

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

**REGULAR MEETING
MINUTES
Tuesday, November 26, 2019**

CLOSED SESSION - CONVENING AT 6:00 PM

CALL TO ORDER

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

ROLL CALL OF CITY COUNCIL MEMBERS

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

ANNOUNCEMENT OF CLOSED SESSION ITEM(S)

The City Council will convene into Closed Session, in the City Council Conference Room, City Hall, Laguna Hills Civic Center, to consider the following matter(s):

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957(b)(1)
Public Employee Title: City Manager - Annual Performance Evaluation

B. CONFERENCE WITH LABOR NEGOTIATOR

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

PUBLIC COMMENT ON CLOSED SESSION ITEM(S)

ADJOURN TO CITY COUNCIL CONFERENCE ROOM

CONVENE INTO CLOSED SESSION

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

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

The meeting was called to order at 7:02 p.m. by Mayor Sedgwick.

PLEDGE OF ALLEGIANCE: COUNCIL MEMBER PEZOLD**ROLL CALL OF CITY COUNCIL MEMBERS**

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

CLOSED SESSION REPORT

Mayor Sedgwick stated that the City Council convened into Closed Session this evening with no reportable action taken.

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

Recommendation: Laguna Hills High School Student Liaison Blake Jaffe was not available at the meeting to provide a presentation.

1.2 Laguna Hills High School Project Zero Waste

Recommendation: The City Council received a presentation from Laguna Hills High School student, Seth Whiteaker on their Project Zero Waste work efforts.

2. PUBLIC COMMENTS

There were no Public Comments.

3. CONSENT CALENDAR

Motion to approve the Consent Calendar, with Council Member Wheeler removing item No. 3.5 and Item No. 3.7.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Janine Heft, Mayor Pro Tempore
SECONDER:	Dore J. Gilbert, M.D., Council Member
AYES:	Don Sedgwick, Mayor; Janine Heft, Mayor Pro Tempore; Dore J. Gilbert, M.D., Council Member; Erica Pezold, 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 12, 2019, Regular Meeting

Recommendation: That the City Council approve the Minutes for the November 12, 2019, Regular Meeting.

3.3 Approval of Warrant Register for November 26, 2019

Recommendation: That the City Council ratify the accompanying Warrant Register for the period from November 1, 2019, to November 14, 2019, in the amount of \$1,116,163.13.

3.4 Amendment No. 2 to Lease with the Banc of California, a National Association, for 24033 El Toro Rd., Suite 130, Laguna Hills, California

Recommendation: That the City Council approve Amendment No. 2 to the Lease with the Banc of California, a National Association, for 24033 El Toro Road, Suite 130, Laguna Hills, California, and authorize the City Manager to execute the Amendment.

3.6 M2 Expenditure Report for the Fiscal Year Ended June 30, 2019

Recommendation: That the City Council: (1) Approve the M2 Expenditure Report for the Fiscal Year ended June 30, 2019, for submittal to OCTA; and (2) Adopt

Resolution No. 2019-11-26-2: "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 ended June 30, 2019."

3.8 First Quarter Financial & Treasurer's Report for Fiscal Year 2019/2020

Recommendation: That the City Council receive and file the First Quarter Financial and Treasurer's Report for Fiscal Year 2019/2020.

ITEMS REMOVED FROM THE CONSENT CALENDAR

3.5 A Proposed Resolution Authorizing an Application For, and Receipt Of, SB 2 Planning Grants Program Funds

Recommendation: That the City Council adopt Resolution No. 2019-11-26-2: "A Resolution of the City Council of the City of Laguna Hills, California, authorizing application for, and receipt of, SB 2 Planning Grants Program Funds".

Council Member Wheeler removed Item No. 3.5 from the Consent Calendar to enter into the record that the General Plan Housing Element will be due October of 2021.

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

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

Recommendation: That the City Council adopt Resolution No. 2019-11-26-3: "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. 2018-11-27-2."

Council Member Wheeler removed Item No. 3.7 from the Consent Calendar to indicate that some of the investment items are underperforming the U.S. Treasuries and he would like to review those investments in the future.

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

4. PLANNING AGENCY

Mayor Sedgwick 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 7:16 p.m.

4.1. ROLL CALL OF PLANNING AGENCY MEMBERS

Attendee Name	Title	Status	Arrived
Don Sedgwick	Chair	Present	
Janine Heft	Vice Chair	Present	
Dore J. Gilbert, M.D.	Agency Member	Present	
Erica Pezold	Agency Member	Present	
Dave Wheeler	Agency Member	Present	

4.2. PUBLIC COMMENTS

There were no Planning Agency Public Comments.

