



AGENDA FOR THE REGULAR MEETING OF THE LAGUNA NIGUEL CITY COUNCIL

REGULAR MEETING OF
April 18, 2023 – 6:00 P.M.

WELCOME TO THE REGULAR MEETING OF THE CITY COUNCIL.

*** Due to construction at City Hall, City Council meetings have temporarily re-located to the Crown Valley Community Center Ballroom, located at 29751 Crown Valley Parkway, Laguna Niguel, CA. 92677.**

Regular City Council meetings are held on the first and third Tuesday of every month at 7:00 p.m. (6:00 p.m. or prior to the Regular City Council meeting for Closed Session). Regular meetings are open for the public to attend the meeting; however, in-person seating is limited.

Regular City Council meetings are aired live on Cox Cable Channel 853, AT&T U-Verse Channel 99 and on the City's YouTube Channel at www.youtube.com/cityoflagunaniguel. Rebroadcasted meetings are available for viewing on: Cox Cable/AT&T U-Verse channels at 6:00 p.m. daily following each meeting; the City's Website at www.cityoflagunaniguel.org; and on the City's YouTube Channel.

Any person wishing to address the City Council is respectfully asked to complete and present a gold-colored, "Request to Speak" form to the City Clerk at the meeting. Forms are available on the counter located inside the Ballroom. The time limit will be established by the Mayor. To allow equal time for speakers, minutes may not be given to another speaker. If you are unable to attend the meeting, you may have another person read your written statement. The City Council may establish a time limit on all public comments of not less than one half hour.

Any documents pertaining to items on the agenda that are provided to the City Council prior to 4:00 p.m. on the day of the City Council meeting will be available for public review at the table that is located inside the Ballroom.

The City of Laguna Niguel thanks you in advance for attending the City Council meeting.

Crown Valley Community Center, Ballroom
29751 Crown Valley Parkway
Laguna Niguel, California 92677
(949)362-4300
www.cityoflagunaniguel.org

CALL TO ORDER AND ROLL CALL – 6:00 p.m.

CLOSED SESSION

PUBLIC COMMENTS ON CLOSED SESSION ITEMS

RECESS TO CLOSED SESSION

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: Parcel 1 of LLA 14-01 (APN 636-043-11) and Parcel 2 of PM 2014-133 (APN 636-043-25)

City Negotiators: City Manager and City Attorney

Negotiating Parties – The Picerne Group

Under Negotiation – Price and Terms for Park and Trail Easement

2. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

City Designated Representative: Justin J. Martin, Deputy City Manager

Employee Organization: Orange County Employees Association (OCEA)

CALL TO ORDER – 7:00 p.m.

INVOCATION – Chaplain Serena Cummins, Orange County Sheriff's Department

PLEDGE OF ALLEGIANCE – Boy Scout Troop #772

PRESENTATIONS

1. Proclamation Declaring National Public Safety Telecommunication Week

2. Proclamation Acknowledging the Armenian Genocide

PUBLIC COMMENTS

CONSENT CALENDAR

1. [Warrants of April 18, 2023](#)

Recommendation

Approve as written or amended.

2. [Payroll Summary Register](#)

Recommendation

Approve as written or amended.

3. [Minutes of the Regular City Council Meeting on April 4, 2023](#)

Recommendation

Approve as written or amended.

4. [Approval of Amendment No. 2 to Agreement for Professional Auditing Services with Davis Farr, LLP](#)

Recommendation

Staff recommends that the City Council approve Amendment No. 2 to Agreement for Professional Auditing Services with Davis Farr, LLP, subject to the City Attorney making non-substantive changes, to provide auditing services for Fiscal Year ending June 30, 2023 for a total not to exceed amount of \$46,586.

5. [Annual Holiday Closure Schedule for City Office Facilities and Services and Cancellation of the July 4, 2023, October 3, 2023 and January 2, 2024 Regular City Council Meetings](#)

Recommendation

Staff recommends that the City Council:

1. Approve the holiday closure schedule for City office facilities and services during July 2023 and December 2023; and,
2. Cancel the Regular City Council meetings scheduled for Tuesday, July 4, 2023, October 3, 2023, and January 2, 2024.

