

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

**REGULAR MEETING
MINUTES
Tuesday, December 14, 2021**

CLOSED SESSION - CONVENING AT 6:00 PM

CALL TO ORDER

The meeting was called to order at 6:02 p.m. by Mayor Pezold.

ROLL CALL OF CITY COUNCIL MEMBERS

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

ADJOURN TO CITY COUNCIL CONFERENCE ROOM OR COUNCIL CHAMBER

CONVENE INTO CLOSED SESSION

The City Council convened into closed session to consider the matter(s) 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 7:04 p.m. by Mayor Pezold.

PLEDGE OF ALLEGIANCE: Mayor Pro Tempore Sedgwick

INVOCATION: Pastor Greg Munck of Crossline Community Church

ROLL CALL OF CITY COUNCIL MEMBERS/PLANNING AGENCY MEMBERS

Attendee Name	Title	Status	Arrived
Erica Pezold	Mayor/Chair	Present	
Don Sedgwick	Mayor Pro Tempore/Vice Chair	Present	
Don Caskey	Council/Agency Member	Present	
Janine Heft	Council/Agency Member	Present	
Dave Wheeler	Council/Agency 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.

CITY COUNCIL REORGANIZATION**REMARKS OF OUTGOING MAYOR**

Outgoing Mayor Pezold thanked her family and spoke regarding the challenges and accomplishments of the past year.

ELECTION OF MAYOR

The City Council nominated and elected Dave Wheeler as Mayor.

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

**RECOGNITION OF OUTGOING MAYOR AND RESOLUTION OF COMMENDATION,
ERICA PEZOLD, MAYOR****Resolution of Commendation, Erica Pezold, Mayor**

Recommendation: That the City Council adopt Resolution No. 2021-12-14-1: "A Resolution of the City Council of the City of Laguna Hills, California, commending Erica Pezold as Mayor" and that the City Council present the Resolution and a plaque to Erica Pezold recognizing her service to the City.

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

Sergio Prince of Supervisor Lisa Bartlett's office presented a certificate to Outgoing Mayor Pezold recognizing her service to the City as Mayor for 2021.

Mayor Wheeler presented a plaque and certificate to Outgoing Mayor Pezold recognizing her service to the City as Mayor for 2021.

REMARKS REGARDING MAYOR PEZOLD'S SERVICE TO THE CITY

The City Council provided remarks regarding Outgoing Mayor Pezold's service to the City as Mayor for 2021.

ELECTION OF MAYOR PRO TEMPORE

The City Council nominated and elected Janine Heft as Mayor Pro Tempore.

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

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

Recommendation: Laguna Hills High School 2021 Fall Student Liaison Rena Cohen was not available at the meeting to provide a report.

1.2. City's Thirtieth Anniversary

1.2.1 Resolution Recognizing the City's Thirtieth Anniversary

Recommendation: That the City Council adopt Resolution No. 2021-12-14-2: "A Resolution of the City Council of the City of Laguna Hills, California, recognizing the Thirtieth Anniversary of the City of Laguna Hills.

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

1.2.2 Presentations Recognizing the City's Thirtieth Anniversary

Recommendation: That the City Council receive presentations from the offices of U.S. Representative Katie Porter, State Senator Pat Bates, State Assemblywoman Laurie Davies, and Supervisor Lisa Bartlett recognizing the City's Thirtieth Anniversary.

The City Council received presentations recognizing the City's Thirtieth Anniversary from Candice Burroughs of Senator Pat Bates' office, Sergio Prince of Supervisor Lisa Bartlett's office, and Jordan Wong of Congresswoman Katie Porter's office.

RECESS AND RECONVENE

Mayor Wheeler recessed the meeting at 7:42 p.m. and reconvened the meeting at 8:05 p.m.

REMARKS OF NEWLY ELECTED MAYOR

Mayor Wheeler thanked and recognized his wife, Nancy Wheeler, spoke of patriotism and indicated his goal to carry out the will of the people.

