

LAGUNA NIGUEL CITY COUNCIL
Minutes of the Regular City Council Meeting
August 20, 2019 – 6:00 p.m.

CALL TO ORDER – Mayor Jennings called the Regular City Council meeting to order at 6:00 p.m.

ROLL CALL

Mayor John Mark Jennings – Present

Mayor Pro Tem Laurie Davies – Present

Council Member Elaine Gennaway – Present

Council Member Fred Minagar – Absent (Arrived at the dais at 6:27 p.m.)

Council Member Sandy Rains – Present

PUBLIC COMMUNICATIONS ON CLOSED SESSION ITEMS

There were no public comments for Closed Session.

RECESS TO CLOSED SESSION

City Attorney Ennis read the Closed Session title into the record.

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

Mayor Jennings and the City Council, with the exception of Council Member Minagar, recessed to Closed Session at 6:01 p.m.

Council Member Minagar arrived at the dais at 6:27 p.m. and recused himself from the Closed Session.

Mayor Jennings and the City Council, with the exception of Council Member Minagar, reconvened from the Closed Session at 6:54 p.m.

City Attorney Ennis announced there was no reportable action from the Closed Session.

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

Mayor Jennings called the Regular meeting back to order at 7:01 p.m.

INVOCATION – Bishop Jared Bunker, Laguna Niguel Church of Jesus Christ of Latter Day Saints

PLEDGE OF ALLEGIANCE – Boy Scout Troop 772

PRESENTATIONS

1. Proclamation Declaring September 2019 as Childhood Cancer Awareness Month

Mayor Jennings and the City Council presented a Proclamation declaring September 2019 as Childhood Cancer Awareness Month.

PUBLIC COMMUNICATIONS

Dennis Mulvaney, resident, requested that an electric handicap door opener be placed near the front doors to City Hall.

Mayor Jennings stated that an electric handicap door opener is located on the left side around the corner from the City Hall front doors. He requested that signage be placed on the front doors to City Hall to assist the public with locating the door.

Jennifer Barb, resident, spoke about the Former South County Justice Center project and inquired about the timeline to provide public input regarding the proposed project.

Martha McNicholas, representing the Coastal Communities Relay For Life Committee, stated they received a significant amount of interest at their booth at the City's 30th Anniversary Carnival, including over 15 cancer survivors. She stated the City is entitled to have a booth at the Relay For Life Event on September 14th as a Presenting Sponsor and encouraged the City Council to join the Laguna Niguel City Family Fights Back Team. She gave her personal victory testimony of her battle with melanoma and read a statement on behalf of Capistrano Unified School District Superintendent Vital, thanking the City Council for their support.

CONSENT CALENDAR

Mayor Jennings stated that the City Council would be voting on the current version of Item No. 3 and Item No. 7, as provided in the Red Folders.

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 August 20, 2019

Approved as written.

2. Payroll Summary Register

Approved as written.

3. Minutes of the Special City Council Meeting on July 23, 2019

Approved as amended.

4. Minutes of the Regular City Council Meeting on August 6, 2019

Approved as written.

5. Approval of Plans and Specifications for the Annual Citywide Concrete Improvement and Replacement Program, Cash Contract No. 19-06

a. Approved the Plans and Specifications for the Annual Citywide Concrete Improvement and Replacement Program, Cash Contract No. 19-06; and

b. Authorized staff to advertise the project for bids.

6. Approval of First Amendment to Professional Services Agreement with Onward Engineering for Engineering Design of Pavement Rehabilitation of Niguel Road Project

a. Approved the First Amendment to the Professional Services Agreement with Onward Engineering for the Engineering Design of Pavement Rehabilitation of Niguel Road Project in the amount of \$189,611.10; and

b. Authorized the City Manager to execute the First Amendment to the Professional Services Agreement with Onward Engineering.

7. Award of a Construction Contract to All American Asphalt for the Alicia Parkway Arterial Pavement Rehabilitation Project, Cash Contract No. 17-11 and Approval of the Fourth Amendment to the Professional Services Agreement with Annealta Group for Project Management Services During the Construction Phase

a. Awarded the Construction Contract for the Arterial Pavement Rehabilitation Project, Cash Contract No. 17-11, to All American Asphalt in the amount of \$2,348,777;

b. Authorized the Public Works Director/City Engineer to process change orders in an amount not to exceed 10% of the total contract for \$234,877, for a total not to exceed amount of \$2,583,654 if needed;

c. Approved the Fourth Amendment to the Professional Services Agreement with Annealta Group for "On-Call" Professional Engineering Services for a not-to-exceed amount of \$29,160;

d. Authorized the City Manager to execute the Contract Documents, subject to the City Attorney making non-substantive changes; and

e. Authorized the City Manager to execute the Fourth Amendment to the Professional Services Agreement with Annealta Group.

8. Notice of Completion for the Chapparosa, La Plata, and Marina Hills Parks Monument Signs Project, Cash Contract No. 18-08 (Tim Turner dba Turner Signs and Graphics)

- a. Accepted as complete the Chapparosa, La Plata, and Marina Hills Park Monument Signs Project, Cash Contract No. 18-08;
- b. Authorized recordation of the Notice of Completion for said project;
- c. Authorized 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. Approved the Final Closeout Agreement and authorized its execution by the City Manager.

