

LAGUNA NIGUEL CITY COUNCIL

Minutes of the Regular City Council Meeting on April 7, 2020 – 6:30 p.m.
Conducted by Teleconference and Broadcasted via Facebook Live

CALL TO ORDER – Mayor Davies called the Regular City Council meeting to order at 6:30 p.m.

ROLL CALL

Mayor Laurie Davies – Present

Mayor Pro Tem Fred Minagar – Present

Council Member Elaine Gennaway – Present (via teleconference)

Council Member John Mark Jennings – Present (via teleconference)

Council Member Sandy Rains – Present (via teleconference)

Mayor Davies provided a statement regarding the format in which the Regular City Council Meeting would be conducted due to the Novel Coronavirus (COVID-19) pandemic.

PUBLIC COMMUNICATIONS ON CLOSED SESSION

There were no public comments for Closed Session.

RECESS TO CLOSED SESSION

City Attorney Ennis read the Closed Session title into the record.

1. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

City Designated Representative: Justin Martin, Deputy City Manager

Employee Organization: Orange County Employees Association (OCEA)

Mayor Davies and the City Council recessed to Closed Session 6:34 p.m.

Mayor Davies and the City Council reconvened from the Closed Session at 7:16 p.m.

City Attorney Ennis announced there was no reportable action from the Closed Session.

CALL TO ORDER AND ROLL CALL – 7:16 P.M.

PLEDGE OF ALLEGIANCE – Mayor Laurie Davies

PUBLIC COMMUNICATIONS

There were no public comments.

CONSENT CALENDAR

Mayor Davies stated that the City Council would be voting on the current version of Item No. 4, provided as a Red Folder item.

Council Member Gennaway abstained from voting on Check No. 6321 to Dell Marketing LP, as stated in the April 7, 2020 Warrant Register, under Item No. 1.

Council Member Jennings pulled Item No. 6 and abstained from voting on Item No. 8 due to a possible conflict.

A MOTION was made by Mayor Pro Tem Minagar, seconded by Council Member Rains, to approve the remainder of the Consent Calendar as presented.

Motion carried 5-0; with Council Member Gennaway abstaining from voting on Check No. 6321 to Dell Marketing LP, as stated in the April 7, 2020 Warrant Register under Item No. 1; and Council Member Jennings abstaining from voting on Item No. 8.

1. Warrants of March 17, 2020 and April 7, 2020

Approved as written.

2. Payroll Summary Registers

Approved as written.

3. Minutes of the Regular City Council Meeting on March 3, 2020

Approved as written.

4. Minutes of the Emergency City Council Meeting on March 17, 2020

Approved as amended.

5. Investment Report as of February 29, 2020

Received and filed the City of Laguna Niguel Investment Report as of February 29, 2020.

7. 2019 Housing Element Annual Progress Report

Authorized staff to submit the 2019 Housing Element Annual Progress Report (APR) to the California Department of Housing and Community Development (HCD) and Governor's Office of Planning and Research (OPR).

8. Rejection of All Bids for the Landscape Medians Project, Cash Contract No. 17-01

1. Rejected all bids for the Landscape Medians Project, Cash Contract No. 17-10 and cancel the project; and
2. Authorized the City Manager to reallocate \$432,096 in budgeted gas tax funds from the Landscape Medians Project, Cash Contract No. 17-10 to Zone 1 of the Annual Residential Resurfacing Program, Cash Contract No. 20-07.

9. Approval of Professional Services Agreement for Solid Waste Management Consulting Services with EcoNomics, Inc.

1. Approved the Professional Services Agreement for Solid Waste Management Consulting Services with EcoNomics, Inc. in the not-to-exceed amount of \$49,755 per year for Fiscal Years 2020-21, 2021-22, and 2022-23, subject to extension administratively for two additional one-year periods; and
2. Authorized the City Manager to execute the Agreement and future Amendments to the Agreement for Solid Waste Management Consulting Services with EcoNomics, Inc., subject to the City Attorney making non-substantive changes.

