

**CITY OF LAGUNA WOODS, CALIFORNIA
CITY COUNCIL MINUTES
REGULAR MEETING
October 17, 2012
2:00 P.M.**

I. CALL TO ORDER

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

II. FLAG SALUTE

Councilmember Rhodes led the flag salute.

III. ROLL CALL

COUNCILMEMBERS: PRESENT: Rhodes, Robbins, Ring, Connors
 ABSENT: Hack

STAFF PRESENT: City Manager Keane; Assistant City Manager Reilly; Deputy City Clerk Trippy; City Attorney Cosgrove

Mayor Connors proposed the following order of agenda items for immediate discussion: Items 4.2, 4.1, and 9.3.

Moved by Mayor Pro Tem Ring, seconded by Councilmember Rhodes, and carried unanimously to approve immediate discussion for Items 4.2, 4.1 and 9.3, as proposed.

IV. PRESENTATIONS

4.1 El Toro Water District (ETWD) – Recycled Water Expansion Project: Bob Hill, General Manager and Dennis Cafferty, Director of Operations and Engineering.

Mr. Hill/Cafferty presented a power point presentation of the proposed project, which is scheduled to begin in January 2013 and completion by mid 2014.

Mayor Connors asked about salinity in the Village golf course lake and the affect of that on the project, if any.

Mr. Cafferty explained that the type of chlorine, which contains salt, used for the water treatment process is significantly lower and less harmful to the golf turf.

Mayor Connors asked the type of pipes which will be used for the project.

Mr. Cafferty explained that a vast majority of the project will use PVC pipes and a stronger material will be used for the larger pipes so that they withstand pressure.

Mayor Connors asked how ETWD determined which area would benefit from the project.

Mr. Cafferty explained that the project area is defined by both available funds and meter configuration. The project is designed so that it can be expanded in the future.

Mara Hodgkins, San Sebastian resident, asked if ETWD proposes to expand the project into residences outside the Village.

Mr. Cafferty stated that there was no intent to cross El Toro Road at this time.

Sandy Verrall, City Code Enforcement Officer, asked if ETWD anticipates closing any roadways.

Mr. Cafferty stated that he does not anticipate road closures during construction; however, closed access to driveways and cul-de-sacs are expected. He explained that there would be advance notice to residents.

Shari Horne, resident, asked if residents need to be made aware of any harmful effects from recycled water to animals and household pets.

Mr. Cafferty stated that the quality of water produced from recycled water is not harmful to humans or pets.

9.3 Street Excavation – Santa Maria (Moved forward at the request of the City Manager)

City Manager Keane summarized the agenda report and noted that the City's municipal code allows the Council to make an exemption to the excavation moratorium, should Council find that the project is in the best interest of the general public.

Councilmember Rhodes asked for clarification if the location of the construction will take place along the curb or the medians.

Mr. Cafferty explained that construction is limited to the median along Santa Maria Avenue and that only one lane will be closed during construction.

Councilmember Rhodes asked if the speed limit can be reduced during construction.

City Manager Keane affirmed that the speed limit can be reduced during construction.

Moved by Councilmember Robbins, seconded by Mayor Pro Tem Ring, and carried unanimously to approve an exception to the current street excavation moratorium on Santa Maria Avenue, and authorized the City Manager to issue an encroachment permit that will allow El Toro Water District to initiate work on a recycled water project.

4.2 Smoke Alarm Installation Program – Chris Macon, Director of Public Safety

ITEM 6.1

In Mr. Macon's absence, City Manager Keane discussed the program and acknowledged volunteers Louis Baskin, Dick Whitehead, Roy Van Hooten, and Jim and Cathleen Mathews for their dedicated service installing smoke alarms in residents' homes. Currently, 588 smoke alarms have been installed in 225 homes within the City.

Mayor Conners encouraged anyone interested in volunteering their time to assist in the program to contact City Hall.

V. CITY COMMENDATIONS AND PROCLAMATIONS

Moved by Mayor Pro Tem Ring, seconded by Councilmember Robbins, and carried unanimously to approve City Proclamation:

5.1 Proclamation – National Breast Cancer Awareness Month, October 2012

Mayor Conners announced that the proclamation will be posted at City Hall.

VI. CONSENT CALENDAR

Moved by Councilmember Robbins, seconded by Mayor Pro Tem Ring, and carried unanimously to approve Consent Calendar Items 6.1 – 6.8.

6.1 Approved the minutes from the September 19, 2012 regular meeting.

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 September 2012 monthly Treasurer's Report.

