

LAGUNA NIGUEL CITY COUNCIL
Minutes of the Regular City Council Meeting
February 5, 2019 – 7:00 p.m.

CALL TO ORDER – Mayor Jennings called the Regular City Council meeting to order at 7:00 p.m.

ROLL CALL

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

INVOCATION – Derick Zeulner, South Shores Church

PLEDGE OF ALLEGIANCE – Girl Scout Brownie Troop 5476

PRESENTATIONS

1. Presentation of City Tiles to Outgoing Commission and Committee Members

Mayor Jennings and the City Council presented City tiles to the following outgoing Commission and Committee Members:

Investment, Banking and Audit Committee

Jason Gerstenberger (not present)
David Simpson
Michael Yoshida

Parks and Recreation Commission

Robin Cashion
Nadim Kneizeh (not present)

Planning Commission

William “Clay” Wilemon (not present)

Senior Citizens Committee

Wilma Goodman (not present)

Sports Advisory Committee

Susan Staub

Traffic and Transportation

William “Bill” Leber
Joe Williams, Jr.
Stephanie Winstead

Military Support Committee

Carl David
Brud LeTourneau
Mike Pouraryan
Maynard Rains (not present)
Bev Resh

Mayor Jennings and the City Council presented a City tile to Valerie Mellon in honor of her husband, long-time Military Support Committee Member Dave Mellon, who passed away unexpectedly last year.

Military Support Committee Co-Chairs Laurie Davies and Elaine Gennaway presented a City flag to Mrs. Mellon that was flown over City Hall on Dave Mellon's birthday.

PUBLIC COMMUNICATIONS

Keith Rattay, Assistant City Manager for the City of Mission Viejo, introduced himself and Michelle Claud-Clemente, the new Mission Viejo Animal Services Manager.

Patty Mouton, representing Alzheimer's Orange County, the Orange County Aging Services Collaborative, provided a report on the 18-month Committee and Subcommittee Goal Wrap Up for the Orange County Strategic Plan for Aging.

Juan Gonzalez, representing Southern California Gas Company, provided information on current state legislation regarding the reduction of greenhouse gas and the effect it would have on local residents.

Stephanie Winstead, Chair of the Laguna Niguel Chamber of Commerce, announced that the Laguna Niguel "The Guide" has been delivered to residents and announced a Coffee With A Cop event on February 13, 2019. She stated that the Chamber would like to participate in the City's 30th Anniversary events and the Youth Committee's High School Job and College Fair.

CONSENT CALENDAR

Council Member Minagar pulled Item Nos. 5 and 7 for discussion.

Council Member Gennaway pulled Item Nos. 3, 7 and 8.

Council Member Rains pulled Item Nos. 6 and 7.

A MOTION was made by Mayor Pro Tem Davies, seconded by Council Member Gennaway, to approve the remainder of the Consent Calendar as presented.

Motion carried 5-0.

1. Warrants of February 5, 2019

Approved as written.

2. Payroll Summary Register

Approved as written.

4. Investment Report as of December 31, 2018

Received and filed the City of Laguna Niguel Investment Report as of December 31, 2018.

9. Salary Range Adjustment for Landscape Maintenance Inspector Position

Adopted Resolution No. 2019-1273, adjusting the salary range of the Landscape Maintenance Inspector position, effective February 15, 2019.

ITEMS PULLED

3. Minutes of the Regular City Council Meeting on January 15, 2019

Council Member Gennaway requested that under Council Reports on page 6, second paragraph, it be revised to read, "...Orange County Senior Citizens Advisory Council, which is a 40 member advisory council to the Orange County Board of Supervisors and Orange County Office on Aging."

A MOTION was made by Council Member Gennaway, seconded by Mayor Pro Tem Davies, to approve the Minutes of the Regular City Council meeting on January 15, 2019, as amended.

Motion carried 5-0.

5. Approval of Professional Services Agreements for "On-Call" Professional Engineering Services

Council Member Minagar stated that in the future, staff provide a list by ranking of all companies that submit proposals in response to Statement of Qualifications (SOQ) for construction projects.

