

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

**REGULAR MEETING
MINUTES
Tuesday, September 28, 2021**

GENERAL BUSINESS - CONVENING AT 7:00 PM

CALL TO ORDER

The meeting was called to order at 7:04 p.m. by Mayor Pezold.

INVOCATION: Rev. Kent Doss of Tapestry, A Unitarian Universalist Congregation

PLEDGE OF ALLEGIANCE: Council Member Heft

ROLL CALL OF CITY COUNCIL MEMBERS

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

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 2021 Fall Student Liaison Grant Dettmann.

2. SCHEDULE OF FUTURE EVENTS

2.1 Schedule of Future Events

Recommendation: Interim City Manager Rosenfield announced the upcoming City events for the month of October 2021.

3. PUBLIC COMMENTS

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

Anne Tylor-Loughran, a resident of Laguna Hills, submitted an electronic comment with a link to an article in the San Diego Union Tribune regarding cannabis and the City of Chula Vista.

Dawn Ford, a resident of Laguna Hills, submitted an electronic comment regarding the psychic sign in a residential neighborhood.

The following individual addressed the City Council on non-agendized items:

Neel Patel, a resident of Laguna Hills, echoed the public safety concerns raised at recent City Council meetings and spoke regarding possible economic development options to recruit more and better retail to the City.

4. CONSENT CALENDAR

Motion to approve the Consent Calendar with Council Member Wheeler removing Item No. 4.6.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Janine Heft, Council Member
SECONDER:	Erica Pezold, Mayor
AYES:	Erica Pezold, Mayor; Don Sedgwick, Mayor Pro Tempore; Janine Heft, Council Member; Dave Wheeler, Council 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 September 14, 2021, Regular Meeting

Recommendation: That the City Council approve the Minutes for the September 14, 2021, Regular Meeting.

4.3 Ratification of September 28, 2021, Warrant Register

Recommendation: That the City Council ratify the accompanying Warrant Register for the period from September 3, 2021, to September 16, 2021, in the amount of \$1,127,817.10.

4.4 City Council Review and Confirm 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.

4.5 Progress Payment No. 2, Final, and Contract Change Order No. 1 for Laguna Hills Civic Center EV Charging Stations Project, CIP No. 505

Recommendation: That the City Council approve Contract Change Order No. 1 and Progress Payment No. 2, Final, in the net amount of \$6,631.00, to GC Electric Solar Corporation, for Laguna Hills Civic Center EV Charging Stations Project, CIP No. 505, authorize the filing of the Notice of Completion and subsequent release of retention in 35 days, if no liens have been filed.

ITEMS REMOVED FROM THE CONSENT CALENDAR

4.6 Authorization to Purchase a Replacement Police Motorcycle

Council Member Wheeler removed Item No. 4.6 from the Consent Calendar to request additional information.

Chief of Police Services Captain Stiverson responded to Council Member requests for additional information.

Interim City Manager/Director of Public Services Rosenfield responded to Council Member requests for additional information.

Recommendation: That the City Council authorize the purchase of a police motorcycle from Irv Seaver BMW of Orange in accordance with Laguna Hills Municipal Code (LHMC) Chapter 3-08.080 "Procurement of goods and supplies, equipment, materials, and nonprofessional services - Greater than twenty-five thousand dollars (\$25,000.00) up to and including fifty thousand dollars (\$50,000.00) - Informal procedures", LHMC Chapter 3-08.100 "Best qualified vendor" criteria and procurement approval as required per LHMC Chapter 3-08.130 "Vehicle purchases."

RESULT:	APPROVED [3 TO 0]
MOVER:	Janine Heft, Council Member
SECONDER:	Don Sedgwick, Mayor Pro Tempore
AYES:	Erica Pezold, Mayor; Don Sedgwick, Mayor Pro Tempore; Janine Heft, Council Member
ABSTAIN:	Dave Wheeler, Council Member

5. 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 7:23 p.m.

5.1. ROLL CALL OF PLANNING AGENCY MEMBERS

Attendee Name	Title	Status	Arrived
Erica Pezold	Chair	Present	
Don Sedgwick	Vice Chair	Present	
Janine Heft	Agency Member	Present	
Dave Wheeler	Agency Member	Present	

5.2. PUBLIC COMMENTS

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

5.3. APPROVAL OF MINUTES

5.3.1 Approval of Minutes for September 14, 2021, Regular Meeting

Recommendation: That the Planning Agency approve the Minutes for the September 14, 2021, Regular Meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Don Sedgwick, Vice Chair
SECONDER:	Janine Heft, Agency Member
AYES:	Erica Pezold, Chair; Don Sedgwick, Vice Chair; Janine Heft, Agency Member, Dave Wheeler, Agency Member

5.4. ADMINISTRATIVE REPORTS

There were no Planning Agency administrative reports.

