

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

**REGULAR MEETING
MINUTES
Tuesday, January 10, 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: Bishop Don Sedgwick of Laguna Hills Ward of the Church of Jesus Christ of Latter-day Saints

PLEDGE OF ALLEGIANCE: Council Member Caskey

ROLL CALL OF CITY COUNCIL MEMBERS

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

CITY COUNCIL REORGANIZATION

Election of Mayor Pro Tempore

Council Member Caskey nominated Council Member Caskey to serve as Mayor Pro Tempore.

At the request of Council Member Caskey, the following verbatim minutes are hereby provided:

“I would like to make a nomination in defense of decades old procedures and protocols to responsibly rotate leadership positions on this and other city councils in an egalitarian way, where the day-to-day operations of the city are managed by a City Manager and professional staff. I must register a strong protest against perceivable cabal of a few to perpetuate their service as mayor to the extent of two and three times in consecutive years or even two times in four years. We are a council of five people. We are all elected and are tasked to being unselfishly to our community over a series of years.

It is very bothersome that some feel the right to claim the privilege of the leadership position of Mayor to be the province of their own tight little group; all to the detriment of our Community. I ask the citizens of Laguna Hills, what's going on here?

On that basis of what I consider backroom dealing, I feel compelled to step-up an nominate Council Man Don Caskey, for the office of Mayor Pro-Tem. If confirmed, we might eventually get ourselves back to some sense of normalcy and rationality on the council dais. We need to start being a team and I would like to be some of the glue involved in that."

Council Member Sweeney nominated Council Member Wheeler to serve as Mayor Pro Tempore.

Council Member Pezold nominated Council Member Caskey for Mayor Pro Tempore.

Mayor Heft called for a vote on the nomination of Council Member Wheeler for Mayor Pro Tempore until December 12, 2023.

RESULT:	APPROVED [3 TO 2]
AYES:	Janine Heft, Mayor; Joshua Sweeney, Council Member; Dave Wheeler, Council Member
NAYS:	Don Caskey, Council Member; Erica Pezold, Council Member

RECESS AND RECONVENE

Mayor Heft recessed the meeting at 7:09 p.m. and reconvened the meeting at 7:10 p.m.

1. PRESENTATIONS AND PROCLAMATIONS

1.1 Laguna Hills High School Student Liaison Report

Laguna Hills High School 2022 Fall Student Liaison Kia Arfania was not available at the meeting to provide a report.

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:

Dawn Ford, a resident of Laguna Hills, provided public comments regarding concerns for safety on Alicia Parkway during a recent power outage, CR&R requirements for Christmas tree disposal, and commercial advertising in residential neighborhoods.

Public Works Director/City Engineer Ames responded to Council Member requests for additional information.

Sarah Mendoza, District Representative, U.S. Representative Young Kim's Office, introduced herself as the District 40 contact to Congresswoman Kim's office and offered her service for any federal needs or matters.

4. CONSENT CALENDAR

Motion to approve the Consent Calendar with Mayor Heft removing Item No. 4.5 and Item No. 4.7.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dave Wheeler, Mayor Pro Tempore
SECONDER:	Don Caskey, Council Member
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 December 13, 2022, Regular Meeting

Recommendation: That the City Council approve the City Council Minutes for the December 13, 2022, Regular Meeting.

4.3 Ratification of January 10, 2023, Warrant Register

Recommendation: That the City Council ratify the accompanying Warrant Register for the period from December 2, 2022, to December 29, 2022, in the amount of \$1,252,028.28.

4.4 Treasurer's Investment Report for October 2022

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

4.6 Amendment to Fiscal Year 2022-2023 Operating Budget for Security Patrol Services

Recommendation: That the City Council adopt Resolution No. 2023-01-10-2: "A Resolution of the City Council of the City of Laguna Hills, California, Amending the Fiscal Year 2022-2023 Budget by Increasing the Public Safety Department Operating Budget for Private Security Patrol."

4.8 Newport Bay Watershed TMDL Programs Funding Agreement

Recommendation: That the City Council: 1) Approve the "Cooperative Agreement to Fund Total Maximum Daily Load Programs and Related Activities in the Newport Bay Watershed;" 2) 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, Sections 15060(c)(3), 15378(a) and (b)(2),(4), and 15252; and 3) Authorize the Mayor to execute the Cooperative Agreement.

4.9 Countywide Signal Synchronization Baseline Project Cooperative Agreement

Recommendation: That the City Council: 1) Approve the "Countywide Signal Synchronization Baseline Project Cooperative Agreement" with minor edits as may be required by the City Attorney; 2) 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(c), and; 3) Authorize the City Manager to execute the Agreement.

4.10 Fiscal Year 2021-2022 Development Impact Fees Annual Report

Recommendation: That the City Council approve the Fiscal Year 2021-2022 Development Impact Fees Annual Report pursuant to California Government Code Section 66006.

ITEMS REMOVED FROM THE CONSENT CALENDAR**4.5 Retirement Plan Consulting Services Agreement with Shuster Advisory Group, LLC, for Defined Contribution Plan Consulting and Investment Fiduciary Services**

Mayor Heft removed Item No. 4.5 from the Consent Calendar to request additional information.

