

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

**REGULAR MEETING
MINUTES
Tuesday, February 28, 2023**

GENERAL BUSINESS - CONVENING AT 7:00 PM

CALL TO ORDER

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

INVOCATION: Pastor JP Jones of Crossline Community Church

PLEDGE OF ALLEGIANCE: Mayor Pro Tempore Wheeler

ROLL CALL OF CITY COUNCIL MEMBERS

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

1. PRESENTATIONS AND PROCLAMATIONS

1.1 Certificates of Recognition for Laguna Hills High School Student Liaisons Ella Carnahan and Kia Arfania

Mayor Heft presented Certificates of Recognition to Ella Carnahan and Kia Arfania recognizing their service as the Laguna Hills High School 2022 Fall Student Liaisons.

1.2 Appointment of Laguna Hills High School Student Liaisons Alexa Richter and Audrey Masson for the 2023 Spring Semester

Mayor Heft presented Certificates of Appointment to Laguna Hills High School Student Liaisons Alexa Richter and Audrey Masson.

1.3 Laguna Hills High School Student Liaison Report

The City Council received an oral report from Laguna Hills High School 2023 Spring Student Liaison Alexa Richter.

Mayor Heft provided an oral report on the Association of California Cities – Orange County’s (ACC-OC) February 16 Mass Shooting and Critical Incident Preparedness Forum.

1.4 Trauma Intervention Program (TIP) Orange County

The City Council received a PowerPoint presentation from MaryEllen Lowrey, Executive Director, on services provided by TIP to Laguna Hills residents.

1.5 Orange County Fire Authority Helicopter Rescue

Mayor Heft presented Certificates of Commendation to Incident Commander, Battalion Chief Matthew Levesque and the crew of Helicopter 1.

1.6 2022 Laguna Hills Deputy of the Year

Mayor Heft presented a Certificate of Recognition to Deputy Michael Barboza, 2022 Laguna Hills Deputy of the Year.

1.7 Twenty Year Anniversary Award

Mayor Heft recognized and presented a Certificate of Recognition to David Reynolds, Deputy City Manager, for Twenty Years of Service to the City of Laguna Hills.

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 individuals addressed the City Council on non-agendized items:

Karen Litfin, a resident of Laguna Hills, provided public comments regarding the proposed high-density senior housing development project at the La Paz Village shopping center.

Tyler McCourtney, a resident of Laguna Hills, provided the City Council with a handout and public comments regarding parking along Paseo de Valencia for Valencia Elementary School pick-up and drop-off.

Mayor Heft received consensus to take Item No. 7.2.1 out of order on the Agenda.

7. ADMINISTRATIVE REPORTS

7.2. Community Development Director

7.2.1 Short-Term Rentals

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

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

The following individuals submitted an electronic public comment on Item No. 7.2.1 that was received, forwarded to the Council prior to the meeting, posted on the City's website, and announced into the record by City Clerk Lee:

Mary and Bruce Freeman, residents of Laguna Hills, submitted an electronic public comment in favor of a ban on short term rentals.

The following individuals address the City Council on Item No. 7.2.1:

Evan Gost, a resident of Laguna Hills, provided public comments in opposition to a ban on short term rentals.

Martin Wildgoose, a resident of Laguna Hills, provided public comments in opposition of a ban on short term rentals.

Brian Mitchel, on behalf of the Nellie Gail Ranch Owners Association, provided public comments in favor of regulatory option two provided in the staff report.

Karen Litfin, a resident of Laguna Hills, provided public comments in favor of a ban in short term rentals.

Patrice Mills, a resident of Laguna Hills, provided public comments in opposition to a ban on short term rentals.

Jason Bush, a resident of Laguna Hills, provided public comments in opposition to a ban on short term rentals.

Bruce Freeman, a resident of Laguna Hills, provided public comments in favor of a ban on short term rentals.

Recommendation: That the City Council receive the survey results and provide direction to staff.

A motion to direct staff to draft a ban on short term rentals for review and approval by the City Council was moved by Council Member Pezold, seconded by Council Member Wheeler.

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

4. CONSENT CALENDAR

Motion to approve the Consent Calendar with Council Member Caskey removing Item No. 4.9 and Council Member Caskey and Council Member Pezold removing Item No. 4.12.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Erica Pezold, Council Member
SECONDER:	Dave Wheeler, Mayor Pro Tempore
AYES:	Janine Heft, Mayor; Dave Wheeler, Mayor Pro Tempore; Don Caskey, Council Member; Erica Pezold, Council Member; Joshua Sweeney, 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 January 24, 2023, Special Meeting

Recommendation: That the City Council approve the City Council Minutes for the January 24, 2023, Special Meeting.