4.3. APPROVAL OF MINUTES

4.3.1 Approval of Minutes for November 12, 2019, Regular Meeting

Recommendation: That the Planning Agency approve the Minutes for the November 12, 2019, Regular Meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Janine Heft, Vice Chair
SECONDER:	Dore J. Gilbert, M.D., Agency Member
AYES:	Don Sedgwick, Chair; Janine Heft, Vice Chair; Dore J. Gilbert, M.D., Agency Member; Erica Pezold, Agency Member; Dave Wheeler, Agency Member

4.4. ADMINISTRATIVE REPORTS

There were no Planning Agency Administrative Reports.

4.5. PLANNING AGENCY PUBLIC HEARINGS

There were no Planning Agency Public Hearings.

PLANNING AGENCY ADJOURNMENT

Mayor Sedgwick reconvened the City Council Meeting at 7:17p.m. All Council Members were present.

5. CITY COUNCIL PUBLIC HEARINGS

5.1 Second Reading & Adoption of Proposed Ordinances Amending Title 10 (Buildings and Construction) and Chapter 5-16 (Fire Code) of the Laguna Hills Municipal Code and Adopting by Reference the 2019 Edition of the California Building Standards Code (California Code of Regulations, Title 24) Consisting of the California Building Code, Residential Code, Electrical Code, Mechanical Code, Plumbing Code, Energy Code, Historical Building Code, Fire Code, Existing Building Code, Green Building Standards Code, and Referenced Standards Code, Together with Certain Amendments, Additions, and Deletions Thereto

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

Antonio Aleman, Assistant Fire Marshal for OCFA, responded to Council requests for additional information.

Mayor Sedgwick opened the Public Hearing, and upon seeing no one rise, closed the Public Hearing.

Recommendation: That the City Council:

(1) Conduct a Public Hearing; and

(2) Adopt Ordinance No. 2019-4: "An Ordinance of the City of Laguna Hills, California, amending Title 10 (Buildings And Construction) of the Laguna Hills Municipal Code and adopting by reference the 2019 Edition of the California Building Standards Code (California Code of Regulations, Title 24), consisting of the 2019 California Building Code, the 2019 California Residential Code, the 2019 California Electrical Code, the 2019 California Mechanical Code, the 2019 California Plumbing Code, the 2019 California Energy Code, the 2019 California

Historical Building Code, the 2019 California Existing Building Code, the 2019 California Green Building Standards Code, and the 2019 California Referenced Standards Code, together with certain amendments, additions, and deletions thereto.”; and

(3) Adopt Ordinance No. 2019-5: “An Ordinance of the City of Laguna Hills, California, amending Chapter 5-16 (Fire Code) of Title 5 (Health and Sanitation) of the Laguna Hills Municipal Code and adopting by reference the 2019 Edition of the California Fire Code including Appendices B, BB, C, and CC together with certain amendments, additions, and deletions thereto.”

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

6. ADMINISTRATIVE REPORTS

6.1. City Manager

City Manager White reviewed the information provided in the staff reports for Items No. 6.1.1, 6.1.2, and 6.1.3 and responded to Council requests for additional information.

6.1.1 Deposit/Reimbursement Agreement with MGP Fund X Laguna Hills, LLC

Recommendation: That the City Council approve the Deposit/Reimbursement Agreement with MGP Fund X Laguna Hills, LLC, and authorize the City Manager to execute the Agreement.

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

6.1.2 Consulting Services Agreement with Kelly Associates Management Group

Recommendation: That the City Council:

(1) Waive competitive informal and formal bidding requirements and procedures set forth in the City of Laguna Hills Municipal Code (LHMC) Section 3-08.080 and Section 3-08.090 with regard to approval of the proposed Strategic Planning, Economic Development, and Project Management Consulting Services Agreement with Kelly Associates Management Group as it is hereby found and determined, pursuant to LHMC Section 3-08.110 (L.6) that the services retained are for economic development services; and,

(2) Approve a Consulting Services Agreement with Kelly Associates Management Group and authorize the City Manager to execute the Agreement.

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

6.1.3 Professional Services Agreement with Kosmont & Associates, Inc. for Real Estate, Financial Advisory, and Economic Development Services

Recommendation: That the City Council:

(1) Waive competitive informal and formal bidding requirements and procedures set forth in the City of Laguna Hills Municipal Code (LHCM) Section 3-08.080 and Section 3-08.090 with regard to approval of the proposed Real Estate, Financial Advisory, and Economic Development Services Agreement with Kosmont & Associates, Inc. as it is hereby found and determined, pursuant to LHMC Section 3-08.110(L.6) that the services retained are for economic development services; and,

(2) Approve the Professional Services Agreement with Kosmont & Associates, Inc. and authorize the City Manager to execute the Agreement.

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

6.1.4 Proposed Village at Laguna Hills Redevelopment Project Frequently Asked Questions (24155 Laguna Hills Mall, Laguna Hills, CA 92653)

City Manager White reviewed the information provided in the staff report and responded to Council requests for additional information.