5.5. PLANNING AGENCY PUBLIC HEARINGS

There were no Planning Agency public hearings.

PLANNING AGENCY ADJOURNMENT

Chair Pezold adjourned the Planning Agency Meeting at 7:24 p.m. All Council Members were present in chamber.

6. CITY COUNCIL PUBLIC HEARINGS

6.1 Public Hearing for Zoning Text Amendment No. (RZNE) 0005-2021, an Amendment to Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code to Update Regulations Related to Accessory Dwelling Units in Accordance with State Law

Mayor Pezold opened the public hearing.

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

Recommendation: That the City Council continue the noticed Public Hearing for Zoning Text Amendment No. (RZNE) 0005-2021, an amendment to Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code to update regulations related to Accessory Dwelling Units in accordance with State law to a duly noticed public hearing at a time and date uncertain.

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

7. ADMINISTRATIVE REPORTS

7.1. City Manager

7.1.1 Establishment of an Ad Hoc Committee Comprised Solely of Two Members of the City Council to Direct the City's Retained Development Agreement Negotiator Regarding the Proposed the Village at Laguna Hills Project

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.

Recommendation: That the City Council form an ad hoc advisory committee comprised solely of two members of the City Council to direct the City's retained development agreement negotiator during further

development agreement negotiations regarding the proposed The Village at Laguna Hills project.

Mayor Pezold received consensus to delay the item until after Item No. 7.2.2.

7.2. Deputy City Manager/City Clerk

7.2.1 Reassignment of Open Committee/Outside Agency Assignments Held by Council Member Hunt

Deputy City Manager/City Clerk Au-Yeung reviewed the information provided in the staff report and responded to Council Member requests for additional information.

Recommendation: That the City Council make the necessary appointments to fill the roles left vacant by Council Member Hunt's resignation and direct City staff to update the City Council "Other Agencies" Appointed Representatives List, as revised by the City Council.

A motion to appoint Mayor Pezold to fill the roles left vacant by Council Member Hunt's resignation and to direct City staff to update the City Council "Other Agencies" Appointed Representatives List was made by Mayor Pezold, seconded by Council Member Wheeler.

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

Mayor Pezold received consensus to take Item No. 8.2.1 out of order on the Agenda.

8.2. Council Member Heft

8.2.1 Support of Veterans Cemetery Location in Anaheim

Council Member Heft reviewed the information provided in the staff report and responded to Council Member requests for additional information.

The following individual addressed the City Council on this item:

Bill Cook, a resident of Mission Viejo, spoke in favor of the proposed Veterans Cemetery.

Recommendation: Council Member Heft recommends that the City Council support the proposed Veterans Cemetery to be located in Anaheim.

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

7.2.2 Resignation of Council Member Hunt - Filling City Council Vacancy Pursuant to Government Code Section 36512

Deputy City Manager/City Clerk Au-Yeung reviewed the information provided in the staff report and responded to Council Member requests for additional information.

Interim City Manager/Director of Public Services Rosenfield responded to Council Member requests for additional information.

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

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

Dawn Ford, a resident of Laguna Hills, submitted an electronic comment providing the suggestion of appointing previous election Candidate Nick Wood to fill the vacant City Council seat.

The following individual addressed the City Council on this item:

Neel Patel, a resident of Laguna Hills, requested additional information regarding Council Member Hunt's resignation and indicated that he felt the City should conduct a special election.

Recommendation: That the City Council take action by no later than November 13, 2021, to approve one of the following options to fill the vacancy in office created by Council Member Hunt's resignation:

1) Option 1. Appoint a qualified individual to fill the vacancy in office, either through a direct appointment or by following an application and interview process. If the Council fills the vacancy by appointment, the appointed person would serve on an interim basis until the November 2022 General Municipal Election and thereafter until the elected person has been qualified. The person elected to fill the vacancy at the November 2022 General Municipal Election would hold office for the unexpired balance of the term of office. Council Member Hunt was elected in November of 2020 for a four-year term that expires in November 2024. Therefore, following the completion of the appointed person's interim term, the person elected at the November 2022 General Municipal Election to fill the vacancy would serve until November 2024.

2) Option 2. Call for a special election. A special election must be held on the next regularly established election date not less than 114 days from the call of the special election, which is April 12, 2022. Calling for a special election requires the person elected to fill the vacancy to hold office for the remainder of the unexpired term. In this case, the person elected at the special election would hold office until November 2024.

