

LAGUNA NIGUEL CITY COUNCIL
Minutes of the Regular City Council Meeting
September 17, 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 – Farshad Jahed, Spiritual Assembly of the Baha'is of Laguna Niguel

PLEDGE OF ALLEGIANCE – Cub Scout Pack 734

PRESENTATIONS

1. Presentation by the Transportation Corridor Agency on Transition to Sticker Transponders

Brian Lochrie, President of Communications LAB, gave a PowerPoint presentation and provided information on the Transportation Corridor Agency's transition to sticker transponders. He provided an informational video featuring Council Member Minagar, Chairman of the Transportation Corridor Agency Board of Directors.

2. Presentation by the U.S. Census Bureau on the 2020 Census

Laleh Vafei, Partnership Specialist with the United States Census Bureau, gave a PowerPoint presentation and provided information on the 2020 Census process. She answered questions from the City Council and provided information on the timeline and key communications that include participation in a Complete Count Committee for community outreach.

Steve Berezin, Recruiting Assistant with the United States Census Bureau, spoke about employment opportunities available for the 2020 Census.

City Manager Letourneau assigned City Clerk Gomez as the City's liaison for the 2020 Census activities.

PUBLIC COMMUNICATIONS

Pam Lawrence, resident and representative for the Coastal Communities Relay For Life Committee, provided an update on the Relay For Life event and thanked the Mayor and City Council for their support.

Philip Mladinich, resident, requested that an outdoor shower be provided at the Crown Valley Community pool during construction.

CONSENT CALENDAR

Mayor Jennings pulled Item Nos. 5 and 7 for discussion.

Council Member Gennaway abstained from voting on Check No. 4778 to Dell Marketing in the Warrant Register under Item No. 1; and from voting on Item No. 3, Minutes of the Regular City Council Meeting on September 3, 2019.

Council Member Rains pulled Item Nos. 5 and 8 for discussion.

A MOTION was made by Council Member Minagar, seconded by Council Member Gennaway, to approve the Consent Calendar as presented.

Motion carried 5-0, with Council Member Gennaway abstaining from voting on Check Number 4778 to Dell Marketing in the Warrant Register under Item No. 1; and Item No. 3, Minutes of the Regular City Council Meeting on September 3, 2019.

1. Warrants of September 17, 2019

Approved as written.

2. Payroll Summary Register

Approved as written.

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

Approved as written.

4. Amendment to the City Financial Reserves Policy

Adopted the amended City Financial Reserves Policy.

6. Approval of Seventh Amendment to the Professional Services Agreement with DMc Engineering for On-Call Professional Engineering Services

a. Approved the Seventh Amendment to the Professional Services Agreement with Derek J. McGregor dba DMc Engineering for On-Call Professional Engineering Services in the not-to-exceed amount of \$64,000; and

b. Authorized the City Manager to execute the Seventh Amendment to the Professional Services Agreement with Derek J. McGregor dba DMc Engineering.

9. Consolidated Annual Performance and Evaluation Report (CAPER) for Community Development Block Grant (CDBG) Program Year 2018/2019 (July 1, 2018 to June 30, 2019)

Authorized staff to submit the CDBG Program Year 2018/2019 CAPER to HUD by September 28, 2019.

ITEMS PULLED

5. Allocation of City Grant Funding

Mayor Jennings provided an overview of the process for the City grant funding allocations and the responsibilities of the City/CDBG Grant Sub Committee. He stated his concern for accepting any late applications and the importance of adhering to the deadline for submittals. He proposed the following adjustments:

No. 3 - American Legion Post 281: He stated the requested amount was \$990 for room rentals to hold meetings. He requested that this amount be removed and should be considered an operating cost.

No. 8 – Extraordinary Lives Foundation: He stated that last year, the amount was \$2,500, and the proposed amount is \$3,000. He requested that the amount be kept the same as last year.

No. 10 – Laguna Niguel Women’s Club: He stated this amount was reduced from \$3,000 to \$1,700. He stated this allocation is for the Art Contest for High School students which continues to grow, and requested that the amount be changed to the original requested amount of \$3,000.

No. 12 – Niguel Hills Middle School: He stated this amount was allocated to establish a Youth Brass Band. He requested that the amount be changed to \$2,500 for the acquisition of the instruments.

