

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

---

**REGULAR MEETING  
MINUTES  
Tuesday, December 8, 2020**

**GENERAL BUSINESS - CONVENING AT 7:00 PM**

**CALL TO ORDER**

The meeting was called to order at 7:01 p.m. by Mayor Heft.

**PLEDGE OF ALLEGIANCE:** Council Member Wheeler

**ROLL CALL OF CITY COUNCIL MEMBERS**

| Attendee Name         | Title             | Status  | Arrived |
|-----------------------|-------------------|---------|---------|
| Janine Heft           | Mayor             | Present |         |
| Erica Pezold          | Mayor Pro Tempore | Present |         |
| Dore J. Gilbert, M.D. | Council Member    | Present |         |
| Don Sedgwick          | Council Member    | Remote  |         |
| Dave Wheeler          | Council Member    | Present |         |

**CITY COUNCIL REORGANIZATION**

**CERTIFICATION OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 3, 2020**

**Certification of the General Municipal Election Held on November 3, 2020**

**Recommendation:** That the City Council: 1) Receive and file the Certificate of Results for the General Municipal Election held on Tuesday, November 3, 2020; and 2) Adopt Resolution No. 2020-12-08-1: "A Resolution of the City Council of the City of Laguna Hills, California, reciting the fact of the General Municipal Election held on Tuesday, November 3, 2020, declaring the results and such other matters as provided by law."

|                  |                                                                                                                                                        |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                                                                                                            |
| <b>MOVER:</b>    | Dore J. Gilbert, M.D., Council Member                                                                                                                  |
| <b>SECONDER:</b> | Dave Wheeler, Council Member                                                                                                                           |
| <b>AYES:</b>     | Janine Heft, Mayor; Erica Pezold, Mayor Pro Tempore; Dore J. Gilbert, M.D., Council Member; Don Sedgwick, Council Member; Dave Wheeler, Council Member |

**RECOGNITION OF OUTGOING COUNCIL MEMBER****Recognition of Outgoing Council Member**

**Recommendation:** That the City Council adopt Resolution No. 2020-12-08-2: "A Resolution of the City Council of the City of Laguna Hills, California, recognizing the service of Council Member Dore J. Gilbert, M.D.," and that the City Council present a Resolution of Commendation and City tile to Dore J. Gilbert, M.D.

|                  |                                                                                                                                                              |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                                                                                                                  |
| <b>MOVER:</b>    | Erica Pezold, Mayor Pro Tempore                                                                                                                              |
| <b>SECONDER:</b> | Dave Wheeler, Council Member                                                                                                                                 |
| <b>AYES:</b>     | Janine Heft, Mayor; Erica Pezold, Mayor Pro Tempore;<br>Dore J. Gilbert, M.D., Council Member; Don Sedgwick,<br>Council Member; Dave Wheeler, Council Member |

City Manager White, on behalf of the Council, presented a Resolution of Commendation and City tile to Dore J. Gilbert, M.D., spoke of Council Member Gilbert's 37 years of public service and expressed his appreciation for Council Member Gilbert's service to the City.

Council Member Gilbert was also recognized by State Senator Patricia Bates.

Council Member Gilbert expressed his appreciation to his family, city staff, and fellow council members.

**OATHS OF OFFICE FOR NEW COUNCIL MEMBERS**

State Senator Patricia Bates administered the ceremonial Oath of Office to Mayor Heft.

City Clerk Au-Yeung administered the Oath of Office to incoming Council Member Hunt.

**REMARKS OF OUTGOING MAYOR**

Outgoing Mayor Heft thanked her family and spoke regarding the challenges and blessing of being Mayor during COVID-19.

**ELECTION OF MAYOR**

The City Council nominated and elected Erica Pezold as Mayor.

|                |                                                                                                                                                  |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b> | <b>APPROVED [UNANIMOUS]</b>                                                                                                                      |
| <b>AYES:</b>   | Janine Heft, Mayor; Erica Pezold, Mayor Pro Tempore; Bill<br>Hunt, Council Member; Don Sedgwick, Council Member;<br>Dave Wheeler, Council Member |

**RECOGNITION OF OUTGOING MAYOR****RESOLUTION OF COMMENDATION, JANINE HEFT, MAYOR****Resolution of Commendation, Janine Heft, Mayor**

**Recommendation:** That the City Council adopt Resolution No. 2020-12-08-3: "A Resolution of the City Council of the City of Laguna Hills, California, commending Janine Heft as Mayor" and that the City Council present the Resolution and a plaque to Janine Heft recognizing her service to the City.

|                  |                                                                                         |
|------------------|-----------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [3 TO 2]</b>                                                                |
| <b>MOVER:</b>    | Dave Wheeler, Council Member                                                            |
| <b>SECONDER:</b> | Don Sedgwick, Council Member                                                            |
| <b>AYES:</b>     | Janine Heft, Council Member; Don Sedgwick, Council Member; Dave Wheeler, Council Member |
| <b>NAYS:</b>     | Erica Pezold, Mayor; Bill Hunt, Council Member                                          |

Mayor Pezold presented a plaque to Janine Heft recognizing her service to the City as Mayor of the City of Laguna Hills.

