mayor Pro Tempore; Don Caskey, Council Member; Don Sedgwick, Council Member
NAYS:	Erica Pezold, Council Member
ABSENT:	Dave Wheeler, Mayor

4.12 City Manager Recruitment - Appointment of Labor Negotiator

Council Member Pezold removed Item No. 4.12 to make a motion on the item.

Recommendation: That the City Council appoint Mayor Pro Tempore Heft to serve as the Council-designated Labor Negotiator for purposes of facilitating the employment contract negotiation process necessary to retain a new City Manager following completion of the pending formal competitive selection process.

A motion to appoint Mayor Pro Tempore Heft and Council Member Pezold to serve as the two Council-designated Labor Negotiators for purposes of facilitating the employment contract negotiation process necessary to retain a new City Manager following completion of the pending formal competitive selection process was made by Council Member Pezold, seconded by Mayor Pro Tempore Heft.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Erica Pezold, Council Member
SECONDER:	Janine Heft, Mayor Pro Tempore
AYES:	Janine Heft, Mayor Pro Tempore; Don Caskey, Council Member; Erica Pezold, Council Member; Don Sedgwick, Council Member
ABSENT:	Dave Wheeler, Mayor

5. PLANNING AGENCY

Mayor Pro Tempore Heft recessed the City Council Meeting, and acting in capacity as Vice Chair, called the Regular Meeting of the Planning Agency of the City of Laguna Hills, California, to order at 7:41 p.m.

5.1. ROLL CALL OF PLANNING AGENCY MEMBERS

Attendee Name	Title	Status	Arrived
Dave Wheeler	Chair	Absent	
Janine Heft	Vice Chair	Present	
Don Caskey	Agency Member	Present	
Erica Pezold	Agency Member	Present	
Don Sedgwick	Agency Member	Present	

5.2. PUBLIC COMMENTS

There were no Planning Agency public comments on non-agendized items.

5.3. APPROVAL OF MINUTES

There were no Planning Agency minutes to approve.

5.4. ADMINISTRATIVE REPORTS

There were no Planning Agency administrative reports.

5.5. PLANNING AGENCY PUBLIC HEARINGS

5.5.1 Site Development Permit (SDP) No. USE-0027-2020 and Joint Parking Use Permit (PUP) No. USE-0084-2022, a Request by GB Architecture on Behalf of Warmington Properties, Inc. for Architectural and Site Upgrades and to Establish Joint Use Parking Facilities at Honali Plaza, Located at 24721 – 24781 Alicia Parkway.

Community Development Director Longenecker reviewed the information provided in the staff report, provided a PowerPoint presentation and responded to Council Member requests for additional information.

Vice Chair Heft opened the public hearing.

David Clark, President of Warmington Properties, project applicant, spoke in favor of the project, responded to Council Member requests for additional information, and agreed to abide by the conditions of approval.

The following individual addressed the Planning Agency on the public hearing item:

Eric Aubort, a resident of Laguna Hills, spoke in favor of the project and expressed a concern for safety.

Vice Chair Heft closed the public hearing.

Recommendation: That the Planning Agency:

- 1) Conduct a public hearing;
- 2) Find and determine that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 of Title 14, Chapter 3 of the California Code of Regulations (Class 1, Existing Facilities);
- 3) Adopt Resolution No. PA2022-03-22-1: “A Resolution of the Planning Agency of the City of Laguna Hills, California, approving Site Development Permit (SDP) No. USE-0027-2020, a Request by GB Architecture on behalf of Warmington Properties, Inc. for Architectural and Site Upgrades to Honali Plaza, Located at 24721 - 24781 Alicia Parkway, including an exemption from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 of Title 14, Chapter 3 of the California Code of Regulations (Class 1, Existing Facilities)”;
- 4) Adopt Resolution No. PA2022-03-22-2: “A Resolution of the Planning Agency of the City of Laguna Hills, California, approving Joint Parking Use Permit (PUP) No. USE-0084-2022, a Request by GB Architecture on behalf of Warmington Properties, Inc. to Establish Joint Use Parking Facilities at Honali Plaza, Located at 24721 - 24781 Alicia Parkway, including an exemption from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 of Title 14, Chapter 3 of the California Code of Regulations (Class 1, Existing Facilities)”.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Don Sedgwick, Agency Member
SECONDER:	Don Caskey, Agency Member
AYES:	Janine Heft, Vice Chair; Don Caskey, Agency Member; Erica Pezold, Agency Member; Don Sedgwick, Agency Member
ABSENT:	Dave Wheeler, Chair

PLANNING AGENCY ADJOURNMENT

Vice Chair Heft adjourned the Planning Agency Meeting at 8:21 p.m. and reconvened the City Council Meeting. A quorum of four Council Members were present in chamber.

6. CITY COUNCIL PUBLIC HEARINGS

There were no City Council public hearings for this meeting.