No. 16 – Orange County Academy of Science and Arts (OCASA) (LATE): He stated OCASA is one of our City jewels and they are doing great work. He recommended that the proposed \$10,000 be removed from the list due to the late submittal.

Nos. 19 and 20 – Family Assistance Ministries and South County Outreach: He stated they each receive \$10,300 in CDBG funds and other grants. He stated that since they did not apply this year, he recommended that they both be referred to the Homeless Task Force to decide how we can help. He requested that the proposed \$15,000 be removed from the list and suggested that this item come back to the City Council for consideration at a future meeting.

He stated that he did not have any changes to the School-Based Activity Contributions except for the Voluntary Student Drug Testing Program for Aliso Niguel High School. He stated he received a call from the principal that the original funding request was \$8,000 and that last year the expenditure was \$6,675. He stated the proposed change this year was to fund \$2,000, however they do not have any other funding sources to operate the program. He requested that the amount be changed to the original requested amount of \$8,000. He stated the proposed changes would bring the total City Grant Funding allocation to \$37,200; Special Event Grant Funds would remain the same at \$6,000; increase the School-Based Activity funds to \$18,500; and the \$6,000 for the CUSD High school to participate in the Holiday Parade would stay the same.

Council Member Rains stated that in the City/CDBG Grant Sub Committee meeting, she abstained from No. 3 due to her husband being the Commander of the American Legion Post 281. She stated the decision to change the funding for the Voluntary Student Drug Testing Program was made because they were not provided with significant data.

Deputy City Manager Bell stated that she received information from Aliso Niguel High School with statistics about the program.

Discussion ensued.

A MOTION was made by Mayor Jennings, seconded by Council Member Gennawey, to approve the revised City Grant Funding allocations as follows:

- a. Allocate \$37,200 in Community Services/Cultural Arts Grant funds;
- b. Allocate \$6,000 in Special Event Grant funds as recommended;
- c. Allocate \$18,500 in School-Based Activity grants; and
- d. Allocate \$6,000 for CUSD High School band participation in the Holiday Parade as recommended.

Motion carried 5-0, with Council Member Rains abstaining from voting on Item No. 3, American Legion Post 281.

7. Approval of First Amendment to the Maintenance Services Agreement with Real Green, Inc. for Schools Joint Use Sports Fields and Facilities Landscape Maintenance to Include Various Items of Work Throughout the City Related to Landscape and Irrigation Maintenance

Mayor Jennings thanked City Manager Letourneau and Public Works Director Scott for bringing this item forward. He stated this is the process for amending a contract where the scope of work needed to complete the project exceeds the original contract. He stated the amended amount is within the original approved amount and does not need to be changed.

Council Member Minagar requested that a not-to-exceed dollar amount or a not-to-exceed quantity amount be included to protect the City.

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

- a. Approve the First Amendment to the Maintenance Services Agreement with Real Green, Inc. for Schools Joint Use Sports Fields and Facilities Landscape Maintenance, including a not-to-exceed dollar amount or a not-to-exceed quantity amount; and
- b. Authorize the City Manager to execute the First Amendment to the Maintenance Services Agreement with Real Green, Inc. for Schools Joint Use Sports Fields and Facilities Landscape Maintenance.

Motion carried 5-0.

8. Rejection of Bids and Rescoping of the Bus Shelters, Trolley, and

Amenities Replacement Project, Cash Contract No. 19-02

Council Member Rains stated her concerns regarding the rejection of bids and dividing the project into two phases. She inquired about the process and timeline for the project if it was not completed in phases, and asked if one of the phases would automatically obligate staff to include it in the Capital Improvement Program budget.

Public Works Director Scott stated the project would be included in the Five Year Capital Improvement Program for Council consideration as part of the FY 2020-21 budget process, and that there would be no automatic obligation.

Discussion ensued.

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

- a. Reject all bids for the Bus Shelters, Trolley, and Amenities Replacement Project, Cash Contract No. 19-02;
- b. Approve staff's recommendation to separate the Bus Shelters, Trolley, and Amenities Replacement Project, Cash Contract No. 19-02 into Phase One – Crown Valley Parkway, Alicia Parkway, and Niguel Road and Phase Two – Moulton/Golden Lantern; and
- c. Authorize staff to advertise Phase One for bids.

Motion carried 5-0.

