

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

**REGULAR MEETING
MINUTES
Tuesday, November 28, 2017**

CLOSED SESSION - CONVENING AT 6:00 PM

CALL TO ORDER

The meeting was called to order at 6:00 p.m. by Mayor Don Sedgwick.

ROLL CALL OF CITY COUNCIL MEMBERS

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

ANNOUNCEMENT OF CLOSED SESSION ITEM(S)

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Paragraph (1) of subdivision (d) of Government Code Section 54956.9
Name of Case: *George Dayeh, Maryam Dayeh vs City of Laguna Hills*,
Orange County Superior Court, Civil Complex Center;
Case No. 30-2017-00909717

PUBLIC COMMENT ON CLOSED SESSION ITEM(S)

There were no Public Comments.

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 7:02 p.m. by Mayor Don Sedgwick.

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

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

CLOSED SESSION REPORT**A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Mayor Sedgwick stated that the City Council met in Closed Session this evening pursuant to the Closed Session authority listed on the Agenda. No reportable action was taken as a result of tonight's Closed Session meeting.

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 Maya Williams.

1.2 Certificate of Recognition - Deputy Sheriff Anthony Sambrano

Recommendation: The City Council presented a Certificate of Recognition to Deputy Sheriff Anthony Sambrano for being awarded the "Above and Beyond" award by the Saddleback Valley Unified School District.

2. PUBLIC COMMENTS

There were no Public Comments.

3. CONSENT CALENDAR

Motion to approve the Consent Calendar, with Council Member Kogerman removing Item No. 3.5:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Melody Carruth, Mayor Pro Tempore
SECONDER:	Janine Heft, Council Member
AYES:	Don Sedgwick, Mayor; Melody Carruth, Mayor Pro Tempore; Dore J. Gilbert, M.D., Council Member; Janine Heft, Council Member; Barbara D. Kogerman, 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 14, 2017, Regular Meeting

Recommendation: That the City Council approve the Minutes for the November 14, 2017, Regular Meeting.

3.3 Approval of Warrant Register for Period Ended November 28, 2017

Recommendation: That the City Council approve the Warrant Register in the amount of \$256,778.77.

3.4 2016/2017 Development Impact Fees Annual Report

Recommendation: That the City Council approve the 2016/2017 Development Impact Fees Report pursuant to Government Code Section 66006.

3.6 Contracts with the County of Orange and Age Well Senior Services for Community Development Block Grant Funds for Fiscal Year 2017/2018

Recommendation: That the City Council: (1) Approve the Contract between the County of Orange and the City of Laguna Hills for Community Development Block Grant Funds for Fiscal Year 2017/2018; (2) Approve the Contract between Age Well Senior Services and the City of Laguna Hills for Community Development Block Grant Funds for Fiscal Year 2017/2018; and (3) Authorize the Mayor and City Manager to execute the Contracts.

ITEMS REMOVED FROM THE CONSENT CALENDAR**3.5 First Quarter Financial and Treasurer's Report for Fiscal Year 2017/2018**

Council Member Kogerman removed Item No. 3.5 from the Consent Calendar in order to thank staff for their hard work and to request that Finance Manager Reyes briefly review the highlights of the report.

Recommendation: That the City Council receive and file the First Quarter Financial and Treasurer's Report for Fiscal Year 2017/2018.

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

4. PLANNING AGENCY

Mayor Sedgwick 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 7:20 p.m.

4.1 ROLL CALL OF PLANNING AGENCY MEMBERS

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

4.2 PUBLIC COMMENTS

There were no Public Comments.

4.3 APPROVAL OF MINUTES FOR NOVEMBER 14, 2017, REGULAR MEETING**4.3.1 Approval of Minutes for November 14, 2017, Regular Meeting**

Recommendation: That the Planning Agency approve the Minutes for the November 14, 2017, Regular Meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Janine Heft, Agency Member
SECONDER:	Dore J. Gilbert, M.D., Agency Member
AYES:	Don Sedgwick, Chair; Melody Carruth, Vice Chair; Dore J. Gilbert, M.D., Agency Member; Janine Heft, Agency Member; Barbara D. Kogerman, 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 Sedgwick reconvened the City Council Meeting at 7:21 p.m. All Council Members were present.

5. CITY COUNCIL PUBLIC HEARINGS

There were no City Council Public Hearings.

6. ADMINISTRATIVE REPORTS

6.1 City Manager

6.1.1 Acceptance of Letter of Resignation Filed by City Manager

City Manager Bruce E. Channing announced his retirement, highlighted a few of his accomplishments, expressed his appreciation to the staff and City Council Members he has worked with during his 26 years with the City, and stated that leaving the community and individuals that have been so supportive during his career will be difficult.

