

**CITY OF LAGUNA WOODS, CALIFORNIA  
CITY COUNCIL MINUTES  
REGULAR MEETING  
October 19, 2011  
2:00 P.M.**

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**I. CALL TO ORDER**

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

**II. FLAG SALUTE**

Mayor Hack led the flag salute.

**III. ROLL CALL**

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

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

**IV. PRESENTATIONS – None**

**V. CITY PROCLAMATIONS**

Moved by Councilmember Robbins, seconded by Councilmember Ring, and carried unanimously to approve City Commendation and Proclamations 5.1-5.3, entitled:

5.1   Commendation – Olive Garden Restaurant  
      City Manager Keane announced that Olive Garden received national recognition as America’s third favorite casual dining restaurant based on a recent survey. Mayor Hack presented the certificate of commendation to representatives of Olive Garden.

5.2   Proclamation – Breast Cancer Awareness Month, October 2011

5.3   Proclamation – America Recycles Day, November 15, 2011  
      City Manager Keane announced that the City will provide a paper shredding event on November 15, 2011 in the City Hall parking lot.

**VI. CONSENT CALENDAR**

Moved by Councilmember Robbins, seconded by Councilmember Ring, and carried unanimously to approve Consent Calendar Items 6.1 – 6.5.

6.1   City Council Minutes

Approved the minutes from the September 21, 2011 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 2011 monthly Treasurer's Report.

6.4 Warrant Register

Approved the October 19, 2011 Warrant Register in the amount of \$394,677.06.

6.5 Firearms Discharge Regulations

Adopted **Ordinance No. 11-06** modifying City regulations for the discharge of firearms, entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS,  
CALIFORNIA, AMENDING SECTION 7.06.010 OF THE LAGUNA  
WOODS MUNICIPAL CODE RELATING TO DISCHARGE OF  
FIREARMS

## VII. PUBLIC HEARING

7.1 Conditional Use Permit for the Sale of Alcoholic Beverages (CUP 746)

City Manager Keane introduced City Planner Drasler, who summarized the agenda report and noted that under the Type 51 license, consumption at subject premises would include the entire golf course. The conditional use permit would allow Golden Rain Foundation the ability to obtain a license from the Alcohol Beverage Control (ABC) Board for the sale of alcohol associated with activities at the Golf Starter facility.

City Manager Keane noted a correction in the proposed resolution to read as follows:

- Condition 9: Consumption of alcohol shall be limited to the interior of the establishment and outdoor areas associated with the primary clubhouse facility. No off premise alcohol sales are permitted.

Mayor Hack asked for clarification if golfers driving their carts would be allowed to drive and imbibe.

City Manager Keane affirmed that is correct. She noted that staff has consulted with ABC and the Orange County Sheriff's Department, and the conclusion is that the CA Vehicle Code does not prohibit drivers of golf cars, which are vehicles, from drinking in their vehicles on private property, but would not allow golf cars to cross Moulton

Parkway with an open container.

Mayor Hack opened the public hearing.

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

Moved by Councilmember Rhodes, seconded by Mayor Pro Tem Conners, and carried unanimously to approve **Resolution No. 11-21**, granting a conditional use permit to the Golden Rain Foundation allowing them to obtain a license from ABC for the sale of alcohol associated with activities at the Golf Starter facility, as amended, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT CUP-746 FOR THE SALE OF ALCOHOLIC BEVERAGES TYPE 51 "CLUB" PERMIT AT THE GOLF STARTER BUILDING LOCATED AT 24211 MOULTON PARKWAY

## 7.2 Temporary Uses and Special Events Regulations

City Manager Keane summarized the reason that new regulations are being proposed and requested that the Council open the public hearing and then continue it to the next regular meeting of the City Council.

Mayor Hack opened the public hearing and there were no requests to speak.

Moved by Mayor Pro Tem Conners, seconded by Councilmember Robbins, and voted unanimously to continue the public hearing to a regular meeting of the City Council on November 16, 2011.

## VIII. CITY COUNCIL

### 8.1 Advisory Committee Appointments

Moved by Councilmember Ring, seconded by Councilmember Rhodes, and carried unanimously to ratify nominations for City Council advisory committees, as follows:

Public Safety Committee

George Henderson, nominated by Council as a whole to act as Chair

Mark Monin, nominated by Mayor Pro Tem Conners

Judith Troutman, nominated by Councilmember Rhodes

### 8.2 City Council Meeting Schedule

City Manager Keane noted that the Council will reorganize at its December meeting, but that Mayor Hack will be unable to attend the scheduled meeting. She suggested rescheduling the meeting for December 7<sup>th</sup>.

Moved by Councilmember Ring, seconded by Councilmember Robbins, and carried

unanimously to reschedule the December 2011 regular City Council meeting for 2:00 p.m. on Wednesday, December 7, 2011.

## **IX. CITY MANAGER**

### **9.1 No Right Turn on Red Light Signs**

City Manager Keane introduced Assistant City Manager Reilly, who summarized the agenda report. The City Engineer recommends that the City install three additional “no right turn on red light” signs based on line of sight limitations. The City’s Public Safety Committee reached a split vote not to recommend signage at the Calle Sonora northbound approach to El Toro Road.

