

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

**REGULAR MEETING
MINUTES
Tuesday, January 9, 2018**

CLOSED SESSION - CONVENING AT 6:00 PM

CALL TO ORDER

The meeting was called to order at 6:01 p.m. by Mayor Mel Carruth.

ROLL CALL OF CITY COUNCIL MEMBERS

Attendee Name	Title	Status	Arrived
Mel Carruth	Mayor	Present	
Dore J. Gilbert, M.D.	Mayor Pro Tempore	Present	
Janine Heft	Council Member	Present	
Barbara D. Kogerman	Council Member	Present	
Don Sedgwick	Council Member	Present	

ANNOUNCEMENT OF CLOSED SESSION ITEM(S)

A. PUBLIC EMPLOYEE APPOINTMENT

Pursuant to Government Code Section 54957
Title: City Manager

B. CONFERENCE WITH LABOR NEGOTIATOR

Pursuant to Government Code Section 54957.6
Agency Negotiator: Don Sedgwick, Council Member
Unrepresented Employee: Donald J. White, Assistant City Manager

PUBLIC COMMENT ON CLOSED SESSION ITEM(S)

There were no Public Comments on Closed Session Item(s).

ADJOURN TO CITY COUNCIL CONFERENCE ROOM

CONVENE INTO CLOSED SESSION

The City Council convened into Closed Session to consider the matter(s) listed above.

RECONVENE INTO CITY COUNCIL CHAMBER

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

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

PLEDGE OF ALLEGIANCE: MAYOR PRO TEMPORE GILBERT**ROLL CALL OF CITY COUNCIL MEMBERS**

Attendee Name	Title	Status	Arrived
Mel Carruth	Mayor	Present	
Dore J. Gilbert, M.D.	Mayor Pro Tempore	Present	
Janine Heft	Council Member	Present	
Barbara D. Kogerman	Council Member	Present	
Don Sedgwick	Council Member	Present	

CLOSED SESSION REPORT**A. PUBLIC EMPLOYEE APPOINTMENT**

Pursuant to Government Code Section 54957
Title: City Manager

B. CONFERENCE WITH LABOR NEGOTIATOR

Pursuant to Government Code Section 54957.6
Agency Negotiator: Don Sedgwick, Council Member
Unrepresented Employee: Donald J. White, Assistant City Manager

City Attorney Simonian stated that the City Council met in Closed Session this evening pursuant to the authority listed on the Agenda with regards to Public Employee Appointment and Conference with Labor Negotiator. Those proceedings have been concluded and no reportable action was taken as a result of tonight's Closed Session meeting.

1. PRESENTATIONS AND PROCLAMATIONS**1.1 Laguna Hills High School Student Liaison**

Recommendation: The City Council received an oral report from Laguna Hills High School Student Liaison Maya Williams.

1.2 Laguna Hills 3/5 Marine Support Committee

Recommendation: The City Council received an update from Chair Karen Robbins on the 3/5 Dark Horse Committee.

1.3 Team Dark Horse Presentation

Recommendation: The City Council received a presentation from Mike Bland and Colonel Jason Morris on Team Dark Horse.

1.4 Recognition of Lieutenant Roland Chacon on the Occasion of His Retirement

Recommendation: Mayor Carruth presented Lieutenant Roland Chacon with a Certificate of Recognition, a City Tile, and a Certificate of Special Congressional Recognition from Congresswoman Mimi Walters recognizing Lt. Chacon for his service to the City. Mindy Daffron, Trauma Intervention Programs Inc. (TIP) Orange County Manager, thanked Lt. Chacon for his support of TIP; and Susie Giovinazzo, TIP Volunteer, presented him with a gift basket. Orange County Sheriff's Department Captain James England presented Lt. Chacon with his Retirement Badge. Candice Burroughs, representing Senator Patricia Bates' Office, presented Lt. Chacon with a California Senate Resolution honoring his service to the Orange County Sheriff's Department.

2. PUBLIC COMMENTS

There were no Public Comments.

3. CONSENT CALENDAR

Motion to approve the Consent Calendar:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dore J. Gilbert, M.D., Mayor Pro Tempore
SECONDER:	Janine Heft, Council Member
AYES:	Mel Carruth, Mayor; Dore J. Gilbert, M.D., Mayor Pro Tempore; Janine Heft, Council Member; Barbara D. Kogerman, Council Member; Don Sedgwick, Council Member

3.1 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.

3.2 Approval of Minutes for December 12, 2017, Regular Meeting

Recommendation: That the City Council approve the Minutes for the December 12, 2017, Regular Meeting.

3.3 Approval of Warrant Register for Period Ended January 9, 2018

Recommendation: That the City Council approve the Warrant Register in the amount of \$1,153,089.86.

3.4 Second Reading and Adoption of Proposed Ordinance Amending Title 11 (Vehicles and Traffic) of the Laguna Hills Municipal Code Relating to Enforcement and Establishment of Parking Penalties

Recommendation: That the City Council adopt Ordinance No. 2018-1, An Ordinance of the City of Laguna Hills, California, Amending Certain Sections of Chapter 11-04 (General Provisions and Administration) and Chapter 11-12 (Stopping, Standing and Parking) of Title 11 (Vehicles and Traffic) of the Laguna Hills Municipal Code relating to the Enforcement and Establishment of Parking Penalties.