A MOTION was made by Council Member Minagar, seconded by Council Member Rains, to:

- a. Approve the Professional Services Agreement for "On-Call" Professional Engineering Services with Annealta Group, subject to extension administratively for two additional one-year periods;
- b. Approve the Professional Services Agreement for "On-Call" Professional Engineering Services with BkF Engineering, subject to extension administratively for two additional one-year periods;
- c. Approve the Professional Services Agreement for "On-Call" Professional Engineering Services with CNC Engineering, subject to extension administratively for two additional one-year periods;
- d. Approve the Professional Services Agreement for "On-Call" Professional Engineering Services with DMc Engineering, subject to extension administratively for two additional one-year periods;
- e. Approve the Professional Services Agreement for "On-Call" Professional Engineering Services with Hartzog & Crabill, Inc., Inc, subject to extension administratively for two additional one-year periods;

- f. Approve the Professional Services Agreement for “On-Call” Professional Engineering Services with Huitt-Zollars, Inc, subject to extension administratively for two additional one-year periods;
- g. Approve the Professional Services Agreement for “On-Call” Professional Engineering Services with Kimley-Horn and Associates, Inc., subject to extension administratively for two additional one-year periods;
- h. Approve the Professional Services Agreement for “On-Call” Professional Engineering Services with Michael Baker International, Inc., subject to extension administratively for two additional one-year periods;
- i. Approve the Professional Services Agreement for “On-Call” Professional Engineering Services with NV5, Inc., subject to extension administratively for two additional one-year periods;
- j. Approve the Professional Services Agreement for “On-Call” Professional Engineering Services with Onward Engineering, subject to extension administratively for two additional one-year periods;
- k. Approve the Professional Services Agreement for “On-Call” Professional Engineering Services with Quantum Quality Consulting, Inc., subject to extension administratively for two additional one-year periods;
- l. Approve the Professional Services Agreement for “On-Call” Professional Engineering Services with Stantec Consulting Services, Inc., subject to extension administratively for two additional one-year periods;
- m. Should City Council approve the “On-Call” Professional Engineering services list of firms, it is also recommended the City Council approve the First Amendment to the Professional Services Agreement with Annealta Group for “On-Call” Professional Engineering Services to provide program management services at a rate of \$160 per hour for a total not-to-exceed amount of \$72,000, effective February 6, 2019 through December 31, 2019;
- n. Should City Council approve the “On-Call” Professional Engineering services list of firms, it is also recommended the City Council approve the First Amendment to the Professional Services Agreement with DMc Engineering for “On-Call” Professional Engineering Services to provide on-site day-to-day support services for the Public Works Department at a rate of \$160 per hour for a total not-to-exceed amount of \$96,000, effective February 6. 2019 through December 31, 2019; and
- o. Authorize the City Manager to execute all contract documents, subject to the City Attorney making non-substantive changes.

Motion carried 5-0.

6. Approval of Professional Services Agreement with SPECS Civil Solutions, Inc. dba SPECS for the Yosemite Park Pedestrian Bridge Replacement and Landscape Improvement Project

Council Member Rains inquired about the item under the Scope of Services regarding the monitoring of the excess soil cuttings. She asked if the City Council would be notified of any additional costs for this project.

Public Works Director Scott stated that City staff will monitor their work and will comply with the Scope of Services and the fee proposal.

A MOTION was made by Council Member Rains, seconded by Mayor Pro Tem Davies, to:

- a. Approve the Professional Services Agreement with SPECS Civil Solutions, Inc. dba SPECS for the Yosemite Park Pedestrian Bridge Replacement and Landscape Improvement Project for an amount not to exceed \$60,500; and
- b. Authorize the City Manager to execute the Professional Services Agreement with SPECS Civil Solutions, Inc. dba SPECS, subject to the City Attorney making non-substantive changes.

Motion carried 5-0.

7. Award of Construction Contract for the Entry Monuments and Decorative Elements Project, Cash Contract No. 17-12, to Horizons Construction Company International, Inc.

Council Member Minagar stated that after serving on the ad hoc committee for the past few years, he was pleased to see the project move forward and was looking forward to the installation of the entry monuments throughout the City.

Council Member Gennaway requested that staff install a mockup with the actual lettering and background materials in a median so it can be viewed in the daylight.

Public Works Director Scott stated that a request was submitted to the contractor to provide a mockup for that specific purpose and will be reviewed by staff to ensure that all the materials conform to what is approved.