**REMARKS OF COUNCIL MEMBERS REGARDING MAYOR HEFT'S SERVICE TO THE CITY****REMARKS OF NEWLY ELECTED MAYOR**

Mayor Pezold thanked her fellow Council Members for electing her as Mayor, shared her thoughts on the previous year, and expressed her goals for the future of the City.

**ELECTION OF MAYOR PRO TEMPORE**

The City Council nominated and elected Don Sedgwick as Mayor Pro Tempore.

|                |                                                                                                                                         |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b> | <b>APPROVED [UNANIMOUS]</b>                                                                                                             |
| <b>AYES:</b>   | Erica Pezold, Mayor; Janine Heft, Council Member; Bill Hunt, Council Member; Don Sedgwick, Council Member; Dave Wheeler, Council Member |

**RECESS AND RECONVENE**

Mayor Pezold recessed the meeting at 7:45 p.m. and reconvene the meeting at 7:58 p.m.

**ROLL CALL OF CITY COUNCIL MEMBERS**

| <b>Attendee Name</b> | <b>Title</b>      | <b>Status</b> | <b>Arrived</b> |
|----------------------|-------------------|---------------|----------------|
| Erica Pezold         | Mayor             | Present       |                |
| Don Sedgwick         | Mayor Pro Tempore | Remote        |                |
| Janine Heft          | Council Member    | Present       |                |
| Bill Hunt            | Council Member    | Present       |                |
| Dave Wheeler         | Council Member    | Present       |                |

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

**Recommendation:** Laguna Hills High School Student Liaison Liam Fellows was not available at the meeting to provide a report.

**2. PUBLIC COMMENTS**

There were no public comments.

**3. CONSENT CALENDAR**

Motion to approve the Consent Calendar.

|                  |                                                                                                                                            |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                                                                                                |
| <b>MOVER:</b>    | Janine Heft, Council Member                                                                                                                |
| <b>SECONDER:</b> | Bill Hunt, Council Member                                                                                                                  |
| <b>AYES:</b>     | Erica Pezold, Mayor; Don Sedgwick, Mayor Pro Tempore; Janine Heft, Council Member; Bill Hunt, Council Member; Dave Wheeler, 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 November 24, 2020, Regular Meeting**

**Recommendation:** That the City Council approve the Minutes for the November 24, 2020, Regular Meeting.

**3.3     Ratification of December 8, 2020, Warrant Register**

**Recommendation:** That the City Council ratify the accompanying Warrant Register for the period from November 13, 2020, to November 25, 2020, in the amount of \$316,584.31.

**3.4     City Council Review and Confirmation of the Necessity for Continuing the Local Emergency Related to the On-Going Threat of the Novel COVID-19 Virus**

**Recommendation:** That the City Council review and confirm the necessity for continuing the local emergency declared in response to the Novel COVID-19 virus.

**3.5     First Quarter Financial & Treasurer's Report for Fiscal Year 2020/2021**

**Recommendation:** That the City Council receive and file the First Quarter Financial and Treasurer's Report for Fiscal Year 2020/2021.

**3.6     Progress Payment No. 1, Traffic Signal Repair - Alicia Parkway at Community Center Drive, CIP No. 112**

**Recommendation:** That the City Council approve Progress Payment No. 1, in the net amount of \$18,747.30, to Comet Electric, Inc., for Traffic Signal Repair - Alicia Parkway at Community Center Drive, CIP No. 112.

**3.7     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.

**3.8     2021 City Council Meeting Schedule**

**Recommendation:** That the City Council adopt the proposed calendar for 2021.

**3.9     Approval of the Plans and Specifications and Authorization to Advertise for Bids for Project W - Safe Transit Stops Passenger Amenity Improvements at the El Toro Road Far Side Paseo De Valencia Bus Stop and Shelter**

**Recommendation:** That the City Council approve the plans and specifications and authorize the advertisement for bids for the El Toro Road far side Paseo de Valencia Bus Stop and Shelter Passenger Amenity Improvements

## ITEMS REMOVED FROM THE CONSENT CALENDAR

### 4. PLANNING AGENCY

Mayor Pezold recessed the City Council Meeting, and acting in capacity as Chair, called the Regular Meeting of the Planning Agency of the City of Laguna Hills, California, to order at 8:00 p.m.

