



# Agenda for the Regular Meeting of the Laguna Niguel City Council

**REGULAR MEETING OF  
June 16, 2020 – 7:00 P.M.**

Welcome to your City Council meeting! 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 a time prior to the Regular City Council meeting for Closed Session), in the Council Chambers at City Hall. Regular City Council meetings are aired live on Cox Cable Channel 853 and AT&T U-Verse Channel 99 and rebroadcasted on both channels at 6:00 p.m. daily following each meeting. Rebroadcasted meetings can also be viewed on the City's website at [www.cityoflagunaniguel.org](http://www.cityoflagunaniguel.org) and on the City's YouTube Channel at [www.youtube.com/cityoflagunaniguel](http://www.youtube.com/cityoflagunaniguel).

Members of the public are strongly encouraged to observe this City Council meeting on the live broadcast channels. City Hall will be open for the public to attend the meeting however, in-person seating is limited because of social distancing requirements. If you are attending the meeting in person, please only sit in marked designated seats.

Any person wishing to address the City Council will need to complete and present a gold-colored, "Request to Speak" form to the City Clerk at the meeting. These forms are available on the counter that is located inside the Council Chambers. Please be aware that the time limit will be established by the Mayor. To allow equal time for speakers, minutes may not be given to another speaker. You may have another person read your written statement. The City Council may establish a time limit of all comments of not less than one half hour.

No action will be taken on any items not on the agenda, unless the City Council makes a determination that an emergency exists or that there is a need for immediate action and the need to take action came to the attention of the City subsequent to the agenda being posted. Any documents that are provided to the City Council regarding items on this agenda less than 72 hours prior to this meeting will be available for public inspection at the public review table that is located in the reception area on the second floor of City Hall, until 5:00 p.m. on the day of the City Council meeting. After 5:00 p.m., the documents will be available at the counter that is located inside the Council Chambers.

The City of Laguna Niguel thanks you in advance for attending your City Council meeting and for taking all precautions to prevent the spread of COVID-19.

**City Hall/Council Chambers  
30111 Crown Valley Parkway  
Laguna Niguel, California 92677  
949/362-4300 Fax 949/362-4340  
[www.cityoflagunaniguel.org](http://www.cityoflagunaniguel.org)**

CALL TO ORDER AND ROLL CALL – 7:00 P.M.

INVOCATION

PLEDGE OF ALLEGIANCE

PUBLIC COMMUNICATIONS

CONSENT CALENDAR

1. [Warrants of June 2, 2020 and June 16, 2020](#)

**Recommendation**

Approve as written or amended.

2. [Payroll Summary Registers](#)

**Recommendation**

Approve as written or amended.

3. [Minutes of the Regular City Council Meeting on May 19, 2020](#)

**Recommendation**

Approve as written or amended.

4. [Minutes of the Special City Council Meeting on May 26, 2020](#)

**Recommendation**

Approve as written or amended.

5. [Investment Report as of April 30, 2020](#)

**Recommendation**

Staff recommends that the City Council receive and file the City of Laguna Niguel Investment Report as of April 30, 2020.

6. [Notice of Completion for the Alicia Parkway Arterial Pavement Rehabilitation Project, Cash Contract No. 17-11](#)

**Recommendation**

Staff recommends that the City Council:

1. Accept as complete the Alicia Parkway Arterial Pavement Rehabilitation Project, Cash Contract No. 17-11;
  2. Authorize recordation of the Notice of Completion for said project; and,
  3. Authorize the release of the 5% retention payment 35 days after the recordation date of the Notice of Completion to the extent allowed by State law.
7. [Adoption of Resolution No. 2020-1325, Adopting a List of Projects for Fiscal Year 2020-21 Funded by The Road Repair and Accountability Act of 2017 \(SB 1\)](#)

**Recommendation**

Staff recommends that the City Council:

1. Approve the recommended list of projects for Fiscal Year 2020-21 to be funded by SB 1: The Road Repair and Accountability Act of 2017; and,
  2. Adopt Resolution No. 2020-1325, Adopting a List of Projects for Fiscal Year 2020-21 Funded by SB 1: The Road Repair and Accountability Act of 2017.
8. [Resolutions Calling, Ordering, Giving Notice and Consolidating the General Municipal Election and Potential Cancellation of the November 3, 2020 City Council Meeting](#)

**Recommendation**

Staff recommends that the City Council:

1. Adopt Resolution No. 2020-1322, Calling, Ordering and Giving Notice of the General Municipal Election to be held on November 3, 2020 for the Election of Three (3) Members of the City Council, each for a full term of four (4) years;
2. Adopt Resolution No. 2020-1323, Requesting that the Board of Supervisors of the County of Orange Consolidate the City of Laguna Niguel's General Municipal Election with the Statewide General Election to be held on November 3, 2020, pursuant to Elections Code Section 10403; and,
3. Cancel the regularly scheduled City Council Meeting on November 3, 2020, which is Election Day.

