

**CITY OF LAGUNA WOODS, CALIFORNIA
CITY COUNCIL MINUTES
REGULAR MEETING
February 20, 2013
2:00 P.M.**

I. CALL TO ORDER

Mayor Ring called the Regular Meeting of the City Council of the City of Laguna Woods to order at 2:00 p.m.

II. FLAG SALUTE

Linda, resident, led the flag salute.

III. ROLL CALL

COUNCILMEMBERS: PRESENT: Conners, Hack, Hatch, Robbins, Ring
 ABSENT: None

STAFF PRESENT: City Manager Keane; Assistant City Manager Reilly; Public Safety Director Macon; Deputy City Clerk Donohue; City Attorney Cosgrove

IV. PRESENTATIONS

4.1 Orange County Transportation Authority: I-5 widening project (south of El Toro Road to State Route 73/San Joaquin Hills Transportation Corridor).

Julie Taoledo, Community Relations Specialist and Hamid Torkamanha, Project Manager for Orange County Transportation Authority (OCTA), presented a power point presentation of the proposed project. They provided reasons why the project should move forward and what benefits it contains. The project is scheduled to begin in 2018, with completion by 2022.

Councilmember Hack stated that if you increase the number of lanes, the amount of traffic will also increase. With that said, he asked about the timeline of the project, plans for the area of San Juan Capistrano going south and if the road is going to be moving east.

Mr. Torkamanha responded that OCTA has another project that will extend the carpool lanes from San Juan Capistrano to Dana Point and San Clemente. These will extend from SR-73 to El Toro. He noted that with the more lanes, more cars can use the freeway at higher speeds, but that does not mean that traffic congestion will be reduced after the completion of the project.

Councilmember Hack asked if OCTA is talking about toll road extensions.

Mr. Torkamanha stated that there is not going to be toll road extension improvements in this project. Ms. Taoledo noted that all the affected agencies are communicating to make sure that their projects are seamless. She further noted that OCTA is not starting construction on this project till 2018 so there is 5 years to get the message about the project out to the community.

Councilmember Connors asked how the project to upgrade the on and off ramps at the El Toro Interchange will be accommodated with the current construction plan; if it cheaper to do them at the same time or is it likely that they will not be constructed at the same time.

Mr. Torkamanha stated that the project they are discussing is two years ahead of the project on the El Toro interchange. He said OCTA is considering having the I-5 improvement project completed in segments, and the segment near El Toro would then be completed in conjunction with the El Toro interchange project.

Councilmember Hatch asked about the continuous access car pool lanes.

Ms. Taoledo replied that a driver can enter or exit the carpool lane at any time without waiting for a break in the double yellow line.

Councilmember Hatch asked if OCTA plans to improve the carpool section that leads up to El Toro and Aliso.

Mr. Torkamanha replied that OCTA is considering extending the carpool lanes south and then merging them together.

Councilmember Hatch thanked OCTA staff for their presentation.

Katherine Freshly, resident, asked if there is any thought to having carpool lanes open to anyone during non-peak hours; some other states allow this.

Mr. Torkamanha stated there are no current plans to do that, but they will look into it in the future.

Harriet Arnest, resident, stated that the large amount of cars is the issue here and not what other states are doing.

V. CITY COMMENDATIONS AND PROCLAMATIONS

5.1 Commendation for retiring employee Rosalind Fox, Administrative Coordinator.

Moved by Mayor Pro Tem Robbin, seconded by Councilmember Connors, and carried unanimously to approve the City Commendation to Rosalind Fox, Administrative Coordinator.

City Manager Keane made brief remarks about Ms. Fox's contributions and duties while she served with the City. She thanked Ms. Fox and noted that she will be almost impossible to replace.

Mayor Ring presented Ms. Fox with a commendation plaque and City Manager Keane presented her with a symbolic heart to the City.

Ms. Fox thanked the Council for their recognition and talked about her early days with the City.

VI. CONSENT CALENDAR

Councilmember Hatch requested that Item 6.1 be pulled for separate consideration.

Moved by Councilmember Hack, seconded by Mayor Pro Tem Robbins and carried unanimously to approve Consent Calendar Items 6.2 – 6.8.

6.2 Approved the reading by title of all ordinances and resolutions. Said ordinances and resolutions that appear on the public agenda shall be determined to have been read by title only and further reading waived.

6.3 Treasurer's Report

Received and filed the January 2013 monthly Treasurer's Report.