#### 4.1. ROLL CALL OF PLANNING AGENCY MEMBERS

| Attendee Name | Title         | Status  | Arrived |
|---------------|---------------|---------|---------|
| Erica Pezold  | Chair         | Present |         |
| Don Sedgwick  | Vice Chair    | Remote  |         |
| Janine Heft   | Agency Member | Present |         |
| Bill Hunt     | Agency Member | Present |         |
| Dave Wheeler  | Agency Member | Present |         |

#### 4.2. PUBLIC COMMENTS

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

#### 4.3. APPROVAL OF MINUTES

##### 4.3.1 Approval of Minutes for November 24, 2020, Regular Meeting

**Recommendation:** That the Planning Agency approve the Minutes for the November 24, 2020, Regular Meeting.

|                  |                                                                                                                                  |
|------------------|----------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                                                                                      |
| <b>MOVER:</b>    | Bill Hunt, Agency Member                                                                                                         |
| <b>SECONDER:</b> | Don Sedgwick, Vice Chair                                                                                                         |
| <b>AYES:</b>     | Erica Pezold, Chair; Don Sedgwick, Vice Chair; Janine Heft, Agency Member; Bill Hunt, Agency Member; Dave Wheeler, Agency Member |

#### 4.4. ADMINISTRATIVE REPORTS

There were no Planning Agency administrative reports.

#### **4.5. PLANNING AGENCY PUBLIC HEARINGS**

##### **4.5.1 Conditional Use Permit/Site Development Permit (CUP/SDP) No. 0015-2020, a Request by Ryan Zacche on Behalf of Cotti Foods, Inc. to Construct a New 2,500 Square-Foot Drive-Thru Restaurant (Taco Bell) at 24888 Alicia Parkway in the Neighborhood Mixed Use Zoning District**

Chair Pezold opened the Public Hearing.

Agency Member Hunt disclosed his preparation for the meeting and participation on this item.

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

Chris Wadleigh, project applicant and Vice President of Design and Development at Cotti Foods Corporation responded to Council requests for additional information and indicated that he agrees to abide to the conditions of approval for the project.

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

Steve Loughran, a resident of Laguna Hills, submitted an electronic public comment regarding addition of the bikeway in the proposed plans for the project.

Chair Pezold closed the Public Hearing.

**Recommendation:** That the Planning Agency: 1) Resume the Public Hearing for CUP/SDP No. 0015-2020 which was continued from the November 24, 2020 Planning Agency Meeting; 2) Find and determine that the project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303(C) (Class 3, New Construction or Conversion of Small Structures; and 3) Adopt a Resolution entitled: "A Resolution of the Planning Agency of the City of Laguna Hills, California, approving Conditional Use Permit/Site Development Permit

(CUP/SDP) No. 0015-2020, a request by Ryan Zacche on behalf of Cotti Foods, Inc. to construct a new 2,500 square-foot drive-thru restaurant (Taco Bell) and related site improvements on a portion of a 2.46-acre commercial property at 24888 Alicia Parkway.”

|                  |                                                                                                                                        |
|------------------|----------------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                                                                                            |
| <b>MOVER:</b>    | Janine Heft, Agency Member                                                                                                             |
| <b>SECONDER:</b> | Don Sedgwick, Vice Chair                                                                                                               |
| <b>AYES:</b>     | Erica Pezold, Chair; Don Sedgwick, Vice Chair;<br>Janine Heft, Agency Member; Bill Hunt, Agency<br>Member; Dave Wheeler, Agency Member |

## **PLANNING AGENCY ADJOURNMENT**

Mayor Pezold reconvened the City Council Meeting at 8:24 p.m. Council Member Sedgwick was present via teleconference and all other Council Members were present in chamber.

## **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. Deputy City Manager/Community Services Director**

#### **6.2.1 2021 Memorial Day Race Event**

Community Services Superintendent Meehan reviewed the information provided in the staff report and responded to Council requests for additional information.

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

**Recommendation:** That the City Council direct staff to pursue Option B for a virtual race, as outlined in the staff report, for the 2021 Memorial Day race event, and authorize the City Manager to execute an agreement with

Renegade Enterprises, LLC, for race event management services for the 2021 race with a not to exceed cost of \$28,000 for Option B.

A motion was made to direct staff to pursue Option A as outlined in the staff report by Council Member Heft, seconded by Mayor Pro Tempore Sedgwick.

No vote was taken on this motion.