10. Approval of Bid Specifications for Zone 1 of the Annual Residential Resurfacing Program, Cash Contract No. 20-07 and Authorization to Advertise the Project for Bids

1. Approved the Bid Specifications for Zone 1 of the Annual Residential Resurfacing Program, Cash Contract No. 20-07; and,
2. Authorized staff to advertise the project for bids

ITEMS PULLED

6. 2020 Weed Abatement Program

Council Member Jennings stated the weed abatement program has been in place for some time and provides substantial savings for residents that are able to take advantage the program. He stated some people may not have the ability to pay for the weed abatement at this time or participate in the reduced cost savings program. He stated his support of this program and requested that the City work with these individuals in the event they would have a COVID-19 related financial hardship.

City Manager Letourneau stated City staff has been compassionate and understanding during this time. She stated staff is aware that fire season is practically year-round and we are doing everything we can to avoid a potential difficult situation later on. She stated that Community Development staff will be reaching out to those individuals on the list regarding a voluntary program where the City can perform the work at a lower cost.

A MOTION was made by Council Member Jennings, seconded by Mayor Davies, to adopt Resolution No. 2020-1315 approving the 2020 Weed Abatement Program.

Motion carried 5-0.

DISCUSSION ITEMS

1. **Adoption of Resolution No. 2020-1316, Supporting the Governor of the State of California's Executive Order N-37-20, Pertaining to a Temporary Statewide Moratorium on Rental Evictions**

Deputy City Manager Martin provided information as stated in the staff report. He stated this item is related to the support of a temporary statewide moratorium on rental evictions due to the COVID-19 health crisis. He stated with the temporary closure of non-essential businesses to slow the spread of the Coronavirus, many Californians have been faced with financial difficulty including the inability to pay mortgages and rent payments in a timely manner due to various financial losses. He stated that while financial hardship caused by this health crisis will likely continue into the foreseeable future, state and local government agencies have met the moment head-on by assisting those in need, including many Laguna Niguel residents. He stated to do so, on Friday, March 27, 2020, Governor Newsome introduced Executive Order N-37-20, creating a temporary statewide moratorium on residential rental evictions through May 31, 2020. He stated the Executive Order grants 60 additional days for a tenant to file an answer in an eviction lawsuit which extends the time in which a tenant can be evicted from their residence. He stated the practical effect of this change is that tenants will have an extra 60 days to stay in their residences before the eviction process can be completed. He stated during the designated term of the Executive Order, Laguna Niguel residents who are unable to pay rent will not be subject to the enforcement of evictions by law enforcement agencies or the court system. He stated adoption of Resolution No. 2020-1316 formalizes support from the City for this important eviction moratorium and supports City Council Goal 1 (Public Safety) and Goal 2 (Fiscal Sustainability) of the Strategic Plan.

PUBLIC SPEAKERS

City Clerk Gomez read a statement submitted via email by Christy Cornwall, Director of Community Health Investment for Mission Hospital, in support of the proposed citywide temporary moratorium on evictions.

Council Member Gennaway expressed her concerns for residents that are facing significant challenges both financially and health wise. She stated staff has been very diligent about keeping the City Council informed on county, state and federal updates and is keeping up to date with all of the new regulations. She stated this resolution supports the City's Strategic Plan and supports the City Council plans to protect our residents and keep them safe in their homes. She stated her support of adopting this resolution and encouraged the Governor's Office to continue this order for the duration of the emergency.

Council Member Rains stated she agreed with Council Member Gennaway that these are unprecedented times and expressed her concerns about those that are extremely vulnerable in our community. She stated she has always been proud of the way the City cares and provides services for our residents. She stated that anyone in an emergency situation that may not understand the resolution or what their rights may be can access information on our City

website. She stated City staff is also available to provide residents with information such as non-profit organizations that are available to help with food and resources to assist them during this time. She stated her support of the adoption of this resolution.

Council Member Jennings stated this proposed resolution invokes the concept of home and a sense of security. He stated the Orange County Superior Court has extended the time period for unlawful detainer actions for a period of time to accommodate the COVID-19 issue. He stated that taking a stand as a City and support our governor is the right thing to do and he supports residents staying safely in their homes. He stated this action is not to undermine landlords and encouraged them to be compassionate when enforcing the resolution. He stated his support and appreciation of this resolution and of the governor taking this first step.

Mayor Pro Tem Minagar stated he wholeheartedly supports and advocates for the approval of this resolution pertaining to the temporary statewide moratorium on eviction of rental units specifically for our City. He stated he and the City Council have been receiving quite a few emails regarding this matter and are aware of concerns from residents regarding this matter. He stated his support of the resolution and made a motion to move the item.

