

LAGUNA NIGUEL CITY COUNCIL
Minutes of the Regular City Council Meeting
July 17, 2018 – 6:00 p.m.

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

ROLL CALL

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

PUBLIC COMMUNICATIONS ON CLOSED SESSION ITEMS

There were no public communications.

RECESS TO CLOSED SESSION

City Attorney Dixon read the Closed Session titles into the record and announced he did not anticipate any reportable action from the Closed Session.

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Paragraph (1) of subdivision (d) of Section 54956.9 of the Government Code:
Name of case: EQR-Bond Partnership, v. City of Laguna Niguel et al.;
Orange County Superior Court Case No. 30-2018-00994423-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 of the Government Code
Number of matters: One

Mayor Gennawey and the City Council recessed to Closed Session at 6:06 p.m.

Mayor Gennawey and the City Council reconvened from the Closed Session at 6:55 p.m.

Mayor Gennawey announced that there was no reportable action from the Closed Session.

RECONVENE FROM CLOSED SESSION – 7:00 P.M.

Mayor Gennawey called the City Council meeting back to order at 7:00 p.m.

INVOCATION – Bishop Boad Swanson, Church of Jesus Christ of Latter Day Saints

PLEDGE OF ALLEGIANCE – Cub Scout Pack 771

PRESENTATIONS

There were no presentations.

PUBLIC COMMUNICATIONS

Martha McNicholas, representing Relay For Life, announced a Relay For Life event on July 28, 2018.

Stephanie Winstead, Chair-Elect for the Laguna Niguel Chamber of Commerce, provided an update on current events with the Chamber, and announced the TRIO app pilot program for Shop Laguna Niguel, a Multi-Member Ribbon Cutting event on July 26th and a Networking Breakfast on July 27th.

John Smith, resident, spoke about landscape issues on a slope near his home.

CONSENT CALENDAR

Mayor Gennawey stated that the City Council would be voting on the current version of Item No. 4, Minutes of the Regular City Council Meeting on June 19, 2018, as provided in the Red Folders. She stated she would be abstaining from voting on Item No. 8, as one of the items being purchased through the vendor is from the company her husband is employed by.

Mayor Pro Tem Jennings abstained from voting on Item Nos. 3 and 4, due to his absence from the June 19, 2018 City Council meeting.

Council Member Lindholm pulled Item No. 14.

Council Member Minagar abstained from voting on Item No. 11, due to a potential conflict of interest.

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

Motion carried 5-0, with Mayor Gennawey abstaining from voting on Item No. 8; Mayor Pro Tem Jennings abstaining from voting on Item Nos. 3 and 4; and Council Member Minagar abstaining from voting on Item No. 11.

1. Warrants of June 19, July 3 and July 17, 2018

Approved as written.

2. Payroll Summary Register

Approved as written.

3. Minutes of the Special City Council Meeting on June 19, 2018

Approved as written.

4. Minutes of the Regular City Council Meeting on June 19, 2018

Approved as amended.

5. Investment Report as of May 31, 2018

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

6. Brown Act Training Policy

Approved the draft policy on Brown Act training, to make it mandatory for all Council Members, Commissioners and Committee Members.

7. Approval of Professional Services Agreement with TRC Communications for Communications Consulting Services

a. Approved the proposed Professional Services Agreement with TRC Communications; and

b. Authorized the City Manager to execute all agreement documents on behalf of the City.

8. Computer Hardware Replacement Project

a. Approved the purchase of a replacement Storage Area Network, three servers and two switches from Insight in the amount of \$82,189.62;

b. Authorized the City Manager to execute all required purchase documents, including a purchase order.

9. Professional Services Agreement between the City and Michael Baker International, Inc. for Acoustical Consulting Services Related to Use Permit UP 18-03 (Fast 5 Xpress Car Wash)

a. Approved the Professional Services Agreement between the City and Michael Baker International, Inc. for acoustical consulting services related to Use Permit UP 18-03 (Fast 5 Xpress Car Wash) for an amount not to exceed \$2,260; and,

b. Authorized the City Manager to execute the Professional Services Agreement upon Applicant payment of the anticipated cost.

