
**CITY OF LAGUNA HILLS, CALIFORNIA
CITY COUNCIL/PLANNING AGENCY
REGULAR MEETING
MINUTES
DECEMBER 08, 2015**

CLOSED SESSION - CONVENING AT 6:00 PM

CALL TO ORDER

ROLL CALL

Present: Mayor Gilbert, Council Member Blount, Council Member Carruth, Council Member Sedgwick

Absent: Mayor Pro Tempore Kogerman

ANNOUNCEMENT OF CLOSED SESSION ITEMS

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to paragraph (1) of subdivision (d) of Government Code Section 54956.9

Name of Case: Petition and Amended Petition of City of Laguna Hills for Review of Action by the California Regional Water Quality Control Board, San Diego Region, in Adopting Order No. R9-2013-0001, NPDES Permit No. CAS0109266, and Order No. R9-2015-0001 Amending Order No. R9-2013-001; Petition ID No. A-2254(d).

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: (1 potential case).

C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

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

Public Employee Title: City Manager - Annual Performance Evaluation

PUBLIC COMMENT ON CLOSED SESSION ITEMS

There were no Public Comments.

ADJOURN TO CITY COUNCIL CONFERENCE ROOM

CONVENE INTO CLOSED SESSION

Mayor Pro Tempore Kogerman joined the Closed Session at 6:05 p.m.

RECONVENE TO CITY COUNCIL CHAMBER**RECESS****GENERAL BUSINESS - RECONVENING AT 7:00 PM****CALL TO ORDER**

Mayor Gilbert called the Regular Meeting of the City Council of the City of Laguna Hills, California to order at 7:04 p.m. in the Laguna Hills City Council Chamber, 24035 El Toro Road, Laguna Hills, California.

Mayor Gilbert took the Closed Session Report and Musical Presentation out of order on the agenda.

CLOSED SESSION REPORT**A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Pursuant to paragraph (1) of subdivision (d) of Government Code Section 54956.9

Name of Case: Petition and Amended Petition of City of Laguna Hills for Review of Action by the California Regional Water Quality Control Board, San Diego Region, in Adopting Order No. R9-2013-0001, NPDES Permit No. CAS0109266, and Order No. R9-2015-0001 Amending Order No. R9-2013-001; Petition ID No. A-2254(d).

City Attorney Simonian stated there was no reportable action taken on Item A, Conference with Legal Counsel – Existing Litigation, as a result of tonight's Closed Session meeting.

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: (1 potential case).

City Attorney Simonian stated that the following actions were taken on Item B, Conference with Legal Counsel – Anticipated Litigation, during tonight's Closed Session meeting:

MOTION TO APPROVE THE FOLLOWING: (1) AUTHORITY GIVEN TO THE CITY MANAGER AND THE CITY ATTORNEY TO PREPARE AND FILE A PETITION FOR REVIEW OF THE SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD ORDER NO. R9-2015-0100, WHICH AMENDED THE REGIONAL MS4 PERMIT TO INCLUDE AN ALTERNATIVE PATHWAY FOR COMPLIANCE WITH WATER QUALITY STANDARDS THROUGH THE DEVELOPMENT OF WATER QUALITY IMPROVEMENT PLANS BUT FAILED TO PROVIDE FOR INTERIM COMPLIANCE DURING DEVELOPMENT OF SUCH PLANS; AND (2) AUTHORITY GIVEN TO FILE

**AN APPEAL IN CONNECTION WITH THE MS4 PERMIT, BY M/COUNCIL MEMBER BLOUNT, S/MAYOR PRO TEMPORE KOGERMAN.
APPROVED BY A VOTE OF 5-0.**

C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

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

Public Employee Title: City Manager - Annual Performance Evaluation

City Attorney Simonian stated that no reportable action was taken on Item C, Public Employee Performance Evaluation, as a result of tonight's Closed Session meeting.

MUSICAL PRESENTATION

THE CITY COUNCIL RECEIVED A MUSICAL PRESENTATION FROM JEFFERSON DENIM, EXECUTIVE DIRECTOR OF MUSIC AND CREATIVE ARTS AT MOUNT OF OLIVES CHURCH.

