

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

**REGULAR MEETING
MINUTES
Tuesday, July 10, 2018**

CLOSED SESSION - CONVENING AT 6:00 PM

CALL TO ORDER

The meeting was called to order at 6:00 p.m. by Mayor Pro Tempore Gilbert.

ROLL CALL OF CITY COUNCIL MEMBERS

Attendee Name	Title	Status	Arrived
Mel Carruth	Mayor	Absent	
Dore J. Gilbert, M.D.	Mayor Pro Tempore	Present	
Janine Heft	Council Member	Absent	
Barbara D. Kogerman	Council Member	Present	
Don Sedgwick	Council Member	Present	

ANNOUNCEMENT OF CLOSED SESSION ITEM(S)

A. 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)

There were no Public Comments on Closed Session Item(s).

ADJOURN TO CITY COUNCIL CONFERENCE ROOM

CONVENE INTO CLOSED SESSION

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

Council Member Heft arrived and joined the Closed Session at 6:10 p.m.

RECONVENE TO CITY COUNCIL CHAMBER

RECESS

GENERAL BUSINESS - CONVENING AT 7:00 PM**CALL TO ORDER**

The meeting was called to order at 7:00 p.m. by Mayor Pro Tempore Gilbert.

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

Attendee Name	Title	Status	Arrived
Mel Carruth	Mayor	Absent	
Dore J. Gilbert, M.D.	Mayor Pro Tempore	Present	
Janine Heft	Council Member	Present	
Barbara D. Kogerman	Council Member	Present	
Don Sedgwick	Council Member	Present	

CLOSED SESSION REPORT**A. 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).

Mayor Pro Tempore Gilbert stated that there was no reportable action from the City Council Closed Session this evening.

1. PRESENTATIONS AND PROCLAMATIONS**1.1 Letter of Resignation and Recognition of Outgoing Council Member**

Recommendation: That the City Council accept the resignation and adopt Resolution No. 2018-07-10-1: "A Resolution of the City Council of the City of Laguna Hills, California, recognizing the service of Council Member Barbara D. Kogerman," and Mayor Pro Tempore Gilbert presented a Resolution of Commendation and City Tile to Barbara D. Kogerman.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Janine Heft, Council Member
SECONDER:	Don Sedgwick, Council Member
AYES:	Dore J. Gilbert, M.D., Mayor Pro Tempore, Janine Heft, Council Member, Barbara D. Kogerman, Council Member, Don Sedgwick, Council Member
ABSENT:	Mel Carruth, Mayor

Mayor Pro Tempore Gilbert presented Council Member Kogerman with a Resolution of Commendation and a City Tile. Rhonda Reardon, District Representative Senator Patricia C. Bates Office, and Anne Figueroa, District Representative Assemblyman William P. Brough's Office, presented Council Member Kogerman with a California Legislative Resolution commending her service and contributions to the City of Laguna Hills. Jefferson Cha, District Representative Congresswoman Mimi Walters' Office presented Council Member Kogerman with a Certificate of Congressional Recognition for her service to the community. Mayor Pro Tempore Gilbert presented Council Member Kogerman a gift from Mayor Carruth and expressed his appreciation to Council Member Kogerman.

Council Member Kogerman thanked everyone for the recognition.

Council Members expressed their appreciation to Council Member Kogerman and acknowledged her accomplishments and service to the City.

1.2 Presentation from Orange County District Attorney Tony Rackauckas on Rehabilitation Exploitation and Health Care Trafficking

Recommendation: The City Council received a presentation from Orange County District Attorney Tony Rackauckas on Rehabilitation Exploitation and Health Care Trafficking.

Orange County District Attorney Tony Rackauckas responded to City Council requests for further information.

2. PUBLIC COMMENTS

There were no Public Comments.

3. CONSENT CALENDAR

Motion to approve the Consent Calendar, with Council Member Heft removing Item No. 3.8 and Item No. 3.9:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Barbara D. Kogerman, Council Member
SECONDER:	Janine Heft, Council Member
AYES:	Dore J. Gilbert, M.D., Mayor Pro Tempore, Janine Heft, Council Member, Barbara D. Kogerman, Council Member, Don Sedgwick, Council Member
ABSENT:	Mel Carruth, Mayor

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 June 26, 2018, Regular Meeting

Recommendation: That the City Council approve the Minutes for the June 26, 2018, Regular Meeting

3.3 Approval of Warrant Register for the July 10, 2018, Regular Meeting

Recommendation: That the City Council approve the Warrant Register in the amount of \$327,175.94.

3.4 City's Conflict of Interest Code

Recommendation: That the City Council adopt Resolution No. 2018-07-10-2: "A Resolution of the City Council of the City of Laguna Hills, California, adopting an updated Conflict of Interest Code and rescinding Resolution No. 2016-09-13-3".