Mayor Davies agreed with the City Council and stated the importance of residents having the security and peace of mind knowing they can remain in their homes during times like this. She stated many residents are currently unemployed and this is the best thing to do. She encouraged landlords to contact their banks if they need to extend mortgage payments for their tenants.

A MOTION was made by Mayor Pro Tem Minagar, seconded by Council Member Jennings, to adopt Resolution No. 2020-1316, supporting the Governor of the State of California's Executive Order N-37-20, pertaining to a temporary statewide moratorium on residential rental evictions.

Motion carried 5-0.

OTHER BUSINESS/COUNCIL REPORTS

1. Council Reports

Council Member Gennaway provided information on behalf of the Orange County Senior Citizens Advisory Council. She encouraged residents to reach out to their vulnerable and senior neighbors that need to stay safe at home and offer assistance with shopping and picking up medication. She stated her support of Governor Newsom's campaign to protect health and well-being of older Californians which is to "Stay Home, Save Lives, Check In." She stated there is information on the City's social media platforms and website including a postcard that can be printed to drop off at a neighbor's home to let them know they are not alone. She stated that senior citizens that need any type of assistance can contact the Orange County Office on Aging, and provided the help line number, 1-800-510-2020. She announced that the Orange County Public Library has

many online resources including e-books that can be checked out using an e-library card which can be accessed at www.ocpl.org.

Council Member Rains stated she and her family are safe at home and encouraged residents to be creative, practice kindness, and reconnect with their families. She stated she, along with many parents, are home with their children and encouraged parents to take the time to stay home safe with them, love them and teach them. She encouraged residents to reflect on their faith during this Easter and Passover week. She acknowledged and thanked frontline safety workers, grocery store workers and truck drivers across the country that are delivering everything we need. She encouraged residents to do their part by staying home and being safe and helping save lives to be a better, stronger Laguna Niguel.

Council Member Jennings announced the 2020 Permanent Supportive Housing Notice of Funding Availability (NOFA) currently has \$11,450,000 available in Orange County Housing Finance Trust funds and provided an update on the process. He expressed his concerns on the COVID-19 pandemic, reminding residents that we are all in this together. He acknowledged the 21 residents that have been diagnosed with the Coronavirus and stated they have the love and support of the City and thanked our frontline safety workers and their families.

Mayor Pro Tem Minagar stated he has been attending regional agency meetings via Webex. He expressed his support and agreed with his colleagues asking residents to stay home and stay healthy.

Mayor Davies provided the following update regarding the Coronavirus pandemic: "My responsibility continues to be the safety of this community even while I am staying at home. The City Manager and I are having daily calls regarding emails that are coming in from our citizens. I want to personally thank City Manager Letourneau, Deputy City Manager Martin and City staff for responding to each email. All essential services will continue to remain up and running. I have been having daily and weekly updates with our county supervisors and mayors of Orange County. It has been very helpful sharing with other mayors as to how they are dealing with the ramifications of the Coronavirus. We are on the same page when it comes to requesting more testing from the County's Health Department. I have also requested that City staff should be considered essential workers and should have access to testing. Tomorrow I will be taking part in a White House Office of Intergovernmental Affairs briefing called on for the recently passed Care Act. As a Mayor, I am concerned that the cities will not be directly receiving funds that would be going through the County giving them discretion as to what each city is entitled to. It is imperative that there is a direct path of funding that goes separately to our local county and state agencies. Laguna Niguel has always been a business-friendly community. Knowing the huge hit our small businesses are taking due to the Coronavirus, our Community Development Department is focusing on working one on one with our local businesses to see what their needs are at this time and are working with them to get those needs met. Our City is dedicated to continuing our concierge level of service to all the local business during this crisis. Right now, our country

is in the eye of the storm, better known as Coronavirus. How we handle ourselves in the next couple of weeks will determine if we stay in the eye or if we start to see the light. Now if ever is when we need to hunker down, stay home and if possible, stay away from making small runs to the grocery store. Ask yourself, "Do I really need this item or can I go without it for now" and continuing to focus on helping those that are in need and calling on elderly neighbors to see if they need anything picked up. Laguna Niguel is a very blessed community with the most caring people I have ever met. It is what makes it the best place to live. A special thank you to our health care providers, our first responders and our local restaurants and stores that are providing essential services. Whether you celebrate Passover or Easter, I wish you a very blessed week. Make the most of the time you have with your loved ones and let them know how important they are.

