

LAGUNA NIGUEL CITY COUNCIL
Regular Meeting of July 19, 2016 – 7:00 p.m.

CALL TO ORDER – The meeting was called to order by Mayor Davies at 7:00 p.m.

ROLL CALL

Mayor Laurie Davies– Present
Mayor Pro Tem Jerry Slusiewicz – Present
Council Member Gary Capata – Present
Council Member Elaine Gennawey – Present
Council Member Fred Minagar – Present

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

PLEDGE OF ALLEGIANCE – was led by Boy Scout Troop 772

PRESENTATIONS

1. Resolutions Commending Wesley King, Ryan Song and Sebastain Karileh on Attaining the Rank of Eagle Scout

Mayor Davies and the City Council presented Resolutions commending Wesley King, Ryan Song, and Sebastain Karileh on Attaining the Rank of Eagle Scout.

2. Proclamation Declaring July as Parks Make Life Better Month

Mayor Davies and the City Council presented a Proclamation to Parks and Recreation staff, declaring July as Parks Make Life Better Month.

3. Presentation of Flower Lei from the Laguna Niguel Military Support Committee to the Laguna Niguel City Council on behalf of the USS Stockdale

The Military Support Committee presented a flower lei to the Mayor and City Council on behalf of the USS Stockdale. Military Support Committee Member Carole Allen provided a brief history of the 120 foot welcome home flower lei for the USS Stockdale. She commented that it was made in record time, less than 12 hours, by 26 volunteers and is made of 3,000 red, white and blue plastic bags and rubber bands.

PUBLIC COMMUNICATIONS

Victoria Morgan, resident, spoke about the Bis Kids Children Program.

Tammi Boyce, resident, spoke in opposition to Consent Calendar Item No. 8, La Plata Road Bump request. She requested that the issuance of the ballots regarding speed bumps on Vista Plaza Drive be denied, and the proposals for

traffic calming methods be sent back to the Traffic Commission for re-evaluation. She requested that residents on both Vista Plaza Drive and La Vida Drive be included in the impacted properties report and be allowed to vote.

Michael Curtis, resident, inquired about the trees at Crown Valley Park, Niguel Road and Ivy Glenn that were cut down.

City Manager Foster responded that there is a bark beetle problem affecting the trees and they had to be cut down.

Mark Goodman, resident, referred to the minutes of the June 7, 2016 City Council meeting under Item No. 3 on the Consent Calendar. He requested that the comments he and Mayor Pro Tem Slusiewicz made on the Calverton Circle property be in verbatim format.

CONSENT CALENDAR

Council Member Gennawey pulled Item No. 7 for discussion. Mayor Pro Tem Slusiewicz pulled Item No. 3 for discussion.

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

Motion carried 5-0.

1. Warrants of July 5, 2016 and July 19, 2016

Approved as written.

2. Payroll Summary Registers

Approved as written.

4. Investment Report as of May 31, 2016

Received and filed the City of Laguna Niguel Investment Report as of May 31, 2016.

5. Notice of Completion for Reconstruction of Diving Platforms - Cash Contract No. 15-11

- a. Accepted as complete the Reconstruction of Diving Platforms - Cash Contract No. 15-11;
- b. Authorized recordation of the Notice of Completion for said project;
- c. Authorized the release of the 5% retention thirty five (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.

6. Agreement for Crossing Guard Services with All City Management Services, Inc.

Approved, and authorized the City Manager to execute the Agreement with All City Management Services, Inc. for three years, including two one-year options.

8. La Plata Drive Road Bump Request

- a. Accepted the petition of residents on La Plata Drive for the request of road bumps;
- b. Directed staff to mail the ballot measure to the impacted area; and
- c. Directed Police Services to continue with enforcement as time and personnel permits.

9. Award of Construction Contract for the Bear Brand Park Soccer Field Synthetic Turf Replacement - Cash Contract No. 16-06

- a. Awarded the Contract to construct the Bear Brand Park Soccer Field Synthetic Grass Replacement Project - Cash Contract No. 16-06 for the Base Bid amount to SprinTurf LLC., with the rejection of the Add Alternates; and,
- b. Authorized the City Manager to sign the Contract.

10. Appointment of the Honorable Jonathan H. Cannon, Retired Judge of the Orange County Superior Court, to Serve as Hearing Officer for Nuisance Abatement Actions

- a. Appointed the Honorable Judge Jonathan H. Cannon, retired Orange County Superior Court Judge, as a Hearing Officer for all hearings for the nuisance abatement action against 23511 Calverton Circle, Laguna Niguel; and
- b. Appointed Judge Jonathan H. Cannon to serve as Hearing Officer for other nuisance abatement matters that may arise in the future.

ITEMS PULLED

3. Minutes of the Regular City Council Meetings on June 7, 2016 and June 21, 2016

Mayor Pro Tem Slusiewicz requested that the City Council revise the minutes for the June 7, 2016 City Council meeting to include verbatim comments he and Mark Goodman made regarding the Calverton Circle property. He asked City Attorney Dixon if the minutes are required to be resubmitted to the City Council after adding the verbatim.

City Attorney Dixon stated that the minutes did not have to be brought back to City Council for approval.

A MOTION was made by Mayor Pro Tem Slusiewicz, seconded by Council Member Minagar, to approve Item No. 3, with revisions to the minutes for the June 7, 2016 City Council meeting to include verbatim comments made by Mark Goodman during Public Communications and verbatim comments made by Mayor Pro Tem Slusiewicz during Council Reports, regarding the Calverton Circle property.