Discussion ensued.

A MOTION was made by Mayor Jennings, seconded by Council Member Minagar, to:

- a. Award the Construction Contract for the Entry Monuments and Decorative Elements Project, Cash Contract No. 17-12, to Horizons Construction Company International, Inc. in the amount of \$791,699.95;
- b. Authorize the Public Works Director/City Engineer to process change orders in an amount not to exceed 10% of the total contract for \$79,170, for a total not to exceed amount of \$870,869.95 if needed; and
- c. Authorize the City Manager to execute the Contract Documents, subject to the City Attorney making non-substantive changes.

Motion carried 5-0.

8. Approval of First Amendment to the Maintenance Services Agreement for Fabrication, Installation and Removal of 30 Year Anniversary Banners with MV Commercial Services

Council Member Gennaway expressed some concern regarding the proposed \$30,000 for the 30th Anniversary banners.

Mayor Jennings stated that at their meeting, the 30th Anniversary Ad Hoc Committee discussed this item and he stated staff is doing a great job of making sure this is done prudently. He stated that one of the challenges is trying to communicate with 66,000 residents about the 30th Anniversary and the banners are a way to reach a larger audience.

Mayor Pro Tem Davies suggested that staff reach out to local businesses for sponsorships to help cover the costs of the banners.

Mayor Jennings stated that a 30th Anniversary Ad Hoc Committee meeting has been scheduled and invitations have been sent out to local organizations, businesses, and City Commission and Committee members.

City Manager Ridge stated that staff has been very prudent and has been using unspent dollars in existing accounts. She stated that an item will be brought back to the City Council to request a budget appropriation for 30th Anniversary activities. She stated that the City does spend approximately \$35,000 every year for street banners and that this particular contract amendment is for more than just the street banners. She stated the amount includes window films that will be at City Hall and Sea Country Community Center, flutter flags at the three fire stations, and vinyl type signs on fencing at sports parks and other places, to call attention to the 30th Anniversary.

Discussion ensued.

A MOTION was made by Council Member Rains, seconded by Council Member Gennaway, to approve the First Amendment to the Maintenance Services Agreement with MV Commercial Services for a not to exceed amount of \$35,000.

Motion carried 5-0.

PUBLIC WORKS

1. Preliminary Design Options for Existing Pooch Park Renovations Project and Possible Feasibility Study for Second Dog Park

Public Works Director Scott provided information as stated in the staff report. She stated that at the December 18, 2018 City Council meeting, the City Council requested that staff present options to renovate the existing Pooch Park located on Golden Lantern Street, adjacent to Fire Station No. 49. She stated that it was also requested that staff explore the possibility of a second dog park. She stated that staff is requesting that the City Council provide direction to issue a Request

For Proposals (RFP) to examine the existing Pooch Park and how it can be improved or renovated while also exploring the potential for a second dog park. She stated that any potential site for a second dog park will need to examine estimated site improvement costs, site access and parking, availability of utilities, and other necessary amenities such as restrooms that may be needed to support the intended park use. She stated that a feasibility study would look at all of these issues and make a recommendation as to a preferred potential location for a future second dog park. She stated that the adopted Capital Improvement Program (CIP) allocates \$40,000 in funding to pay for a study to provide conceptual designs for potential Pooch Park renovations. She stated that adding the scope of work to include the feasibility of a second dog park may cost more than the available \$40,000 in the CIP. She stated that once proposals are received and evaluated, an award of contract item will be presented to the City Council, along with any consideration for additional funding needed to complete the feasibility scope of work in the RFP. She stated that approximately \$95,000 remains in the design phase for the Outdoor Fitness Area Project that can be reprogrammed should the City Council opt to no longer pursue construction of the Fitness Park.

Mayor Jennings inquired about the community engagement portion of the scoping, and asked if this is part of what would be planned for the feasibility study, to open it up to the community for their input.

Mayor Pro Tem Davies stated that this is an item that she and Mayor Jennings have talked about over the past year. She stated that there is a large amount of people that have dogs in this community and the dog park is a place that brings all ages together.

Council Member Rains stated that the existing dog park has some issues and suggested that staff look into making improvements to see if it actually would meet the needs of the community, prior to looking into a second dog park.

