

MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST

The Regular Meeting of the City Council of the City of Lake Forest held Tuesday, November 15, 2022, at the Lake Forest City Council Chamber, 100 Civic Center Drive, Lake Forest, California, was called to order at 5:30 p.m.

ROLL CALL:	Councilmembers:	Mark Tetteimer Scott Voigts Neeki Moatazedi
	Mayor Pro Tem	Doug Cirbo
	Mayor:	Robert Pequeño (absent)
	City Manager:	Debra Rose
	City Attorney:	Matthew Richardson
	City Clerk:	Lisa Berglund

CLOSED SESSION: (Item No. 1)

1. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(2) NUMBER OF POTENTIAL CASES: 1

ACTION: Closed session was conducted.

RECESS: City Council recessed to Closed Session for the purpose of conducting regular City business.

Following closed session, a reception was held in the lobby of the City Council Chambers to recognize Council Member Moatazedi's service to the community.

RECONVENE: At 6:30 p.m., City Council reconvened to continue regular City business.

PUBLIC SESSION:

INVOCATION: The Invocation was provided by Deacon Dan Diesel, Santiago de Compostela Catholic Church.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance to the Flag of our Country was led by Council Member Neeki Moatazedi.

CLOSED SESSION REPORT: City Attorney Richardson had no action to report.

PRESENTATIONS: (Items Nos. 2-3)

MOTION: It was moved by Council Member Voigts and seconded by Council Member Moatazedi to approve Presentation Item Nos. 2-3. The motion was carried by a vote of 4/0 with Mayor Pequeño absent.

2. RESOLUTION RECOGNIZING OUTGOING CITY COUNCIL MEMBER NEEKI MOATAZEDI

ACTION: A resolution entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, COMMENDING COUNCIL MEMBER NEEKI MOATAZEDI FOR HER SERVICE TO THE COMMUNITY AS A MEMBER OF THE LAKE FOREST CITY COUNCIL was adopted and presented.

3. COMMENTS BY OUTGOING CITY COUNCIL MEMBER NEEKI MOATAZEDI

ACTION: Comments were received by outgoing District 2 Council Member Neeki Moatazedi.

PUBLIC COMMENTS:

Andrea Alexander congratulated Councilmember-elect Benjamin Yu and wished Council Member Moatazedi well. She further complimented city staff on the success of The Meadows senior housing project.

Andrew O'Connor criticized Council Member Moatazedi's outgoing comments, and her service to the city during her term in office.

Bob Holtzclaw criticized Council Member Voigts' service to the community during his term in office.

Kevin Moeller participated virtually. He introduced himself as the HOA president for Nomandale Heights. He reported speeding on Regency Lane near Pembroke. He also reported overgrown vegetation between Normandale Heights and the Lake Forest Sports Park.

Randy Johnson submitted written comments prior to the City Council meeting to be included in the public comment portion of the record. His written comments pertained to the accuracy of the City Council meeting minutes of October 18, 2022, and the adoption of those minutes by the City Council on November 1, 2022.

CONSENT CALENDAR: (Item Nos. 4 - 13)

MOTION: Council Member Tettemer pulled Item No. 13 for separate consideration. It was moved by Council Member Voigts and seconded by Council Member Tettemer to approve Consent Calendar Item Nos. 4-12. The motion was carried by a vote of 4/0 with Council member Tettemer dissenting from Item No. 5 and Mayor Pequeño absent.

4. MOTION TO WAIVE RESOLUTIONS OF RESOLUTIONS AND ORDINANCES

ACTION: Said Ordinances and Resolutions appearing on the public agenda were determined to have been read by title and further reading was waived.

5. CONTINUING TO HOLD VIRTUAL MEETING PURSUANT TO AB 361

ACTION: Renewed findings were made that a state of emergency remains in effect and that state and local officials continue to recommend measures that promote social distancing.

6. MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON NOVEMBER 1, 2022

ACTION: The minutes were approved as submitted.

7. AMENDMENT OF PERSONNEL RULES AND REGULATIONS

ACTION: A Resolution entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING THE AMENDMENT OF THE PERSONNEL RULES AND REGULATIONS was adopted.

8. AWARD AN AGREEMENT FOR TRAUMA INTERVENTION SERVICES

ACTION: A three-year professional consultant services agreement with a compensation amount not-to-exceed \$30,810 to Trauma Intervention Program of Orange County for support services to victims of traumatic events was awarded. The Mayor was authorized to sign, and the City Clerk was authorized to attest, the agreement with Trauma Intervention Program of Orange County, substantially in the form presented.

9. ACQUISITION OF A PORTION OF A PARCEL ON THE SOUTHWEST CORNER OF BAKE PARKWAY AND TRABUCO ROAD/IRVINE BOULEVARD FROM SOUTHERN CALIFORNIA EDISON FOR THE PURPOSE OF A ROADWAY EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT

ACTION: The City Manager was authorized to execute the agreement for acquisition of real property. Staff was directed to issue a payment in the amount of \$340,000 to Southern California Edison, and the City Manager (or her designee) was authorized to perform any additional acts necessary to complete the above transaction.

