



# AGENDA FOR THE REGULAR MEETING OF THE LAGUNA NIGUEL CITY COUNCIL

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**REGULAR MEETING OF  
November 7, 2023 – 7:00 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](http://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](http://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](http://www.cityoflagunaniguel.org)**

CALL TO ORDER AND ROLL CALL – 7:00 p.m.

INVOCATION – Jan Sherertz, First Church of Christ, Scientist, Laguna Niguel

PLEDGE OF ALLEGIANCE – Junior Girl Scout Troop #8597

PUBLIC COMMENTS

**CONSENT CALENDAR**

1. [Warrants of November 7, 2023](#)

**Recommendation**

Approve as written or amended.

2. [Payroll Summary Register](#)

**Recommendation**

Approve as written or amended.

3. [Investment Report as of September 30, 2023](#)

**Recommendation**

Approve as written or amended.

4. [Annual Investment Report for Fiscal Year 2022-2023](#)

**Recommendation**

Staff recommends that the City Council receive and file the City's Annual Investment Report for Fiscal Year 2022-2023.

5. [Minutes of the Regular City Council Meeting on October 17, 2023, Minutes of the Special City Council Meeting on October 24, 2023 and Minutes of the Special City Council Meeting on October 25, 2023](#)

**Recommendation**

Approve as written or amended.

6. [Adoption of Resolution 2023-1451, Reaffirming and Extending the Existing Proclamation of Local Emergency in Connection with the Recent Earth Movement Under La Paz Road, and Delegate to the City Manager the Authority to Award and Execute a Contract for Emergency Construction Services](#)

**Recommendation**

Staff recommends that the City Council:

1. Adopt Resolution No. 2023-1451, reaffirming and extending the proclamation of local emergency in connection with the recent earth movement under La Paz Road and delegate to the City Manager the authority to award and execute a contract for emergency construction services; and,
2. Authorize the City Manager to execute the Agreement for Construction Services Long-Term Phase II Project, Cash Contract 23-17 up to a not-to-exceed amount of \$1,500,000 with a contractor that will be determined through the formal bid process.

7. [Award of Construction Contract to Gentry General Engineering, Inc. and CT&T Concrete Paving Inc. for the Citywide Concrete Infrastructure and Repairs Project, Cash Contract No. 23-13](#)

**Recommendation**

Staff recommends that the City Council:

1. Award the Construction Contract for the Citywide Concrete Infrastructure and Repairs Project, Cash Contract No. 23-13, to Gentry General Engineering, Inc., and CT&T Concrete Paving, Inc. in the not-to-exceed amount of \$199,000; and
2. Authorize the City Manager to execute the Construction Contract for the Citywide Concrete Infrastructure and Repairs Project, Cash Contract No. 23-13 with Gentry General Engineering, Inc., and CT&T Concrete Paving, Inc., subject to the City Attorney making non-substantive changes.

8. [Award of Construction Contract to Alfaro Communications Construction Inc. for the Traffic Signal Equipment Upgrades Project, Cash Contract No. 23-07](#)

**Recommendation**

Staff recommends that the City Council

1. Award the Construction Contract for the Traffic Signal Equipment Upgrades Project, Cash Contract No. 23-07 to Alfaro Communications Construction, Inc. in the amount of \$234,097;

2. Authorize the Public Works Director/City Engineer to process change orders in an amount not to exceed 10% of the contract for \$23,410, for a total not-to-exceed amount of \$257,507, if needed;
  3. Authorize the City Manager to execute the Construction Contract for the Traffic Signal Equipment Upgrades Project, Cash Contract No. 23-07 with Alfaro Communications Construction, Inc., subject to the City Attorney making non-substantive changes; and,
  4. Authorize the Public Works Director/City Engineer to execute the Notice of Completion at the conclusion of construction.
9. [Approval of Plans and Specifications for La Paz Road Long-Term Phase II Project, Cash Contract No. 23-17, and Authorization to Advertise the Project for Bids](#)

**Recommendation**

Staff recommends that the City Council:

1. Approve the plans and specifications for the La Paz Road Long-Term Phase II Project, Cash Contract No. 23-17; and,
  2. Authorize staff to advertise the project for bids.
10. [Award of Maintenance Services Agreements for Citywide Street Banner Installation and Maintenance Services to Creative Commercial Services](#)