City Attorney Cosgrove noted that should an accident occur and the injured party contends that a dangerous condition existed and was ignored by Council, the City might have some liability. He suggested that the conservative approach would be to defer to the traffic engineer’s recommendation for a conservative approach.

Councilmember Rhodes agreed with the recommendation for no right turn on red signage at the Avenida Sevilla southbound approach to El Toro Road (Gate 5). He concurs with the traffic engineer’s recommendation to add signage at the Calle Sonora northbound approach to El Toro Road (Gate 14) and suggested that the speed limit should be reduced instead from 50 to 45.

Mayor Hack stated that it is part of the Moulton Smart Street project and that the City may not have any authority to change the speed unless it goes through an extended process.

City Manager Keane stated that the City must conduct a speed survey in order to reduce speed limits and that the process require justification such as citing the number of accidents.

Councilmember Rhodes stated that vehicle speed increase just passed the crest at El Toro Road. He is in favor of a no right turn sign at Laguna Woods Village Gate 16 eastbound approach to Moulton Parkway, due to the curve and rise on Moulton Parkway.

Councilmember Ring stated that he will oppose all recommendations, unless the traffic engineer makes a firm commitment to adjust the traffic lights on eastbound El Toro Road at Village Gates 1 and 5. This intersection allows only three to four cars to pass and to place additional signs would only aggravate traffic. He asked if staff had considered the unintended consequences of a back-up when Village staff exits the area. He remains concerned that drivers are running the red lights at this intersection.

Assistant City Manager Reilly stated that a prior equipment defect at some intersections has been corrected. In regards to Gate 16, the left turn light sensor to northbound Moulton has been lengthened to allow more cars to cross. City staff is not aware of any problems with cuing right turns, possibly because cars are allowed now.

## ITEM 6.1

Mayor Hack concurred with Councilmember Ring that the traffic signal eastbound on El Toro Road at Gates 1 and 5 should be adjusted so that there is smoother traffic flow. He noted that he supports installing a “no right turn on red” signs at Village Gate 16 due to the curve and travel of speed on Moulton Parkway. He noted that he believes the need is marginal at the Village Gate 14 intersection. He also asked staff, as he has requested in the past, to look into the traffic light at Canyon Wren where one car quickly triggers the light to change and causes a back up at the Village Gate 9 intersection.

Mayor Pro Tem Conners noted that she agreed with Mayor Hack’s concerns about Canyon Wren; but that she believes the City should proceed with the with the matters before it and address signal timing at a later date. She acknowledged support for the proposed signage at Gate 14 due to speeds of traffic approaching at the crest of the hill. She also noted support for a sign at Gate 16 for similar reasons. She asked about the Public Safety Committee’s split vote on Gate 14.

Assistant City Manager Reilly stated that he is not certain whether the Committee voted 4 to 3 or 5 to 2.

City Manager Keane noted that the City will soon begin a traffic signal synchronization project with the County of Orange, and anticipates that it should resolve a number of the problems raised. She noted that the City could monitor traffic and make changes to the signals at intersections based on traffic flow.

Councilmember Rhodes stated that he is concerned with the traffic light along El Toro in the City of Laguna Hills which causes traffic congestion and he hopes that the traffic synchronization will address this issue.

City Manager Keane concurred with Councilmember Rhodes, adding that the traffic lights at the entrance to the freeway is controlled by Caltrans and adds to the congestion. She confirmed that the El Toro and Moulton corridors are part of the traffic synchronization project.

In response to a question from Councilmember Ring about the timing of traffic signals on El Toro Road, Assistant City Manager Reilly replied that the traffic engineer has provided information showing an equal volume of traffic in both directions on El Toro Road during the morning and evening hours.

Mayor Hack noted that El Toro Road and Moulton Parkway are the two main arterial roadways that run through the City and he discussed the history and volume of traffic that they carry.

City Manager Keane suggested that in order to adequately address Councilmember Ring’s concerns, she would schedule a presentation by the City’s Traffic Engineer at the next Public Safety Committee meeting.

Mary Wall, resident, asked why a traffic count analysis was not completed to decide whether or not to place the signs.

## ITEM 6.1

City manager Keane replied that the Traffic Engineer's recommendations are based on line of sight at the three locations.

Moved by Mayor Pro Tem Conners to approve all recommendations made by the City Traffic Engineer to install signs at all three intersections.

Mayor Hack seconded the motion with Councilmember Ring's caveat as an understanding by Council, rather than a condition.

Councilmember Rhodes suggested that Council take separate action on each recommendation because he thinks some of the recommendations require immediate action, while another may require further review.

Mayor Hack asked Councilmember Rhodes which of the three issues he believed would require further studies.

Councilmember Rhodes stated Gate 14.

Councilmember Ring moved to bifurcate the issue.

City Manager Keane asked if the Council wished to take up each of the three intersections separately.