2. SCHEDULE OF FUTURE EVENTS

2.1 Schedule of Future Events

Recommendation: Interim City Manager Rosenfield announced the upcoming City events for the months of December 2021 and January 2022.

3. PUBLIC COMMENTS

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

Neel Patel, a resident of Laguna Hills, submitted an email including a PowerPoint presentation regarding sober living group homes.

Shelly Peterson, Proprietor of the Coast Village Market and Barbara Eljenholm, CEO & President of Byline7, each submitted an email regarding temporary use permit regulations on frequency of events in a calendar year.

The following individuals addressed the City Council/Planning Agency on non-agendized items.

Sheri Feinberg, External Affairs Committee Chair for the Laguna Hills Chamber of Commerce congratulated the newly elected Mayor and Mayor Pro Tempore.

Neel Patel, a resident of Laguna Hills, spoke in favor of implementation of regulations on sober living group homes.

4. CONSENT CALENDAR

Motion to approve the Consent Calendar with Mayor Pro Tempore/Vice Chair Heft removing Item No. 4.11.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Erica Pezold, Council/Agency Member
SECONDER:	Janine Heft, Mayor Pro Tempore/Vice Chair
AYES:	Dave Wheeler, Mayor/Chair; Janine Heft, Mayor Pro Tempore/Vice Chair; Don Caskey, Council/Agency Member; Erica Pezold, Council/Agency Member; Don Sedgwick, Council/Agency 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 November 23, 2021, Regular Meeting

Recommendation: That the City Council/Planning Agency approve the Minutes for the November 23, 2021, Regular Meeting.

4.3 Approval of Minutes for November 30, 2021, Special Meeting

Recommendation: That the City Council approve the Minutes for the November 30, 2021, Special Meeting.

4.4 Ratification of December 14, 2021, Warrant Register

Recommendation: That the City Council ratify the accompanying Warrant Register for the period from November 13, 2021, to December 2, 2021, in the amount of \$1,197,082.58.

4.5 Meeting Cancellation and Continuance of Hearing/Meeting Regarding the Proposed Village at Laguna Hills Project and Proposed Development Agreement (Case No. USE-0010-2019), a Request by MGP Fund X Laguna Hills, LLC to Modify the Previously Approved Five Lagunas Project to Continue to Redevelop the Former Laguna Hills Mall Site Located at 24155 Laguna Hills Mall, Including Adoption of the Fifth Addendum to the City of Laguna Hills General Plan Program Environmental Impact Report as Previously Addended (State Clearinghouse No. 20080811100) and Approval of Site Development Permit, Master Sign Program, Conditional Use Permits, Parking Use Permit, Vesting Tentative Tract Map, Precise Plan and Development Agreement

Recommendation: That the City Council/Planning Agency: 1) Cancel and continue the continued hearing/meeting regarding the proposed The Village at Laguna Hills Project, previously scheduled for December 14, 2021, to a Joint Meeting of the City Council/Planning Agency at the Regular Meeting of the City Council scheduled for February 8, 2022, at 7:00 p.m. (or as soon thereafter as possible), in the City Council Chamber, or at such earlier time and date as may be determined appropriate by the Interim City Manager; and 2) Direct the City Clerk to provide notice of the continued hearing/meeting as required by law.

4.6 Progress Payment No. 1 for Laguna Hills Civic Center Suite 160 Tenant & Site Improvements

Recommendation: That the City Council approve Progress Payment No. 1, in the net amount of \$101,222.50, to SD Design Construction Corporation, for Laguna Hills Civic Center Suite 160 Tenant & Site Improvements.

4.7 Progress Payment No. 3 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. 3, in the net amount of \$576,727.66, to Petrochem Materials Innovation, LLC, for Citywide Pavement Rehabilitation, CIP No. 101-L & Ridge Route Drive Pavement Resurfacing, CIP No. 188.

