

MINUTES OF A 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, June 6, 2023, at the Lake Forest City Council Chambers, 100 Civic Center Drive, Lake Forest, California, was called to order at 5:30 p.m. with all members present.

ROLL CALL:	Council Members:	Robert Pequeño Scott Voigts Benjamin Yu
	Mayor Pro Tem:	Mark Tettemer
	Mayor:	Doug Cirbo
	City Manager:	Debra Rose
	City Attorney:	Matthew E. Richardson
	City Clerk:	Lisa Berglund

CLOSED SESSION

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code section 54957
Title: City Manager

ACTION: Conduct closed session.

2. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code Section 54957.6
Agency designated representative: City Manager
Unrepresented employee: All Employees

ACTION: Conduct closed session.

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

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

PUBLIC COMMENT: Andrew O'Connor expressed his concerns with the process for evaluating the City Manager's performance.

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 Scout Troop 661.

PUBLIC COMMENTS:

Bob Holtzclaw expressed his concerns on various issues regarding Council Member Voigts.

Andrew O'Connor expressed his concerns regarding the City's agreement with Kidder Matthews, staff attendance at the Memorial Day event at the El Toro Memorial Cemetery, and various issues concerning Council Members Voigts and Pequeño.

CONSENT CALENDAR: (Item Nos. 3 – 14)

Council Member Yu pulled Item Nos. 7 – 8 for discussion. Mayor Pro Tem Tetterer pulled Item No. 13 for discussion.

MOTION: It was moved by Council Member Voigts, seconded by Council Member Yu, to approve Item Nos. 3 – 6, 9 – 12, and 14. The motion was carried by a vote of 5/0.

3. MOTION TO WAIVE READING OF RESOLUTIONS AND ORDINANCES

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

4. MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON MAY 16, 2023

ACTION: The minutes were approved as submitted.

5. MINUTES OF THE BUDGET WORKSHOP OF THE CITY COUNCIL HELD ON MAY 23, 2023

ACTION: The minutes were approved as submitted.

6. AGREEMENT FOR TRAFFIC SIGNAL MAINTENANCE SERVICES

ACTION: 1. An Agreement for Traffic Signal Maintenance Services in the amount of \$1,837,017 was awarded to Bear Electrical Solutions, Inc.; and 2. The Mayor was authorized to sign, and the City Clerk to attest, the award of Agreement to Bear Electrical Solutions, Inc., substantially in the form attached.

9. INDEPENDENCE DAY PARADE ROAD CLOSURES AND RELATED ACTIVITIES ON JULY 4, 2023

ACTION: 1. Road closures of race and parade route from 5:00 a.m. - 2:00 p.m.

on July 4, 2023, were approved. 2. Public Works was directed to provide required traffic control devices and crews for road closures. 3. Orange County Sheriff's Department was directed to staff road closures and patrol events. 4. Additional street sweeping of the route was approved.

10. UPDATED 2023 IMPLEMENTATION GUIDELINES FOR THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

ACTION: A Resolution Entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING AND ADOPTING LOCAL GUIDELINES FOR IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (PUB. RESOURCES CODE 21000 ET SEQ.) was adopted.

11. THIRD AMENDMENT TO THE AGREEMENT WITH THOMAS J. O'CONNELL DBA LAKE FOREST ELECTRIC FOR ELECTRICAL MAINTENANCE SERVICES

ACTION: 1. The Third Amendment to the Agreement with Thomas J. O'Connell DBA Lake Forest Electric for Electrical Maintenance Services was approved. 2. The Mayor was authorized to sign, and the City Clerk to attest, the Third Amendment substantially in the form attached.

12. INTERIM APPOINTMENT FOR THE POSITION OF DEPUTY CITY MANAGER AND ADOPTING A RESOLUTION AUTHORIZING THE HIRING A RETIRED ANNUITANT

ACTION: 1. A Resolution entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPOINTING DONALD J. WHITE AS DEPUTY CITY MANAGER ON AN INTERIM BASIS AND APPROVING EMPLOYMENT AGREEMENT was adopted. 2. The Mayor was authorized to sign, and the City Clerk attest to, the employment agreement with Donald White, in the form attached.

