

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

**REGULAR MEETING
MINUTES
Tuesday, May 8, 2018**

CLOSED SESSION - CONVENING AT 6:00 PM

CALL TO ORDER

The meeting was called to order at 6:00 p.m. by Mayor Mel Carruth.

ROLL CALL OF CITY COUNCIL MEMBERS

Attendee Name	Title	Status	Arrived
Mel Carruth	Mayor	Present	
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	

ANNOUNCEMENT OF CLOSED SESSION ITEMS

A. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6(a):

City Designated Representatives: Don White, City Manager

Melissa Au-Yeung, Deputy City Manager/City Clerk

Janice Reyes, Finance Director

Employee Organization: Laguna Hills City Employee Association

City Employee Organization

B. 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: (1 potential case).

C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9:

Existing litigation pursuant to paragraph (1) of subdivision (d) of Government Code Section 54956.9.

Names of case: Cross Complaint by City of Santa Ana for Civil Rights Violations (42 U.S.C. Sec. 1983); City of Santa Ana, Cross-Claimant, vs. City of Laguna Hills, County of Orange, and all other Orange County cities, Cross-Defendants, in the matter of Orange County Catholic Worker, et al., vs. County of Orange, the City of Anaheim, the City of Costa Mesa, the City of Orange, and the City of Santa Ana; United States District Court for the Central District of California, Southern Division; Case No. SA CV 18-0155-DOC (JDE).

D. 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.

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

The meeting was called to order at 7:00 p.m. by Mayor Mel Carruth.

PLEDGE OF ALLEGIANCE: COUNCIL MEMBER SEDGWICK

ROLL CALL OF CITY COUNCIL MEMBERS

Attendee Name	Title	Status	Arrived
Mel Carruth	Mayor	Present	
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 LABOR NEGOTIATORS**

Pursuant to Government Code Section 54957.6(a):

City Designated Representatives: Don White, City Manager

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Names of case: Cross Complaint by City of Santa Ana for Civil Rights Violations (42 U.S.C. Sec. 1983); City of Santa Ana, Cross-Claimant, vs. City of Laguna Hills, County of Orange, and all other Orange County cities, Cross-Defendants, in the matter of Orange County Catholic Worker, et al., vs. County of Orange, the City of Anaheim, the City of Costa Mesa, the City of Orange, and the City of Santa Ana; United States District Court for the Central District of California, Southern Division; Case No. SA CV 18-0155-DOC (JDE).

D. 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 City Council convened in Closed Session this evening pursuant to the authorities listed on the agenda. The Council had not yet completed its discussion of these items. The City Council will reconvene back in to Closed Session following the General Business meeting and, at that time, there will be a further Closed Session report.

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 Student Liaison Kaylie Bair.

1.2 Ten Year Anniversary Award

Recommendation: Mayor Carruth recognized Cindy Sands, Executive Assistant to the City Manager, for Ten Years of Service to the City of Laguna Hills and presented a Certificate of Recognition to Ms. Sands. Jefferson Cha, District Representative, Congresswoman Mimi Walters' Office, presented Ms. Sands with a Certificate of Congressional Recognition for her service to the City.

1.3 Recognition of Roger Gunderson, Laguna Hills High School Teacher of the Year 2018

Recommendation: Mayor Carruth presented a Certificate of Recognition to Laguna Hills High School Teacher of the Year Roger Gunderson. Jefferson Cha, District Representative Congresswoman Mimi Walters' Office, presented Mr. Gunderson with a Certificate of Congressional Recognition for his service to the community.

1.4 Presentation of Proclamation for "Drowning Prevention Awareness"

Recommendation: The City Council issued a Proclamation declaring May through October as "Drowning Prevention Awareness" and Mayor Carruth presented the Proclamation to Tim Perkins, Battalion Chief, Orange County Fire Authority.

1.5 Presentation of Proclamation for "Wildfire Awareness Week"

Recommendation: The City Council issued a Proclamation declaring May 6 through May 12, 2018 as "Wildfire Awareness Week" and Mayor Carruth presented the Proclamation to Tim Perkins, Battalion Chief, Orange County Fire Authority.

2. PUBLIC COMMENTS

Laguna Hills Grad Night Community Preview Event

Meg Gorham, a resident of Laguna Hills, invited the City Council and community residents to attend this year's Grad Night Community Preview Event on Wednesday, June 13, 2018, from 6:00 p.m. – 8:00 p.m., on the Laguna Hills High School campus.

Sanctuary City Concerns

Jean Michael Schlosser, a resident of Laguna Hills, voiced his concerns regarding the California "Sanctuary State" law.