10. Notice of Completion for the Lining of the Storm Drain System on Ivy Glenn Drive Project, Cash Contract No.17-09 (Nu-Line Technologies)

a. Accepted as complete, the Lining of the Storm Drain System on Ivy Glenn Drive Project, Cash Contract No. 17-09;

- 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.
11. **Approval of Third Amendment to the Professional Services Agreement for Environmental Permitting and Technical Support Services for Wetlands Maintenance (ICF Jones & Stokes, Inc.)**

Approved, and authorized the City Manager to execute, the Third Amendment to the Professional Services Agreement with ICF Jones & Stokes, Inc. in an amount not to exceed \$37,438 for Mitigated Negative Declaration documentation and its related cultural sites surveys to support the environmental permitting for wetland operations and maintenance activities.

12. **Approval of Plans and Bid Documents to Advertise Construction of the Crown Valley Park Community Pool Improvements**

- a. Approved the Plans and Bid Documents for the Crown Valley Park Community Pool Improvements Project; and
- b. Authorized staff to advertise the project for bids.

13. **Approval of Resolution Adopting the 2018 South Orange County Integrated Regional Water Management Plan**

Adopted Resolution No. 2018-1262, approving the 2018 South Orange Integrated Regional Watershed Management Plan, in continued coordination with the South Orange County Water Management Area Group.

ITEMS PULLED

14. **Award of Contracts for Various Trades for the Construction of Crown Valley Park Community Building**

Council Member Lindholm asked staff if all of the contractors listed are bonded.

Acting Public Works Director/Engineering Services Manager Mazboudi stated that all of the contractors are bonded and have performance bonds included in their proposals.

A MOTION was made by Council Member Lindholm, seconded by Council Member Davies, to:

- 1. Award the Construction Contract for the Crown Valley Park Community Building - Demolition, Grading, and Storm Water Pollution Prevention Plan to NorthStar Contracting Group, Inc. in the amount of \$1,077,522;

2. Award the Construction Contract for the Crown Valley Park Community Building - Shoring, Drilled Caissons to Malcolm Drilling Company, Inc. in the amount of \$948,950;
3. Award the Construction Contract for the Crown Valley Park Community Building - Site Utilities to JPI Development Group, Inc. in the amount of \$838,000;
4. Award the Construction Contract for the Crown Valley Park Community Building – Landscape and Irrigation to Marina Landscape, Inc. in the amount of \$488,500;
5. Award the Construction Contract for the Crown Valley Park Community Building – Structural Concrete & Reinforcing Steel to Pacific Southwest Structures, Inc. in the amount of \$2,980,000;
6. Award the Construction Contract for the Crown Valley Park Community Building – Site Concrete and Asphalt Paving to Brian Devries Construction, Inc. in the amount of \$1,669,998;
7. Award the Construction Contract for the Crown Valley Park Community Building – Structural and Miscellaneous Steel to SCW Contracting, Inc. in the amount of \$3,260,000;
8. Award the Construction Contract for the Crown Valley Park Community Building – Finish Carpentry and Millwork to Arrowwoods Works, Inc. in the amount of \$193,795;
9. Award the Construction Contract for the Crown Valley Park Community Building – Doors, Frames and Hardware to Star Hardware, Inc. in the amount of \$250,100;
10. Award the Construction Contract for the Crown Valley Park Community Building – Roofing, Waterproofing and Sheet Metal to Best Contracting Services, Inc. in the amount of \$1,898,849;
11. Award the Construction Contract for the Crown Valley Park Community Building – Aluminum Storefront, Glass and Glazing to Golden Glass, Inc. in the amount of \$2,049,000;
12. Award the Construction Contract for the Crown Valley Park Community Building – Framing, Drywall, Plaster, and Stone Veneer to Sierra Lathing Company, Inc. in the amount of \$3,383,300;
13. Award the Construction Contract for the Crown Valley Park Community Building – Acoustical Ceilings and Wall Treatments to Elljay Acoustics, Inc. in the amount of \$579,470;
14. Award the Construction Contract for the Crown Valley Park Community Building – Ceramic Tile and Stone to Inland Pacific Tile, Inc. in the amount of \$489,000;