3.5 Designation of Voting Delegate for League of California Cities Annual Conference

Recommendation: That the City Council appoint Mayor Carruth as the Voting Delegate for the League of California Cities Annual Conference.

3.6 Appointment of Larry Woodruff as the City of Laguna Hills Representative to the Orange County Mosquito and Vector Control District

Recommendation: That the City Council appoint Larry Woodruff as the City's representative to the Orange County Mosquito and Vector Control District to fill the remainder of Council Member Kogerman's term.

3.7 Proposed Office Lease with Koorosh Hosn, D.D.S., for 24031 El Toro Road, Suite 230, Laguna Hills, California

Recommendation: That the City Council approve the office lease with Koorosh Hosn, D.D.S., a professional corporation, for 24031 El Toro Road, Suite 230, Laguna Hills, California, and authorize the City Manager to execute the Lease.

3.10 La Paz Open Space Class 1 Bike Trail and Walking/Hiking Trail Active Transportation Grant Program Cycle 4 Application

Recommendation: That the City Council approve the submission to the State of California an Active Transportation Program Grant Application for Cycle 4 funding of the La Paz Open Space Class 1 Bike Trail and Walking/Hiking Trail Project and authorize the Assistant City Manager/Public Services Director to sign the application.

3.11 Approval of Final Map Tract No. 18115, a Portion of Vesting Tentative Tract Map (VTTM) No. 18036 (Previously Mislabeled as VTTM No. 18035), for the Property Located at 24155 Laguna Hills Mall.

Recommendation: That the City Council approve Final Tract Map No. 18115, a portion of Vesting Tentative Tract Map (VTTM) No. 18036 (previously mislabeled as VTTM No. 18035), for the property located at 24155 Laguna Hills Mall.

ITEMS REMOVED FROM THE CONSENT CALENDAR

3.8 Consulting Services Agreements with EMC Design, Inc. and Westamerica, Inc. for the Development of City Views

Council Member Heft removed Item No. 3.8 from the Consent Calendar to request additional information.

Recommendation: That the City Council approve individual Consulting Services Agreements with EMC Design, Inc. and Westamerica Communications, Inc. for FY 2018-2019 and FY 2019-2020 for the Development of City Views and authorize the City Manager to execute the Agreements.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Don Sedgwick, Council Member
SECONDER:	Barbara D. Kogerman, Council Member
AYES:	Dore J. Gilbert, M.D., Mayor Pro Tempore, Janine Heft, Council Member, Barbara D. Kogerman, Council Member, Don Sedgwick, Council Member
ABSENT:	Mel Carruth, Mayor

3.9 La Paz Road Southerly Sidewalk Active Transportation Grant Program Cycle 4 Application

Council Member Heft removed Item No. 3.9 from the Consent Calendar to request additional information.

Recommendation: That the City Council approve the submission to the State of California an Active Transportation Program Grant Application for Cycle 4 funding of the La Paz Road Southerly Sidewalk Widening Project and authorize the Assistant City Manager/Public Services Director to sign the application.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Don Sedgwick, Council Member
SECONDER:	Barbara D. Kogerman, Council Member
AYES:	Dore J. Gilbert, M.D., Mayor Pro Tempore, Janine Heft, Council Member, Barbara D. Kogerman, Council Member, Don Sedgwick, Council Member
ABSENT:	Mel Carruth, Mayor

4. PLANNING AGENCY

Mayor Pro Tempore Gilbert recessed the City Council meeting and, acting in capacity of Vice Chair, called the Regular Meeting of the Planning Agency of the City of Laguna Hills, California, to order at 7:37 p.m.

4.1. ROLL CALL OF PLANNING AGENCY MEMBERS

Attendee Name	Title	Status	Arrived
Mel Carruth	Chair	Absent	
Dore J. Gilbert, M.D.	Vice Chair	Present	
Janine Heft	Agency Member	Present	
Barbara D. Kogerman	Agency Member	Present	
Don Sedgwick	Agency Member	Present	

4.2. PUBLIC COMMENTS

There were no Public Comments.

4.3. APPROVAL OF MINUTES FOR JUNE 26, 2018, REGULAR MEETING**4.3.1 Approval of Minutes for June 26, 2018, Regular Meeting**

Recommendation: That the Planning Agency approve the Minutes for the June 26, 2018, Regular Meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Barbara D. Kogerman, Council Member
SECONDER:	Janine Heft, Council Member
AYES:	Dore J. Gilbert, M.D., Mayor Pro Tempore, Janine Heft, Council Member, Barbara D. Kogerman, Council Member, Don Sedgwick, Council Member
ABSENT:	Mel Carruth, Mayor

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 Pro Tempore Gilbert reconvened the City Council Meeting at 7:38 p.m. All Council Members were present with the exception of Mayor Carruth.

