



## CITY COUNCIL AGENDA

CLOSED SESSION

**Tuesday, February 27, 2024, 4:00 p.m. – 5:00 p.m.  
and Thursday, February 29, 2024, 4:00 p.m. – 5:00 p.m.**

**Public Comment can be provided at 4:00 p.m. on any item on the Closed Session agenda, in Council Chambers at 505 Forest Avenue, Laguna Beach, CA 92651, then the Council will convene in Conference Room A for the Closed Session.**

**1. PUBLIC EMPLOYEE APPOINTMENT**

Pursuant to Government Code Section 54957(b)(1)  
Title: Interim/Acting City Manager

**2. PUBLIC EMPLOYEE APPOINTMENT**

Pursuant to Government Code Section 54957(b)(1)  
Title: City Manager

**3. CONFERENCE WITH LABOR NEGOTIATORS**

Pursuant to Government Code Section 54957.6  
Agency Designated Representatives: Interim City Manager Sean Joyce; City Attorney Megan Garibaldi  
Unrepresented Employee: City Manager (to be appointed)

**4. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**

**Pursuant to Government Code Section 54956.9(d)(1)**  
Number of Cases: One (1)  
*Dornin v. City of Laguna Beach*, Orange County Superior Court Case No. 30-2021-01183025

**5. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

**Pursuant to Government Code Section 54956.9(d)(2)**  
**Number of Potential Cases: One (1)**  
Pursuant to Government Code Sections 54956.9(d)(2) and (e)(2), there is significant exposure to litigation against the City based on the following existing facts and circumstances, which are known to potential plaintiffs: A sewer backup occurred on July 11, 2023 at 278 Cypress Drive, which impacted the onsite property.

**SEMI-ANNUAL REPORT OF PENDING CIVIL LITIGATION AND GENERAL LIABILITY UPDATE:**

**6. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (LAWSUITS)**

**Pursuant to Government Code Section 54956.9(d)(1)**

**Number of Cases: Eight (8)**

- (1) *Chen and Koyanagi v. City of Laguna Beach*, Orange County Superior Court Case Nos. 30-2021-01238322 and 30-2022-01241426;
- (2) *Laguna Beach Company v. City of Laguna Beach*, Orange County Superior Court Case No. 30-2022-01291759;
- (3) *Ross v. City of Laguna Beach*, Orange County Superior Court Case No. M-20291;
- (4) *Alexander and Zeytoon Enterprises v. California Department of Transportation, et al.*, Orange County Superior Court Case No. 30-2023-91332564;
- (5) *Steinmetz v. City of Laguna Beach*, USDC Case No. 8:21-cv-02112 JVS DFM;
- (6) *Laguna Beach Coalition for Environmental Protection v. City of Laguna Beach (Yvonne Park)*, Orange County Superior Court, Case No. 30-2023-01349628
- (7) *Laguna Beach Historic Preservation Coalition v. City of Laguna Beach*, Orange County Superior Court Case No. 30-2021-01178477; San Diego County Superior Court Case No. 37-2022-00041130;
- (8) *Laguna Historic Preservation Coalition and Jurca v. City of Laguna Beach (Michael Ray)*, Orange County Superior Court Case No. 30-2021-01235816.