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

Recommendation: That the City Council:

- 1) Approve and authorize the City Manager to execute a Retirement Plan Services Agreement with Shuster Advisory Group, LLC for defined contribution plan consulting and investment fiduciary services (Attachment 1); and
- 2) Approve the consolidation of the 457(b), 401(a), Retirement Health Savings (RHS) and Part-Time, Temporary and Seasonal (PTS) record keeping services to a single provider, MissionSquare; and
- 3) Adopt Resolution No. 2023-01-10-1: "A Resolution of the City Council of the City of Laguna Hills, California Authorizing the Transition of the City's Defined Contribution Plan for Eligible Employees from Public Agency Retirement to the ICMA Retirement Corporation Governmental Profit-Sharing Plan & Trust." ; and
- 4) Authorize the City Manager to execute the necessary service provider agreements related to the administration of the defined contribution plans; and
- 5) Appoint the City Manager as the contract administrator for the City's 457(b), 401(a), Retirement Health Savings (RHS) and Part-Time, Temporary and Seasonal (PTS) defined contribution plans.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Don Caskey, 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

4.7 Budget Amendment for Sidewalk Repairs, CIP No. 106

Mayor Heft removed Item No. 4.7 from the Consent Calendar to express her support for the project.

Recommendation: That the City Council: 1) Adopt Resolution No. 2023-01-10-3: "A Resolution of the City Council of the City of Laguna Hills, California, Amending the Fiscal Years 2021-2022 & 2022-2023 Biennial Budget to Allocate Funds to Sidewalk Repairs, Capital Improvement Project (CIP) No. 106;" and 2) 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."

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dave Wheeler, Mayor Pro Tempore
SECONDER:	Don Caskey, Council Member
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.

6. CITY COUNCIL PUBLIC HEARINGS

There were no City Council Public Hearings.

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

City Manager Hildenbrand introduced the City's new Finance Director, Eric Hendrickson.

7.2. City Clerk**7.2.1 City Council Representatives to Other Committees/Agencies**

City Clerk Lee reviewed the information provided in the staff report and responded to Council Member requests for additional information.

Recommendation: That the City Council take the following actions:

- 1) Review the City of Laguna Hills City Council Representatives to Other Committees/Agencies List, provide directions to staff regarding any necessary changes for appointments to the list, and by motion, approve the City Council Representatives to Other Committees/Agencies List, as revised by the City Council; and
- 2) Adopt a Resolution entitled: “A Resolution of the City Council of the City of Laguna Hills, California designating and appointing its Representative to the Orange County Fire Authority’s Board of Directors;” and
- 3) Approve and direct the City Clerk to prepare and post an updated FPPC Disclosure Form 806 to reflect all paid city representative appointments to outside agency boards, committees, and/or commissions in accordance with state law.

Mayor Heft called for a vote to appoint Council Member Caskey as representative to the Orange County Fire Authority’s Board of Directors.

RESULT:	FAILED [UNANIMOUS]
AYES:	Don Caskey, Council Member; Erica Pezold, Council Member

Motion to appoint Council Member Sweeney as representative to the Orange County Fire Authority’s Board of Directors and adopt Resolution No. 2023-01-10-4: “A Resolution of the City Council of the City of Laguna Hills, California designating and appointing its Representative to the Orange County Fire Authority’s Board of Directors.”

RESULT:	APPROVED [3 to 2]
MOVER:	Janine Heft, Mayor
SECONDER:	Dave Wheeler, Mayor Pro Tempore
AYES:	Janine Heft, Mayor; Dave Wheeler, Mayor Pro Tempore; Joshua Sweeney, Council Member
NAYS:	Don Caskey, Council Member, Erica Pezold, Council Member

Motion to approve the City Council Representatives to Other Committees/Agencies List, as revised by the City Council and approve and direct the City Clerk to prepare and post an updated FPPC Disclosure Form 806.

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

7.3. Chief of Police Services

7.3.1 Laguna Hills Polices Services Public Safety Quarterly Report

Chief of Police Services Captain De La Rosa reviewed the information provided in the staff report, provided a PowerPoint presentation, and responded to Council Member requests for additional information.

The following individual addressed the City Council on this item:

Neel Patel, a resident of Laguna Hills, requested statistical comparisons to other local cities.

Recommendation: That the City Council receive and file the Laguna Hills Police Services Public Safety Quarterly Report for the Third Quarter 2022.

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

8. MATTERS AGENDIZED AND PRESENTED BY CITY COUNCIL MEMBERS

8.1. Council Member Wheeler

8.1.1 RHNA Building Ordinance

Council Member Wheeler tabled Item No. 8.1.1 for consideration at the regular meeting scheduled for February 14, 2023.

Recommendation: Council Member Wheeler recommends that the City Council direct staff and legal to prepare a city ordinance with the guidelines presented in the RHNA Building Ordinance presentation and that a preliminary draft be presented at the next Council meeting in January.

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. San Joaquin Hills Transportation Corridor Agency Board of Directors (Mayor Heft)
November 17, 2022 Annual Workshop.

Mayor Heft indicated that she will provide a report at the next meeting

2. OC Mosquito and Vector Control District Board of Trustees (Council Member Pezold)
December 15, 2022 Meeting.

Council Member Pezold provided no report.

10. CITY COUNCIL MEMBER COMMENTS

Council Member Caskey

Council Member Caskey indicated disappointment in the ununified City Council and expressed his hope for the Council to come together.

Mayor Heft

Mayor Heft concurred with Council Member Caskey comments and indicated she would like to have a unified Council as well.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Heft declared the meeting adjourned at 8:33 p.m.

Jennifer Lee, City Clerk

ATTEST:

Janine Heft, Mayor

Approved at meeting of January 24, 2023