9. [Approval of Maintenance Services Agreement for Sports Parks and Facilities Landscape Maintenance Services with Nieves Landscape, Inc.](#)

**Recommendation**

Staff recommends that the City Council:

1. Award the Maintenance Services Agreement for Sports Parks and Facilities Landscape Maintenance Services to Nieves Landscape, Inc. in the not-to-exceed amount of \$559,400 per year for Fiscal Years 2020-21 through 2022-23, subject to extension administratively for two additional one-year periods;
2. Approve a not-to-exceed 20% contingency of the total contract in the value of \$111,880 for unforeseen conditions or additional work and authorize the Public Works Director/City Engineer to approve change orders to the agreement with Nieves Landscape, Inc., for a total not-to-exceed amount of \$671,280 per year if needed; and,
3. Authorize the City Manager to execute the Maintenance Services Agreement and future amendments to the agreement for Sports Parks and Facilities Landscape Maintenance Services with Nieves Landscape, Inc., subject to the City Attorney making non-substantive changes.

10. [Approval of Fiscal Year 2020-2021 Law Enforcement Services Agreement with the County of Orange](#)

**Recommendation**

Staff recommends that the City Council:

1. Approve the Fiscal Year 2020-2021 Law Enforcement Services Agreement with the County of Orange; and,
2. Authorize the City Manager to execute the Agreement and future Amendments to the Agreement, subject to the City Attorney making non-substantive changes.

11. [Approval of Maintenance Services Agreements for On-Call Citywide Electrical Maintenance and Repair Services Throughout the City with Donald Holly and Son dba Fullerton Electric Co. and M. Brey Electric, Inc.](#)

**Recommendation**

Staff recommends that the City Council:

1. Award the Maintenance Services Agreement for On-Call Citywide Electrical Maintenance and Repair Services to Donald Holly and Son dba Fullerton Electric Co., Inc. in the not-to-exceed amount of \$100,000 per year for Fiscal Years 2020-21 through 2022-23, subject to extension administratively for two additional one-year periods;

2. Award the Maintenance Services Agreement for On-Call Citywide Electrical Maintenance and Repair Services to M. Brey Electric, Inc. in the not-to-exceed amount of \$100,000 per year for Fiscal Years 2020-21 through 2022-23, subject to extension administratively for two additional one-year periods;
3. Approve a not-to-exceed 20% contingency of the total contract in the value of \$20,000 for unforeseen conditions or additional work and authorize the Public Works Director/City Engineer to approve change orders to the agreement with Donald Holly and Son dba Fullerton Electric Co., Inc. for a total not-to-exceed amount of \$120,000 per year if needed;
4. Approve a not-to-exceed 20% contingency of the total contract in the value of \$20,000 for unforeseen conditions or additional work and authorize the Public Works Director/City Engineer to approve change orders to the agreement with M. Brey Electric, Inc. for a total not-to-exceed amount of \$120,000 per year if needed;
5. Authorize the City Manager to execute the Maintenance Services Agreement and future amendments to the agreement with Donald Holly and Son dba Fullerton Electric Co., Inc., subject to the City Attorney making non-substantive changes; and,
6. Authorize the City Manager to execute the Maintenance Services Agreement and future amendments to the agreement with M. Brey Electric, Inc., subject to the City Attorney making non-substantive changes.

12. [Orange County Transportation Authority OC Go \(Measure M2\) Eligibility Package Submittal](#)

**Recommendation**

Staff recommends that the City Council:

1. Adopt Resolution No. 2020-1326, adopting a Seven-Year Capital Improvement Program for the Fiscal Years 2020-21 through 2026-27 for compliance with the Measure M2 eligibility requirements;
2. Adopt Resolution No. 2020-1327, concerning the status and update of the Pavement Management Plan for the Measure M2 Program;
3. Adopt Resolution No. 2020-1328, concerning the status and update of the Local Signal Synchronization Plan for the Measure M2 Program; and,
4. Direct staff to submit the City's OC Go (Measure M2) Eligibility Package to the Orange County Transportation Authority prior to June 30, 2020.