4.8 M2 Expenditure Report to the Orange County Transportation Authority for the Fiscal Year Ended June 30, 2021

Recommendation: That the City Council: 1) Approve the M2 Expenditure Report for the Fiscal Year ended June 30, 2021, for submittal to the Orange County Transportation Authority; and 2) Adopt Resolution No. 2021-12-14-3: "A Resolution of the City Council of the City of Laguna Hills, California, concerning the Measure M2 (M2) Expenditure Report for the City of Laguna Hills for the Fiscal Year ended June 30, 2021."

4.9 Annual Review of Investment & Portfolio Policies and Delegation of Investment Authority to the City Treasurer

Recommendation: That the City Council adopt Resolution No. 2021-12-14-4: "A Resolution of the City Council of the City of Laguna Hills, California, delegating investment authority to the City Treasurer and approving a policy for the investment of surplus City funds and rescinding Resolution No. 2020-11-24-1."

4.10 Fiscal Year 2020-2021 Development Impact Fees Annual Report

Recommendation: That the City Council approve the Fiscal Year 2020-2021 Development Impact Fees Annual Report pursuant to California Government Code Section 66006.

4.12 Affirmation of Appointments List for City Boards, Commissions, and Committees

Recommendation: That the City Council affirm the Local Appointments List and direct that it be posted on the City's web site, at City Hall and in the Laguna Hills Branch Technology Library in accordance with Government Code Section 54972, the Maddy Act.

4.13 Resolutions in Support of Funding Projects in the Federal Transportation Improvement Program Including the 2021 Pavement Management Relief Funding Program

Recommendation: That the City Council adopt three Resolutions:

- 1) Resolution No. 2021-12-14-5: "A Resolution of the City Council of the City of Laguna Hills, California, certifying the City has the resources to fund future projects in the Federal Fiscal Years 2020/2021 - 2025/2026 Transportation Improvement Program and affirms its commitment to implement all said projects";
- 2) Resolution No. 2021-12-14-6: "A Resolution of the City Council of the City of Laguna Hills, California, certifying the City has the resources to fund future projects in the Federal Fiscal Years 2021/2022 - 2026/2027 Transportation Improvement Program and affirms its commitment to implement all said projects"; and
- 3) Resolution No. 2021-12-14-7: "A Resolution of the City Council of the City of Laguna Hills, California which certifies that the City Council has authorized the Project List submittal for Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (CRRSAA) Funding through the Orange County Transportation Authority 2021 Pavement Management Relief Funding Program."

ITEMS REMOVED FROM THE CONSENT CALENDAR

4.11 2022 City Council Meeting Calendar

Mayor Pro Tempore Heft removed Item No. 4.11 from the Consent Calendar to request an addition to the 2022 City Council Meeting Calendar.

Recommendation: That the City Council adopt the proposed 2022 City Council Meeting Calendar.

A motion to adopt the 2022 City Council Meeting Calendar with the addition of the Association of California Cities - OC Advocacy Trip on February 7th and 8th was made by Mayor Pro Tempore Heft, seconded by Mayor Wheeler.

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

7.1.1 Lighting Option for LH on the Hill

Interim City Manager/Director of Public Services Rosenfield reviewed the information provided in the staff report and responded to Council Member requests for additional information.

Richard Fisher, ASLA, President, Richard Fisher Associates, responded to Council Member requests for additional information.

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

A motion to move forward with the bid and direct Staff to contact The Christmas Kings to receive input on sign lighting options was made by Council Member Pezold, seconded by Council Member Caskey.

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

7.1.2 2021 City Manager's Year End Report

Interim City Manager/Director of Public Services Rosenfield reviewed the information provided in the staff report and responded to Council Member requests for additional information.

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

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

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

7.1.3 Proposed Resolution Proclaiming the Termination of the Local Emergency Declared in Response to the Novel COVID-19 Pandemic

Interim City Manager/Director of Public Services Rosenfield reviewed the information provided in the staff report and responded to Council Member requests for additional information.

Contract Planner Buell responded to Council Member requests for additional information.