15. Award the Construction Contract for the Crown Valley Park Community Building – Carpet, Resilient Flooring, and Base to Lawrence W. Rosine Co. in the amount of \$330,000;
16. Award the Construction Contract for the Crown Valley Park Community Building – Painting to Wilson and Hampton Painting in the amount of \$259,833;
17. Award the Construction Contract for the Crown Valley Park Community Building – Miscellaneous Specialties to ISEC, Inc. in the amount of \$672,998;
18. Award the Construction Contract for the Crown Valley Park Community Building – Food Service to Trimark Raygal, LLC. in the amount of \$177,248;
19. Award the Construction Contract for the Crown Valley Park Community Building – Elevators to Inland Building Construction Co. in the amount of \$765,600;
20. Award the Construction Contract for the Crown Valley Park Community Building – Fire Sprinklers to JG Tate Fire Protection Systems, Inc. in the amount of \$234,567;
21. Award the Construction Contract for the Crown Valley Park Community Building – Plumbing to JPI Development Group, Inc., Inc. in the amount of \$832,000;
22. Award the Construction Contract for the Crown Valley Park Community Building – HVAC to All Star Air Systems, Inc. in the amount of \$1,294,000;
23. Award the Construction Contract for the Crown Valley Park Community Building – Electrical, Fire Alarm/Intrusion Alarm, Audio Visual, Voice & Data to Anderson & Howard Electric, Inc. in the amount of \$4,088,281;
24. Award the Construction Contract for the Crown Valley Park Community Building – Portable toilet rental and service to Elite Construction Equipment, Inc. in the amount of \$23,879.09;
25. Award the Construction Contract for the Crown Valley Park Community Building – Temporary chainlink fence to Elite Construction Equipment, Inc. in the amount of \$42,978.88;
26. Awarded the Construction Contract for the Crown Valley Park Community Building – Roofing/waterproofing consultant to Atlas Consulting in the amount of \$49,500.00;
27. Award the Construction Contract for the Crown Valley Park Community Building – Hazardous Removal Monitoring to Patriot Environmental Laboratory Services in the amount of \$5,402.00;
28. Award the Construction Contract for the Crown Valley Park Community Building – Geotechnical observation & Testing and Special Testing and Inspections to GMU Geotechnical in the amount of \$138,020;

29. Award the Construction Contract for the Crown Valley Park Community Building – Stormwater Inspections to GMU Geotechnical in the amount of \$24,780.00;
30. Award the Construction Contract for the Crown Valley Park Community Building – Surveying Services to SDR Surveying in the amount of \$127,600.00;
31. Approve a third Amendment with LPA, Inc. for additional design services in the amount of not to exceed \$38,925;
32. Approve a first Amendment with C.W. Driver for project duration extension and additional services in the amount of not to exceed \$446,300;
33. Authorize the City Manager to sign the contract documents;
34. Authorize the Public Works Director to process change orders as required for any of the contracts in an amount not to exceed 10% of the individual contract amount but never in excess of 5% of the total construction contract amounts;
35. Waive the alleged errors in the bid by All Star Air Systems, Inc., reject the bid protest by West-Tech Mechanical, Inc., and award the contract for the Mechanical (HVAC) Bid Package (#22) to All Star Air Systems, Inc.; and
36. Waive the alleged errors in the bid by Pacific Southwest Structures, Inc., reject the bid protest by Hamel Concrete, Inc., and award the contract for the Structural Concrete and Reinforcing Steel Bid Package (#5) to Pacific Southwest Structures, Inc.

