



Agenda for the Regular Meeting of the Laguna Niguel City Council

**REGULAR MEETING OF
November 5, 2019 – 6:30 p.m.**

**COUNCIL CHAMBERS
LAGUNA NIGUEL CITY HALL**

**30111 Crown Valley Parkway
Laguna Niguel, California 92677**

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 of 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 and on the City's YouTube Channel at www.youtube.com/cityoflagunaniguel.

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. 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.

Thank you for attending your City Council meeting.

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

CALL TO ORDER AND ROLL CALL – 6:30 P.M.

CLOSED SESSION

PUBLIC COMMUNICATIONS ON CLOSED SESSIONS ITEMS

RECESS TO CLOSED SESSION

1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
(Pursuant to Paragraph (1) of subdivision (d) of Section 54956.9)
Name of Case: Colinas de Capistrano Community Association v. City of Laguna Niguel, et al.
Case No. 30-2019-01070843-CU-WM-CXC

2. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
(Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9)
Number of potential cases: one (1)

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

INVOCATION – Pastor Mike Hudgins, Vineyard Community Church

PLEDGE OF ALLEGIANCE – Brownie Girl Scout Troop 7575

PUBLIC COMMUNICATIONS

CONSENT CALENDAR

1. [Warrants of October 15, 2019 and November 5, 2019](#)

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 October 1, 2019](#)

Recommendation

Approve as written or amended.

4. [Minutes of the Special City Council Meeting on October 15, 2019](#)

Recommendation

Approve as written or amended.

5. [Investment Report as of September 30, 2019](#)

Recommendation

Staff recommends that the City Council receives and files the City of Laguna Niguel Investment Report as of September 30, 2019.

6. [Annual Investment Report for Fiscal Year Ended June 30, 2019](#)

Recommendation

Staff recommends that the City Council receive and file the City's Annual Investment Report for fiscal year ended June 30, 2019.

7. [Annual Review and Adoption of the City's Investment Policy](#)

Recommendation

Staff recommends that the City Council adopt Resolution No. 2019-1304 re-adopting the City's Investment Policy.

8. [Adoption of Resolution No. 2019-1301, Approving the Submittal of a Grant Application to the Orange County Transportation Authority for Funding Under the Competitive Measure M2 Regional Traffic Signal Synchronization Program](#)

Recommendation

Staff recommends that the City Council adopt Resolution No. 2019-1301, Approving the Submittal of a Grant Application to the Orange County Transportation Authority for Funding Under the Competitive Measure M2 Regional Traffic Signal Synchronization Program.

9. [Adoption of Resolution No. 2019-1302 for the FY 2020/21 – 2025/26 Federal Transportation Improvement Program](#)

Recommendation

Staff recommends that the City Council adopt Resolution No. 2019-1302, Certifying that the City has the Resources to Fund the Projects in the FY 2020/21 – 2025/26 Federal Transportation Improvement Program and affirms its commitment to implement all Projects in the Program.

10. [Approval of the First Amendment to the Professional Services Agreement with Cabco Yellow Incorporated, dba California Yellow Cab for Expansion of the Senior Mobility Program](#)

Recommendation

Staff recommends that the City Council:

- a. Approve the First Amendment to the Professional Services Agreement with Cabco Yellow Incorporated, dba California Yellow Cab, to include two round trips per month to medical appointments and/or grocery stores, and increase the number of round trips to Sea Country Senior and Community Center to 18 per month; and
- b. Authorize the City Manager to execute the First Amendment to the Professional Services Agreement with Cabco Yellow Incorporated, dba California Yellow Cab.

11. [Approval of Maintenance Services Agreement for Landscape Maintenance Services at City Hall and As-Needed Locations Throughout the City with Real Green, Inc.](#)

Recommendation

Staff recommends that the City Council:

- a. Approve the Maintenance Services Agreement for Landscape Maintenance Services at City Hall and As-Needed Locations Throughout the City with Real Green, Inc. in the not-to-exceed amount of \$106,732 for Fiscal Year 2019-20 through Fiscal Year 2021-22, subject to extension administratively for two additional one-year periods; and
- b. Authorize the City Manager to execute the contract documents, subject to the City Attorney making non-substantive changes.

12. [Approval of Plans and Specifications for the Crown Valley Park Soccer Field Synthetic Turf Replacement, Cash Contract No. 19-10](#)

Recommendation

Staff recommends that the City Council:

- a. Approve the Plans and Specifications for the Crown Valley Park Soccer Field Synthetic Turf Replacement, Cash Contract No. 19-10; and
- b. Authorize staff to advertise the project for bids.

13. [School Traffic Review at Intersection of Paseo De Colinas and Hugo Road](#)

Recommendation

Staff recommends that the City Council:

- a. Direct staff to install two “No U-Turn” signs and extend the yellow roadway centerline striping at the intersection of Paseo de Colinas and Hugo Road; and
- b. Direct the Orange County Sheriff’s Department to monitor the area as time and personnel permits.