PLEDGE OF ALLEGIANCE: COUNCIL MEMBER CARRUTH

ROLL CALL OF CITY COUNCIL MEMBERS

Present: Mayor Gilbert, Mayor Pro Tempore Kogerman, Council Member Blount, Council Member Carruth, Council Member Sedgwick

CITY COUNCIL REORGANIZATION

REMARKS OF OUTGOING MAYOR

ELECTION OF MAYOR

**THE CITY COUNCIL NOMINATED AND ELECTED BARBARA KOGERMAN AS MAYOR, BY M/COUNCIL MEMBER BLOUNT, S/COUNCIL MEMBER SEDGWICK.
APPROVED BY A VOTE OF 5-0.**

RECOGNITION OF OUTGOING MAYOR

RESOLUTION OF COMMENDATION, DORE J. GILBERT, M.D., MAYOR

**THE CITY COUNCIL ADOPTED RESOLUTION NO 2015-12-08-1, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, COMMENDING DORE J. GILBERT, M.D., AS MAYOR, BY M/COUNCIL MEMBER CARRUTH, S/COUNCIL MEMBER BLOUNT.
APPROVED BY A VOTE OF 5-0.**

THE CITY COUNCIL PRESENTED A RESOLUTION AND PLAQUE TO DORE J. GILBERT, M.D., RECOGNIZING HIS SERVICE TO THE CITY AS MAYOR.

REMARKS OF COUNCIL MEMBERS REGARDING MAYOR GILBERT'S SERVICE TO THE CITY**REMARKS OF NEWLY ELECTED MAYOR****ELECTION OF MAYOR PRO TEMPORE**

**THE CITY COUNCIL NOMINATED AND ELECTED DON SEDGWICK AS MAYOR PRO TEMPORE, BY M/COUNCIL MEMBER CARRUTH, S/COUNCIL MEMBER GILBERT.
APPROVED BY A VOTE OF 5-0.**

RECESS AND RECONVENE**1. PRESENTATIONS AND PROCLAMATIONS****1.1 LAGUNA HILLS HIGH SCHOOL STUDENT LIAISON**

THE CITY COUNCIL RECEIVED AN ORAL REPORT FROM LAGUNA HILLS HIGH SCHOOL STUDENT LIAISON TESSIE MIRAKI.

1.2 PRESENTATION PROVIDED BY STATE SENATOR PATRICIA BATES REGARDING AN UPDATE ON THE STATE LEGISLATURE

THE CITY COUNCIL RECEIVED AN UPDATE FROM STATE SENATOR PATRICIA BATES REGARDING THE STATE LEGISLATURE.

2. PUBLIC COMMENTS**SOUTH ORANGE COUNTY ECONOMIC REPORT**

Wayne Brown, Director of Government Relations for the South Orange County Economic Coalition (SOCEC), announced the Second Annual South Orange County Economic Report luncheon to be held on Friday, February 5, 2016. This event offers attendees a detailed data and market analysis of the south Orange County economy and looks into the indicators that contribute to the region's current and future growth.

EQUESTRIAN TRAIL CROSSINGS

Cheree Behringer and Jim Anderson, residents of Laguna Hills, thanked the City Council for the additional equestrian/pedestrian trail crossing safety enhancements installed throughout the Nellie Gail Ranch community.

3. CONSENT CALENDAR

**MOTION TO APPROVE THE CONSENT CALENDAR, WITH COUNCIL MEMBER SEDGWICK REMOVING ITEM NO. 3.8, AND COUNCIL MEMBER BLOUNT REMOVING ITEM NO. 3.3, BY M/COUNCIL MEMBER CARRUTH, S/MAYOR PRO TEMPORE SEDGWICK.
APPROVED BY A VOTE OF 5-0.**

3.1 WAIVE READING IN FULL OF ALL ORDINANCES AND RESOLUTIONS ON THE AGENDA

THE CITY COUNCIL WAIVED READING IN FULL OF ALL ORDINANCES AND RESOLUTIONS ON THE AGENDA AND DECLARED 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, 2015, REGULAR MEETING

THE CITY COUNCIL APPROVED THE MINUTES OF THE NOVEMBER 24, 2015, REGULAR MEETING.

3.4 PROGRESS PAYMENT NO. 4, FINAL, FOR STOCKPORT PARK RENOVATION PROJECT, CIP NO. 239-B

THE CITY COUNCIL APPROVED PROGRESS PAYMENT NO. 4, FINAL, IN THE NET AMOUNT OF \$1,140.00, TO HONDO COMPANY, INC., FOR STOCKPORT PARK RENOVATION PROJECT, CIP NO. 239-B, AND AUTHORIZED THE FILING OF THE NOTICE OF COMPLETION AND SUBSEQUENT RELEASE OF RETENTION IN 35 DAYS IF NO LIENS HAVE BEEN FILED.