6.4 Warrant Register

Approved the October 17, 2012 Warrant Register in the amount of \$471,528.51.

6.5 Employee Pension Contributions

Approved **Resolution No. 12-18** modifying employee compensation, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LAGUNA WOODS, CALIFORNIA, TO TAX DEFER MEMBER
CONTRIBUTIONS – IRC 414(h) (2)

6.6 Village Activities Center Specific Plan – Environmental Review

Authorized the City Manager to execute an agreement for environmental review of the Village Activity Center specific plan with Michael Brandman Associates, in the amount

ITEM 6.1

of \$114,220, plus a 20% contingency allowance, subject to approval as to form by the City Attorney.

6.7 Household Hazardous Waste, Medical Waste, Electronic Waste, Sharps, and In-Home Bulky Item Collection Services

A. Authorized the City Manager to execute an agreement with WM Curbside, Inc. for household hazardous waste, electronic waste and medical waste collection services from November 1, 2012 to June 30, 2015, including an option for two one-year extensions, subject to approval as to form by the City Attorney.

B. Authorized the City Manager to execute an agreement with Ware Disposal, Inc. for Sharps mail-in services and in-home bulky item collection services from November 1, 2012 to June 30, 2015, including an option for two one-year extensions, subject to approval as to form by the City Attorney.

6.8 Sale of City Promotional Products

Approved **Resolution No. 12-19** establishing sales prices for promotional products, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LAGUNA WOODS, CALIFORNIA, ESTABLISHING FEES FOR THE
SALE OF CERTAIN PROMOTIONAL PRODUCTS

VII. PUBLIC HEARING

7.1 Medical Marijuana Dispensary Regulations

City Manager Keane summarized the agenda report and noted that the proposed ordinance would simplify the application review and monitoring impact on the City and the Orange County Sheriff's Department by eliminating the requirements for the surrender of security tapes and limit on local patient residence.

City Attorney Cosgrove reported that the City has not yet accepted any applications for medical marijuana dispensaries. He noted that he has been discussing the removal of the two proposed requirements with the City Manager since 2010.

Councilmember Rhodes asked if there were any indication of pending lawsuits pertaining to the two issues being proposed.

City Attorney Cosgrove stated that there are numerous pending litigations on broad issues relating to marijuana and dispensaries. He suggested that Council could be briefed on those issues during a closed session, if Council wishes.

The continued public hearing was opened.

Shari Horne, resident, suggested that the City review the potential tax revenue that would

be generated by a dispensary.

Councilmember Robbins stated that it is his understanding that attempts have been made to locate dispensaries, but that no property owners have been willing to lease to a dispensary.

City Manager Keane acknowledged that this is the case and that the remainder of the City's ordinance has not been an issue.

City Attorney Cosgrove noted that the proposed ordinance would be less restrictive for a dispensary.

There being no further requests to speak, the public hearing was closed.

Moved by Councilmember Robbins, seconded by Councilmember Rhodes, and carried unanimously to adopt **Ordinance No. 12-07** modifying medical marijuana dispensary regulations, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING SECTION 13.26.025 OF THE LAGUNA WOODS MUNICIPAL CODE AND MAKING MODIFICATIONS TO REGULATIONS GOVERNING MEDICAL MARIJUANA DISPENSARIES

VIII. CITY COUNCIL – None

IX. CITY MANAGER

9.1 Building and Construction Codes – Patio Enclosures

City Manager Keane summarized the agenda report and noted that the proposed ordinance would allow the installation of dual pane windows in existing and new patio enclosures. If first reading of the ordinance is approved by the Council, a public hearing and second reading would be scheduled for the November 14, 2012 Council meeting.

Moved by Councilmember Rhodes, seconded by Councilmember Robbins, and carried unanimously to approve first reading of an ordinance modifying regulations for patio enclosures, entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING CHAPTER 10.08, OF THE LAGUNA WOODS MUNICIPAL CODE PERTAINING TO WINDOW REQUIREMENTS IN PATIO ENCLOSURES

9.2 Temporary Sign Enforcement

City Manager Keane summarized the agenda report and noted that the proposed ordinance would clarify the City's right to require immediate removal of temporary signs. If first

reading of the ordinance is approved by the Council, a public hearing and second reading would be scheduled for the November 14, 2012 Council meeting.

Mayor Pro Tem Ring asked if the proposed modifications would have an impact on political signs on private property.

City Manager Keane clarified that the proposed ordinance will have no affect on political signs on private property as long as they conform to dimension requirements and include the owner of the sign(s)'s contact information.

