

CITY OF LAGUNA WOODS, CALIFORNIA
CITY COUNCIL MINUTES
REGULAR MEETING
July 28, 2011
4:30 P.M.

I. CALL TO ORDER

Mayor Hack called the Regular Meeting of the City Council of the City of Laguna Woods to order at 4:30 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; Director of
 Public Safety Macon; Deputy City Clerk Trippy; City Attorney
 Cosgrove

IV. PRESENTATIONS

4.1 Discharge of Firearms

At City Manager Keane's request, City Attorney Cosgrove discussed procedures that apply to special meetings and urgency ordinances.

City Manager Keane reported that aggressive coyote activity in the City has escalated and that, in order to provide additional tools to deal with the problem, staff is recommending that the City's Discharge of Firearms ordinance be modified to allow the City Manager and Police Chief to issue permits to animal control professionals for the purpose of controlling and destroying dangerous animals. The ordinance would also allow the City Manager to issue permits allowing the discharge of firearms for ceremonial purposes. City Manager Keane emphasized that the ordinance would not allow anyone other than those authorized by a permit to discharge firearms, except as provided by State and Federal law. She noted that California Fish & Game has provided shooting teams in the past, but that they have indicated they are now unwilling to do so until a human is attacked. She also discussed ongoing problems with residents feeding coyotes, which is illegal and punishable by a fine of up to \$1,000.

Councilmember Ring asked how narrow the permits would be.

City Manager Keane responded that permits would specify areas, days, and times, as well

as the type of weapon that can be used. They would not be open ended. After two to three days of shooting, the situation would be reassessed.

At Mayor Pro Tem Conner's request, City Manager Keane confirmed that trapping and other efforts would continue. Shooting would be an additional layer of action.

Mayor Hack stated that some residents are intentionally feeding coyotes and thereby causing them to become more comfortable in residential areas. He noted that injuries suffered from protecting pets are not sufficient to warrant a response from Fish & Game and, therefore, the proposed ordinance would help protect residents.

City Attorney Cosgrove read aloud the text of the proposed ordinance.

Moved by Councilmember Robbins, seconded by Councilmember Ring to adopt an urgency ordinance modifying City regulations for the discharge of firearms, entitled:

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

Libby Marks, resident, stated that, in her opinion, the current coyote issue is not a normal situation and that she supports the urgency ordinance.

Marilyn Chan, resident, expressed sympathy to residents whose pets have been harmed from coyotes. She asked if staff has consulted with the City of San Clemente as to how they dealt with mountain lion attacks in the past. She concurred with Ms. Marks that the use of firearms should be left to trained professionals.

BJ (no last name provided), resident, spoke in opposition of the ordinance and stated that, in her opinion, not enough research has been done on how to resolve the problem. She concurred with Ms. Chan that staff should consult with other cities.

Doug Gilfillan, resident, expressed his opinion that the root of the problem is outdoor cats which attract coyotes that prefer to hunt them instead of rabbits.

Judy (no last name provided), resident, agreed that licensed professionals should be the only ones authorized to use firearms; however, she opposes the ordinance due to concerns about damage from stray bullets.

Councilmember Rhodes asked if the use of firearms by hired professionals would be on-going if the ordinance is adopted.

City Manager Keane stated that permits allowing the discharge of firearms would be issued by the City Manager and Police Chief, as needed, but that permit would be for a specific time period – not ongoing.

Councilmember Rhodes asked if changes to the ordinance could be made during the City Council meeting in August.

City Manager Keane stated that the urgency ordinance would be effective immediately, if adopted. A regular ordinance would be introduced at the City Council's regular meeting on August 17, 2011 and modifications could be made at that time. A second reading for adoption would be scheduled for September 21, 2011.

Mayor Pro Tem Connors noted that the City and Animal Control have explored other alternatives that have been unsuccessful. It is her opinion that there is not sufficient time for further study or consultation with other cities to address the recent attacks. She suggested that substantial insurance coverage be required from trapping firms.

Mayor Hack discussed a pet owner's natural instinct to protect their pet from harm which has lead to serious injuries. He stated that the proposed ordinance is narrowly drafted and does not authorize residents to discharge firearms.

As moved by Councilmember Robbins and seconded by Councilmember Ring, the Council voted unanimously to adopt urgency **Ordinance No. 11-05** modifying City regulations for the discharge of firearms, entitled:

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

V. PUBLIC COMMENTS

Mr. Gilfillan asked how the City knows the population and density of coyotes within the community. He asked if a map is available.

Janice Burston, resident, spoke in support of the City Council's action. She expressed concerns with Fish & Game's unwillingness to respond and asked if a petition could be circulated to encourage Fish & Game to change their policy.

Dorothy Sharp, resident, suggested that the Canine Club host an event to educate residents on how to walk their pets safely and keep them leashed. She also suggested that residents carry pepper spray or a golf club to protect themselves.

Judy (no last name provided), resident, suggested that the City make the public aware when animal control professionals are authorized to discharge firearms.

Maria (no last name provided), resident, suggested that overflowing trash cans are attracting the coyotes.

BJ (no last name provided), resident, stated that she did not appreciate Mayor Hack's failure to respond to Mr. Gilfillan's question. She asked how the animal control

professionals would know where to hunt the coyotes if the City is unaware of their location.

Mr. Gilfillan stated that the Canine Club distributed a map of coyote sightings at its May meeting. He discussed leash laws and announced that the Club is planning to sponsor a class on how to walk dogs on a leash sometime in the near future.

Mayor Pro Tem Conners discussed the rules of the Brown Act and its relevance to special meetings of the City Council.

VI. ADJOURNMENT

The meeting was adjourned at 5:20 p.m. to a meeting at 2:00 p.m. on Wednesday, August 17, 2011 at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

YOLIE TRIPPY, Deputy City Clerk

Adopted: August 17, 2011

BERT HACK, Mayor