2. City Manager Report

- **COVID-19 Update (Oral Report)**

City Manager Letourneau provided the following COVID-19 update:

- Beginning on March 12th we postponed or cancelled all City events and gatherings. We also closed the Sea Country Senior and Community Center with the continuation of the senior meal program.
- I declared a local emergency on March 16th and you, the City Council, ratified that decision unanimously on March 17th.
- I also opened the City's Emergency Operations Center (EOC) on March 16th and temporarily closed all City facilities, parks, the pool and the skate park to the public at that time. Since then all of the playgrounds, sports facilities and the pooch park have also been closed to comply with the Governor's stay at home order.

Although we had to close City facilities to the public, the City's essential government services are still being provided online, via mail or over the phone. Our essential services include our fully staffed public safety teams from the Orange County Sheriff's Dept and the Orange County Fire Authority. Further our additional essential services include:

- Operating the seniors' meals program that operates daily from the Sea Country Senior and Community Center
- Issuing permits for emergency work
- Conducting inspections for emergency projects
- Maintaining streets, traffic lights and landscaping
- Preparing necessary financial reports
- Releasing public information to the community to stay up to date on the latest developments.

Work Force

Just as the health and safety of the community is our number one priority, the health and safety of our City staff is also our number one priority. Since day one, we put the proper safety measures into effect to protect all staff while we do the important work for this community. On any given work day approximately 30% of our workforce is here working out of City Hall and the Sea Country Senior Center, 60% of our workforce is working remotely and 10% of our workforce is in self isolation because they fall into the age category where this is recommended that they self-isolate or they have underlying health conditions. We have been holding regular conference calls with staff to keep them informed and answer their questions. The department heads and I have been operating our EOC and running our City operations. Everyone has done a great job and has shown resilience in the face of difficult circumstances. I would like to take this moment to publicly thank all of our City staff from the bottom of my heart, especially the essential service workers and the department heads, OCSD and OCFA for putting the community first and working so hard to protect everyone and keep the essential operations going.

Fiscal Impacts

The fiscal impacts of COVID-19 on our residents, business and our city government is severe. We are working hard to provide residents and businesses with resources to the Federal and State programs available. Part of the economic challenges are a result of the closure of many of the businesses in the community.

Economic Recovery Team

In order to assist these businesses, I have created an Economic Recovery Team. The Team consists of several Community Development staff members with the team being led by Jonathan Orduña. The purpose of the team is to assist the businesses in our community. Specifically, the team will be focused on proactively contacting each business in Laguna Niguel to help walk them through the various resources available at the State and Federal level and to be a point of contact as they navigate through this. Our goal is to be the resource and point of contact and to seek out the answers and help them and streamline the processes for them as much as possible so they can get back up and running as fast as possible.

We are also working with the Laguna Niguel Chamber of Commerce on various programs that help businesses get the resources they need. The City of Laguna Niguel has seen an increase in expenditures and significant decrease in revenue from this emergency. Further, the Public Employees Retirement System (PERS) announced that they lost \$65 billion in investments the first week of this crisis when the stock market fell. There will be a fiscal impact to all PERS agencies as a result of this loss, but we don't know what that is yet. As soon as the economic realities of this situation began, I did the following:

- Authorized spending only for authorized essential services;
- Stopped all capital projects that did not need to move forward with the exception of a few.

- For both public health and fiscal reasons we have cancelled all community events, including the July 4th festivities, carnival and summer concerts.

I am in regular communication with the White House, Governor's Office and the County working through the impacts of COVID-19 on the community. This will continue until this crisis is behind us. These are extremely difficult times and we will get through them together because we are a strong and resilient community with an amazing city staff. There will be times again when we can socialize with one another, enjoy each other's company and celebrate as a community. However, right now we need to work together, take care of each other and keep everyone safe, stay home and stay healthy until the time that we can be together again and celebrate as a City family.

ADJOURNMENT

Mayor Davies adjourned the Regular City Council meeting at 7:58 p.m.

Respectfully submitted by:

Eileen C. Gomez
City Clerk