Moved by Mayor Pro Tem Conners, seconded by Councilmember Rhodes, and voted 4 to 1 in favor:

Install "no right turn on red light" signs at Avenida Sevilla southbound approach to El Toro Road (Laguna Woods Village Gate 5)

AYES: Rhodes, Robbins, Conners, Hack

NOES: Ring

Moved by Mayor Pro Tem Conners, seconded by Councilmember Robbins, and voted 4 to 1 in favor:

Install "no right turn on red light" signs at the Laguna Woods Village Gate 16 eastbound approach to Moulton Parkway

AYES: Rhodes, Robbins, Conners, Hack

NOES: Ring

Moved by Mayor Pro Tem Conners, seconded by Mayor Hack, and voted 2 to 3:

Install "no right turn on red light" signs at Calle Sonora northbound approach to El Toro Road

AYES: Conners, Hack

NOES: Rhodes, Ring, Robbins

Councilmember Rhodes asked when the Calle Sonora item would come back to Council.

City Manager Keane clarified that City protocols, would only allow a Councilmember who voted in the majority to bring this matter back.

## **X. COMMITTEE REPORTS**

- 10.1 Transportation Corridor Agencies (Mayor Hack)  
Mayor Hack reported that the Agency is continuing its investigations regarding implementing cashless tolling.
- 10.2 Orange County Library Board (Councilmember Robbins)  
Mayor Robbins reported that a new funding formula, referred to as robust circulation, which will identify funding for branch libraries based on total use and volume, including internet use and foot traffic, has been proposed.
- 10.3 Orange County Fire Authority (Councilmember Rhodes)  
Councilmember Rhodes reported that the Board discussed fire hazard severity zones, and their affect on insurance rates. He announced that an Open House on October 6, 2011 at Station 22 was well attended by the community.
- 10.4 Southern California Water Committee (Mayor Hack)  
Mayor Hack announced that he is looking forward to the annual quarterly dinner next month; retired Judge Wanger is scheduled as guest speaker.
- 10.5 Coastal Greenbelt Authority (Mayor Pro Tem Conners)  
Mayor Pro Tem Conners reported that there was no meeting this month.
- 10.6 Laguna Canyon Foundation (Councilmember Rhodes)  
Councilmember Rhodes reported that the Board has hired a consulting firm to outline changes in operations with a focus on education, preservation, protection, and participation. A new mission statement will be developed that addresses Board oversight and communication.
- 10.7 Vector Control District Board (Councilmember Robbins)  
Councilmember Robbins reported 21 dead crows and 12 dead finches tested positive for the West Nile Virus (WNV) in September, but that none were within the area of Laguna Woods. He encouraged the public to call Vector Control, if they encounter a dead bird.

## **XI. PUBLIC COMMENTS**

Mary Wall, resident, asked if the El Toro Road multimodal trail was funded with Federal money. She asked why golf carts and golf cars were allowed to use the sidewalk and stated that it is dangerous when combined with pedestrians.

Assistant City Manager Reilly stated that the El Toro Road multimodal trail was constructed partially from Federal funds.

Mayor Hack clarified that only golf carts, and not golf cars, are allowed on the multimodal trail.

Ms. Wall stated that some golf cart users may no longer hold a driver license, drive too fast, and should not be allowed on the sidewalk.

## **XII. CITY COUNCIL COMMENTS AND ANNOUNCEMENTS**

12.1 Reports on Meetings Attended per Government Code §53232.3 – None

12.2 Other Meetings, Comments and Announcements

Mayor Hack announced that he and Councilmember Ring serve as representatives for various regional agencies; he asked Councilmember Ring to provide an update on meetings he recently attended.

Councilmember Ring, who serves as a representative of Local Agency Formation Commission (LAFCO), discussed their work on shared services to assist local governments is saving money. He reported on a meeting he attended with South Orange County Watershed Management Area on October 6, 2011 that included approving a handbook, prioritizing projects, and discussing ways to develop funding for unfunded projects due to lack of Federal and County funds. He also discussed Southern California Association of Governments (SCAG) work on the Regional Housing Needs Assessment (RHENA).

Mayor Pro Tem Connors encouraged residents to participate in the City's observance of America Recycles Day, and discussed various ways residents can recycle. She also noted that the City has Section 8 housing both in and outside the gated community.

Mayor Hack announced that he and Councilmember Ring will attend a dinner at the Water Advisory Committee of Orange County (WACO) to hear a discussion on water policy development. He will also attend a meeting with the Orange County Council of Governments (OCCOG) on October 20, 2011 to discuss transportation issues.

## **XIII. CLOSED SESSION**

The City Council met in closed session to confer with legal counsel regarding one matter of pending litigation: City of Laguna Woods vs. Raintree Realty LLC. Case No. 05 CC 09350 pursuant to the provisions of Government Code Section 54956.9(a).

The City Council reconvened in open session at 4:29 p.m. City Attorney Cosgrove advised that there was no reportable action.

## **XIV. ADJOURNMENT**

The meeting was adjourned at 4:29 p.m. The next regular meeting will be at 2:00 p.m. on Wednesday, November 16, 2011 at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

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YOLIE TRIPPY, Deputy City Clerk

Adopted: November 16, 2011

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BERT HACK, Mayor