3. CONSENT CALENDAR

Motion to approve the Consent Calendar:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Barbara D. Kogerman, Council Member
SECONDER:	Janine Heft, Council Member
AYES:	Mel Carruth, Mayor; Dore J. Gilbert, M.D., Mayor Pro Tempore; Janine Heft, Council Member; Barbara D. Kogerman, Council Member; Don Sedgwick, 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 April 10, 2018, Regular Meeting

Recommendation: That the City Council approve the Minutes for the April 10, 2018, Regular Meeting.

3.4 Civic Center Third Quarter Financial Report for Fiscal Year 2017/2018

Recommendation: That the City Council receive and file the report.

3.7 Proposed Resolution Adopting New City Council Policy No. 130 Regarding Digital Device and Electronic Communications Management

Recommendation: That the City Council adopt Resolution No. 2018-05-08-2, "A Resolution of the City Council of the City of Laguna Hills, California, Adopting City Council Policy No. 130 regarding Digital Device, Email Accounts, Electronic Communications Management, and Records Retention".

3.8 Approval of Resolutions Related to the November 6, 2018, General Municipal Election

Recommendation: That the City Council adopt the following Resolutions:

- (1) Resolution No. 2018-05-08-3, "A Resolution of the City Council of the City of Laguna Hills, California, calling for the holding of a General Municipal Election to be held on Tuesday, November 6, 2018, for the election of certain officers as required by the provisions of the laws of the State of California relating to General Law Cities"; and
- (2) Resolution No. 2018-05-08-4, "A Resolution of the City Council of the City of Laguna Hills, California, requesting the Board of Supervisors of the County of Orange to consolidate a General Municipal Election to be held on November 6, 2018, with the Statewide General Election to be held on the same date pursuant to Section 10403 of the Elections Code"; and
- (3) Resolution No. 2018-05-08-5, "A Resolution of the City Council of the City of Laguna Hills, California, adopting regulations for candidates for elective office pertaining to Candidates' Statements submitted to the voters at an election to be held on Tuesday, November 6, 2018".

3.9 Award of Contract for Turf Renovation, CIP No. 238-C

Recommendation: That the City Council Award the Contract for Turf Renovation, CIP No. 238-C, to CSA Holdings, Inc., dba Sports Field Services, in the Low Base Bid Amount of \$58,460.00, reject all other bids, and authorize the Mayor to sign the Construction Contract.

3.10 Grant Application for Environmental Cleanup Program - Phase VII Catch Basin Debris Gate Project, CIP No. 412-G

Recommendation: That the City Council approve the submission of a Grant Application to the Orange County Transportation Authority for the Measure M2 Environmental Cleanup Program for the Phase VII Catch Basin Debris Gate Project and adopt Resolution No. 2018-05-08-6, "A Resolution of the City Council of the City of Laguna Hills, California, authorizing an Application for Funds for the Measure M2 Environmental Cleanup, Tier 1 Grant Program, under Orange County Local Transportation Ordinance No. 3 for the Phase VII Catch Basin Debris Gate Project".

3.11 Periodic Review of Development Agreement No. 12-11-2137 (Ordinance No. 2012-4) Between the City of Laguna Hills and Laguna Hills Investment Company: Oakbrook Village Shopping Center Mixed Use Project

Recommendation: That the City Council: (1) Receive and file a report demonstrating the property owner's good faith compliance with the terms and conditions of the Development Agreement; and (2) Find and determine that the Laguna Hills Investment Company has complied in good faith with the terms and conditions of the Development Agreement for the 12-month period of January 2017 to January 2018.

3.12 Fiscal Year 2018/2019 Trauma Intervention Program Agreement

Recommendation: That the City Council approve the proposed Victim Support Services Agreement for Fiscal Year 2018/2019 with Trauma Intervention Programs, Inc. and authorize the City Manager to execute the Agreement.

ITEMS REMOVED FROM THE CONSENT CALENDAR**3.5 Proposed Office Lease with Carno Law Group for 24031 El Toro Road, Suite 210, Laguna Hills, California**

Recommendation: That the City Council approve the lease with Carno Law Group, a professional law corporation, for 24031 El Toro Road, Suite 210, Laguna Hills, California, and authorize the City Manager to execute the Lease.

Mayor Carruth removed Item No. 3.5 from the Consent Calendar. This item will return to City Council for consideration at a future date.

3.3 Approval of Warrant Register for the May 08, 2018, Regular Meeting

Council Member Heft removed Item No. 3.3 from the Consent Calendar to request additional information.

Recommendation: That the City Council approve the Warrant Register in the amount of \$1,361,796.45.

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

3.6 Resolution Amending and Restating City Council Policy No. 120 Regarding Procedures for Council Members to Place Items on Future City Council Agendas

Council Member Heft removed Item No. 3.6 from the Consent Calendar to request additional information.

Recommendation: That the City Council adopt Resolution No. 2018-05-08-1, "A Resolution of the City Council of the City of Laguna Hills, California, amending and restating City Council Policy No. 120 regarding procedures for Council Members to place items on a future City Council agenda".