5. CITY COUNCIL PUBLIC HEARINGS

5.1 Confirmation of 2018 Weed Abatement Cost Report

Associate Civil Engineer Shah reviewed the information provided in the staff report.

Mayor Pro Tempore Gilbert opened the Public Hearing, and upon seeing no one rise, closed the Public Hearing.

Recommendation: That the City Council conduct a Public Hearing regarding the 2018 Weed Abatement Cost Report and adopt Resolution No. 2018-07-10-3: "A Resolution of the City Council of the City of Laguna Hills, California, confirming the 2018 Weed Abatement Cost Report and providing for the collection of weed abatement assessments on the next regular tax bill levied against the subject parcel for municipal purposes."

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Don Sedgwick, Council Member
SECONDER:	Barbara D. Kogerman, Council Member
AYES:	Dore J. Gilbert, M.D., Mayor Pro Tempore, Janine Heft, Council Member, Barbara D. Kogerman, Council Member, Don Sedgwick, Council Member
ABSENT:	Mel Carruth, Mayor

6. ADMINISTRATIVE REPORTS

6.1. City Manager

The City Manager gave no Administrative Reports.

6.2. City Attorney

6.2.1 Resignation of Council Member Barbara Kogerman - Discussion of Filling City Council Vacancy Pursuant to Government Code Section 36512

Council Member Kogerman stated that she will be recusing herself from participating in any discussion regarding Agenda Item No. 6.2.1.

City Attorney Simonian reviewed the information provided in the Staff Report.

Recommendation: That the City Council take action by no later than September 9, 2018, to approve one of the following options to fill the vacancy in office created by Council Member Kogerman'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, that person would serve on an interim basis until the November 2018 General Municipal Election. (2) Option 2. Call for a special election. A special election must be held on the next regularly scheduled established election date not less than 114 days from the call of the special election, which is November 6, 2018. Calling for a special election generally requires the person elected to fill the vacancy to hold office for the remainder of the unexpired term. Due to the City's adopted term limits, Council Member Kogerman is serving her final term of office, which will expire following the November 2018 General Municipal Election. There are no available established election dates to hold a special election prior to the November 6, 2018 General Municipal Election, which the City Council has already called by Resolution No. 2018-05-08-03. Therefore, as a practical matter, the City Council has the option of leaving the seat temporarily vacant and deferring to the General Municipal Election on November 6, 2018, which has already been called, to fill Council Member Kogerman's seat.

Motion to receive and file the report.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Don Sedgwick, Council Member
SECONDER:	Janine Heft, Council Member
AYES:	Dore J. Gilbert, Mayor Pro Tempore, Janine Heft, Council Member, Barbara D. Kogerman, Council Member, Don Sedgwick, Council Member
ABSENT:	Mel Carruth, Mayor

6.7. Deputy City Manager/Community Services Director

6.7.1 Proposed Ordinance Amending and Restating Chapter 5-48 (Construction and Demolition Waste Recycling Program) of the Laguna Hills Municipal Code Relating to the City's Construction and Demolition Waste Recycling Program.

Deputy City Manager/Community Services Director Reynolds reviewed the information provided in the Staff Report.

Recommendation: That the City Council introduce for first reading, read by title only, and waive further reading, an Ordinance entitled: “An Ordinance of the City of Laguna Hills, California, Amending and Restating Chapter 5-48 (Construction and Demolition Waste Program) of Title 5 (Health and Sanitation) of the Laguna Hills Municipal Code Relating to the City’s Construction and Demolition Waste Recycling Program.”

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Don Sedgwick, Council Member
SECONDER:	Janine Heft, Council Member
AYES:	Dore J. Gilbert, Mayor Pro Tempore, Janine Heft, Council Member, Barbara D. Kogerman, Council Member, Don Sedgwick, Council Member
ABSENT:	Mel Carruth, Mayor

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 Kogerman

Council Member Kogerman complimented City Staff, wished the City and residents great luck and indicated that it has been a wonderful almost 8 years.

Council Member Kogerman commented that Mayor Pro Tempore Gilbert is a true American hero and thanked him for his remarks.

Council Member Heft

Council Member Heft gave kudos to the Community Service Staff for the success of the City’s 4th of July event and indicated that she is looking forward to next year’s event.

Mayor Pro Tempore Gilbert

Mayor Pro Tempore Gilbert expressed that he would miss Council Member Kogerman, wished her happiness and indicated that he felt she was making a wise decision. Mayor Pro Tempore Gilbert also indicated to Colonel Kogerman that he will be missed as well.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Carruth declared the meeting adjourned at 7:53p.m. The next regularly scheduled City Council Meeting will be held August 28, 2018.

Melissa Au-Yeung, City Clerk

ATTEST:

Melody Carruth, Mayor

Approved at meeting of August 28, 2018