

AGENDA

COMMUNITY SERVICES COMMITTEE

REGULAR MEETING
February 27, 2013
9:30 A.M.

Laguna Woods City Hall
Council Chambers
24264 El Toro Road
Laguna Woods, CA 92637

AGENDA DESCRIPTION: The Agenda descriptions are intended to give notice, to members of the public, of a general summary of items of business to be transacted or discussed.

Any person wishing to address the Community Services Committee on any matter, whether or not it appears on this agenda, may do so under the appropriate section of the agenda. Whenever possible, lengthy testimony should be presented to the Committee in writing (12 copies) and only pertinent points presented orally. Requests to speak to items on the agenda shall be heard at the appropriate point on the agenda; requests to speak about subjects not on the agenda will be heard during the **Public Comment** section of the meeting.

I. CALL TO ORDER

II. ROLL CALL

III. PRESENTATIONS

IV. COMMITTEE BUSINESS

- A. Committee Charge and Responsibilities and Review of the Open Meeting Act and Conflict of Interest Regulations as defined by:
- City Code of Ethics and Values
 - Conflicts of Interest Code
 - Brown Act: California's Open Meeting Law

RECOMMENDED ACTION: Review with Committee members their duties and responsibilities and requirements of the Brown Act and the Conflict of Interest Code.

B. Advisory Role of the Committee and subcommittees

RECOMMENDED ACTION: Review with Committee members their role and the role of subcommittees.

V. SUBCOMMITTEE REPORTS

- A. Social and Health Services – meets third Thursday at 10 a.m.
- B. Arts, Culture & Recreation – meets fourth Friday at 10 a.m.
- C. Community Relations – meets first Monday at 10 a.m.
- D. Transportation Programs/Services – meets third Monday at 10 a.m.

VI. INTERACTION WITH COMMITTEES AND ORGANIZATIONS

- A. Greening Committee
- B. Friends of the Library

VII. PROJECT UPDATES

- A. Street Improvement Project Updates
- B. Landscape Improvement Project Updates
- C. City Hall Improvement Projects Updates

VIII. COMMITTEE MEMBER COMMENTS

IX. PUBLIC COMMENTS

X. ADJOURN

Next regular Community Services Committee meeting is scheduled for March 27, 2013.

CITY OF LAGUNA WOODS

ADMINISTRATIVE POLICY 1.3

CODE OF ETHICS AND VALUES – COUNCILMEMEBRS AND COUNCIL APPOINTED ADVISORY COMMITTEE MEMBERS

1.1.01 PURPOSE

The City Council of the City of Laguna Woods believes that city residents and businesses are entitled to responsible, fair and honest city government that operates in an atmosphere of respect and civility consistent with the Council's Mission Statement. Accordingly, the Council has adopted a code of ethics for itself and its advisory committee members to:

- A. Describe the standards of behavior to which its leaders aspire; and
- B. Provide an ongoing source of guidance to city officials in their day-to-day service to the city; and
- C. Promote and maintain a culture of ethics.

1.1.02 RESPONSIBILITY

- A. As a community leader, I serve with dignity and respect for my office and I am an agent of the democratic process.
- B. I avoid actions that might cause the public to question my independent judgment.
- C. I do not use my office or the resources of the city for personal or political gain.
- D. I am a prudent steward of public resources and actively consider the impact of my decisions on the financial and social stability of the city and its residents.

1.1.03 FAIRNESS

- A. I promote consistency, equity and non-discrimination in public agency decision-making.

- B. I make decisions based on the merits of an issue, including research and facts.
- C. I encourage diverse public engagement in our decision-making processes and support the public's right to know.

1.1.04 RESPECT

I treat my fellow officials, staff and the public with patience, courtesy and civility, even when we disagree on what is best for the community.

1.1.05 HONESTY

- A. I am honest with my fellow officials and members of the public.
- B. I am prepared to make decisions when necessary for the public's best interests, whether those decisions are popular or not.
- C. I take responsibility for my actions, even when it is uncomfortable to do so.

Adopted by City Council: December 21, 2005



City of Laguna Woods Conflicts of Interest

Conflict-of-interest laws are based on the notion that government officials owe paramount loyalty to the public and that personal and financial considerations should not be allowed to enter into the decision making process.