Motion carried 5-0.

OTHER BUSINESS/COUNCIL REPORTS

1. Crown Valley Park Tier III Ad Hoc Committee

Council Member Davies reported that the Committee is currently reviewing various contracts relating to this project. She stated that any project budgets throughout California are expected to increase due to higher costs for steel and labor. She stated that the expected completion date for the Crown Valley Park Tier III project is early 2020.

Mayor Gennaway invited the community to attend the Crown Valley Park Tier III Groundbreaking Ceremony on July 31, 2018.

2. Economic Development Ad Hoc Committee

Mayor Gennaway reported that local retail center property managers were invited to attend a Committee meeting in June to discuss the City's concierge level service and how the process could be streamlined for businesses and property managers.

Mayor Pro Tem Jennings stated that he attended a follow-up meeting to discuss a strategic plan to fill retail vacancies throughout the City.

3. Council Reports

Council Member Davies congratulated Mayor Gennawey and staff on a successful Meet the Mayor and Community Fair event.

Council Member Minagar reported he attended the American Council of Engineering Companies' Annual Engineering Excellence Awards Gala. He reported that he, along with Mayor Pro Tem Jennings, attended the Laguna Niguel Chamber of Commerce Annual 4th of July Pancake Breakfast. He reported he attended the following meetings: Laguna Niguel Chamber of Commerce Governmental Affairs; Transportation Corridor Agency Joint Executive Ad Hoc Committee and Vision Planning Ad Hoc Committee. He reported he attended an ACC-OC Second Annual Summer Member Reception event and two stem cell research company grand opening events. He reported he pulled nomination papers to run for re-election for Member of the City Council.

Mayor Pro Tem Jennings congratulated Parks and Recreation staff for their work in coordinating successful 4th of July and Concert in the Park events.

Mayor Gennawey reported she attended the Chamber of Commerce State of the City Address and stated that the video is now available on the new City website. She reported she attended the South Orange County Economic Coalition State of the County event and an ACC-OC Legislative Committee meeting. She stated she had the honor of welcoming participants to the YMCA Run in the Park event and also attended the Laguna Niguel Chamber of Commerce Annual 4th of July Pancake Breakfast and the City firework events. She reported she attended the Meet the Mayor Community Fair at City Hall. She stated that at their last meeting, the City Council gave direction to staff to work on the parking situation in the Hidden Hills neighborhood and asked City Manager Ridge to provide an update.

City Manager Ridge provided an update and stated that she has been working closely with Acting Public Works Director/Engineering Services Manager Mazboudi on a number of ideas that they are in process of implementing. She stated that a few of the ideas they plan on presenting to the Traffic and Transportation Commission include increasing street sweeping to every week as opposed to every other week and enhancing the existing lighting for safety in that area. She stated that there are already maintenance crews doing trash pick-up in the area on a weekly basis. She stated they are exploring some potential areas where there would be some limited time parking that would help facilitate greater use of a local park in that area and also to provide easier access to the school.

4. City Manager/Department Reports

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

City Manager Ridge congratulated Chief of Police Services McDaniel on receiving a score of 4.88 out of 5 for the Assessment of Orange County Deputy Sheriff's, ranking him number 4 out of 21 lieutenants. She reported that she met with Karalee Darnell from Southern California Edison (Edison), where Ms. Darnell presented information on reliability improvements, wildfire mitigation, and grid resiliency. She stated that Edison is working on proactive measures to monitor high fire hazard areas including possibly de-energizing circuits prior to an emergency situation such as a fire.

ADJOURNMENT

Mayor Gennaway adjourned the Regular City Council meeting at 7:39 p.m.

Respectfully submitted by:



Eileen C. Gomez
City Clerk