3.5 First Amendment to Lease with Dayle McIntosh Center for the Disabled, Inc., for 24031 El Toro Road, Suite 320, Laguna Hills, California

Recommendation: That the City Council approve the First Amendment to Lease with Dayle McIntosh Center for the Disabled, Inc., for 24031 El Toro Road, Suite 320, Laguna Hills, California, and authorize the City Manager to execute the First Amendment to Lease.

ITEMS REMOVED FROM THE CONSENT CALENDAR

There were no items removed from the Consent Calendar.

4. PLANNING AGENCY

Mayor Carruth recessed the City Council meeting and, acting in the capacity of Chair, called the Regular Meeting of the Planning Agency of the City of Laguna Hills, California, to order at 7:47 p.m.

4.1 ROLL CALL OF PLANNING AGENCY MEMBERS

Attendee Name	Title	Status	Arrived
Mel Carruth	Chair	Present	
Dore J. Gilbert, M.D.	Vice Chair	Present	
Janine Heft	Agency Member	Present	
Barbara D. Kogerman	Agency Member	Present	
Don Sedgwick	Agency Member	Present	

4.2 PUBLIC COMMENTS

There were no Public Comments.

4.3 APPROVAL OF MINUTES FOR DECEMBER 12, 2017, REGULAR MEETING**4.3.1 Approval of Minutes for December 12, 2017, Regular Meeting**

Recommendation: That the Planning Agency approve the Minutes for the December 12, 2017, Regular Meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dore J. Gilbert, M.D., Vice Chair
SECONDER:	Don Sedgwick, Agency Member
AYES:	Mel Carruth, Chair; Dore J. Gilbert, M.D., Vice Chair; Janine Heft, Agency Member; Barbara D. Kogerman, Agency Member; Don Sedgwick, Agency Member

4.4 ADMINISTRATIVE REPORTS

There were no Administrative Reports.

4.5 PLANNING AGENCY PUBLIC HEARINGS**4.5.1 Conditional Use Permit No. 8-17-3947, a Request by Mehdi Motadi to Establish and Operate an Indoor Vehicle Towing and Indoor Vehicle Impound Services Business at 22912 El Pacifico Drive (APN 588-061-16) in the Mixed-Use Zoning District**

Agency Member Heft stated that after consulting with the City Attorney she will be recusing herself from participating in any decision regarding Agenda Item No. 4.5.1, which is a request to establish and operate an indoor vehicle towing and indoor vehicle impound business in the Mixed-

Use Zoning District. She stated that it has come to her attention that the applicant is a former client of her company; she works in the commercial and residential real estate industry. She further stated that although the applicant is not, and has never been, a source of income to her or to her real estate business, out of an abundance of caution and upon the advice of legal counsel she will be recusing herself from participating in any decision concerning this item and left the meeting at 7:49 p.m.

Assistant Planner Katie Crockett reviewed the information provided in the Staff Report, provided a PowerPoint presentation, and responded to Planning Agency requests for additional information.

Mayor Carruth opened the Public Hearing.

Nena Motadi, applicant, spoke in favor of the recommendation. Mehdi Motadi, applicant, agreed to abide by all Conditions of Approval listed in the Resolution including any additional Conditions of Approval that may be added.

Chair Carruth closed the Public Hearing.

Chair Carruth requested additional information from City Attorney Simonian in regards to adding an additional Condition of Approval to the Resolution and Agency Members engaged in a brief discussion regarding this item.

Recommendation: That the Planning Agency: (1) Conduct a Public Hearing for Conditional Use Permit No. 8-17-3947; (2) Find and determine that the project is categorically exempt from the California Environmental Quality Act pursuant to Section 15301 of Title 14, Chapter 3 of the California Code of Regulations (Class 1, Existing Facilities exemption); and (3) Adopt Resolution No. PA2018-01-09-1, A Resolution of the Planning Agency of the City of Laguna Hills, California, approving Conditional Use Permit (CUP) No. 8-17-3947, a request by Mehdi Motadi to establish and operate an indoor vehicle towing and indoor vehicle impound services business at 22912 El Pacifico Drive (APN 588-061-16) in the Mixed Use (MXU) Zoning District, amended to add Condition of Approval No. 33 to read:

"This permit shall be brought back to the Planning Agency for review and re-evaluation within 12 months from the date of approval, and may be brought back to the Planning Agency for review and re-evaluation by the

Community Development Director periodically thereafter, if necessary. The applicant is advised that such review and re-evaluation may result in the modification to, or adoption of, additional Conditions of Approval determined to be necessary by the Planning Agency or the Community Development Director in order to address any negative secondary impacts or other nuisance-related complaints and/or conditions caused by the applicant's business operations."

RESULT:	APPROVED [3 TO 1]
MOVER:	Dore J. Gilbert, M.D., Vice Chair
SECONDER:	Barbara D. Kogerman, Agency Member
AYES:	Dore J. Gilbert, M.D., Vice Chair; Barbara D. Kogerman, Agency Member; Don Sedgwick, Agency Member
NAYS:	Melody Carruth, Chair
RECUSED:	Janine Heft, Agency Member

Agency Member Heft returned to the meeting at 8:06 p.m.