Financial Impact - Income

No public official may make, participate in making, or attempt to influence a governmental decision if the decision would have a material financial effect on him or herself, their immediate family or any of their economic interests.

Economic interest is defined as:

- Having any direct or indirect interest in real property worth \$2,000 or more
- Receiving \$500 or more in income
- Serving as a director, officer, partner, trustee, employee or in any management position
- Receiving \$340 or more in gifts in any 12 month period
- If the Council's action would cause any expense, income, asset or liability to change in the following 12 month period

Exceptions:

"Public generally" – the public official is not affected by a decision any more than the majority of the public within the jurisdiction.

"Legally required participation" – an action is required, the agency lacks a quorum without the member and there is no alternative means of making a decision other than for the member to participate.

Annual Financial Disclosure

Councilmembers must file economic disclosure statements upon election or appointment to office and annually thereafter. These reports identify:

- investments in business entities (e.g., stock holdings, owning a business, a partnership)
- Interests in real estate (real property)
- Sources of personal income, including gifts, loans and travel payments
- Positions of management or employment with business entities

Disclosure is made on a form called a "statement of economic interests" (Form 700). These forms are public information and must be made available to anyone who requests them. **Committee members are bound by conflict of interest regulations but need not fill out annual economic statements.**

Financial Impact – Contracts

Public officials may not have a financial interest in any contract made by any legislative body on which they are a member. A councilmember cannot simply recuse themselves from the decision; the legislative body is prevented from approving the contract.

Exception: "Remote interest" – the public official is:

- an officer/employee of non-profit corporation
- a board member who has been employed for more than three years by the company prior to his/her assuming office and the company has more than 10 employees
- a supplier of goods or services that have been provided to the agency for at least 5 years prior to his/her assuming office

Travel

State law strictly forbids elected and appointed officials from accepting free or discounted travel from transportation companies. This prohibition applies only if the travel was provided due to a person's position. If the discount is provided equally to all members of the public, there is no prohibition.

Incompatible Positions

An individual cannot be both a project applicant or applicant agent/representative and a member of the reviewing/approving body (city council or advisory committee).

Contact with Applicant Disclosure

The public has the right to be aware of all information provided to legislative bodies that may influence their decisions. If a member of a legislative body has a meeting or receives information about a project outside of the public process, all such information must be disclosed in a public meeting.

What is the Brown Act?

Last year there was significant discussion about the Brown Act following the legislature's suspension of portions of the Act's requirements. Adoption of Proposition 30 in November re-enacted those sections that had been suspended.

The Brown Act is based on the philosophy that public agencies exist for the purpose of conducting public business, and the public has the right to know how its "collaborative decisions" are being made.

Who is Covered?

The legislative bodies (boards, commissions, councils and committees) of all public agencies are subject to Brown Act requirements, as are all elected and appointed members of these bodies when they act collectively. Employees and employee-formed committees are not covered, nor are elected and appointed officials when they are not acting collectively. "Local agencies" include cities, counties, school districts, special districts and municipal corporations. There are different and less restrictive requirements for the state legislature. "Legislative bodies" includes governing bodies and their subsidiary bodies, e.g., boards, commissions, committees and other bodies that are created by charter, ordinance, resolution or "formal action" of a legislative body. There is an exception for ad hoc or "non-standing" advisory committees that are composed of less than a quorum of the legislative body.

What is a Meeting?

Any congregation of a majority of the members of a legislative body at the same time and place to hear, discuss or deliberate on any matter within its jurisdiction is considered a meeting. This can include lunches, social gatherings or retreats; however, there are exceptions for 1) conferences open to the general public that involve issues of interest to the body; 2) public meetings of other agencies; 3) meetings of committees and other bodies appointed by the public agency; and 4) social or ceremonial occasions, *as long as a majority of the members in attendance do not discuss any issues related to their office.*

Serial meetings are included within the Brown Act prohibitions. A serial meeting is a series of communications, (whether in person, by phone, email or other media) each of which individually involves less than a quorum, but which, taken as a whole, involves a majority of the board's members and involves the business of the agency. Individual contacts between members of the public and board members are exempt from the definition of meeting.

Location of Meetings

The location of meetings must generally be within the geographic location of the public agency. There are some limited exceptions to inspect real property, conduct meetings of multi-agency significance, meet with state or elected officials, and if the agency has no meeting facility available. It is also possible for individual members to participate via telephone or video conference if certain conditions are met.