6.4 Warrant Register

Approved the February 20, 2013 Warrant Register in the amount of \$562,112.62.

6.5 Approved **Ordinance No. 13-01**, clarifying councilmember compensation, entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING SECTION 2.02.010, TO ALLOW FOR AN ALTERNATIVE VEHICLE REIMBURSEMENT ALLOWANCE FOR CITY COUNCILMEMBERS

6.6 Approved **Resolution No. 13-04**, declaring a portion of Moulton Parkway to be a county highway during the period of construction of the Moulton Smart Street Project.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, DECLARING A PORTION OF MOULTON PARKWAY LYING WITHIN THE CITY LIMITS OF LAGUNA WOODS TO BE A COUNTY HIGHWAY DURING THE PERIOD OF CONSTRUCTION OF THE MOULTON SMART STREET PROJECT

6.7 El Toro Road/Aliso Creek Road Phase II Bicycle and Pedestrian Enhancement Project Contract Increase.

Approved an increase in the contract amount with Yakar General Contractors, Inc. from \$535,809.89 to \$685,809.89, and authorized the City Manager to approve change orders

not to exceed 10% of the new base amount.

6.8 Liability Claim

Denied the claim against the City of Laguna Woods by Ann Povey.

6.1 Approved the minutes from the January 16, 2013 regular meeting.

Councilmember Conners, seconded by Councilmember Hack, approved 4-0-1. Councilmember Hatch abstained because he did not attend the January 16, 2013 City Council meeting due to illness.

VII. PUBLIC HEARING

None

VIII. CITY COUNCIL

None

IX. CITY MANAGER

9.1 Reasonable Accommodations for Persons with Disabilities

City Manager Keane summarized the Agenda Report. She stated the Housing Element has to be updated on a periodic basis and the City is required by state law to update this document by October 2013 for the period 2014-2021. She noted that the City has not yet addressed the following policies and programs:

1. Establishing reasonable accommodation procedures in the Zoning Code to improve mobility and accessibility and to provide the flexibility necessary for developing housing for individuals with disabilities.
2. Revising density bonus provisions in the City's Zoning Code to be consistent with state density bonus law.

She noted that the proposed ordinance will address the reasonable accommodation requirement. . The ordinance provides allowing individuals request an accommodation from the City instead of going through a conditional use permit process. These accommodations relate to City building permits, not to the policies related to private property ownership.

Councilmember Hatch asked if this policy would apply to new construction or to existing housing that is being renovated.

City Manager Keane stated it would apply to existing housing as well as new construction. She provided examples of the types of accommodations that might be requested and considered.

Councilmember Hatch asked who the Planning Agency is in the City.

City Manager Keane stated the Planning Agency is the Community Development Department.. She acknowledged the confusion and recommended replacing the term “Planning Agency” with “Community Development Department.

Moved by Councilmember Hack, seconded by Mayor Pro Tem Robbins, and carried unanimously to approve introduction and first reading of an ordinance establishing a policy with respect to reasonable accommodation for persons with disabilities entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS,
CALIFORNIA, ESTABLISHING A POLICY FOR REASONABLE
ACCOMMODATIONS FOR PERSONS WITH DISABILITIES

X. COMMITTEE REPORTS

10.1 Transportation Corridor Agencies (Councilmember Hack)

Councilmember Hack stated the Toll Road Agency is on schedule to have cash-less activity for all its toll roads by the beginning of 2014. He noted that the Agency’s CEO recently retired and they are looking at final 6 candidates for the position.

10.2 Orange County Library Board (Mayor Pro Tem Robbins)

Mayor Pro Tem Robbins stated that there was no meeting.

10.3 Orange County Fire Authority (Councilmember Hatch)

Councilmember Hatch noted that this was his first Orange County Fire Authority (OCFA) meeting and it was a fascinating meeting. He reported that Lorie Zeller presented a report dealing with a long-term liability study, which indicated that OCFA’s unfunded long-term liability has doubled in dollars during the last 7 years. He went on to describe the different individual long-term liabilities. He stated 5 to 6 years ago, there was no negative long-term liability, this year OCFA will begin to take steps to reduce long-term liability. He stated that contract negotiations with the Fire Department employees will be an issue in 2013. He also noted that about how Station 22 firefighters who are assigned to other stations always want to come back because they enjoy being a part of the Laguna Woods community.

Katherine Freshly, resident, remarked that she believes that ambulances would be a far less expensive way to provide services to the community instead of having fire trucks respond to every service call.