A substitute motion was made to direct staff to pursue a contract for both a virtual and in-person race for the 2021 Memorial Day race event, and authorize the City Manager to execute an agreement with Renegade Enterprises, LLC, for race event management services for the 2021 race by Council Member Hunt, seconded by Mayor Pezold.

|                  |                                                                                                                                            |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                                                                                                |
| <b>MOVER:</b>    | Bill Hunt, Council Member                                                                                                                  |
| <b>SECONDER:</b> | Erica Pezold, Mayor                                                                                                                        |
| <b>AYES:</b>     | Erica Pezold, Mayor; Don Sedgwick, Mayor Pro Tempore; Janine Heft, Council Member; Bill Hunt, Council Member; Dave Wheeler, Council Member |

### 6.3. Finance Director

#### 6.3.1 Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended June 30, 2020

Finance Director Reyes reviewed the information provided in the staff report, provided a PowerPoint presentation, and responded to Council requests for additional information.

**Recommendation:** That the City Council receive and file the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year ended June 30, 2020, together with the audit letters.

|                  |                                                                                                                                            |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                                                                                                |
| <b>MOVER:</b>    | Don Sedgwick, Mayor Pro Tempore                                                                                                            |
| <b>SECONDER:</b> | Bill Hunt, Council Member                                                                                                                  |
| <b>AYES:</b>     | Erica Pezold, Mayor; Don Sedgwick, Mayor Pro Tempore; Janine Heft, Council Member; Bill Hunt, Council Member; Dave Wheeler, Council Member |

**7. MATTERS AGENDIZED AND PRESENTED BY CITY COUNCIL MEMBERS**

There were no matters agendized and presented by Council Members.

**8. CITY COUNCIL MEMBER COMMENTS****Council Member Hunt**

Council Member Hunt thanked the constituents for electing him. He went on to thank Council Member Gilbert for his service and wished him the best of luck in the future.

Council Member Hunt acknowledged the accomplishment of Laguna Hills High School graduate, Shane Bieber, for unanimously being awarded Major League Baseball's American League Cy Young Award for his 2020 season with the Cleveland Indians.

**Mayor Pro Tempore**

Mayor Pro Tempore Sedgwick echoed Council Member Hunt's enthusiasm regarding Shane Bieber's accomplishment.

Mayor Pro Tempore Sedgwick expressed his appreciation to Mayor Heft for her hard work and her time spent within the community over the past year. He further stated how grateful he is for the efforts and accomplishments of Council Member Gilbert.

Mayor Pro Tempore Sedgwick commended OCFA for their quick response to the Bond fire that the county experienced recently.

Mayor Pro Tempore Sedgwick welcomed Council Member Hunt to the City Council and congratulated Council Member Heft on continuing on the City Council for four more years.

**Mayor Pezold**

Mayor Pezold expressed her gratitude for Council Member Gilbert. She also thanked city staff for their hard work on the Holiday Lights.

Mayor Pezold requested the matter of adjusting the Agenda to include new sections for announcements and reporting of Council Member's respective boards be agendized for a future meeting and received a second from Council Member Hunt.

**Council Member Heft**

Council Member Heft thanked Mayor Pro Tempore Sedgwick for his kind words and also shared her appreciation for Council Member Gilbert.

**9. CLOSED SESSION****ANNOUNCEMENT OF CLOSED SESSION ITEM(S)**

The City Council convened into Closed Session, in the City Council Chamber, City Hall, Laguna Hills Civic Center, to consider the following matter(s):

**A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION - CONTINUED**

Pursuant to Government Code Section 54957(b)(1)

Public Employee Title: City Manager - Annual Performance Evaluation - Continued

**B. 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 (3) of subdivision (e) of Government Code Section 54956.9: (1 potential case: communication from a potential plaintiff threatening litigation).

**PUBLIC COMMENTS ON CLOSED SESSION ITEM(S)**

There were no public comments on closed session item(s).

Mayor Pezold recessed the City Council meeting at 9:26 p.m.

**CONVENE INTO CLOSED SESSION**

The City Council convened into Closed session at 9:35 p.m.

**RECONVENE TO CITY COUNCIL CHAMBER**

Mayor Pezold reconvened the City Council Meeting at 11:30 p.m. Mayor Pro Tempore Sedgwick was present via teleconference and all other Council Members were present in chamber.

**CLOSED SESSION REPORT**

City Attorney Simonian reported that the City Council convened into Closed Session pursuant to the authorities listed on the Agenda with no reportable action taken.

**ADJOURNMENT**

There being no further business before the City Council at this session, Mayor Pezold declared the meeting adjourned at 11:31 p.m.

\_\_\_\_\_  
Melissa Au-Yeung, City Clerk

ATTEST:

\_\_\_\_\_  
Erica Pezold, Mayor

Approved at meeting of January 12, 2021