Recommendation: That the City Council review and comment on the proposed Village at Laguna Hills Redevelopment Project Frequently Asked Questions and direct staff to post on the City's web site.

Motion to table this item and return it to the January 14, 2019, Regular City Council Meeting.

RESULT:	TABLED [3 TO 2]
MOVER:	Erica Pezold, Council Member
SECONDER:	Dave Wheeler, Council Member
AYES:	Janine Heft, Mayor Pro Tempore; Erica Pezold, Council Member; Dave Wheeler, Council Member
NAYS:	Don Sedgwick, Mayor; Dore J. Gilbert, M.D., Council Member

6.2. Finance Director

6.2.1 Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended June 30, 2019

Finance Director Reyes reviewed the information provided in the staff report.

Recommendation: That the City Council receive and file the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year ended June 30, 2019, together with the audit letters.

RESULT:	RECEIVE AND FILE [UNANIMOUS]
MOVER:	Janine Heft, Mayor Pro Tempore
SECONDER:	Dore J. Gilbert, M.D., Council Member
AYES:	Don Sedgwick, Mayor; Janine Heft, Mayor Pro Tempore; Dore J. Gilbert, M.D., Council Member; Erica Pezold, Council Member; Dave Wheeler, 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 Pezold

Council Member Pezold expressed her desire to have Deputy Mike Winger provide a presentation on Carry a Concealed Weapon Licensing and Laws similar to the presentation they recently had in San Clemente.

Council Member Pezold reported on the success of Teen Volunteer Day.

Council Member Pezold encouraged everyone to go to the Community Center and pick up a map for the Chamber of Commerce's 1st Annual Laguna Hills Holiday Lights Extravaganza Contest.

Mayor Sedgwick

Mayor Sedgwick suggested that a discussion regarding making illegal the sale of flavored vaping products be agendized for the January 14, 2019, meeting and received a second from Council Member Gilbert.

Council Member Wheeler

Council Member Wheeler expressed his desire to have a presentation by F.L.A.G. agendized for the January 14, 2019, meeting and received a second from Council Member Pezold.

Council Member Wheeler requested that a discussion regarding the 300' radius notification requirement be agendized for the January 14, 2019, meeting and no second was received. City Manager White indicated that staff is currently working on a public engagement process for infill development projects that should address concerns.

9. CLOSED SESSION

ANNOUNCEMENT OF CLOSED SESSION ITEM(S)

The City Council will be reconvening into Closed Session, in the City Council Conference Room, City Hall, Laguna Hills Civic Center, to consider the following matter(s):

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

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

Public Employee Title: City Manager - Annual Performance Evaluation

B. CONFERENCE WITH LABOR NEGOTIATOR

Pursuant to Government Code Section 54957.6

Agency Negotiator: Don Sedgwick, Mayor

Unrepresented Employee: Don White, City Manager

PUBLIC COMMENT ON CLOSED SESSION ITEM(S)

ADJOURN TO CITY COUNCIL CONFERENCE ROOM

CONVENE INTO CLOSED SESSION

RECONVENE TO CITY COUNCIL CHAMBERS

Mayor Sedgwick recessed the meeting at 8:12 p.m. and reconvened the meeting at 9:36 p.m. All Council Members were present.

8. CITY COUNCIL MEMBER COMMENTS (continued)

Council Member Pezold

Council Member Pezold requested staff to agendize a Resolution for the next City Council Meeting to request retention bonuses in the amount of \$1,000.00 for each full-time employee and received a second from Council Member Gilbert.

CLOSED SESSION REPORT

Mayor Sedgwick reported that the City Council convened into Closed Session pursuant to the authorities listed on the Agenda. The City Council completed Items A and B with no reportable action.

10. CONSIDERATION OF COMPENSATION FOR CITY MANAGER**10.1 Consideration of Compensation for City Manager**

Recommendation: That the City Council take such action as it so determines.

Motion made by Mayor Sedgwick that the following changes be made to the City Manager's compensation: (1) Effective January 1, 2020, the City Manager's annual base salary be increased by 4.5%, from \$258,000 to \$269,610; and (2) On a one-time basis for FY2019/20 only, thirteen (13) days of paid executive leave effective December 1, 2019; and that the City Council direct the City Attorney to return to the next regularly scheduled City Council meeting with a Resolution ratifying this action.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Don Sedgwick, Mayor
SECONDER:	Dore J. Gilbert, M.D., Council Member
AYES:	Don Sedgwick, Mayor; Janine Heft, Mayor Pro Tempore; Dore J. Gilbert, M.D., Council Member; Erica Pezold, Council Member; Dave Wheeler, Council Member

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Sedgwick declared the meeting adjourned at 9:39 p.m.

Melissa Au-Yeung, City Clerk

ATTEST:

, Mayor

Approved at meeting of December 10, 2019