13. [Side Letters of Agreement to the Memorandum of Understanding \(MOU\) with the Orange County Employees Association \(OCEA\) for the Maintenance, Clerical and Technical Unit and the Middle Management, Professional and Supervisory Unit and Related Resolution No. 2020-1329; and Unrepresented Executive and Management Employee Concessions and Related Resolution No. 2020-1330](#)

**Recommendation**

Staff recommends that the City Council:

1. Approve and Adopt the Side Letter of Agreement to the Memorandum of Understanding (MOU) between the City of Laguna Niguel and the Orange County Employees Association (OCEA) for the Maintenance, Clerical and Technical Unit;
2. Approve and Adopt the Side Letter of Agreement to the Memorandum of Understanding (MOU) between the City of Laguna Niguel and the Orange County Employees Association (OCEA) for the Middle Management, Professional and Supervisory Unit;
3. Adopt Resolution No. 2020-1329 relating to the Side Letter of Agreement to the MOU between the City of Laguna Niguel and the Orange County Employees Association (OCEA) for the Maintenance, Clerical and Technical Unit and the Middle Management, Professional and Supervisory Unit;
4. Authorize the City Manager and members of the City's Negotiation Team to execute the Side Letter of Agreement to the MOU documents; and,
5. Adopt Resolution No. 2020-1330 relating to concessions for unrepresented Executive and Management Employees.

14. [Approval of First Amendment to the Professional Services Agreement with GMU Consulting, Inc. for Geotechnical Consulting Services](#)

**Recommendation**

Staff recommends that the City Council:

1. Approve the First Amendment to the Professional Services Agreement with GMU Consulting, Inc. in the not-to-exceed amount of \$150,000; and,
2. Authorize the City Manager to execute the First Amendment to the Professional Services Agreement and any future Amendments to the Agreement, subject to the City Attorney making non-substantive changes.

15. [Adoption of Resolution No. 2020-1331, Ratifying The Director Of Emergency Services' Executive Order No. 2020-001 Authorizing A Pilot Program Expansion To Accommodate Commercial Related Uses Within Shopping Center Common Areas](#)

**Recommendation**

Staff recommends that the City Council:

1. Adopt Resolution No. 2020-1331, Ratifying the Director Of Emergency Services' Executive Order No. 2020-001 Authorizing A Pilot Program Expansion To Accommodate Commercial Related Uses Within Shopping Center Common Areas.

**DISCUSSION ITEMS**

1. [Adoption of Fiscal Year 2020/2021 Operating and Capital Budget](#)

**Recommendation**

Staff recommends that the City Council:

1. Adopt Resolution No. 2020-1320 Approving the City Operating Budget and Capital Improvement Program for Fiscal Year 2020/2021;
2. Adopt Resolution No. 2020-1321 Establishing the Appropriations Limit for Fiscal Year 2020/2021;
3. Adopt Resolution No. 2020-1319 Amending Portions of the Resolution No. 2020-1312 to Adjust the Salary Range for the Position of Building and Facilities Maintenance Superintendent; and
4. Adopt Resolution No. 2020-1318 Amending Portions of Resolution No. 2020-1313 to Add a Salary Range for the New Job Classification of Maintenance Services Manager.

**OTHER BUSINESS/COUNCIL REPORTS**

1. **Council Reports**
2. **City Manager Report**

**ADJOURNMENT**

**LAGUNA NIGUEL CITY COUNCIL**

**Mayor Laurie Davies  
Mayor Pro Tem Fred Minagar  
Council Member Elaine Gennawey  
Council Member John Mark Jennings  
Council Member Sandy Rains**

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E-mail address .....  
Website address ..... [www.cityoflagunaniguel.org](http://www.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 Council Chambers is wheelchair accessible and disabled parking is available in the City Hall parking lot. Assisted Listening is available in the Council Chambers. 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, Eileen C. Gomez, 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 Friday, June 12, 2020, at City Hall, 30111 Crown Valley Parkway; Crown Valley Community Park, 29751 Crown Valley Parkway, and Sea Country Senior and Community Center, 24602 Aliso Creek Road.

POSTED BY:           Eileen C. Gomez, City Clerk