7. ADMINISTRATIVE REPORTS**7.1. City Manager****7.1.1 Notice of Retirement of Kenneth H. Rosenfield, Interim City Manager, and Acceptance of Letter of Resignation**

Recommendation: That the City Council:

- (1) Acknowledge Receipt of Notice of Retirement and Letter of Resignation Submitted by Interim City Manager/Public Services Director/City Engineer Kenneth H. Rosenfield, P.E., dated March 10, 2022;
- (2) Accept Notice of Retirement and Letter of Resignation Submitted by Interim City Manager/Public Services Director/City Engineer Kenneth H. Rosenfield, P.E., dated March 10, 2022 after 30 Years of Dedicated Service to the City of Laguna Hills; and Last Day of Service to the City will be April 1, 2022.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Don Sedgwick, Council Member
SECONDER:	Janine Heft, Mayor Pro Tempore
AYES:	Janine Heft, Mayor Pro Tempore; Don Caskey, Council Member; Erica Pezold, Council Member; Don Sedgwick, Council Member
ABSENT:	Dave Wheeler, Mayor

7.2. City Attorney**7.2.1 Temporary Appointment of Interim City Manager Pending Recruitment for Permanent City Manager Position**

City Attorney Simonian reviewed the information provided in the staff report.

Recommendation: That the City Council:

- (1) Certify that with the retirement of Kenneth H. Rosenfield on April 1, 2022, the position of City Manager will be vacant while the City Council continues its recruitment for a new City Manager;

- (2) Certify that while vacant, the position of City Manager will be a position to be filled for a limited duration by a retired annuitant on an interim basis;
- (3) Certify that the appointment is necessary to fill a critically needed position sooner than 180 days after Mr. Rosenfield's effective retirement date of April 1, 2022;
- (4) Temporarily appoint Mr. Rosenfield to the limited duration, retired annuitant position of Interim City Manager while the City Council completes its recruitment to fill the City Manager position on a permanent basis; and
- (5) Approve and authorize the Mayor/Mayor Pro Tempore to execute a retired annuitant employment agreement with Kenneth H. Rosenfield, P.E., for the position of Interim City Manager, which satisfies the CalPERS requirements for the temporary employment of a retired annuitant.

RESULT:	APPROVED [3 TO 1]
MOVER:	Don Sedgwick, Council Member
SECONDER:	Don Caskey, Council Member
AYES:	Janine Heft, Mayor Pro Tempore; Don Caskey, Council Membe; Don Sedgwick, Council Member
NAYS:	Erica Pezold, Council Member
ABSENT:	Dave Wheeler, Mayor

7.3. Deputy City Manager/Community Services Director

7.3.1 Permanent Monument Memorializing the 3/5 Dark Horse Marine Battalion

Mayor Pro Tempore Heft indicated that the Memorial Stone was no longer available. Subsequently, Mike Bland did not provide a presentation.

Deputy City Manager/Community Services Director Reynolds responded to Council Member requests for additional information.

Recommendation: That the City Council: 1) Receive a presentation from Mike Bland on the installation of an existing Memorial Stone at the Community Center and Sports Complex, and 2) Defer the establishment of a Permanent Monument Memorializing the 3/5 Dark Horse Marine Battalion, pending further evaluation of the needs and opportunities for a

monument through a Request for Proposal process for professional services as described herein.

A motion to delay the Request for Proposal process and to create an ad hoc advisory committee consisting of Mayor Pro Tempore Heft and Council Member Caskey to develop a monument theme and narrative description for a permanent monument memorializing the 3/5 Dark Horse Marine Battalion was made by Council Member Sedgwick, seconded by Mayor Pro Tempore Heft.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Don Sedgwick, Council Member
SECONDER:	Janine Heft, Mayor Pro Tempore
AYES:	Janine Heft, Mayor Pro Tempore; Don Caskey, Council Member; Erica Pezold, Council Member; Don Sedgwick, Council Member
ABSENT:	Dave Wheeler, Mayor

7.4. Police Services

7.4.1 2021 Laguna Hills Police Services Annual Report

Chief of Police Services Captain Stiverson reviewed the information provided in the staff report and responded to Council Member requests for additional information.

Recommendation: That the City Council receive and file the 2021 Laguna Hills Police Services Annual Report.

RESULT:	RECEIVE AND FILE [UNANIMOUS]
MOVER:	Don Sedgwick, Council Member
SECONDER:	Don Caskey, Council Member
AYES:	Janine Heft, Mayor Pro Tempore; Don Caskey, Council Member; Erica Pezold, Council Member; Don Sedgwick, Council Member
ABSENT:	Dave Wheeler, Mayor

8. MATTERS AGENDIZED AND PRESENTED BY CITY COUNCIL MEMBERS

There were no matters agendized and presented by City Council Members.

9. CITY COUNCIL MEMBER COMMITTEE REPORTS**9.1. Committee Assignment Reports**

Recommendation: That the City Council receive oral reports on the following City Council Committee Assignments:

1. OC Mosquito and Vector Control District Board of Trustees
Council Member Pezold) - March 17, 2022 Meeting.

Council Member Pezold provided an oral report.

10. CITY COUNCIL MEMBER COMMENTS

There were no comments provided by City Council Members.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Pro Tempore Heft declared the meeting adjourned at 9:12 p.m.

Melissa Au-Yeung, City Clerk

ATTEST:

Dave Wheeler, Mayor

Approved at meeting of April 12, 2022