6. [Award of Maintenance Services Agreement for Citywide Streets Maintenance Services with MCE Corporation](#)

Recommendation

Staff recommends that the City Council:

1. Approve the Maintenance Services Agreement for Citywide Streets Maintenance Services with MCE Corporation in the not-to-exceed amount of \$2,518,209 per year for Fiscal Years 2023-24 through 2025-26, subject to extension administratively for two additional one-year periods;
2. Approve a 10% contingency of the total contract in the amount of \$251,821 for unforeseen conditions or extra work and authorize the Public Works Director/City Engineer to approve additional work for a total not-to-exceed amount of \$2,770,030 per year, if needed; and,
3. Authorize the City Manager to execute the agreement and future amendments to the Maintenance Services Agreement with MCE Corporation, subject to the City Attorney making non-substantive changes.

7. [Approval of Multi-Year Professional Services Agreements for On-Call Professional Services and Approval of Multi-Year Professional Services Agreement Amendments for On-Call Professional Services in Support of Public Works Department Functions](#)

Recommendation

Staff recommends that the City Council:

1. Approve Multi-Year Professional Services Agreements for On-Call Professional Services, subject to extension administratively for two additional one-year periods, with the following firms (listed alphabetically):

• Advantec Consulting Engineers, Inc.	• <i>Interwest Consulting Group, Inc.</i>
• AET & Associates, Inc.	• Iteris, Inc.
• <i>AGA Engineers, Inc.</i>	• <i>Jovenville LLC dba We The Creative</i>
• <i>Annealta Group</i>	• <i>JPW Communications, Inc.</i>
• Anser Advisory Management LLC dba Anser Advisory	• <i>Kimley-Horn and Associates, Inc.</i>
• <i>Apetrow Consulting, Inc.</i>	• <i>Leighton Consulting, Inc.</i>
• <i>Ardurra Group, Inc.</i>	• <i>Mark Thomas & Company, Inc.</i>
• BKF Engineers	• MOB Media, Inc.
• Black, O'Dowd and Associates, Inc. dba BOA Architecture	• Nicholas Shawn Henry dba Drone Life Aerials
• BrightView	• Ninyo & Moore Geotechnical & Environmental Sciences Consultants
• C & C Engineering dba CNC Engineering	• NUVIS
• CEM Lab Corp.	• <i>NV5, Inc.</i>
• CSG Consultants, Inc.	• <i>Onward Engineering</i>
• David Evans & Associates, Inc.	• Proactive Engineering Consultants, Inc.
• David Volz Design Landscape Architects, Inc.	• <i>Psomas</i>
• <i>Derek J. McGregor, Inc. dba DMc Engineering</i>	• RRM Design Group
• Dudek	• Stantec Consulting Services, Inc.
• Eco/Nomics, Inc. which will do business in California as Ecal/Nomics, Inc.	• Summers, Murphy & Partners, Inc.
• Fountainhead Consulting Corporation	• SVA Architects, Inc.
• Geocon West, Inc.	• <i>W.G. Zimmerman Engineering, Inc.</i>
• <i>Glenn Lukos Associates, Inc.</i>	• Willdan Engineering
• <i>GMU Geotechnical, Inc.</i>	• <i>Wolfe Engineering and Design, Inc.</i>
• <i>ICF Jones & Stokes, Inc.</i>	• <i>WSP USA Environment & Infrastructure, Inc.</i>

* *Italicized firms in the table above indicate a recommendation for award of a Multi-Year Amendment(s).*

2. Approve Multi-Year Professional Services Agreement Amendments for On-Call Professional Services, subject to extension administratively for two additional one-year periods, shown in italics above.
 3. Authorize the City Manager to execute the Multi-Year Professional Services Agreements and Multi-Year On-Call Professional Services Amendments, and future amendments to the agreements, subject to the City Attorney making non-substantive changes.
8. [Second Reading and Adoption of Ordinance No. 2023-220, Amending Ordinance No. 91-45 to Establish the Prima Facie Speed Limit on Two Street Segments of Pacific Park Drive Between Alicia Parkway to La Paz Road and La Paz Road to the SR-73 Freeway Within the City](#)

Recommendation

Staff recommends that the City Council conduct second reading, by title only, and adopt:

ORDINANCE NO. 2023-220

AN ORDINANCE OF THE CITY OF LAGUNA NIGUEL, CALIFORNIA,
AMENDING ORDINANCE NO. 91-45 TO ESTABLISH THE PRIMA FACIE
SPEED LIMIT ON TWO STREET SEGMENTS OF PACIFIC PARK DRIVE
BETWEEN ALICIA PARKWAY TO LA PAZ ROAD AND LA PAZ ROAD TO THE
SR-73 FREEWAY WITHIN THE CITY

9. [Second Reading and Adoption of Ordinance No. 2023-221, Amending the Laguna Niguel Municipal Code Related to the Military Support Committee](#)

Recommendation

Staff recommends that the City Council conduct second reading, by title only, and adopt:

ORDINANCE NO. 2023-221

AN ORDINANCE OF THE CITY OF LAGUNA NIGUEL, CALIFORNIA,
AMENDING THE LAGUNA NIGUEL MUNICIPAL CODE RELATED TO THE
MILITARY SUPPORT COMMITTEE, INCLUDING PROVISIONS ON THE ROLE
OF CITY COUNCIL LIAISONS, DESIGNATION AND SELECTION OF CHAIR
AND VICE-CHAIR, AND OTHER NON-SUBSTANTIVE REVISIONS AND
MAKING A FINDING OF EXEMPTION UNDER CEQA IN CONNECTION
THEREWITH

DISCUSSION ITEMS

1. [Sea Country Festival Carnival Vendor Agreement with “O” Entertainment and Resolution No. 2023-1424, adding the Sea Country Festival Policy to the City Council Policies and Procedures](#)

Recommendation

Staff recommends that the City Council:

1. Approve the three-year Vendor Agreement with the “O Entertainment” carnival company; and,
2. Adopt Resolution No. 2023-1424, Adopting an Update to the City Council Policies, adding the Sea Country Festival City Council Policy.

PUBLIC HEARING

1. [Public Hearing to Consider the Draft Community Development Block Grant \(CDBG\) Annual Action Plan for Fiscal Year 2023-2024 and a Proposed Amendment to the 2020-2024 Consolidated Plan](#)

Recommendation

Staff recommends that the City Council:

1. Open the public hearing and receive testimony;
2. Consider the Draft Annual Action Plan Fiscal Year 2023-2024 and make any desired changes;
3. Direct that the Annual Action Plan Fiscal Year 2023-2024, with any changes, be placed on the May 2, 2023, City Council Agenda for final approval;
4. Consider the proposed Amendment to the 2020-2024 Consolidated Plan to add Housing Related Programs as a new goal for the use of CDBG funds beginning FY 2024-2025; and,
5. Direct staff to submit the Amended 2020-2024 Consolidated Plan to the U.S. Department of Housing and Urban Development (HUD).

2. [Public Hearing to Consider the Appeal of the Planning Commission's Denial of Variance VA 22-01 \(30292 Grande Vista – Wallentine Residence\), a Deviation Request From the Minimum Setback and Driveway Length Standards for an Unpermitted As-built Garage.](#)

Recommendation

Staff recommends that the City Council open the public hearing, take public testimony, close the public hearing, and then take the following action:

1. Adopt Resolution No. 2023-1425, denying the appeal and upholding the Planning Commission's decision to deny Variance VA22-01 (30292 Grande Vista – Wallentine Residence).

CITY COUNCIL

1. **Selection of New Mayor Pro Tem**
2. [Consideration of Options to Fill City Council Member Vacancy by Appointment or Special Election](#)

Recommendation

Staff recommends that the City Council provide direction on which one of the following two options it desires to pursue to fill the current vacancy on the City Council:

1. Appoint a person to fill the vacancy on the City Council.
2. Call a special election to fill the vacancy.

OTHER BUSINESS/COUNCIL REPORTS

1. **Council Reports**
2. **City Manager/Department Reports**

ADJOURNMENT

LAGUNA NIGUEL CITY COUNCIL

**Mayor Kelly Jennings
Council Member Ray Gennaway
Council Member Stephanie Oddo
Council Member Sandy Rains**

E-mail address.....cityclerk@cityoflagunaniguel.org
Website addresswww.cityoflagunaniguel.org

Americans with Disabilities Act - In compliance with the Americans with Disabilities Act, if you are an individual who requires accommodations to participate in this meeting, please contact the City Clerk's Office at (949) 362-4300. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility.

The Crown Valley Community Center Ballroom is wheelchair accessible and disabled parking is available in the Community Center parking lot. Assisted Listening is available. To arrange for use of a personal listening device, please contact the City Clerk prior to the meeting.

AFFIDAVIT OF POSTING

STATE OF CALIFORNIA)
COUNTY OF ORANGE)ss
CITY OF LAGUNA NIGUEL)

I, Marissa J. Asistin, City Clerk for the City of Laguna Niguel, hereby certify, under penalty of perjury, that I caused the posting of this agenda by 5:00 p.m. on Thursday, April 13, 2023, at City Hall, 30111 Crown Valley Parkway; Crown Valley Community Center, 29751 Crown Valley Parkway; and Sea Country Senior and Community Center, 24602 Aliso Creek Road.

POSTED BY: 
Marissa J. Asistin, CMC, City Clerk