A motion to follow the schedule outlined in the staff report, as modified by suggestion of Interim City Manager Rosenfield, for filling the City Council vacancy, following an application process in which the application period is open for two weeks from September 30, 2021 through October 13, 2021, followed by a special meeting of the City Council on October 14, 2021, to evaluate the candidates and then interviews of selected candidates to be scheduled for a special meeting on October 19, 2021, was made by Mayor Pro Tempore Sedgwick, seconded by Council Member Heft.

RESULT:	APPROVED [3 TO 1]
MOVER:	Don Sedgwick, Mayor Pro Tempore
SECONDER:	Janine Heft, Council Member
AYES:	Don Sedgwick, Mayor Pro Tempore; Janine Heft, Council Member; Dave Wheeler, Council Member
NAYS:	Erica Pezold, Mayor

7.1. City Manager (continued)**7.1.1 Establishment of an Ad Hoc Committee Comprised Solely of Two Members of the City Council to Direct the City's Retained Development Agreement Negotiator Regarding the Proposed the Village at Laguna Hills Project (continued)**

Recommendation: That the City Council form an ad hoc advisory committee comprised solely of two members of the City Council to direct the City's retained development agreement negotiator during further development agreement negotiations regarding the proposed The Village at Laguna Hills project.

A motion to form an ad hoc advisory committee comprised of Council Member Heft and Council Member Wheeler to direct the City's retained development agreement negotiator during further development agreement negotiations regarding the proposed The Village at Laguna Hills project was made by Mayor Pezold, seconded by Council Member Heft.

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

7.3. Deputy City Manager/Community Services Director**7.3.1 Memorandum of Understanding Regarding Solid Waste Procurement Services by and Between the City of Lake Forest and the City of Laguna Hills and an Update on SB 1383 Organic Waste Recycling Implementation Efforts**

Deputy City Manager/Community Services Director Reynolds reviewed the information provided in the staff report, provided a PowerPoint presentation, and responded to Council Member requests for additional information.

Interim City Manager/Director of Public Services Rosenfield responded to Council Member requests for additional information.

Recommendation: That the City Council: 1) Approve the Memorandum of Understanding regarding Solid Waste Procurement Services by and

between the City of Lake Forest and the City of Laguna Hills and authorize the Interim City Manager to execute the proposed Memorandum of Understanding; and 2) Receive and file an update on the implementation work efforts required by SB 1383, the State mandate regarding Organic Waste Recycling.

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

Due to the City Council completing their discussion during the Special Meeting scheduled earlier in the evening, review of Item No. 7.4.1 was not needed.

7.4. Finance Director

7.4.1 Utilization of State and Local Fiscal Recovery Funds as Authorized Under the American Rescue Plan Act

Recommendation: That the City Council appropriate the City's full allocation of Coronavirus-related State and Local Fiscal Recovery Funds, as authorized under the American Rescue Plan Act, for: 1) the provision of government services to the full extent of the reduction in revenue (revenue loss) due to the COVID-19 public health emergency; and 2) to respond to the public health emergency caused by COVID-19 or its negative economic impacts.

8. MATTERS AGENDIZED AND PRESENTED BY CITY COUNCIL MEMBERS

8.1. Mayor Pezold

8.1.1 Proposed Expansion of the Automated License Plate Reader Deployment

Mayor Pezold reviewed the information provided in the staff report and responded to Council Member requests for additional information.

Chief of Police Services Captain Stiverson 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, provided comments in favor of the item.

Recommendation: Mayor Pezold recommends that the City Council discuss how many Automated License Plate Readers (ALPRs) are needed per the Laguna Hills Chief of Police Services and direct City staff to order the necessary ALPRs.

A motion to install an additional ten Automated License Plate Reader cameras in the City was made by Mayor Pezold, seconded by Mayor Pro Tempore Sedgwick.

RESULT:	APPROVED [3 TO 1]
MOVER:	Erica Pezold, Mayor
SECONDER:	Don Sedgwick, Mayor Pro Tempore
AYES:	Erica Pezold, Mayor; Don Sedgwick, Mayor Pro Tempore; Janine Heft, Council Member
NAYS:	Dave Wheeler, Council Member

9. CITY COUNCIL MEMBER COMMITTEE REPORTS

Council Member Wheeler

Council Member Wheeler reported that the recently scheduled meeting Association of California Cities – Orange County (ACC-OC) was canceled and he will bring the OCCOG Regional Housing Needs Assessment (RHNA) challenge to the next scheduled meeting.

10. CITY COUNCIL MEMBER COMMENTS

Mayor Pezold

Mayor Pezold requested that a presentation from **Orange** County Mosquito and Vector Control District be agendaized for a future meeting and received a second from Council Member Heft.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Pezold declared the meeting adjourned at 10:38 p.m.

Melissa Au-Yeung, City Clerk

ATTEST:

Erica Pezold, Mayor

Approved at meeting of October 12, 2021