Moved by Councilmember Robbins, seconded by Councilmember Rhodes, and carried unanimously to approve first reading of an ordinance clarifying the enforcement of temporary sign regulations, entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS,
CALIFORNIA, AMENDING CHAPTER 13.20 OF THE LAGUNA
WOODS MUNICIPAL CODE PERTAINING TO TEMPORARY SIGN
REGULATIONS

X. COMMITTEE REPORTS

10.1 Transportation Corridor Agencies (Councilmember Hack)
Councilmember Hack was not present to provide a report.

10.2 Orange County Library Board (Councilmember Robbins)
Councilmember Robbins reported that there was no meeting and that the next meeting is scheduled for November 1, 2012.

10.3 Orange County Fire Authority (Councilmember Rhodes)
Councilmember Rhodes reported that the Orange County Register printed an article regarding a closed session meeting held by OCFA pertaining to the Hazmat Disclosure Program.

Mayor Connors asked Councilmember Rhodes if he had any reports regarding the OCFA's open house.

Councilmember Rhodes stated that he was not able to attend the event; however, Station 22 will hold a separate open house later in October. He discussed the various educational programs provided by OCFA which are available to the public upon request.

10.4 Southern California Water Committee (Councilmember Hack)
Councilmember Hack was not present to provide a report.

10.5 Coastal Greenbelt Authority (Mayor Connors)
Mayor Connors reported on various projects including an educational program tailored for 4th grade students; the funding source of the Dairy Fork waste water project; and the restoration project along Aliso Creek that recycles arundo, so that it can be used to make furniture or used to light logs. She discussed the wildlife corridor project and its

challenges. Mayor Connors announced that new trail maps are available at the Nix Nature Center or www.ocparks.com.

- 10.6 Laguna Canyon Foundation (Councilmember Rhodes)
Councilmember Rhodes reported that there was no meeting. He announced that the educational programs are going well and that volunteers are needed for ongoing clean up at the Big Ben trail.
- 10.7 Vector Control District Board (Councilmember Robbins)
Councilmember Robbins noted that the Board's monthly report included 65 dead birds that were tested for the West Nile Virus (WNV) - 40 tested positive, one in Irvine and two in Mission Viejo. Sixteen more human cases of the WNV were reported in Orange County with the closest in Laguna Niguel. Councilmember Robbins cautioned the public not to leave standing water outdoors which serve as a breeding ground for the disease. The next meeting is scheduled for next week.

Mayor Connors announced that there is a product available in retail stores which treat water for safe use in bird baths.

XI. PUBLIC COMMENTS – None

XII. CITY COUNCIL COMMENTS AND ANNOUNCEMENTS

12.1 Reports on Meetings Attended per Government Code §53232.3

- A. Mobility 21's 11th Annual Southern California Transportation Summit, September 28, 2012 – Councilmember Hack

Councilmember Hack was not present to provide a report.

- B. Water Advisory Committee of Orange County (WACO) monthly meeting, October 5, 2012 – Councilmember Hack

Councilmember Hack was not present to provide a report.

- C. U.S. Nuclear Regulatory Commission (NRC) Meeting regarding San Onofre Nuclear Plant, October 9, 2012 – Councilmember Hack

Councilmember Hack was not present to provide a report.

Mayor Connors reported on an open meeting she attended at SONGS. She discussed Edison's proposal to the Nuclear Regulatory Commission which could take several months before approval.

12.2 Other Meetings, Comments and Announcements

Mayor Connors announced that the Orange County Fifth District is looking for volunteers to serve as members of the Orange County Senior Citizen Advisory Council.

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Mayor Connors reported on a meeting she attended at the South Orange County Association of Mayors. The topic of discussion was water quality at beaches and how it is affected by seagulls. Mayor Connors announced that a private enterprise which linked with the international space station to deliver supplies is the same entity that held a ceremonial event in the City earlier this year commemorating the Space Balloon.

Mayor Connors further reported on a transportation meeting hosted by Supervisor Bates at which certain projects such as the widening of Interstate 5, which would provide free-flowing traffic toward Los Angeles County, were discussed. She also noted that Toll Road 73 would be closed for two days so that it can be used for a film production.

XIII. CLOSED SESSION – None

XIV. ADJOURNMENT

The meeting was adjourned at 3:19 p.m. The next regular meeting will be at 2:00 p.m. on Wednesday November 14, 2012 at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

YOLIE TRIPPY, Deputy City Clerk

Adopted: November 14, 2012

CYNTHIA S. CONNERS, Mayor