City Manager Keane noted that she met with OCFA consultants recently and raised the same question and concern. She understands that there are reasons why Station 22 is staffed as it is, but asked that the issues be restudied.

Fire Chief Brice acknowledged that this is an issue raised by residents. OCFA believes that staffing paramedics on the fire truck allows the trucks to be ready for any situation, but that they will continue to assess the effectiveness of their deployment methods.

Councilmember Hatch asked if they send out whatever vehicle is available at the time when they receive a service call.

Fire Chief Brice stated they want to respond to calls as soon as possible and that is why they send out whatever they have available at that time.

10.4 Southern California Water Committee (Councilmember Hack)

Councilmember Hack reported discussion at the last meeting regarding the Bay Delta Conservation Plan (BDCP); this is an effort for southern and northern California to work about preserving the bay and moving water down south. He talked about the heavy snowfall in December in the mountains that is now melting, flowing into the bay and not being used effectively. He noted that Governor Brown is in support of a transportation system that would bring water south, but that there is concern that pipes used to transport the water would harm the fish. He noted that some people want the water stored in dams and some people want it stored underground in aquifers. There are no aquifers in south Orange County.

10.5 Coastal Greenbelt Authority (Councilmember Connors)

Councilmember Connors reported that the Coastal Greenbelt Authority serves as the County Board of Supervisors designated forum for dealing with issues concerning wilderness parks and that they are trying to expand the use of the wilderness area by introducing guided hikes and The Laguna Canyon Foundation is also looking to include bus transportation for residents to the wilderness areas and to improve trail hedges and signage.

10.6 Vector Control District Board (Mayor Pro Tem Robbins)

Mayor Pro Tem Robbins reported that in the month of January a dead bird was found in Laguna Hills, was tested for the West Nile Virus and found not to be infected. He urged the community to try to prevent water from accumulating around flowerpots because it is a good source for mosquitos to breed. He noted that he would present more information after the next Vector Control District Board meeting.

XI. PUBLIC COMMENTS

Harriet Arnest, resident, stated that the City should not be the scapegoat regarding the Smart Street reengineering. She expressed her concern that residents and board members are telling people what is wrong with the project and who is to blame. Bike lanes are necessary and required; street improvements are an ongoing project in the entire state of California; there is a need for elevated golf nets to protect cars on Moulton Parkway. She complained that pertinent information has not been available to the public in a timely

matter and the Golden Rain Foundation (GRF) has not addressed these issues until just recently. She wanted to commend the President of GRF for considering alternatives. She does not believe that the proposed new netting height will impact neighboring residents since the hillside elevation is considerable.

Bert Moldow, resident, discussed the amount of dollars being spent by the City, the homeowners associations, and the residents of the community on electric bills. He stated that if you look at your power bill there is no way to see what you are paying.

XII. CITY COUNCIL COMMENTS AND ANNOUNCEMENTS

City Manager Keane introduced Marc Donohue as the new Deputy City Clerk.

Deputy City Clerk Donohue stated he is looking forward to working with City Council, staff, and the residents of the community.

12.1 Reports on Meetings Attended per Government Code §53232.3

A. Water Advisory Committee of Orange County, February 1, 2013: Councilmember Hack

Councilmember Hack stated he will report on this matter at next month's meeting.

B. Municipal Water District of Orange County, January 23, 2013: Councilmember Hack

Councilmember Hack reported about a discussion at the meeting about the raised height on the Pradel Dam. He talked about the runoff that goes into the dam. He noted that there is a lot of water stored in Lake Mead, but it is not always accessible. He expressed concern that we are at the beginnings of a very dry period for the southwestern United States and that MWDOC is looking at a series of ways to get more water, most of which will cost an immense amount of energy to produce.

C. Southern California Water Committee, January 25, 2013: Councilmember Hack

Councilmember Hack reported that issues were raised at the meeting about the BDCP and the proposed 2014 water bond. He talked about the difference between how much water is used by agriculture and how much is used by metropolitan areas for populations and that it is the rate payers who will end up paying in the end.

12.2 Other Meetings, Comments and Announcements

Mayor Ring announced the free showing of the movie, Salmon Fishing in the Yemen on Sunday, February 24th at city hall.

XIII. ADJOURNMENT

The meeting was adjourned at 3:15 p.m. The next regular meeting will be at 2:00 p.m. on Wednesday March 20, 2013 at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

MARC DONOHUE, Deputy City Clerk

Adopted: March 20, 2013

ROBERT B. RING, Mayor