14. AWARD OF CONTRACT FOR FINANCIAL AND SPECIAL AUDIT SERVICES

ACTION: 1. Professional Consultant Services Agreement was awarded to CliftonLarsonAllen LLP ("CLA") in the amount of \$233,060.00 for Financial and Special Audit Services. 2. The Mayor was authorized to sign, and the City Clerk to attest, the agreement with CLA, substantially in the form attached.

ITEMS PULLED FOR DISCUSSION: (Item Nos. 7 – 8, and 13)

7. AWARD OF CONTRACT FOR MEDIANS, PARKWAYS, AND SLOPES LANDSCAPE MAINTENANCE SERVICES

Council Member Yu expressed his concerns with the Request for Qualifications (RFQ) process and inquired as to whether this process could be revised before awarding contracts to Nieves Landscaping, Inc. City Manager Rose, City Attorney Richardson, and Public Works Director Wheeler recommended awarding contracts to Nieves Landscaping, Inc. and that the City Council may review the procurement process for future contracts. No public comment was offered.

MOTION: It was moved by Council Member Yu, seconded by Council Member Voigts, to: 1. Award an Agreement for Maintenance Services in the amount of \$4,036,680 to Nieves Landscaping, Inc., of Santa Ana, California for Medians, Parkways and Slopes Landscape Maintenance Services. 2. Authorize the Mayor to sign, and the City Clerk to attest, the award of contract to Nieves Landscaping, Inc., of Santa Ana, California, substantially in the form attached. The motion was carried by a vote of 5/0.

8. AWARD OF CONTRACT FOR PASSIVE PARK LANDSCAPE AND RESTROOM MAINTENANCE SERVICES

MOTION: It was moved by Council Member Yu, seconded by Council Member Voigts, to: 1. Award an Agreement for Maintenance Services of \$3,365,770.80 to Nieves Landscaping, Inc., of Santa Ana, California, for Passive Park Landscape and Restroom Maintenance Services. 2. Authorize the Mayor to sign, and the City Clerk to attest, the award of contract to Nieves Landscaping, Inc., of Santa Ana, California, substantially in the form attached. The motion was carried by a vote of 5/0.

13. SECOND AMENDMENT TO THE AGREEMENT WITH ALL CITY MANAGEMENT SERVICES, INC.

Statement read into the record:

Mayor Cirbo: Item 13 on the Consent Calendar is an amendment to the agreement with All City Management Services. Because my wife is an employee of ACMS, I have determined that I have a remote interest in this item and will abstain from voting on this item.

Mayor Cirbo recused himself from the meeting at 7:00 p.m. and turned the meeting over to Mayor Pro Tem Tettemer. No public comment was offered. Council member questions were asked and answered.

MOTION: It was moved by Mayor Pro Tem Tettemer, seconded by Council Member Pequeño, to continue this item to the next regularly scheduled Council meeting on June 20, 2023. The motion was carried by a vote of 4/0, with Mayor Cirbo recusing himself from the vote.

Mayor Cirbo returned to the dais at 7:05 p.m.

PUBLIC HEARING: (Item No. 15)

15. CITY-INITIATED ORDINANCES TO AMEND TITLES 5 AND 9 OF THE LAKE FOREST MUNICIPAL CODE TO ADDRESS LOW BARRIER NAVIGATION CENTERS, TRANSITIONAL AND SUPPORTIVE HOUSING, STREAMLINED REVIEW OF ELIGIBLE PROJECTS, EMPLOYEE HOUSING, EMERGENCY SHELTER PARKING, AND RESIDENTIAL CARE FACILITIES AND FINDING THE ACTIONS TO BE EXEMPT FROM CEQA UNDER STATE CEQA GUIDELINES SECTIONS 15060(C)(1) AND 15061(B)(3)

Mayor Cirbo opened the Public Hearing.

City Manager Rose introduced this item and invited Community Development Assistant Director Stonich to provide a presentation. No public comment was offered. Council member questions were asked and answered.

Mayor Cirbo closed the Public Hearing.