**Recommendation**

Staff recommends that the City Council:

1. Award the Maintenance Services Agreement for Citywide Street Banner Installation and Maintenance Services to Creative Commercial Services in the not-to-exceed amount of \$75,000 per year for Fiscal Years 2023-24 through 2025-26, subject to extension administratively for two additional one-year periods;
2. Approve a not-to-exceed 20% contingency per year of the contract in the amount of \$15,000 for unforeseen conditions or extra work and authorize the Public Works Director/City Engineer to approve additional work with Creative Commercial Services for a total not-to-exceed amount of \$90,000 per year, if needed; and,
3. Authorize the City Manager to execute the agreement and future amendments to the Maintenance Services Agreement with Creative Commercial Services, subject to the City Attorney making non-substantive changes.

11. [Approval of Multi-Year Professional Services Agreements and Amendments for On-Call Professional Services in Support of Community Development Department Functions](#)

**Recommendation**

Staff recommends that the City Council:

1. Approve Multi-Year Professional Services Agreements and Amendments for On-Call Professional Services with the following firms (listed alphabetically):
  - Becky Caha
  - Civic Solutions, Inc.
  - RSG, Inc.
  - Sage Environmental Group
  - Stephanie Tomaino dba City Advisors
2. Authorize the City Manager to execute the Multi-Year Professional Services Agreements and Amendments to the agreements, subject to the City Attorney making non-substantive changes.

**PUBLIC HEARINGS**

1. [Third Public Hearing to Consider Composition of Districts for By-District Elections](#)

**Recommendation**

Staff recommends that the City Council conduct the third public hearing, receive and consider input from the public, and provide further direction to City staff.

2. [A Public Hearing to Consider Zoning Code Amendment ZCA 23-02 Introducing an Ordinance Amending Laguna Niguel Municipal Code Section 9-1-95 to Establish Multifamily and Mixed-Use Residential Objective Development and Design Standards for Projects that Qualify for Streamlined Ministerial Review Under State Law; and Determining the Action to be Exempt from the California Environmental Quality Act Under State CEQA Guidelines Section 15061\(b\)\(3\)](#)

**Recommendation**

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

1. Find that adoption of the proposed ordinance is exempt from the California Environmental Quality Act (“CEQA”) because it is an administrative activity that will not result in a direct or reasonably foreseeable indirect physical

change to the environment and thus is not a “project” under State CEQA Guidelines Section 15378 (see State CEQA Guidelines, § 15060(c)(2) and (3)). Alternatively, even if adoption of the ordinance did qualify as a project under CEQA, find that it is exempt from CEQA pursuant to Section 15061(b)(3) of the State CEQA Guidelines, which provides that a project is exempt from CEQA where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

2. Waive full reading, make any amendments to, and introduce Ordinance No. 2023-225 by title:

**ORDINANCE NO. 2023-225**

AN ORDINANCE OF THE CITY OF LAGUNA NIGUEL, CALIFORNIA,  
ADOPTING ZONING CODE AMENDMENT ZCA 23-02 AMENDING LAGUNA  
NIGUEL MUNICIPAL CODE SECTION 9-1-95 TO ESTABLISH  
MULTIFAMILY AND MIXED-USE RESIDENTIAL OBJECTIVE  
DEVELOPMENT AND DESIGN STANDARDS FOR PROJECTS THAT  
QUALIFY FOR STREAMLINED MINISTERIAL REVIEW UNDER STATE  
LAW, AND DETERMINING THE ACTION TO BE EXEMPT FROM THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT UNDER STATE  
CEQA GUIDELINES SECTION 15061(B)(3)

3. Direct that the proposed ordinance, with any changes, be placed on the agenda for the December 5, 2023, City Council Meeting and adopt the ordinance at that meeting.

[Additional Document](#)

**CITY COUNCIL**

1. **Selection of Mayor and Mayor Pro Tem**
  - a. **Comments by Appointed Mayor**
  - b. **Comments by Appointed Mayor Pro Tem**

[Additional Documents](#)

**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](mailto:cityclerk@cityoflagunaniguel.org)  
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. 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 2<sup>nd</sup> day of November 2023.

POSTED BY:

  
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Marissa J. Asistin, CMC, City Clerk