



AGENDA FOR THE REGULAR MEETING OF THE LAGUNA NIGUEL CITY COUNCIL

**REGULAR MEETING OF
August 15, 2023 – 5:00 P.M.**

WELCOME TO THE REGULAR MEETING OF THE CITY COUNCIL.

Regular City Council meetings are held on the first and third Tuesday of every month at 7:00 p.m. in the Council Chambers at City Hall (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 Council Chambers. 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 counter that is located inside the Council Chambers.

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

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

CALL TO ORDER AND ROLL CALL – 5:00 p.m.

CLOSED SESSION

PUBLIC COMMENTS ON CLOSED SESSION ITEMS

RECESS TO CLOSED SESSION

- 1. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2)
Number of potential cases: 2
[\(One threat of litigation linked to agenda\)](#)
- 2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**
Initiation of litigation pursuant to Government Code section 54956.9(d)(4)
Number of potential cases: 1
- 3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
Existing litigation pursuant to Government Code section 54956.9(d)(1)
Number of Cases: 1
Name of Case: City of Laguna Niguel v. Bear Brand Ranch Community Association
Case No: Orange County Superior Court Case No. 30-2022-01267094-CU-PO-CJC

CALL TO ORDER – 7:00 p.m.

CLOSED SESSION REPORT

INVOCATION – Farshad Jahed, Baha'i Community of Laguna Niguel

PLEDGE OF ALLEGIANCE – Boy Scout Troop #734

PRESENTATIONS

- 1. Moulton Niguel Water District – Crown Valley Pipeline Replacement Project/OASIS Treatment Center**

PUBLIC COMMENTS

CONSENT CALENDAR

- 1. [Warrants of August 15, 2023](#)**

Recommendation

Approve as written or amended.

2. [Payroll Summary Register](#)

Recommendation

Approve as written or amended.

3. [Minutes of the Special City Council Meeting on July 24, 2023, Minutes of the Special City Council Meeting on July 26, 2023 and Minutes of the Regular City Council Meeting on August 1, 2023](#)

Recommendation

Approve as written or amended.

4. [Adoption of Resolution 2023-1447, Reaffirming and Extending the Existing Proclamation of Local Emergency in Connection with the Recent Earth Movement Under La Paz Road](#)

Recommendation

Staff recommends that the City Council adopt Resolution No. 2023-1447, reaffirming and extending the proclamation of local emergency in connection with the recent earth movement under La Paz Road.

5. [Designation of a Voting Delegate for the 2023 League of California Cities Annual Business Meeting](#)

Recommendation

Staff recommends the City Council designate Mayor Pro Tem Stephanie Oddo as the Voting Delegate for the 2023 League of Cal Cities Annual Business Meeting on September 22, 2023.

6. [Third Amendment to the City Manager Employment Agreement](#)

Recommendation

Staff recommends that the City Council adopt Resolution No. 2023-1448, approving the Third Amendment to the City Manager Employment Agreement with Tamara S. Letourneau.

DISCUSSION ITEMS

1. [**Approval of Amendment No. 5 to the On-Call Professional Services Agreement with Mark Thomas & Company, Inc. for the Design Plans and Specifications for this Project, and Approval of Fiscal Year 2023-2024 Budget Adjustment for the Construction of the Restoration of Two-Way Traffic along La Paz Road from Rancho Niguel Road to Kings Road**](#)

Recommendation

Staff recommends that the City Council:

1. Approve Amendment No. 5 to the On-Call Professional Services Agreement with Mark Thomas & Company, Inc. to provide engineering design services for the restoration of two-way traffic along La Paz Road for a not-to-exceed amount of \$171,382;
 2. Approve a not-to-exceed 20% contingency for Amendment No. 5 to the On-Call Professional Services Agreement with Mark Thomas & Company, Inc. in the amount of \$34,276, 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 \$205,658, if needed;
 3. Authorize the City Manager to execute Amendment No. 5 to the On-Call Professional Services Agreement with Mark Thomas & Company, Inc; and,
 4. Approve a Fiscal Year 2023-2024 Budget Adjustment of \$1,500,000 from the Deferred Maintenance, Capital Assets, & Infrastructure Reserves to Capital Improvement Project Number 7022-06 – La Paz Road Earth Movement Evaluation, Mitigation, & Remediation for the construction of two-way traffic along La Paz Road from Rancho Niguel Road to Kings Road and increase the total appropriation for all funds in Fiscal Year 2023-24 to \$62,397,977.
2. [**Introduction of Ordinance No. 2023-224 Amending the Construction and Demolition Waste Recycling Program and the Organic Waste Disposal Reduction Requirements to the Laguna Niguel Municipal Code**](#)

Recommendation

Staff recommends that the City Council;

1. Waive full reading, make any amendments to, and introduce Ordinance No. 2023-224 by title:

ORDINANCE NO. 2023-224

AN ORDINANCE OF THE CITY OF LAGUNA NIGUEL, CALIFORNIA,
AMENDING DIVISION 3 OF TITLE 6 OF THE LAGUNA NIGUEL
MUNICIPAL CODE REGARDING CONSTRUCTION AND DEMOLITION
WASTE RECYCLING PROGRAM AND ORGANIC WASTE DISPOSAL
REDUCTION REQUIREMENTS, AND MAKING A DETERMINATION OF
EXEMPTION UNDER CEQA IN CONNECTION THEREWITH

2. Direct that the proposed ordinance be placed on the agenda for the September 5, 2023, City Council Meeting for adoption.

OTHER BUSINESS/COUNCIL REPORTS

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

ADJOURNMENT

LAGUNA NIGUEL CITY COUNCIL

**Mayor Kelly Jennings
Mayor Pro Tem Stephanie Oddo
Council Member Ray Gennaway
Council Member Gene Johns
Council Member Stephanie Winstead**

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 Council Chambers is wheelchair accessible and disabled parking is available in the City Hall 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 at Laguna Niguel City Hall and on the City of Laguna Niguel website, not less than 72 hours prior to the meeting. Dated this 10th day of August 2023.

POSTED BY:



Marissa J. Asistin, CMC, City Clerk