3.5 MEASURE M2 EXPENDITURE REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2015

THE CITY COUNCIL: (1) APPROVED THE MEASURE M2 EXPENDITURE REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2015, FOR SUBMITTAL TO OCTA; AND (2) ADOPTED RESOLUTION NO. 2015-12-08-2, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, CONCERNING THE MEASURE M2 EXPENDITURE REPORT FOR THE CITY OF LAGUNA HILLS FOR THE FISCAL YEAR ENDING JUNE 30, 2015.

3.6 2016 CITY COUNCIL MEETING SCHEDULE

THE CITY COUNCIL ADOPTED THE PROPOSED CALENDAR FOR 2016.

3.7 AFFIRMATION OF APPOINTMENTS LIST FOR ALL CITY BOARDS, COMMISSIONS, AND COMMITTEES

THE CITY COUNCIL AFFIRMED THE LOCAL APPOINTMENTS LIST AND DIRECTED THAT IT BE POSTED IN THE LAGUNA HILLS BRANCH TECHNOLOGY LIBRARY, IN ACCORDANCE WITH THE MADDY ACT.

3.9 PROFESSIONAL SERVICES AGREEMENT WITH WOLFE ENGINEERING & DESIGN, INC., FOR THE ARTERIAL HIGHWAY PAVEMENT MANAGEMENT PROGRAM PROJECT, CIP NO. 175

THE CITY COUNCIL APPROVED THE PROFESSIONAL SERVICES AGREEMENT WITH WOLFE ENGINEERING & DESIGN, INC., FOR THE ARTERIAL HIGHWAY PAVEMENT MANAGEMENT PROGRAM PROJECT, CIP NO. 175, AND AUTHORIZED THE CITY MANAGER TO EXECUTE THE AGREEMENT.

3.10 ANNUAL REVIEW OF INVESTMENT POLICIES AND DELEGATION OF INVESTMENT AUTHORITY TO THE CITY TREASURER

THE CITY COUNCIL ADOPTED RESOLUTION NO. 2015-12-08-3, 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. 2014-12-09-2.

3.11 RECORDS RETENTION MANAGEMENT

THE CITY COUNCIL ADOPTED RESOLUTION NO. 2015-12-08-4, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, AUTHORIZING AND DIRECTING THE CITY CLERK TO NO LONGER RETAIN CERTAIN CITY RECORDS AND DOCUMENTS WITH A DISPOSAL DATE OF DECEMBER 9, 2015, PURSUANT TO THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA.

3.12 GOVERNMENT CODE SECTION 66006 - DEVELOPMENT IMPACT FEES ANNUAL REPORT

THE CITY COUNCIL APPROVED THE DEVELOPMENT IMPACT FEES ANNUAL REPORT PURSUANT TO GOVERNMENT CODE SECTION 66006.

ITEMS REMOVED FROM THE CONSENT CALENDAR

3.8 PRESENTATION OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR THE FISCAL YEAR ENDED JUNE 30, 2015

Mayor Pro Tempore Sedgwick removed Item No. 3.8 from the Consent Calendar to give a brief report to City Council regarding the audit committee.

THE CITY COUNCIL RECEIVED AND FILED THE COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR THE FISCAL YEAR ENDED JUNE 30, 2015, TOGETHER WITH THE AUDIT LETTERS, BY M/MAYOR PRO TEMPORE SEDGWICK, S/COUNCIL MEMBER CARRUTH. APPROVED BY A VOTE OF 5-0.

3.3 APPROVAL OF WARRANT REGISTER FOR PERIOD ENDED DECEMBER 8, 2015

Council Member Blount removed Item No. 3.3 from the Consent Calendar for clarification of an item listed on the Warrant Register.

THE CITY COUNCIL APPROVED THE WARRANT REGISTER IN THE AMOUNT OF \$250,242.49, BY M/COUNCIL MEMBER BLOUNT, S/COUNCIL MEMBER CARRUTH. APPROVED BY A VOTE OF 5-0.

4. PLANNING AGENCY

Mayor Kogerman 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 8:30 p.m.

