

# Excerpt to Minutes of City Council Meeting December 3, 2019

\*Presentation of incident brief found at 1 hour 9 minutes of the 5-hour 58-minute  
December 3<sup>rd</sup>, 2019 meeting.

<http://lagunabeachcity.net/cityhall/citygov/cityclerk/mam.htm>

MINUTES  
LAGUNA BEACH CITY COUNCIL  
ADJOURNED AND REGULAR MEETING  
December 3, 2019

An Adjourned and Regular Meeting of the City Council of the City of Laguna Beach was called to order on Tuesday, December 3, 2019 in the City Hall, 505 Forest Avenue, Laguna Beach, California, Mayor Whalen presiding.

ROLL CALL

PRESENT: COUNCILMEMBERS: Blake, Iseman, Kempf, Dicterow, Whalen  
ABSENT: COUNCILMEMBERS: None

Mayor Pro Tem Steve Dicterow led the Pledge of Allegiance.

**CLOSED SESSION**

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Conference with Labor Negotiators (pursuant to Government Code section 54957.6): Police Employees' Association and Police and Fire Management Association; City negotiator is Peter Brown (Liebert Cassidy Whitmore).

Conference with Legal Counsel Regarding Anticipated Litigation (pursuant to Government Code section 54956.9(d)(4)): two items – consideration of initiation of litigation.

Conference with Real Property Negotiators (pursuant to Government Code section 54956.8): one item – price and terms of payment for possible extension of lease agreement with Anneliese-Lang Campus at 21542 Wesley Drive; property owner representative is Erin Sparkuhl; City representative is John Pietig, City Manager.

**EXTRAORDINARY BUSINESS**

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**A) Recognition of Children's Holiday Palette Winners**

Cultural Arts Manager Sian Poeschl, Arts Commission Chair Adam Schwerner and Arts Program Coordinator Mike McGregor congratulated 12 young artists for being selected winners of the Children's Holiday Palette Exhibition. They said there were 115 entries and the selected art works would be on exhibit at City Hall throughout December. They thanked all the teachers and schools for supporting the Children's Holiday Palette program.

Mayor Bob Whalen congratulated the 12 artist/exhibitors and presented them with certificates.

## **COUNCIL AND STAFF REPORTS**

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Councilmember Toni Iseman explained a situation that happened at her property last week. She said it was raining hard, winds were blowing, and her power went out as she heard a “pop-sound.” Iseman said she immediately received a call from her neighbor who said a telephone pole outside her property had an electric wire that carried electricity from the pole to her house and the wire was banging on her neighbor’s roof which caused it to break next to the pole. She said there was a live-wire hanging from the telephone pole very close to her home and vegetation which could have caused a fire if it had not been raining. Iseman said they were very lucky that she and her neighbor were home and the Fire Department immediately responded and adjusted the wire so it was no longer a hot-wire. She said Southern California Edison also responded later that evening to reconnect the cable and correct the issue. Iseman said if this had occurred a month earlier during the Santa Ana winds the sparks could have taken out several acres in town. She said Edison was installing new telephone poles throughout town but they were not checking the old poles and wires, so she encouraged everyone to check the wires around their homes for fire safety and to report anything of concern to Edison.

Councilmember Peter Blake said he had become an expert on sewers in the last week. He said he would like to thank City staff and the City Manager and everyone involved who worked non-stop to resolve the issue over Thanksgiving weekend in the rain. Blake said he had received numerous phone calls, emails and text messages from the City Manager with updates throughout the day while he was in Florida over Thanksgiving weekend. He said he would like to address a comment made earlier by David Raber who said he was expressing the views of the residents in the community. Blake said Mr. Raber only spoke for the activists that he represents as a Political Action Committee that he just formed, and he did not speak for the majority of the residents in the community.

Mayor Pro Tem Steve Dicterow said he would like to echo the comments made by Councilmember Blake regarding the efforts of staff working on Thanksgiving Day, and he said he agreed with many of the comments related to looking into new technologies for the City’s sewer system. He said part of the mark of a well-run city was “how we react when a disaster occurs.” Dicterow said he did not know how anyone could have handled the situation better than the City Manager and staff. He commended the City Manager, Director of Water Quality and staff for a job well done. Dicterow said he would like City Manager John Pietig to address the concerns raised by Mr. Fudge earlier related to the certified Local Coastal Program, and what the City planned to do to make sure they were in compliance. He said the Downtown Specific Plan was tentatively scheduled to be before the City Council on December 17. Dicterow said he was concerned with the magnitude of the item and the City should consider having a meeting specifically focused on this one item. He said he was concerned that the Downtown Specific Plan should be separate and not right before the Christmas holiday.

Mayor Bob Whalen said he agreed with the City Council's comments related to the sewer spill and staff's response was outstanding. He said that with respect to the Coastal Commission issues raised by Mr. Fudge, he was concerned. Whalen said the City Council was not completely up-to-date on the information and he knew the Short-term lodging ordinance was postponed with the Coastal Commission from December to February. He said the City did need to prioritize these items and match up what the City had with what the Coastal Commission had and clear everything up. Whalen announced that Emergency Disaster Coordinator Jordon Villwock was in attendance and had accepted a position with the City of Ontario Fire Department which was a big promotion. He said he would like to thank Villwock for all the work he had done for the City of Laguna Beach over the years and for all the money he obtained through the grant process.

City Manager John Pietig said the meters along the 20 spaces near the Village Entrance Project along Laguna Canyon Road were free for a period of time while the City was in the process of ordering the new pay station and waiting for the work to be completed along the curb. He said regarding the Downtown Specific Plan, the item was scheduled for December 17, and it would be the primary item of discussion. Pietig clarified that the item would not be an introduction to an ordinance, only an introduction to the topic and issues, and he said there would not be any significant action taken. He said that regarding the issues raised related to the City's Local Coastal Program, he said he understood the urgency and City staff were in the process of working with the Coastal Commission staff to try and match up our documents. Pietig said the Director of Water Quality David Shissler would give an update on the specifics of the sewer spill. He said he would like the Director of Public Works/Assistant City Manager Shohreh Dupuis to introduce the new Deputy Director of Public Works, Michael Litschi.

Director of Public Works/Assistant City Manager Shohreh Dupuis introduced and welcomed the newly hired Deputy Director of Public Works, Michael Litschi who would be in charge of the Parking and Transit Program. She said Litschi worked with the Orange County Transportation Authority for 18 years and she listed several of Mr. Litschi's impressive qualifications.

City Manager John Pietig said in response to some of the comments related to the sewer spill, regarding the new technology and public/private partnerships mentioned, the City of Laguna Beach, South Coast Water District and SOCWA were open to this. He said many ideas were received from the public; however, he said the ideas were not necessarily "tried and true, financially viable or found to be a reliable technology."

Director of Water Quality David Shissler gave an extensive PowerPoint presentation and special briefing related to the sewage spill incident that occurred on Wednesday, November 27, 2019. He showed the location of the Access Vault and described the cause of the spill which was a three-inch corroded Valve Stem. Shissler said inspection of all valves had occurred and additional replacements would be made. He showed photos of the final repair at the Access Vault and listed the follow up actions. Shissler said he was planning on engaging an engineering firm to review the NCI analysis and identify opportunities to improve bypass capabilities and maintenance in the future. He said he would like to thank his staff who ran 21 hour cycles and worked tirelessly to resolve the situation.

(The entire presentation is on the City website)