4.3 Approval of Minutes for January 24, 2023, Regular Meeting

Recommendation: That the City Council approve the City Council/Planning Agency Minutes for the January 24, 2023, Regular Meeting.

4.4 Approval of Minutes for February 1, 2023, Special Meeting

Recommendation: That the City Council approve the City Council Minutes for the February 1, 2023, Special Meeting.

4.5 Ratification of February 28, 2023, Warrant Register

Recommendation: That the City Council ratify the accompanying Warrant Register for the period from January 13, 2023 to February 16, 2023, in the amount of \$1,613,205.53.

4.6 Treasurer's Investment Report for December 2022

Recommendation: That the City Council receive and file the Treasurer's Investment Report for the month of December 2022.

4.7 Treasurer's Investment Report for January 2023

Recommendation: That the City Council receive and file the Treasurer's Investment Report for the month of January 2023.

4.8 Laguna Hills Civic Center Suite 160 Tenant & Site Improvements Project Closeout

Recommendation: That the City Council authorize the filing of the Notice of Completion.

4.10 Community Services Department 2022 Year-End Report

Recommendation: That the City Council receive and file the report.

4.11 Parks and Recreation and Traffic Commission Biennial Vacancies

Recommendation: That the City Council direct staff to reopen the application period for an additional 30 days to fill the biennial vacancies on the Parks and Recreation Commission and the Traffic Commission.

4.13 Periodic Review of Development Agreement No. 12-11-2137 (Ordinance No. 2012-4) Between the City of Laguna Hills and Laguna Hills Investment Company: Oakbrook Village Shopping Center Mixed Use Project

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 the Laguna Hills Investment Company has complied in good faith with the terms and conditions of the Development Agreement for the 12-month period of January 2022 to January 2023.

4.14 Resolution Establishing the Assistant Engineer Classification Along with Salary Range and Benefits for Position Within the Bargaining Unit Covered by the Memorandum of Understanding with the Laguna Hills City Employees Association

Recommendation: That the City Council adopt Resolution 2023-02-28-1: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, ESTABLISHING THE ASSISTANT ENGINEER CLASSIFICATION ALONG WITH SALARY RANGE AND BENEFITS WITHIN THE BARGAINING UNIT COVERED BY THE MEMORANDUM OF UNDERSTANDING WITH THE LAGUNA HILLS CITY EMPLOYEES ASSOCIATION."

ITEMS REMOVED FROM THE CONSENT CALENDAR

4.9 License Agreement with the Laguna Hills Chamber of Commerce, a 501(C)6 Nonprofit Corporation, for 24031 El Toro Road, Suite 255, Laguna Hills, California

Council Member Caskey removed Item No. 4.9 from the Consent Calendar to allow for discussion on the item.

Recommendation: That the City Council approve a License Agreement with the Laguna Hills Chamber of Commerce, a 501(C)6 corporation, for 24031 El Toro Road, Suite 255, Laguna Hills California, and authorize the Mayor to execute the License Agreement.

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

4.12 Award of Public Works Construction Contract for the Community Center and Sports Complex Site Improvements Project, CIP No. 237

Council Member Pezold and Council Member Caskey removed Item No. 4.12 from the Consent Calendar to allow for discussion on the item.

Deputy City Manager Reynolds responded to Council Member requests for additional information.

The following individuals submitted an electronic public comment on Item No. 4.12 that was received, forwarded to the Council prior to the meeting, posted on the City's website, and announced into the record by City Clerk Lee:

D. Sandoval, Lorelee Corbino, Sharon Gerken, Susanne Mangum, Erik & Lori Huber, and Hakan Civan each submitted an electronic public comment opposing the replacement of concrete furniture and fixtures at the Community Center and Sports Complex.

The following individual address the City Council on Item No. 4.12:

Dawn Ford, a resident of Laguna Hills, provided public comments opposing the replacement of concrete furniture and fixtures at the Community Center and Sports Complex.

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

Recommendation: That the City Council: 1) Award the Public Works Construction Contract for the Community Center and Sports Complex Site Improvements Project, CIP No. 237, to the lowest responsive bidder, A2Z Construct, Inc., in the amount of \$293,260; 2) Find that the Project is Categorically Exempt from the California Environmental Quality Act (CEQA), as a Class 1 Existing Facilities, pursuant to CEQA Guidelines, Section 15301; 3) Reject all other bids; 4) Authorize the Mayor to sign the Public Works Construction Contract; and 5) Authorize the Finance Director to amend the Fiscal Year 2022-2023 budget by transferring \$95,000 from CIP 241 to CIP 237.