9. Notice of Completion for the Purchase and Installation of Trash Control Devices on Storm Water Catch Basins, Cash Contract No. 19-01 (United Storm Water, Inc.)

- a. Accepted as complete the Purchase and Installation of Trash Control Devices on Storm Water Catch Basins, Cash Contract No. 19-01;
- b. Authorized recordation of the Notice of Completion for said project;
- c. Authorized 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. Approved the Final Closeout Agreement and authorize its execution by the City Manager.

10. Consideration of City Facilities Holiday Closure Schedule

Approved the additional closing of City Hall and other off-site offices on December 23, 27 and 30, 2019 for a total holiday closure from Monday, December 23, 2019 through Wednesday, January 1, 2020, while continuing to provide public safety and other essential services throughout this same time period.

OTHER BUSINESS/COUNCIL REPORTS

1. Council Reports

Council Member Minagar announced a public meeting on August 22nd immediately following an Orange County Council of Governments (OCCOG) Board of Directors meeting, to discuss the three methodology options for the Regional Housing Needs Assessment (RHNA). He provided an overview of the timeline and process of how the RHNA numbers are to be allocated and stated that the deadline for providing comments was extended to September 13th. He invited Mayor Jennings and Community Development Director Orduña to participate in the public meeting beginning at 1:00 p.m.

Mayor Jennings thanked Council Member Minagar for the information regarding the RHNA process and stated this is one of the most important regional issues at this time. He emphasized the impact and importance that the RHNA numbers have on economic development in the City. He stated he would be attending the public meeting to discuss the RHNA methodology options on August 22nd after the OCCOG Board of Directors meeting.

Council Member Gennaway thanked Council Member Minagar for his expertise and for representing the City on the Southern California Association of Governments (SCAG). She announced she would be representing the City and the ACC-OC Legislative Committee at the OCCOG public meeting to discuss the RHNA methodology options. She reported she attended a South Orange County Watershed Management Area (SOCWMA) Executive Committee meeting. She thanked City staff for the incredible 30th Anniversary Carnival, and gave special thanks to Parks and Recreation Director Giglio and her staff. She reported the Military Support Committee (MSC) was able to host families of the USS Stockdale to a carnival day due to the generosity from residents that support the MSC car washes and fundraisers. She stated Commanding Officer Leo Leos, Executive Officer Brandon Booher and Command Master Chief Jared Mueller were also present. She reported she attended a Laguna Niguel Chamber of Commerce Networking Breakfast.

Council Member Rains reminded residents to drive with caution now that children are back to school. She announced a special Orange County Board of Education meeting on August 22nd in Costa Mesa to discuss the California Healthy Youth Act (AB329) school curriculum. She welcomed City Manager Tammy Letourneau to the City team. She thanked Parks and Recreation Director Giglio and her staff for a successful 30th Anniversary Carnival.

Mayor Pro Tem Davies announced she was appointed as President of the ACC-OC. She stated that in her role as President, she and Executive Director Bruce Channing are touring cities to meet with city managers and mayors to discuss local issues including homelessness, affordable housing and sober living homes. She stated they would be working together with Tony Cardenas, Regional Public Affairs Manager for the League of California Cities, as a group to have a stronger voice in Sacramento regarding local legislation. She stated they are planning to coordinate an annual conference similar to the League of California Cities to provide training for new council members and commissioners. She invited the City Council to express any concerns they may have including ideas for any programs they would like the ACC-OC to provide. She thanked Parks and Recreation Director Giglio and her staff, the Police Services Department, and community leaders that attended the outreach meetings, for a great 30th Anniversary Carnival.

Mayor Jennings stated that this was one of his favorite weeks in the history of serving Laguna Niguel and it reminded him of what a wonderful place our City is. He stated whether the City was having a 30th anniversary or not, something like a carnival was going to happen. He stated that the idea behind this was to find a way that through time, a community with its organizations, residents and businesses, could come together for something that was different. He stated that

community meetings with all of the stakeholders, including businesses, faith-based groups, and various community organizations, were held to invite them to be part of the planning process. He continued to comment on the sense of togetherness, community spirit, and the reparative effort to our community, and expressed his support for having another carnival or a similar event next year. He thanked all City staff for their work in putting together this extraordinary event in such a short time. He stated the main reason the carnival was so enjoyable and fun was because people felt safe, and he thanked Police Services for their presence. He welcomed City Manager Letourneau to the City team.

City Manager/Department Reports

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

City Manager Letourneau stated she had the greatest week and could not have asked for a better and more loving welcome to this community. She thanked staff and community members for all the nice welcome calls and phone calls, flowers and cards, and stated her pride in being part of this fantastic City team.

ADJOURNMENT

Mayor Jennings adjourned the Regular City Council meeting at 7:44 p.m.

Respectfully submitted by:



Eileen C. Gomez
City Clerk