Council Member Gennawey expressed her disappointment regarding issues at the existing Pooch Park that have not yet been taken care of. She stated that there is funding that has been allocated for refurbishing, cleaning up and changes that need to be made, however, she did not support a second dog park. She stated her concerns regarding the language to reprogram the funds that the City Council already allocated to the Outdoor Fitness Park. She stated that the City Council embarked on a multi-year plan for an Outdoor Fitness Park with the recognition that the population in Orange County is aging, and that there is a need to maintain physical and cognitive health. She stated that the Outdoor Fitness Park is still in the design phase and that the funds allocated for that are not available because the design is not yet complete.

Council Member Minagar stated that staff's recommendation specifically states that there will be a feasibility study for a needs assessment as part of the RFP. He stated that consulting firms will respond to the RFP and that the first item on the scope will be a needs assessment.

Discussion ensued.

A MOTION was made by Mayor Jennings, seconded by Mayor Pro Tem Davies, to approve staff's recommended Items a. and b.

AN AMENDED MOTION was made by Council Member Gennawey, to bifurcate the vote and separate staff's recommended Items a. and b. She stated that she did not believe that the City Council should reprogram funding for the Outdoor Fitness Area Project before the design is complete.

City Attorney Ennis stated that the motion to amend has failed due to lack of a second. He stated that the existing motion is to approve both a. and b. together or not to approve the item.

The City Council voted on the original motion by Mayor Jennings, seconded by Mayor Pro Tem Davies, to:

- a. Direct staff to add Scope of Work to study the feasibility of adding a second dog park in the Request for Proposals for Pooch Park Renovations Project; and
- b. If needed, direct staff to reprogram the remaining design phase budget of \$95,677 for the Outdoor Fitness Area Project towards a possible second Laguna Niguel dog park.

Motion carried 4-1, with Council Member Gennawey voting no.

FINANCE

1. Comprehensive Annual Financial Report (CAFR) and Related Audit Reports of the City of Laguna Niguel for FY 2017-18

Finance Director Erlandson provided information as stated in the staff report. He stated that City's independent account firm, The Pun Group, LLP (The Pun Group), has completed its audit of the City's financial transactions. He stated that The Pun Group performed additional reviews on specific types of activity noting no audit findings. He provided the highlights of the information contained within the letter of transmittal, management discussion and analysis, and the statistical section.

A MOTION was made by Council Member Gennawey, seconded by Council Member Rains, to approve the CAFR and related audit reports of the City of Laguna Niguel for the year ended June 30, 2018.

Motion carried 5-0.

CITY MANAGER

1. 2019 Pedestrian and Drive Safety Campaign

City Manager Ridge gave a PowerPoint presentation and provided information as stated in the staff report. She stated that at the request of Mayor Jennings, staff has been working on a campaign to increase safety and public awareness among pedestrians and drivers in our community. She provided information on efforts to enhance safety and planned future communications. She stated that

the safety of residents is a top priority and Laguna Niguel has been recognized for being one of the safest cities in California. She stated that the (hashtag) #StreetSmarts campaign is intended to improve safety through awareness. She stated that the relationship between driver and pedestrian and the knowledge of safety techniques by both must be improved to prevent tragic accidents in the future.

Chief of Police Services McDaniel stated that the #StreetSmarts campaign is to better educate and advise citizens on how drivers and pedestrians can be safe when moving around the City. He provided information on plans to educate the public on techniques they can use for driver and pedestrian safety through messages and reminders on the City's social media sites as well as through continued public outreach. He stated that traffic enforcement deputies take the matters of traffic and crosswalk safety seriously, and that in the past six months deputies have issued more citations for these offenses than all of 2017. He encouraged the public to follow the #StreetSmarts campaign on the City's website and Facebook page and thanked the City Council for their support.

Discussion ensued regarding future traffic safety programs in the City.

A MOTION was made by Mayor Pro Tem Davies, seconded by Council Member Rains, to receive and file the report.

Motion carried 5-0.

2. 30 Year Anniversary Activities Update

City Manager Ridge provided information as stated in the staff report, including information on the creation of the 30th Anniversary logo, banner design and site selections, vehicle magnets, the Orange County Business Journal supplemental section, ongoing social media contests, and the anniversary coins and lapel pins. She stated that since the last update, a different style lapel pin for youth sports organizations has been designed. She stated that she attended a meeting with the Orange County Business Journal representatives regarding the layout and that they are in the process of reaching out to major businesses to offer them advertising in the space designated for the City. She stated that the first 30th Anniversary Event Planning Committee meeting is scheduled for February 21, 2019.