A motion to reject all bids and form an ad hoc committee consisting of Council Member Caskey and Council Member Pezold to review and revise the plans and specifications for CIP No. 237 was made by Council Member Pezold, seconded by Mayor Heft.

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

5. PLANNING AGENCY

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

PUBLIC IMPROVEMENT CORPORATION

Mayor Heft recessed the City Council Meeting at 10:12 p.m. and convened the Public Improvement Corporation (PIC) Meeting. Mayor Heft reconvened the City Council Meeting at 10:14 p.m. All Council Members were present in Chamber.

6. CITY COUNCIL PUBLIC HEARINGS

There were no City Council Public Hearings.

7. ADMINISTRATIVE REPORTS**7.1. City Manager**

The City Manager gave no Administrative Reports.

8. MATTERS AGENDIZED AND PRESENTED BY CITY COUNCIL MEMBERS

There were no matter 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. Events, Communication, and Beautification Committee
(Council Member Pezold)
January 23 Special Meeting

Council Member Pezold provided an oral report.

2. OC Mosquito and Vector Control District Board of Trustees
(Council Member Pezold)
February 16 Regular Meeting

Council Member Pezold provided an oral report.

3. Orange County Fire Authority Board of Directors
(Council Member Sweeney)
January 26 and February 23 Regular Meetings

Council Member Sweeney provided an oral report.

4. Economic Development Committee
(Mayor Pro Tempore Wheeler and Council Member Caskey)
February 16 Regular Meeting

Council Member Caskey and Mayor Pro Tempore Wheeler provided an oral report.

5. Association of California Cities - Orange County (ACC-OC) Legislative and Regulatory Commission
(Mayor Pro Tempore Wheeler)
January 26 Regular Meeting

Mayor Pro Tempore Wheeler provided an oral report.

6. Orange County City Selection Committee
(Mayor Pro Tempore Wheeler)
February 9 Special Meeting

Mayor Pro Tempore Wheeler provided an oral report.

7. OC Public Libraries Library Advisory Board
(Mayor Pro Tempore Wheeler)
January 26 and February 24 Regular Meetings

Mayor Pro Tempore Wheeler provided an oral report.

8. Orange County Senior Citizens Advisory Council (SCAC)
(Mayor Pro Tempore Wheeler)
February 10 General Meeting

Mayor Pro Tempore Wheeler provided an oral report.

9. Association of California Cities - Orange County (ACC-OC)
(Mayor Heft)
February 16 Mass Shooting and Critical Incident Preparedness Forum

Mayor Heft provided an oral report earlier in the meeting. Council Member Sweeney provided an oral report.

10. CITY COUNCIL MEMBER COMMENTS

Council Member Pezold

Council Member Pezold thanked Police Services and Captain De La Rosa for the presentation provided at the Nellie Gail Ranch Security Committee's February 16 Crime Prevention Workshop.

Council Member Pezold requested the Economic Development Committee look into a business license program and a business recognition program to report back to the City Council.

Council Member Pezold reported that the issue she raised regarding loud car exhausts will be referred to the Events, Communication, and Beautification Committee.

Mayor Pro Tempore Wheeler

Mayor Pro Tempore Wheeler requested Captain De La Rosa look into the police response to an incident he recently witnessed.

Captain De la Rosa responded to Council Member Wheeler's request for additional information.

Council Member Caskey

Council Member Caskey reported on the Nellie Gail Ranch Security Committee's February 16 Crime Prevention Workshop.

Council Member Caskey announced that he was voted to be the Alternate Board Member for Orange County Council of Governments (OCCOG) District 13 and to serve on the Southern California Association of Governments (SCAG) Community, Economic & Human Development Committee.

Council Member Sweeney

Council Member Sweeney clarified a comment he made during his OCFA Committee Report regarding the water capacity of the helicopters.

Mayor Heft

Mayor Heft indicated she was in favor of a business recognition program as requested by Council Member Pezold.

Mayor Heft reported on the Nellie Gail Ranch Security Committee's February 16 Crime Prevention Workshop and commended Crime Prevention Specialist Rabas on her PowerPoint presentation provided at the workshop.

Mayor Heft reported on a California Alliance of Local Electeds (CALE) meeting she recently attended that included CA Attorney General Rob Bonta.

Mayor Heft reported that the City of Lake Forest recently became a member of the Association of California Cities – Orange County (ACC-OC).

Mayor Heft reported on the February 28 Moment Musicale, The Snowman performance by Global Harmony Symphony held in the Heritage Room at the Community Center.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Heft declared the meeting adjourned at 11:03 p.m. in memory of former 20-year City employee Lisa Hernandez.

Jennifer Lee, City Clerk

ATTEST:

Janine Heft, Mayor

Approved at meeting of March 14, 2023