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

The following individual submitted an electronic public comment on this item that was received, forwarded to the Council prior to the meeting, and announced into the record by Assistant City Clerk Lee:

Barbara Eljenholm, CEO & President of Byline7, submitted an email regarding the negative impacts terminating the local emergency will cause to operations of The Coast Vintage Market.

Recommendation: That the City Council adopt Resolution No. 2021-12-14-8: "A Resolution of the City Council of the City of the City of Laguna Hills, California, proclaiming the termination of the Local Emergency declared in response to the Novel COVID-19 Pandemic."

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

7.1.4 Procedures for Implementing Provisions of Assembly Bill 361 Allowing for Virtual City Council Meetings

Interim City Manager/Director of Public Services Rosenfield 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.

Deputy City Manager/Community Services Director Reynolds 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, spoke in favor of virtual meetings.

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

A motion to continue the item to the second meeting in January and direct Staff to research technological needs for implementation was made by Council Member Pezold, seconded by Council Member Caskey.

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

7.2. Deputy City Manager/City Clerk

7.2.1 City Council "Other Agencies" Appointed Representatives

Recommendation: That the City Council take the following actions:

(1) Review the City of Laguna Hills City Council "Other Agencies" Appointed Representatives List, provide directions to Staff regarding any necessary changes for appointments to the list, and by motion, approve the City Council "Other Agencies" Appointed Representatives List, as revised by the City Council; and

(2) If any changes are desired to the Representative to the Orange County Fire Authority's Board of Directors, 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 appointments to "Other Agencies" boards, committees, and/or commissions in accordance with state law.

A motion to approve the City Council Other Agencies Appointed Representatives List as revised by the Council at the meeting was made by Mayor Wheeler, seconded by Mayor Pro Tempore Heft.

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

7.2.2 Celebration of City's Thirtieth Anniversary Ad Hoc Committee Status Update

Council Member Pezold and Mayor Pro Tempore Heft provided an update including a PowerPoint presentation on the City's Thirtieth Anniversary Ad Hoc Committee and responded to Council Member requests for additional information.

Recommendation: That the City Council receive an Ad Hoc Committee update from Mayor Pezold and Council Member Heft.

A motion to increase the budget for the celebration of the City's Thirtieth Anniversary to \$70,000 was made by Council Member Pezold and no second was made. As a result, no action was taken on this motion.

A motion to increase the budget for the celebration of the City's Thirtieth Anniversary to \$60,000 was made by Mayor Pro Tempore Heft, seconded by Council Member Caskey.

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

7.3. Finance Director

7.3.1 Annual Comprehensive Financial Report (ACFR) for the Fiscal Year Ended June 30, 2021

Finance Director Reyes 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 Annual Comprehensive Financial Report (ACFR) for the Fiscal Year ended June 30, 2021, together with the audit letters.

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

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: The City Council received oral reports on the following City Council Committee Assignments:

1. South OC Watershed Management Area Executive Committee (Mayor Wheeler) - December 2, 2021 Meeting.
2. San Joaquin Hills Transportation Corridor Agency Board of Directors (Mayor Pro Tempore Heft) – December 9-10, 2021 Annual Workshop.

10. CITY COUNCIL MEMBER COMMENTS**Council Member Sedgwick**

Council Member Sedgwick requested that a discussion on sober living group homes be agendaized for a future meeting and received a second from Council Member Pezold.

Council Member Pezold

Council Member Pezold thanked the Community Center staff for increased efforts and holiday events including the holiday light show.

Council Member Caskey

Council Member Caskey echoed Council Member Pezold's comments of appreciation for Staff and provided comments regarding toll charges.

Mayor Pro Tempore Heft

Mayor Pro Tempore Heft echoed Council Member Pezold's comments of appreciation for Staff and the holiday events.

Mayor Wheeler

Mayor Wheeler expressed appreciation to Council Members and Staff for all their work and wished everyone a Merry Christmas and Happy New Year.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Wheeler declared the meeting adjourned at 11:18 p.m.

Melissa Au-Yeung, City Clerk

ATTEST:

Dave Wheeler, Mayor

Approved at meeting of January 11, 2022