CITY ATTORNEY

1. Update to Laguna Niguel Municipal Code Provisions on City Commissions, Boards and Committees and Repealing Various City Council Resolutions Superseded by Ordinance No. 2019-198

City Clerk Gomez provided information as stated in the staff report. She stated this item was included in the City Clerk's Work Program for Fiscal Year 2019-20, which includes updating the Laguna Niguel Municipal Code (LNMC) provisions relating to the operation of City commissions, boards and committees. She stated that Ordinance No. 2019-198 has been prepared to centralize all of these provisions out of a series of separate resolutions into one central division in the LNMC. She stated the ordinance will also allow for one-year term options for each City commission, board or committee that does not have this provision in order to allow the City Council and the appointees more flexibility. She stated Resolution No. 2019-1299 is also included for consideration, which will repeal all of the previous resolutions and will become effective immediately.

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

- a. Waive full reading, make any amendments to, and introduce Ordinance No. 2019-198 by title:

ORDINANCE NO. 2019-198

AN ORDINANCE OF THE CITY OF
LAGUNA NIGUEL AMENDING THE LAGUNA NIGUEL
MUNICIPAL CODE TO INCLUDE PREVIOUSLY
ADOPTED PROVISIONS FOR THE OPERATION OF ALL
CITY COMMISSIONS, BOARDS AND COMMITTEES INTO
DIVISION 3 OF TITLE 2 OF THE MUNICIPAL CODE,
MAKING MINOR ADJUSTMENTS THERETO, AND
MAKING A FINDING OF EXEMPTION UNDER CEQA IN
CONNECTION THEREWITH

- b. Direct that the proposed ordinance, with any changes to it, be placed on the agenda for the October 1, 2019 City Council meeting and adopt the Ordinance at that meeting; and
- c. Adopt Resolution No. 2019-1299, A Resolution of the City of Laguna Niguel repealing various resolutions related to the establishment and operation of City commissions, boards and committees upon the effectiveness of Ordinance No. 2019-198.

Motion carried 5-0.

OTHER BUSINESS/COUNCIL REPORTS

1. Council Reports

Council Member Rains wished everyone a Happy Constitution Day and expressed her gratitude for the passage of the 14th Amendment.

Council Member Davies congratulated Deputy City Manager Bell on her retirement and thanked her for her service to the City. She thanked everyone that participated in the Military Support Committee Car Wash for their support, and reported they raised over \$3,000. She reported she, along with Military Support Committee Members Rischi Paul Sharma and Dennis Mulvaney, collected over 700 letters to military personnel written by students from Moulton Elementary School. She announced an educational workshop at Niguel Hills Middle School on October 22nd at 6:00 p.m., to provide information to parents and students about the dangers of vaping.

Council Member Gennaway reported she, along with Mayor Jennings, attended a Youth Committee meeting and thanked Recreation Supervisor Gretchen Malcolm for her work with the students. She announced a "Together For Teens" event on October 12th at Capistrano Valley High School. She reported she and Mayor Pro Tem Davies are working on a "Facts You Need To Know About Vaping" event to provide information and resources for parents and teens about the dangers of vaping. She announced she attended the first Junior Civic Workshop of the school year on September 10th and thanked Mayor Jennings, City Manager Letourneau and Chief of Police Services McDaniel for their presentation. She announced the next Junior Civic Workshop on October 8th at 7:30 p.m. in the City Hall Community Room to hear about the history of Red Ribbon Week. She congratulated Deputy City Manager Bell on her retirement and thanked her for her service to the City.

City Manager/Department Reports

City Staff reported on various events, meetings and activities in their departments, and wished Deputy City Manager Bell all the best in her retirement.

City Manager Letourneau encouraged residents to submit the Strategic Plan survey before the deadline on September 27th, and thanked those that already submitted one. She thanked Deputy City Manager Bell for her assistance and wished her all the best in her retirement.

Mayor Jennings thanked Dennis and Donna Mulvaney and those that participated in and attended the City's first Patriot Day/911 Event at the Laguna Niguel Amphitheater, hosted by the Boy Scouts of Laguna Niguel.

Mayor Jennings and the City Council presented Deputy City Manager Debbie Bell with a City tile, thanking her for her service and wishing her all the best in her retirement.

ADJOURNMENT

Mayor Jennings adjourned the Regular City Council meeting at 8:40 p.m.

Respectfully submitted by:



Eileen C. Gomez
City Clerk