MOTION: It was moved by Council Member Yu, seconded by Council Member Voigts, to: 1. Introduce First Reading of an Ordinance entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING TITLE 9 OF THE LAKE FOREST MUNICIPAL CODE TO ADDRESS LOW BARRIER NAVIGATION CENTERS, TRANSITIONAL AND SUPPORTIVE HOUSING, STREAMLINED REVIEW OF ELIGIBLE PROJECTS, EMPLOYEE HOUSING, EMERGENCY SHELTER PARKING, AND RESIDENTIAL CARE FACILITIES AND FINDING THE ACTION TO BE EXEMPT FROM CEQA UNDER STATE CEQA GUIDELINES SECTIONS 15060(c)(1) AND 15061(b)(3). 2. Introduce First Reading of an Ordinance entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, ADDING CHAPTER 5.44 TO THE LAKE FOREST MUNICIPAL CODE REGARDING RESIDENTIAL CARE FACILITIES AND FINDING THE ACTION TO BE EXEMPT FROM CEQA UNDER STATE CEQA GUIDELINES SECTIONS 15060(c)(1) AND 15061(b)(3). The motion was carried by a vote of 5/0.

DISCUSSION/ACTION ITEMS: (Item Nos. 16 – 17)

Statement read into the record:

Council Member Voigts: I am an employee of the County of Orange, but I do not work for the department involved in Item No. 16. Because the County of Orange is a public agency and because I do not work for the department in question, I have determined that I have a non-interest in this item and will participate on this item.

16. AGREEMENT WITH THE COUNTY OF ORANGE FOR LAW ENFORCEMENT SERVICES

City Manager Rose introduced this item and invited Assistant to the City Manager McGovern to provide a presentation. Andrew O'Connor offered public comment and expressed his concerns with Council Member Pequeño not recusing himself from this item, on the salary amount for Chief of Police Services Captain Berryman, and the overall amount of the contract. Council members expressed gratitude for the Orange County Sheriff's Department's services.

MOTION: It was moved by Council Member Voigts, seconded by Council Member Yu, to approve and authorize the Mayor to sign the Agreement with the County of Orange for Law Enforcement Services for Fiscal Year 2023-24. The motion was carried by a vote of 5/0.

17. MISCELLANEOUS BUDGET ITEMS

City Manager Rose introduced this item and invited Finance Director Shirah to provide a presentation. No public comment was offered. Council member questions were asked and answered.

MOTION: It was moved by Council Member Yu, seconded by Council Member Voigts, to: 1. Receive presentations on the Financial Management and Budgetary Policy and General Fund Reserve Risk Analysis. 2. Approve the proposed changes to the City's Financial Management and Budgetary Policy. 3. Review and provide feedback regarding the General Fund Risk Reserve Analysis. The motion was carried by a vote of 5/0.

CITY MANAGER'S REPORT: City Manager Rose had nothing further to report.

CITY COUNCIL COMMENTS:

Council Member Pequeño: Council Member Pequeño reported on his attendance at the Memorial Day Event at El Toro Memorial Cemetery and the Association of Orange County Deputy Sheriffs golf tournament. He also reported that 18 years ago today he started the Sheriff's Academy. He thanked City staff for all their hard work and efforts.

Council Member Voigts: Council Member Voigts reported on his attendance at the Memorial Day Event at El Toro Memorial Cemetery and the Orange County Peace Officers Memorial Ceremony. He expressed gratitude for law

enforcement officers who gave their lives in service of the community.

Council Member Yu:

Council Member Yu read into the record a letter from the Orange County Cemetery District Board of Trustees. He reported on his attendance at the Memorial Day Event at El Toro Memorial Cemetery and the ribbon cutting ceremony for Curry Pizza House. He expressed his gratitude for freedom of speech rights.

Mayor Pro Tem Tettemer:

Mayor Pro Tem Tettemer reported on his volunteer work at Heritage Hill Historical Park and highlighted the work of Amigos de la Colina volunteers. He reported on his attendance at the 40th anniversary event for Amigos de la Colina. He requested consensus to recognize through a proclamation or certificate the Amigos de la Colina volunteers' service to the community. Council Member Voigts and Mayor Cirbo provided consensus.

Mayor Cirbo:

Mayor Cirbo reported on his attendance at the Job Fair, the Quad Chamber of Commerce Mixer, a meeting with Governor Newsom's Regional Directors, the "Kids Feeding Kids" event at Terra Nova Church, a tour of Family Assistance Ministries, and the Memorial Day Event at El Toro Memorial Cemetery. He encouraged people to reflect on the importance of D Day.

ADJOURNMENT: The Regular Meeting of the City Council was adjourned at 8:06 p.m.

Respectfully submitted:

APPROVED:

LISA BERGLUND
CITY CLERK

DOUG CIRBO
MAYOR