Motion carried 3-1-1, with Council Member Gennaway opposed and Council Member Capata abstaining.

7. Amendment No. 1 to Cooperative Agreement No. C-1-2479 between Orange County Transportation Authority and City of Laguna Niguel for Senior Mobility Program

Council Member Gennaway stated that there has been an issue with the waiting list for transportation. She reviewed the Agency Service Plan's criteria for eligible trips and noted that all trips are within Orange County. She suggested including a ranking or priority criteria in the service plan so that trips to the doctor's office or the Senior Center take precedent before offering other trips. She also requested that staff notify the City Council when there is a waiting list.

Mayor Pro Tem Slusiewicz stated he expressed the same concerns regarding waiting lists for senior transportation during the mid-year budget workshop. He stated he noticed there was a waiting list for senior transportation and a \$10,000 balance in the Senior Mobility Program budget. He stated he agreed that there should be a priority list that is discussed during the Request for Proposal process.

A MOTION was made by Council Member Gennaway, seconded by Mayor Pro Tem Slusiewicz, to approve, and authorize the City Manager to execute Amendment No. 1 to Cooperative Agreement No. C-1-2479 between the Orange County Transportation Authority and the City of Laguna Niguel for the Senior Mobility Program.

Motion carried 5-0.

PUBLIC WORKS

1. Approval of the First Amendment to Franchise Agreement with CR&R Incorporated to Implement a State of California Mandated Solid Waste Organics Recycling Program and First Amendment to Professional Services Agreement with EcoNomics, Inc.

Public Works Director Abbaszadeh presented information as stated in the staff report. He stated that on May 3, 2016, the City Council received an update on negotiations with CR&R. He stated that the proposed program for Laguna Niguel would only apply to commercial and multifamily residential dwellings of five units or more. He stated that all solid waste pick up rates will be frozen during the next eighteen (18) months until the City's Solid Waste Franchise Agreement with CR&R is updated. He stated that staff and consultants will continue the negotiations with CR&R to update the Franchise Agreement.

Discussion ensued regarding the Solid Waste Organics Recycling Program. Public Works Director Abbaszadeh answered questions posed by the City Council.

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

- a. Approve the First Amendment to Franchise Agreement with CR&R Incorporated;
- b. Approve the First Amendment to the Professional Services Agreement with EcoNomics, Inc. in the amount of \$60,000; and
- c. Authorize the City Manager to execute both Amendments.

Motion carried 5-0.

OTHER BUSINESS/COUNCIL REPORTS

1. Council Reports

Council Member Minagar reported that he and the City Council attended the ground breaking ceremony for Crown Valley Community Park Tier 2. He reported he attended an Orange County Council of Governments (OCCOG) meeting and that the County of Orange had withdrawn their membership from OCCOG. He reported he and Council Member Gennaway attended the first Summer Concert at Crown Valley Community Park. He reported he, Mayor Davies and Council Member Gennaway attended the second Summer Concert at Crown Valley Community Park. He reported he attended a Southern California Association of Governments (SCAG) meeting.

Council Member Capata thanked the City Council for appointing him as Council Member. He stated he was happy to see a balance of \$83 Million in the May 31, 2016 Investment Report.

Council Member Gennaway reported she attended the Laguna Niguel Historical Society meeting, an Association of California Cities of Orange County Chapter Legislative Committee meeting, and the National Association of Women Business Owners Orange County Chapter meeting. She reported she, Mayor Davies and Council Member Minagar attended the Laguna Niguel Fourth of July Celebration. She reported she and Mayor Davies attended the preview for the Laguna Niguel Community Theater's Wizard of Oz production, a Senior Citizens Committee meeting and a Military Support Committee meeting. She announced a Military Car Wash on August 6th at Plaza De La Paz and a Fairways to Freedom Golf Tournament fundraiser on September 26th. She announced that Orange County Supervisor Lisa Bartlett and the Board of Supervisors appointed her to the Orange County Senior Citizens Advisory Council. She reported she attended a meeting with Sheriff Sandra Hutchens and welcomed Council Member Capata back to the City Council.

Mayor Pro Tem Slusiewicz reported that the Orange County Vector Control numbers are very high for mosquitos and birds carrying the West Nile virus.

Mayor Davies welcomed and thanked Council Member Capata. She reported she attended a one-year anniversary Ribbon Cutting Ceremony at Philomena's Café and Wine Bar. She reported she attended a meeting with Lori Zeller and Chief Adams to get an update on the Orange County Fire Authority. She reported she attended a meeting with the Laguna Niguel Botanical Preserves Committee to plan an October fundraiser, and a meeting with Jodi Barber to plan a Sports Teen Drug Prevention Workshop. She announced a Girls Empowerment Workshop on Thursday, July 21, 2016. She reported she attended the U.S. Mayors Conference in Indianapolis, and a Mariners Sea Scout Awards ceremony. She thanked Parks and Recreation Director Giglio and her staff for doing a great job with the Fourth of July Celebration.

2. City Manager/Department Reports

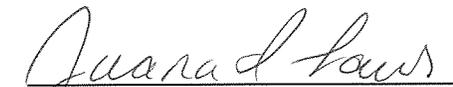
City Staff reported on various events and activities in their departments.

City Manager Foster announced that Capistrano Unified School District will be making a presentation at the City Council meeting on August 2, 2016.

ADJOURNMENT

Mayor Davies adjourned the meeting at 8:10 p.m.

Prepared by:


Juana I. Laur, MMC
Deputy City Clerk

Respectfully submitted by:


Eileen C. Gomez
City Clerk