10. SECOND AMENDMENT TO THE AGREEMENT WITH AQUABIO ENVIRONMENTAL TECHNOLOGIES, INC., FOR WILDLIFE MITIGATION AND POND MAINTENANCE SERVICES AT VETERANS PARK

ACTION: The second amendment to the agreement for maintenance services with AquaBio Environmental Technologies, Inc., for wildlife mitigation and pond maintenance services at Veterans Park was approved. The Mayor was

authorized to sign, and the City Clerk was authorized to attest, the second amendment substantially in the form presented.

11. NOTICE OF COMPLETION FOR SLURRY SEAL PROJECT FOR NON-ARTERIAL STREETS, ZONE F (PW 2021-05A)

Public comment: Andrew O'Connor reported that the slurry seal on Lake Forest Drive between Portola and north to the top of the hill has deteriorated. Mr. O'Connor has read on social media that the same is true for Alton Parkway. He recommended that the city not sign off on the slurry seal project.

ACTION: It was found that American Asphalt South, Inc. has completed construction of slurry seal project for non-arterial streets, Zone F (PW 2021-05A). The notice of completion was approved and the Mayor was authorized to execute the document on behalf of the City. The City Clerk was authorized to submit a Notice of Completion for recordation to the Office of the County Recorder of Orange County within fifteen days of the City Council approval, as required by Section 9204 of the California Civil Code. Staff was authorized to release any unencumbered retention in accordance with California law.

12. CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974

ACTION: A resolution entitled: RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING AND ADOPTING AN AMENDED CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974 was adopted.

13. SECOND READING AND ADOPTION OF ORDINANCE NO. 358, REGULATING E-BIKES AND MAKING VARIOUS UPDATES TO THE LAKE FOREST MUNICIPAL CODE

Council Member Tettermer asked if users of Sur-ron electric motor bikes are affected by this ordinance. Captain Chad Taylor explained that because Sur-rons have foot pegs, not pedals, drivers of electric motor bikes like Sur-rons require a motorcycle endorsement. City Attorney Richardson further clarified that speed limits would apply to drivers of Sur-rons and other motorized bikes and vehicles.

MOTION: It was moved by Council Member Tettermer and seconded by Council Member Voigts to approve the second reading of Ordinance No. 358, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING VARIOUS SECTIONS OF TITLES 2, 12, AND 13 OF THE LAKE FOREST MUNICIPAL CODE TO MAKE MINOR REFINEMENTS, CORRECTIONS, CLEAN-UP AMENDMENTS; AND ADDING CHAPTER 13.22 PROHIBITING THE USE OF OPEN FLAMES ON PUBLIC PROPERTY; AND DETERMINING THE ORDINANCE TO BE EXEMPT FROM CEQA.

DISCUSSION: (Item Nos. 14-18)

14. APPROVAL OF NONEXCLUSIVE PUBLIC FRANCHISE AGREEMENT WITH SIFI NETWORKS LAKE FOREST LLC

City Manager Rose introduced this item and invited Assistant City Engineer Doug Erdman to provide a presentation on this item. The presentation was received by the Mayor and Council.

After staff's presentation, a member of the public joined the meeting virtually to make a comment. The speaker did not provide their name and was only identified by the phone number with the last four digits as 4144. The speaker suggested the City Council increase the beautification standards for the city to include more landscaping and better lighting hear around shopping centers.

City Council Members questions were asked and answered by staff and Scott Bradshaw of Sifi Networks.

MOTION: Council Member Moatazedi made a motion to approve a nonexclusive public franchise agreement with SiFi Networks Lake Forest, LLC for deployment of City wide Fiber Optic to the Premises System, and the City Manager in consultation with the City Attorney was authorized to make any non-substantive changes to the Franchise Agreement deemed necessary, and the City Manager and/or her designee was authorized to execute all the necessary documents in a form approved by the City Attorney. The motion was seconded by Council Member Voigts. The motion passed 4/0 with Mayor Pequeño absent.

15. SOLID WASTE AD HOC COMMITTEE UPDATE

City Manager Rose introduced this item and invited Senior Management Analyst Christine Groves to provide a presentation on this item. The presentation was received by the Mayor and Council. City Council Members questions were asked and answered by staff.

Council Member Tettermer moved to direct staff to prepare an amendment to the Memorandum of Understanding (MOU) regarding solid waste procurement services and to extend the MOU to include the procurement and selection process of a new solid waste services agreement, and for staff to present the amended MOU to the City Council in January 2023. Council Member Tettermer's motion was seconded by Council Member Voigts. The motion was carried by a vote of 4/0 with Mayor Pequeño absent.