PLANNING AGENCY ADJOURNMENT

Mayor Carruth reconvened the City Council meeting at 8:06 p.m. All Council Members were present.

5. CITY COUNCIL PUBLIC HEARINGS

There were no City Council Public Hearings.

6. ADMINISTRATIVE REPORTS

6.1 City Manager

The City Manager gave no Administrative Reports.

6.2 City Attorney

6.2.1 Appointment of City Manager and Approval of a Proposed City Manager Employment Agreement

City Attorney Simonian stated that the City Council previously directed the commencement of an internal recruitment process to assist in the filling of the City Manager position, which will become vacant on February 2, 2018, by the announced retirement of City Manager Bruce E. Channing. The selection process has been completed, which resulted in the City Council

identifying and selecting Assistant City Manager Donald J. White as the most qualified candidate for the position.

The City Council's designated labor representative has now completed final negotiations with Mr. White over salary, benefits, and terms and conditions of employment, and the City Attorney has prepared a proposed City Manager Employment Agreement for City Council's consideration based on those negotiated terms and conditions.

City Attorney Simonian reported that the City Manager will be paid an annual base salary of \$258,000 and will receive the same benefits provided to other Executive Management employees pursuant to Resolution No. 2016-11-22-3, as may be amended. These benefits include, but are not limited to, health insurance (medical, dental, and vision), paid and floating holidays, supplemental retirement contribution, retiree health savings plan, group life and disability insurance, sick leave, and bereavement leave. The City Manager will be enrolled in the first tier pension formula of 2% @ 60 Program, and will be responsible for paying the full employee/member contribution, currently set at 7% of salary. The City Manager Employment Agreement details all elements of the proposed compensation plan for the position.

Recommendation: That the City Council:

- (1) Receive and file an oral report providing a summary of the Council-designated labor representative's recommendations concerning proposed changes in salary and benefits for Donald J. White, a local agency executive, to serve as City Manager; and
- (2) Appointment of Donald J. White as City Manager of the City of Laguna Hills, effective February 3, 2018, to serve at the direction and pleasure of the City Council, pursuant to Laguna Hills Municipal Code Chapter 2-08; and
- (3) Adopt Resolution No. 2018-01-09-1, A Resolution of the City Council of the City of Laguna Hills, California, appointing Donald J. White as City Manager and Approving and Authorizing the Mayor to Execute a City Manager Employment Agreement; and
- (4) Direct the City Clerk to administer the Oath of Office.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dore J. Gilbert, M.D., Mayor Pro Tempore
SECONDER:	Barbara D. Kogerman, Council Member
AYES:	Mel Carruth, Mayor; Dore J. Gilbert, M.D., Mayor Pro Tempore; Janine Heft, Council Member; Barbara D. Kogerman, Council Member; Don Sedgwick, Council Member

6.3 City Clerk

6.3.1 City Council "Other Agencies" Appointed Representatives

The City Council made the following changes to the “Other Agencies” Appointed Representatives list:

Appointed Donald J. White to serve on the Audit Committee.

Removed the Laguna Canyon Foundation Advisory Council which is no longer active.

Appointed Mayor Carruth to serve as the Representative to the OC Public Libraries – Library Advisory Board and Council Member Heft to serve as the Alternate.

Appointed Mayor Carruth to serve as Member to the South Orange County Watershed Management Area Executive Committee and Council Member Heft to serve as the Alternate.

Appointed Mayor Carruth to serve as Delegate to the Southern California Association of Governments (SCAG General Assembly) and Mayor Pro Tempore Gilbert to serve as the Alternate.

Appointed Council Member Heft to serve as the Director to the Transportation Corridor Agency – San Joaquin Hills Transportation Corridor Agency and Mayor Carruth to serve as the Alternate Director, with Council Member Heft’s appointment commencing on March 1, 2018.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dore J. Gilbert, M.D., Mayor Pro Tempore
SECONDER:	Barbara D. Kogerman, Council Member
AYES:	Mel Carruth, Mayor; Dore J. Gilbert, M.D., Mayor Pro Tempore; Janine Heft, Council Member; Barbara D. Kogerman, Council Member; Don Sedgwick, Council Member

7. MATTERS AGENDIZED AND PRESENTED BY CITY COUNCIL MEMBERS

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

8. CITY COUNCIL MEMBER COMMENTS

Council Member Kogerman

Council Member Kogerman complimented Council Member Sedgwick, as the Council-appointed Labor Representative, and Assistant City Manager White on the public employee appointment negotiation process.

Council Member Heft

Council Member Heft thanked the paramedics and Orange County Fire Authority for their professionalism and care when attending to her father-in-law and praised the members of the Mission Hospital Cardiac ICU Three Team for their expertise.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Carruth declared the meeting adjourned at 8:22 p.m.

Melissa Au-Yeung, City Clerk

ATTEST:

Melody Carruth, Mayor

Approved at meeting of January 23, 2018.