

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

**REGULAR MEETING
MINUTES
Tuesday, August 27, 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	Late	6:11 PM
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. 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: (2 potential cases).

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).

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 6:58 p.m. by Mayor Sedgwick.

PLEDGE OF ALLEGIANCE: 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	

CLOSED SESSION REPORT**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: (2 potential cases).

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 with respect to Closed Session Item A there was no reportable action taken. With respect to Closed Session Item B on a vote of 4-1, with Mayor Sedgwick voting no, the City Council authorized the filing of an amicus brief in connection with the City of Boise's homeless litigation. More specifically the Council has

authorized the City Attorney to direct the filing of an amicus brief on behalf of the City of Laguna Hills in support of the City of Boise's pending petition for writ of certiorari to the United States Supreme Court regarding the 9th Circuit's adverse decision in *Martin v. Boise*, in cooperation with the City of Boise's legal team and other amicus teams around the nation. This legal action, once formally commenced, shall be made publically available through the City Clerk's office to the interested members of the public.

1. PRESENTATIONS AND PROCLAMATIONS

1.1 Laguna Hills 3/5 Marine Support Committee

Recommendation: The City Council received an update from Chair Karen Robbins on the 3/5 Dark Horse Committee.

1.2 Presentation of Proclamation for "Wildfire Awareness and Prevention Season"

Recommendation: The City Council issued a Proclamation declaring mid-summer through early autumn as "Wildfire Awareness and Prevention Season" and Mayor Sedgwick presented the Proclamation to Michael Contreras, Battalion Chief, Orange County Fire Authority.

2. PUBLIC COMMENTS

Brian Lochrie, a representative for the Transportation Corridor Agencies spoke regarding the new sticker transponders being distributed to FasTrak accountholders.

3. CONSENT CALENDAR

Motion to approve the Consent Calendar, with Council Member Wheeler removing Item No. 3.2 and Item No. 3.5.

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.

3.3 Approval of Warrant Register for August 27, 2019

Recommendation: That the City Council ratify the accompanying Warrant Register for the period from June 28, 2019, to August 15, 2019, in the amount of \$3,483,163.15.

3.4 Records Retention Management

Recommendation: That the City Council adopt Resolution No. 2019-08-27-1: "A Resolution of the City Council of the City of Laguna Hills, California, authorizing and directing the City Clerk to dispose of certain City records in accordance with the City's Record Retention Schedule."

3.6 Declaration Of, and Participation In, the 23RD Annual Inner-Coastal & Watershed Cleanup Day

Recommendation: That the City Council declare September 21, 2019, as Inner-Coastal & Watershed Cleanup Day and encourage volunteer participation in this event.

3.7 Award of Contract for the Citywide Pavement Rehabilitation Project, CIP No. 101-K

Recommendation: That the City Council award the Construction Contract for the Citywide Pavement Rehabilitation Project, CIP No. 101-K, to R.J. Noble Company, in the low base bid amount of \$2,172,000.00, reject all other bids, and authorize the Mayor to sign the Construction Contract.

3.8 2019 Memorial Day Race Post Event Report and a Resolution Authorizing Community Assistance Funding for the 3/5 Marine Support Committee

Recommendation: That the City Council: (1) Receive and file the report; and (2) Adopt Resolution No. 2019-08-27-3: "A Resolution of the City Council of the City of Laguna Hills, California, authorizing community assistance funding for the

3rd Battalion, 5th Marines, 1st Division Support Committee, a California nonprofit corporation."

ITEMS REMOVED FROM THE CONSENT CALENDAR

3.2 Approval of Minutes for July 9, 2019, Regular Meeting

Recommendation: That the City Council approve the Minutes for the July 9, 2019, Regular Meeting.

Council Member Wheeler removed Item No. 3.2 from the Consent Calendar to request that his comments in the City Council Comment section be revised to more accurately reflect what he stated.

Motion to table this item to review and revise Council Member Wheeler's comments under the City Council Comments section.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Janine Heft, Mayor Pro Tempore
SECONDER:	Dave Wheeler, 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

3.5 Amendment of Section 2 of Resolution No. 2001-12-11-4 to Modify the No Parking Hours for Street Sweeping Purposes on Via Lomas

Council Member Wheeler removed Item No. 3.5 from the Consent Calendar to request additional information.

Recommendation: That the City Council: (1) Find and determine that the proposed parking restrictions are not subject to the California Environmental Quality Act pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, Cal. Code of Regs., Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly; and (2) Adopt Resolution No. 2019-08-27-2: "A Resolution of the City Council of the City of Laguna Hills, California, amending Section 2 of Resolution No. 2001-12-11-4 to modify the no parking hours for street sweeping purposes on Via Lomas."

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

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 7:26 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 July 9, 2019, Regular Meeting

Recommendation: That the Planning Agency approve the Minutes for the July 9, 2019, Regular Meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dore J. Gilbert, M.D., Agency Member
SECONDER:	Janine Heft, Vice Chair
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

4.5.1 Site Development Permit/Master Sign Program No. 7-18-4264, a Request to Establish a Master Sign Program for the MemorialCare Saddleback Medical Center Located at 24411, 24421, and 24451 Health Center Drive

Community Development Director Chantarangsu stated that due to a noticing error, staff is recommending that the item be continued to a future meeting.

Chair Sedgwick opened the Public Hearing, and upon seeing no one rise, called for a motion to continue this item to the next meeting of the Planning Agency.