4.1 ROLL CALL OF PLANNING AGENCY MEMBERS

Present: Chair Kogerman, Vice Chair Sedgwick, Agency Member Blount, Agency Member Carruth, Agency Member Gilbert

4.2 PUBLIC COMMENTS

There were no Public Comments.

4.3 APPROVAL OF MINUTES FOR NOVEMBER 24, 2015

THE PLANNING AGENCY APPROVED THE MINUTES OF THE NOVEMBER 24, 2015, REGULAR MEETING, BY M/AGENCY MEMBER CARRUTH, S/VICE CHAIR SEDGWICK.

APPROVED BY A VOTE OF 4-0 WITH AGENCY MEMBER BLOUNT ABSTAINING.

4.4 ADMINISTRATIVE REPORTS

There were no Administrative Reports.

4.5 PLANNING AGENCY PUBLIC HEARINGS

There were no Planning Agency Public Hearings.

PLANNING AGENCY ADJOURNMENT

Mayor Kogerman reconvened the City Council meeting at 8:31 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

6.1.1 2015 CITY MANAGER'S YEAR END REPORT

**THE CITY COUNCIL RECEIVED AND FILED THE 2015 CITY MANAGER'S YEAR END REPORT, BY M/COUNCIL MEMBER CARRUTH, S/MAYOR PRO TEMPORE SEDGWICK.
APPROVED BY A VOTE OF 5-0.**

6.2 City Clerk

6.2.1 CITY COUNCIL "OTHER AGENCIES" APPOINTED REPRESENTATIVES

THE CITY COUNCIL TOOK THE FOLLOWING ACTIONS:

(1) REVIEWED THE CITY OF LAGUNA HILLS CITY COUNCIL "OTHER AGENCIES" APPOINTED REPRESENTATIVES LIST, PROVIDED DIRECTION TO STAFF REGARDING ANY NECESSARY CHANGES FOR APPOINTMENTS ON THE LIST, AND BY MOTION, APPROVED THE CITY COUNCIL "OTHER AGENCIES" APPOINTED REPRESENTATIVES LIST, AS REVISED BY THE CITY COUNCIL; AND

**(2) REAPPOINTED MAYOR KOGERMAN AS A BOARD OF TRUSTEE MEMBER TO SERVE A FOUR-YEAR TERM ON THE ORANGE COUNTY MOSQUITO AND VECTOR CONTROL DISTRICT, BY M/COUNCIL MEMBER GILBERT, S/MAYOR KOGERMAN.
APPROVED BY A VOTE OF 5-0.**

**(3) APPROVED AND DIRECTED 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, BY M/COUNCIL MEMBER CARRUTH, S/MAYOR PRO TEMPORE SEDGWICK.
APPROVED BY A VOTE OF 5-0.**

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

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

8. CITY COUNCIL MEMBER COMMENTS

COUNCIL MEMBER CARRUTH

Council Member Carruth provided a brief report on the Transportation Corridor Agency (TCA).

COUNCIL MEMBER GILBERT

Council Member Gilbert thanked Council Member Carruth for her service on the TCA.

MAYOR PRO TEMPORE SEDGWICK

Mayor Pro Tempore Sedgwick reported that he attended the Grand Opening of the ProSport Stack Sports Performance & Therapy on Thursday, December 3, 2015. Mayor Pro Tempore Sedgwick also reported that he attended the Laguna Hills High School football banquet on Monday, December 7, 2015, along with Council Members Carruth and Gilbert, where the City Council presented a Certificate of Recognition to Coach Bruce Ingalls in honor of his 30-year tenure at the high school.

COUNCIL MEMBER BLOUNT

Council Member Blount thanked Council Member Carruth for her service on the TCA and requested additional information regarding the change to all electronic tolling.

MAYOR KOGERMAN

Mayor Kogerman made reference to the Comprehensive Annual Financial Report (CAFR) and encouraged City Council to review the document. Mayor Kogerman also reminded City Council of the toy drive for the 3/5 Team Dark Horse.

ADJOURNMENT

There being no further business at the City Council at this session, Mayor Kogerman adjourned the City Council meeting at 8:46 p.m.

MELISSA AU-YEUNG, CITY CLERK

ATTEST:

BARBARA D. KOGERMAN, MAYOR

APPROVED AT MEETING OF JANUARY 12, 2016.