Mayor Jennings stated that almost every organization in the City was invited to the 30th Anniversary Event Planning Committee meeting, including religious and service organizations, and a member from each of the City's Commissions and Committees, City staff, and the Laguna Niguel Chamber of Commerce.

Council Member Rains inquired about the budget for the 30 Year Anniversary items.

City Manager Ridge stated that an updated list of invitees would be provided to the City Council. She stated that she would provide estimates for these items after the mid-year budget review.

A MOTION was made by Council Member Gennawey, seconded by Mayor Jennings, to receive and file the report.
Motion carried 5-0.

OTHER BUSINESS/COUNCIL REPORTS

1. Council Reports

Mayor Pro Tem Davies reminded the City Council to report on any imperative information that was discussed during regional committee meetings. She reported she attended an ACC-OC Legislation and Regulatory Committee meeting. She reported she traveled to Washington, D.C. with the ACC-OC for Orange County's Federal Advocacy Trip.

Council Member Gennawey announced that she was elected as Chair to the Orange County Public Library Advisory Board, which is comprised of 24 cities that belong to the Orange County Public Library (OCPL) system. She announced upcoming OCPL events including Literary Orange on April 6, 2019, and An Evening with Gloria Steinem on February 19, 2019. She announced a Junior Civic Workshop featuring Laguna Niguel Police Services and Explorers on February 12, 2019. She reported that she, along with Mayor Jennings and Mayor Pro Tem Davies, attended a meeting with Congressman Rouda and Congresswoman Porter, to discuss the purpose of the committees they are serving on and to plan for discussions on issues of mutual interest to residents.

Council Member Minagar announced that the President of Southern California Association of Governments (SCAG), which is comprised of 191 cities, appointed him as the only Executive Committee representative from Orange County to serve on a panel for hiring a new Chief Executive Officer. He reported he attended an Orange County Council of Governments meeting. He reported he traveled to Washington, D.C. with the ACC-OC for Orange County's Federal Advocacy Trip, to hear Congressional Representatives discuss their platforms, their positions, and to hear about where they stand on issues that are vital to our constituents and residents. He reported he was recognized by the Laguna Niguel Historical Society for his services and contributions.

Council Member Rains reported she attended the 1st Gala for the Raising Moulton Niguel IQ (RMIQ). She reported she met with Congressman Rouda to hear his plans about our community and was hopeful about working together to meet the needs of local residents. She stated that in support of the City's 30th Anniversary Celebration, she directed staff to place an item on the next City Council agenda to consider the formation of a Historical Commission for the purpose of preserving our City's history. She requested that she and Council Member Minagar be appointed to serve on this commission and that Senator Pat Bates, the City's first mayor, be invited to provide a presentation about the City's history.

Mayor Jennings stated that he attended the Legacy Awards Ceremony for Beacon Hill KinderCare Learning Center, where Krystal Chavez received a Teacher of the Year Award and a check for \$10,000 for her service. He reported

he attended the United States Conference of Mayors in Washington, D.C., with over 280 mayors from every city in the country. He reported he traveled to Washington, D.C. with the ACC-OC for Orange County's Federal Advocacy Trip, where he met with Members of Congress to discuss local issues.

2. City Manager/Department Reports

City Staff reported on various events, meetings and activities in their departments.

City Attorney Ennis thanked the City Council for the warm welcome and thanked City Manager Ridge, Deputy City Manager Bell, and City Clerk Gomez for their assistance with the onboarding process. He stated he looked forward to working with staff, the City Council and the community on important issues facing the City.

City Manager Ridge announced she was appointed by the Orange County City Managers Association to serve as the South County Representative on the County of Orange's Commission to End Homelessness.

Mayor Jennings presented a 30th Anniversary lapel pin to newly appointed City Attorney Kevin Ennis and welcomed him to the City team.

ADJOURNMENT

Mayor Jennings adjourned the Regular City Council meeting at 8:52 p.m.

Respectfully submitted by:



Eileen C. Gomez
City Clerk