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

4. PLANNING AGENCY

Mayor Carruth 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 7:34 p.m.

4.1. ROLL CALL OF PLANNING AGENCY MEMBERS

Attendee Name	Title	Status	Arrived
Mel Carruth	Chair	Present	
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 APRIL 10, 2018, REGULAR MEETING**4.3.1 Approval of Minutes for April 10, 2018, Regular Meeting**

Recommendation: That the Planning Agency approve the Minutes for the April 10, 2018, Regular Meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dore J. Gilbert, M.D., Vice Chair
SECONDER:	Barbara D. Kogerman, Agency Member
AYES:	Mel Carruth, Chair; Dore J. Gilbert, M.D., Vice Chair; Janine Heft, Agency Member; Barbara D. Kogerman, Agency Member; Don Sedgwick, Agency Member

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 Carruth reconvened the City Council meeting at 7:34 p.m. All Council Members were present.

5. CITY COUNCIL PUBLIC HEARINGS**5.1 Public Hearing on 2018 Weed, Rubbish and Refuse Abatement**

Amber Shah, Associate Civil Engineer, reviewed the information provided in the Staff Report.

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

Recommendation: That the City Council: (1) Conduct a Public Hearing, receive and consider all objections; and (2) Adopt Resolution No. 2018-05-08-7, "A Resolution of the City Council of the City of Laguna Hills, California, issuing an Abatement Order and authorizing the Assistant City Manager/Director of Public Services to commence enforcing weed, rubbish, and refuse abatement against specified parcels of land".

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

6. ADMINISTRATIVE REPORTS**6.1. City Manager**

The City Manager gave no Administrative Reports.

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 encouraged Council Members and citizens to attend Coffee with a Cop on Wednesday, May 9, 2018, at Ruby's from 9:00 a.m. – 10:00 a.m. to meet our new Chief of Police Services, Lieutenant Matt Stiverson.

Council Member Heft

Council Member Heft reported that she attended the Laguna Hills High School closing night performance of "Legally Blonde". Council Member Heft reported that she was recently sworn in as the Fifth District Representative for the Association of California Cities Orange County. Council Member Heft also attended the SOKA University's 17th Annual International Festival on Saturday, May 5, 2018.

Mayor Carruth

Mayor Carruth reported that she attended the TCA Plein Air Painting event on April 20, 2018, and shared a painting from the event. Mayor Carruth also reported that she attended the Medal of Valor Luncheon for 2018 and noted how proud she was of the men and women who serve in the Orange County Sheriff's Department.

CLOSED SESSION (Continued)**PUBLIC COMMENT ON CLOSED SESSIONS ITEM(S)**

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

ADJOURN TO CITY COUNCIL CONFERENCE ROOM**RECONVENE BACK INTO CLOSED SESSION**

The City Council reconvened into Closed Session, as part of the General Business Session, for purposes of completing its Closed Session discussions.

RECONVENE TO CITY COUNCIL CHAMBER**CLOSED SESSION REPORT****A. CONFERENCE WITH LABOR NEGOTIATORS**

Pursuant to Government Code Section 54957.6(a):

City Designated Representatives: Don White, City Manager

Melissa Au-Yeung, Deputy City Manager/City Clerk

Janice Reyes, Finance Director

Employee Organization: Laguna Hills City Employee Association

City Employee Organization

City Attorney Simonian stated that the City Council reconvened in Closed Session this evening pursuant to the authorities listed on the agenda. For Item A.

Conference with Labor Negotiators, the Council provided further direction to its designated labor representative. No further reportable action was taken on Item A.

B. 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: (1 potential case).

No reportable action was taken as a result of tonight's Closed Session meeting.

C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9:

Existing litigation pursuant to paragraph (1) of subdivision (d) of Government Code Section 54956.9.

Names of case: Cross Complaint by City of Santa Ana for Civil Rights Violations (42 U.S.C. Sec. 1983); City of Santa Ana, Cross-Claimant, vs. City of Laguna Hills, County of Orange, and all other Orange County cities, Cross-Defendants, in the matter of Orange County Catholic Worker, et al., vs. County of Orange, the City of Anaheim, the City of Costa Mesa, the City of Orange, and the City of Santa Ana; United States District Court for the Central District of California, Southern Division; Case No. SA CV 18-0155-DOC (JDE).

No reportable action was taken as a result of tonight's Closed Session meeting.

D. 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).

No reportable action was taken as a result of tonight's Closed Session meeting.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Carruth declared the meeting adjourned in memory of Larry Bertino, former Traffic Commissioner and long-time Laguna Hills resident, at 9:05 p.m. The next regularly scheduled City Council Meeting will be held June 12, 2018.

Melissa Au-Yeung, City Clerk

ATTEST:

Melody Carruth, Mayor

Approved at meeting of June 12, 2018.