16. ADOPTION OF 2022 CALIFORNIA BUILDING STANDARDS CODES

City Manager Rose introduced this item and invited Senior Planner Ron Santos to provide a presentation on this item. The presentation was received by the Mayor and Council.

Council Member Tettemer requested a summary of the public comment letters the City received from the Orange County Chapter of the Building Industry Association and Orange County Fire Authority. Senior Planner Santos provided a summary of the letters.

Senior Planner Santos further clarified that the 2021 International Swimming Pool, Spa and Hot Tub Code (ISPSC) and the International Property Maintenance Code (IPMC) are not part of the California Building Standards Code. He explained that those codes are published by the International Code Council and the city is not obligated to consider those codes for adoption.

MOTION: Council Member Voigts made a motion to postpone this discussion to a future meeting. No second was heard.

Further discussion ensued among the City Council Members and Council questions were asked and answered by staff.

MOTION: It was moved by Council Member Tettemer to postpone the first reading of this item to December 6, 2022, and hold the public hearing on December 20, 2022. Council Member Voigts withdrew his motion. Council Member Tettemer's motion was seconded by Council Member Moatazedi. The motion was carried by a vote of 4/0 with Mayor Pequeño absent.

At 8:17 p.m. Council Member Moatazedi exited the City Council meeting.

17. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING ARTICLE 1 (PUBLIC NUISANCE) OF CHAPTER 6.14 (NUISANCES, GENERAL) OF TITLE 6 (HEALTH AND SANITATION) AND SECTION 1.01.250 OF THE LAKE FOREST MUNICIPAL CODE TO PROVIDE FOR SUMMARY NUISANCE ABATEMENT PROCEDURES, RECOVERY OF EXPENSES; AND MODIFYING THE PROCESS FOR NOTICE, HEARING, AND APPEALS REGARDING INVOLUNTARY ABATEMENT OF A NUISANCE; AND DETERMINING THE ORDINANCE TO BE EXEMPT FROM CEQA

City Manager Rose introduced this item and referred to City Attorney Mal Richardson to provide a presentation on this item. The presentation was received by the Mayor and Council. City Council asked clarifying questions. Those questions were answered by City Attorney Richardson.

MOTION: Council Member Voigts moved staff recommendation and introduced for first reading an Ordinance entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING

ARTICLE 1 (PUBLIC NUISANCE) OF CHAPTER 6.14 (NUISANCES, GENERAL) OF TITLE 6 (HEALTH AND SANITATION) AND SECTION 1.01.250 OF THE LAKE FOREST MUNICIPAL CODE TO PROVIDE FOR SUMMARY NUISANCE ABATEMENT PROCEDURES, RECOVERY OF EXPENSES; AND MODIFYING THE PROCESS FOR NOTICE, HEARING, AND APPEALS REGARDING INVOLUNTARY ABATEMENT OF A NUISANCE; AND DETERMINING THE ORDINANCE TO BE EXEMPT FROM CEQA. The motion was seconded by Council Member Tetteimer. The motion was carried by a vote of 3/0 with Council Member Moatazedi no longer present and Mayor Pequeño absent.

18. SECURITY CAMERA REBATE PROGRAM

City Manager Rose introduced this item and invited Senior Management Analyst Sharlyn de la Paz to provide a presentation on this item. The presentation was received by the Mayor and Council.

MOTION: A motion was made by Council Member Tetteimer to proceed with Option 2 as identified in the staff report which was for staff to provide information at a future date if there is a home self-monitoring security camera rebate program that becomes available. The motion was seconded by Council Member Voigts. The motion was carried by a vote of 3/0 with Council Member Moatazedi no longer present and Mayor Pequeño absent.

CITY MANAGERS REPORT: City Manager Rose had nothing further to report.

CITY COUNCIL COMMENTS:

- Council Member Tetteimer: Council Member Tetteimer complimented Mayor Pro Tem Cirbo for chairing tonight's meeting. He reported that he attended the Veteran's Day event held at El Toro Memorial Park Cemetery where Mayor Pequeño gave the keynote speech at the event.
- Council Member Voigts: Council Member Voigts attended the Veteran's Day event held at El Toro Memorial Park Cemetery. Mayor Pequeño did a great job. Heritage Hill will have a holiday lighting ceremony and is looking forward to the City Hall Tree Lighting ceremony. Lastly, he complimented Mayor Pro Tem Cirbo for chairing tonight's meeting.
- Mayor Pro Tem Cirbo: Mayor Pro Tem Cirbo attended the Veteran's Day event held at El Toro Memorial Park Cemetery. He

thanked the members of the audience that were in attendance tonight.

ADJOURNMENT: The regular meeting of the City Council was adjourned at 8:36 p.m.

Respectfully submitted:

APPROVED:

LISA BERGLUND, MPA

CITY CLERK

DOUG CIRBO

MAYOR PRO TEM