**7. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (CLAIMS)**

**Pursuant to Government Code Section 54956.9(d)(1)**

**Number of Claims: Forty-Six (46)**

- (1) 283 Broadway LLC (Claim No. GHC0049471);
- (2) Erica Barnes (Claim No. GHC0043242);
- (3) Rene Baxter-Payne (Claim No. GHC0062483);
- (4) Benjamin Bohannan (Claim No. GHC0051008);
- (5) Mahtab Bolbolan and Sufyan Hassan (Claim No. GHC0050497);
- (6) Jay Casas (Claim No. GHC0063469);
- (7) Carolyn Chaney (Claim No. GHC0046608);
- (8) Ryan Clark (Claim No. GHC0056720);
- (9) Scott Delorme, Frances Delorme and Sepehr Saeedi (Claim No. GHC0060170);
- (10) Maxine Dobro (Claim No. GHC0067795);
- (11) Emily Dygert (Claim No. GHC0041995);
- (12) Marshall Eichenauer (Claim No. GHC0067344);
- (13) Steve Ellman (Claim No. GHC0036671);
- (14) Sami Fadel (Claim No. GHC0045387);
- (15) Leonard Feigenbaum (Claim No. GHC0060679);
- (16) Cindy Flores, Mia Villegas, Alejandro Hurtado, Jason Aflague, Zachary Miller (Claim No. GHC0067574);
- (17) Laura Giffin (Claim No. GHC0064110);
- (18) Rachael Gray (Claim No. GHC0063459);
- (19) Rodney Halvorson and Interinsurance Exchange of the Automobile Club a.s.o. Rodney Halvorson (Claim No. GHC0048936);
- (20) Shane Hardin (Claim No. GHC0045707);

- (21) Interinsurance Exchange of the Automobile Club a.s.o. Maria Buitrago (Claim No. GHC0065669);
- (22) Julie Jacobsen (Claim No. GHC0046716);
- (23) Charles Johnson and Christine Cilano (Claim No. GHC0066798);
- (24) Karen Kenney (Claim No. GHC0049855);
- (25) Laguna Beach Properties Inc. DBA Tuvalu (Claim No. GHC0064704);
- (26) Patricia Lockwood (Claim No. GHC0060658);
- (27) Mary Scifres and Brian Beu (Claim No. GHC0062117);
- (28) Coral Mines (Claim No. GHC0050056);
- (29) Edith Otto and Jimmy Otto (Claim No. GHC0034199);
- (30) Francine Patten (Claim No. GHC0067676);
- (31) Natalie Peart (Claim No. GHC0062608);
- (32) Nicholas Pumas (Claim No. GHC0058879);
- (33) Sergio Ramirez (Claim No. GHC0047841);
- (34) Jon Romans (Claim No. GHC0031186);
- (35) Gene Sottosanto (Claim No. GHC0064820);
- (36) South Coast Water District, Anna and James Collins Goddard, Clark and Marie McCarthy, Craig & Alicia Timmins, David Serrurier and Barry Fogel, Jacob Berger, Ken and Diane Berger, Lenelle Hamil, Lona Ingwerson, Rachel Alcone, Richard and Janice Brown (Claim No. GHC0052571);
- (37) Woni Spotts (Claim No. GHC0049471);
- (38) Donald Thomas (Claim No. GHC0050248);
- (39) Jose Ucros (Claim No. GHC0053626);
- (40) Dennis Upchurch (Claim No. GHC0066968);
- (41) James Vale and Donna Woodworth (Claim No. GHC0062608);
- (42) Kennette Valencia (Claim No. GHC0047697);
- (43) Ralph Vanderlinde (Claim No. GHC0045628);
- (44) Diane Varela (Claim No. GHC0040667);
- (45) Amanda Wilde (Claim No. GHC0067430);
- (46) Dafidd "Rhod" Williams and Janine Williams (Claim No. GHC0041746).

**8. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION**  
**Pursuant to Government Code Section 54956.9(d)(2) and 54956.9(e)(2)**  
**Number of Potential Cases: One (1)**

Pursuant to Government Code Sections 54956.9(d)(2) and (e)(2), there is significant exposure to litigation against the City based on the following existing facts and circumstances, which are known to a potential plaintiff (i.e., a nonprofit interest group named Foundation for Individual Rights and Expression (“FIRE”)): on August 14, 2023, FIRE transmitted correspondence to the City alleging that Laguna Beach Municipal Code § 11.60.040, entitled “Special Regulations for the Forest Avenue Promenade,” is an unconstitutional restriction on speech under the First Amendment. FIRE’s correspondence is attached to the agenda and on file with the City Clerk’s Office for review.

Posted February 22, 2024