Council Members expressed their appreciation to City Manager Channing for his service and leadership and congratulated him on his retirement. Mayor Sedgwick thanked City Manager Channing for his service and talked about the positive impact Mr. Channing has had on the community. Mayor Sedgwick also stated that the City Council will explore their options as they move forward in filling the position including looking within the City to promote.

Recommendation: That the City Council accept the Letter of Resignation filed by City Manager Bruce E. Channing, receive and file the report, and provide direction as necessary.

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

6.2 City Attorney

6.2.1 Appointment of Labor Negotiator

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

Recommendation: That the City Council appoint Mayor Don Sedgwick to serve as the Council-designated Labor Representative for purposes of facilitating the Contract Negotiation process to retain a new City Manager.

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

7. MATTERS AGENDIZED AND PRESENTED BY CITY COUNCIL MEMBERS

7.1 Proposal to Amend Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code to Require a Regulatory Permit for the Limited Personal Cultivation of Marijuana Inside a Person's Private Residence and Inside an Accessory Structure to a Person's Private Residence in Accordance with State Law

Council Member Heft discussed the information provided in the Staff Report and reviewed her reasons for wanting to implement a simple regulatory permit system in the City of Laguna Hills.

Council Members, City Attorney Simonian, and staff engaged in a detailed discussion regarding this Item.

A motion was made to reject the recommendation as written in the Staff Report, to stay the course, and continue to monitor how other local regulatory permit programs are playing out in neighboring cities, by Mayor Pro Tempore Carruth, seconded by Council Member Gilbert.

No action was taken on this motion.

A substitute motion was made to accept the recommendation that the City Council approve the process of drafting an Amendment to Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code to require a Regulatory Permit for the Limited Personal Cultivation of Marijuana inside a Person's Private Residence and inside an Accessory Structure to a Person's Private Residence in accordance with State Law, by Council Member Kogerman, seconded by Council Member Heft.

Len Herman, a resident of Laguna Hills, spoke in opposition to establishing a regulatory permit program for the limited personal cultivation of marijuana.

Mayor Pro Tempore Carruth made a motion to call the question.

All those in favor of the substitute motion as presented by Council Member Kogerman.

RESULT:	FAILED [2-3]
MOVER:	Barbara D. Kogerman, Council Member
SECONDER:	Janine Heft, Council Member
AYES:	Janine Heft, Council Member; Barbara D. Kogerman, Council Member
NAYS:	Don Sedgwick, Mayor; Melody Carruth, Mayor Pro Tempore; Dore J. Gilbert, M.D., Council Member

All those in favor of the original motion as presented by Mayor Pro Tempore Carruth with an amendment to revisit the issue within one year to read as:

“Reject the recommendation as written in the Staff Report, stay the course, continue to monitor how other local regulatory permit programs are playing out in neighboring cities, and revisit the issue within one year.”

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

8. CITY COUNCIL MEMBER COMMENTS

Council Member Kogerman

Council Member Kogerman reported that she attended the 9th Annual South County Veterans Resource Fair held at Saddleback College on Tuesday, September 19, 2017, shared literature she received at the event, and requested that these items be made available at the Community Center and Civic Center.

Mayor Pro Tempore Carruth

Mayor Pro Tempore Carruth encouraged Council Members and staff to attend the "Breakfast with Santa" event being held at the Community Center on Saturday, December 9, 2017, from 9:00 a.m. – 11:00 a.m.

Council Member Heft

Council Member Heft stated that she was excited to be elected to serve as the 5th District Representative to the ACC-OC.

Council Member Gilbert

Council Member Gilbert reported that he has been invited to breakfast with President Donald Trump this Saturday, December 2, 2017.

9. CLOSED SESSION

9.1 PUBLIC EMPLOYEE APPOINTMENT

Pursuant to Government Code Section 54957
Title: City Manager

9.2 CONFERENCE WITH LABOR NEGOTIATOR

Pursuant to Government Code Section 54957.6

Agency Negotiator: Don Sedgwick, Mayor

Unrepresented Employee: Donald J. White, Assistant City Manager

Mayor Sedgwick recessed the meeting into Closed Session at 8:22 p.m. There were no Public Comments on Closed Session Items.

Mayor Sedgwick reconvened the City Council meeting at 9:48 p.m. All Council Members were present. Mayor Sedgwick stated that the City Council met in Closed Session pursuant to the Closed Session authority listed on the Agenda. 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 Sedgwick declared the meeting adjourned at 9:50 p.m.

Melissa Au-Yeung, City Clerk

ATTEST:

, Mayor

Approved at meeting of December 12, 2017.