Recommendation: That the Planning Agency continue this matter to the Planning Agency meeting of September 10, 2019.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Janine Heft, Vice Chair
SECONDER:	Dave Wheeler, 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

PLANNING AGENCY ADJOURNMENT

Mayor Sedgwick reconvened the City Council Meeting at 7:28 p.m. All Council Members were present.

5. CITY COUNCIL PUBLIC HEARINGS

5.1 A Proposed Resolution Amending the City's Comprehensive Fee Schedule by Adjusting Certain Development Processing Fees and Other City Rates, Charges, and User Fees for Various Government Services Based on the Increase in the Consumer Price Index (CPI).

Finance Director Reyes reviewed the information provided in the staff report, provided a PowerPoint presentation, and 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 Resolution No. 2019-08-27-4: "A Resolution of the City Council of the City of Laguna Hills, California, amending the Comprehensive Fee Schedule by adjusting certain development processing fees and other City rates, charges, and user fees for various government services based on the increase in the Consumer Price Index (CPI) and finding that the action is statutorily exempt from the California Environmental Quality Act (CEQA) per Section 15273 of the CEQA Guidelines and Public Resources Code Section 21080(b)(8)."

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

6.2. Deputy City Manager/City Clerk

6.2.1 Consideration of Joint Exercise of Powers Agreement with the Orange County Housing Finance Trust

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

Recommendation: That the City Council: (1) Find and determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly; and (2) Adopt Resolution No. 2019-08-27-5: "A Resolution of the City Council of the City of Laguna Hills, California, relating to the Joint Exercise of Powers for and membership in the Orange County Housing Finance Trust."

RESULT:	APPROVED [4 TO 1]
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
NAYS:	Dave Wheeler, Council Member

6.2.2 Establishment of Ad Hoc Advisory Committee for Community Engagement and Enrichment

Deputy City Manager Au-Yeung reviewed the information provided in the staff report.

Recommendation: That the City Council establish an Ad Hoc Advisory Committee, solely comprised of two City Council Members, for a period of no more than one year, to review and evaluate Community Engagement and Enrichment.

Motion to establish an Ad Hoc Advisory Committee comprised of Mayor Pro Tempore Heft and Council Member Pezold.

RESULT:	APPROVED [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

7. MATTERS AGENDIZED AND PRESENTED BY CITY COUNCIL MEMBERS

7.1 Clarify the Working Agreement Actions Between the City of Laguna Hills and the Laguna Hills Chamber of Commerce with Respect To: (1) a City Grant of \$5,000; (2) the Use of City Facilities by the Chamber of Commerce; and (3) the Cooperative Agreement for City Views Advertising

Mayor Pro Tempore Heft recused herself from participating in any discussion regarding the Laguna Hills Chamber of Commerce community assistance funding request and left the meeting at 8:20 p.m.

Council Member Wheeler provided a PowerPoint presentation.

Recommendation: That the City Council clarify and adopt more specific, individual direction with respect to: (1) Chamber of Commerce funding;

(2) Chamber of Commerce use of city facilities; and (3) Advertising revenue in City Views, keeping all three items separate.

Motion to provide community assistance funding to the Laguna Hills Chamber of Commerce for FY2019/2020 only, in the amount of \$7,500 and request that City staff return to the next City Council Meeting with a proposed community assistance funding resolution for approval.

RESULT:	APPROVED [4 TO 0]
MOVER:	Erica Pezold, Council Member
SECONDER:	Dave Wheeler, Council Member
AYES:	Don Sedgwick, Mayor; Dore J. Gilbert, M.D., Council Member; Erica Pezold, Council Member; Dave Wheeler, Council Member
RECUSED:	Janine Heft, Mayor Pro Tempore

Mayor Pro Tempore Heft returned to the meeting at 8:36 p.m.

7.2 Make Appropriate Adjustments to the City Council Agenda Delivery Schedule to Maximize the Usefulness, Evaluation and Adoption of City Resolutions

Council Member Wheeler provided a PowerPoint presentation.

Recommendation: That the City Council adopt a new City Council Agenda delivery schedule.

By consensus, the City Council directed staff to return with a draft Council policy for the City Council's review at the October 8, 2019 City Council Meeting.

7.3 Laguna Hills Elementary School Liaison Program

Mayor Pro Tempore Heft reviewed the information provided in the staff report.

Recommendation: That a Laguna Hills Elementary School Liaison Program be established for the City's three elementary schools, in a manner similar as the program currently in effect for Laguna Hills High School.

Motion to invite the elementary schools to report to the City Council once per year.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Janine Heft, Mayor Pro Tempore
SECONDER:	Dave Wheeler, Council Member

AYES:	Don Sedgwick, Mayor; Dore J. Gilbert, M.D., Council Member; Erica Pezold, Council Member; Dave Wheeler, Council Member
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8. CITY COUNCIL MEMBER COMMENTS

Mayor Pro Tempore Heft

Mayor Pro Tempore Heft reported that the Veterans Resource Fair is scheduled for Thursday, August 29, 2019, at Saddleback Community College.

Council Member Pezold

Council Member Pezold expressed her appreciation to staff for the work to create an office for the City Council.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Sedgwick declared the meeting adjourned at 9:40 p.m.

Melissa Au-Yeung, City Clerk

ATTEST:

Don Sedgwick, Mayor

Approved at meeting of September 10, 2019