14. [Notice of Completion for the Entry Monuments and Decorative Elements Project, Cash Contract No. 17-12](#)

Recommendation

Staff recommends that the City Council:

- a. Accept as complete the Entry Monuments and Decorative Elements Project, Cash Contract No. 17-12;
- b. Authorize recordation of the Notice of Completion for said project;
- c. 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; and
- d. Approve the Final Closeout Agreement and authorize its execution by the City Manager.

15. [Community Development Personnel Adjustment](#)

Recommendation

Staff recommends that the City Council approve the reclassification of one Assistant Planner position to Senior Planner.

CITY MANAGER

1. [Consider Adoption of Ordinance No. 2019-199 to Prohibit the Sale of Flavored Electronic Cigarettes in the City, Amending the Laguna Niguel Municipal Code, and Making a Finding of Exemption under CEQA in Connection Therewith](#)

Recommendation

Staff recommends that the City Council:

- a. Introduce and read the title to the proposed Ordinance which is:

ORDINANCE NO. 2019-199

AN ORDINANCE OF THE CITY OF
LAGUNA NIGUEL, CALIFORNIA, PROHIBITING
THE SALE OF FLAVORED ELECTRONIC CIGARETTES
IN THE CITY, AMENDING THE LAGUNA NIGUEL MUNICIPAL CODE, AND
MAKING A FINDING OF EXEMPTION UNDER CEQA
IN CONNECTION THEREWITH

- b. Waive the reading of the full text of the proposed Ordinance (requires a majority vote);
- c. Consider the proposed Ordinance and make any desired changes to it; and
- d. Direct that the proposed Ordinance No. 2019-199, with any changes to it, be placed on the agenda for the City Council Meeting on November 19, 2019 and adopt the Ordinance at that meeting.

COMMUNITY DEVELOPMENT

1. [Adoption of the 2019 California Building Standards Code, including Local Amendments, and adoption of the State Designated Very High Fire Hazard Severity Zones \(VHFHSZ\)](#)

Recommendation

Ordinance Nos. 2019-200 and 201 (Building-Related Codes and Fire Code)

Staff recommends that the City Council:

- a. Read the title of the proposed Ordinances, which are referenced below:

ORDINANCE NO. 2019-200

AN ORDINANCE OF THE CITY OF LAGUNA NIGUEL,
CALIFORNIA, ADOPTING BY REFERENCE
THE 2019 CALIFORNIA BUILDING CODE;
THE 2019 CALIFORNIA RESIDENTIAL CODE;
THE 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE;
THE 2019 CALIFORNIA ELECTRICAL CODE;
THE 2019 CALIFORNIA PLUMBING CODE;
THE 2019 CALIFORNIA MECHANICAL CODE;
THE 2019 CALIFORNIA ADMINISTRATIVE CODE;
THE 2018 INTERNATIONAL PROPERTY MAINTENANCE CODE;
AND THE 2018 INTERNATIONAL SWIMMING POOL AND SPA CODE;
TOGETHER WITH CERTAIN AMENDMENTS, ADDITIONS,
DELETIONS, AND PENALTIES; AND AMENDING TITLE 8 OF THE
LAGUNA NIGUEL MUNICIPAL CODE

ORDINANCE NO. 2019-201

AN ORDINANCE OF THE CITY OF LAGUNA NIGUEL,
CALIFORNIA, ADOPTING BY REFERENCE
THE 2019 CALIFORNIA FIRE CODE, TOGETHER WITH CERTAIN
AMENDMENTS, DELETIONS, ADDITIONS AND
PENALTIES, AND AMENDING TITLE 11 OF THE
LAGUNA NIGUEL MUNICIPAL CODE

- b. Waive the reading of the full text of the Ordinances (requires a majority vote of the Council Members present);
- c. Consider the proposed Ordinances; set the date for a public hearing to occur not less than fifteen (15) days after first publication of the required hearing notice; and,
- d. Direct that the proposed Ordinances be placed on the Agenda for adoption at the regular meeting of the City Council immediately following the required public hearing.

Ordinance No. 2019-202 (VHFHSZ)

Staff recommends that the City Council:

- a. Read the title of the proposed Ordinance referenced below:

ORDINANCE NO. 2019-202

AN ORDINANCE OF THE CITY OF LAGUNA NIGUEL,
CALIFORNIA, ADDING ARTICLE 7 TO DIVISION 3, TITLE 11
OF THE LAGUNA NIGUEL MUNICIPAL CODE, DESIGNATING
VERY HIGH FIRE HAZARD SEVERITY ZONE
WITHIN THE CITY OF LAGUNA NIGUEL

- b. Waive the reading of the full text of the Ordinance (requires a majority vote of the Council Members present);
- c. Consider the proposed Ordinance; and,
- d. Direct that the proposed Ordinance to be placed on the Agenda for adoption at the next regular meeting of the City Council.

OTHER BUSINESS/COUNCIL REPORTS

1. Council Reports

Recommendation

Hear Council reports.

2. City Manager/Department Reports

Recommendation

Hear City Manager/Department reports.

ADJOURNMENT

LAGUNA NIGUEL CITY COUNCIL

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

E-mail address
Website address 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, November 1, 2019, 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