Notice and Agenda Requirements

Generally, public agencies must post an agenda containing a brief general description of each action or discussion item to be considered, including items to be considered at closed sessions, at least 72 hours prior to meeting. The purpose is to notify members of the public of discussion and action in which they may wish to participate.

If the agency maintains a website, the agenda and related materials must also be posted on the website. There are exceptions to the 72-hour notice for 1) emergencies (requires specific findings and majority vote); 2) need for immediate action arising after publication of agenda (requires findings and a 2/3-vote of the entire body); and 3) matters that have been carried over from a previous meeting that occurred no more than five days before.

Public Input

All agendas for public meetings must contain an opportunity for public testimony on matters listed and not listed on the agenda; however, the agency cannot take action on a matter raised if the item is not on its agenda. The agency may impose reasonable time limitations on comment periods. Members of the public may provide their name and contact information when voicing their opinions, but this cannot be required.

Closed-Session Meetings

The majority of the public agency's business must be conducted in a noticed, public meeting. There are the following closed session exceptions:

1. Personnel and labor negotiations – with the exception of salary, which must be discussed in public.
2. Actual, pending or exposure to litigation.
3. Real estate negotiations
4. Public security

What is the Brown Act?

Last year there was significant discussion about the Brown Act following the legislature's suspension of portions of the Act's requirements. Adoption of Proposition 30 in November re-enacted those sections that had been suspended.

The Brown Act is based on the philosophy that public agencies exist for the purpose of conducting public business, and the public has the right to know how its "collaborative decisions" are being made.

Who is Covered?

The legislative bodies (boards, commissions, councils and committees) of all public agencies are subject to Brown Act requirements, as are all elected and appointed members of these bodies when they act collectively. Employees and employee-formed committees are not covered, nor are elected and appointed officials when they are not acting collectively. "Local agencies" include cities, counties, school districts, special districts and municipal corporations. There are different and less restrictive requirements for the state legislature. "Legislative bodies" includes governing bodies and their subsidiary bodies, e.g., boards, commissions, committees and other bodies that are created by charter, ordinance, resolution or "formal action" of a legislative body. There is an exception for ad hoc or "non-standing" advisory committees that are composed of less than a quorum of the legislative body.

What is a Meeting?

Any congregation of a majority of the members of a legislative body at the same time and place to hear, discuss or deliberate on any matter within its jurisdiction is considered a meeting. This can include lunches, social gatherings or retreats; however, there are exceptions for 1) conferences open to the general public that involve issues of interest to the body; 2) public meetings of other agencies; 3) meetings of committees and other bodies appointed by the public agency; and 4) social or ceremonial occasions, *as long as a majority of the members in attendance do not discuss any issues related to their office.*

Serial meetings are included within the Brown Act prohibitions. A serial meeting is a series of communications, (whether in person, by phone, email or other media) each of which individually involves less than a quorum, but which, taken as a whole, involves a majority of the board's members and involves the business of the agency. Individual contacts between members of the public and board members are exempt from the definition of meeting.

Location of Meetings

The location of meetings must generally be within the geographic location of the public agency. There are some limited exceptions to inspect real property, conduct meetings of multi-agency significance, meet with state or elected officials, and if the agency has no meeting facility available. It is also possible for individual members to participate via telephone or video conference if certain conditions are met.

Notice and Agenda Requirements

Generally, public agencies must post an agenda containing a brief general description of each action or discussion item to be considered, including items to be considered at closed sessions, at least 72 hours prior to meeting. The purpose is to notify members of the public of discussion and action in which they may wish to participate.

If the agency maintains a website, the agenda and related materials must also be posted on the website. There are exceptions to the 72-hour notice for 1) emergencies (requires specific findings and majority vote); 2) need for immediate action arising after publication of agenda (requires findings and a 2/3-vote of the entire body); and 3) matters that have been carried over from a previous meeting that occurred no more than five days before.

Public Input

All agendas for public meetings must contain an opportunity for public testimony on matters listed and not listed on the agenda; however, the agency cannot take action on a matter raised if the item is not on its agenda. The agency may impose reasonable time limitations on comment periods. Members of the public may provide their name and contact information when voicing their opinions, but this cannot be required.

Closed-Session Meetings

The majority of the public agency's business must be conducted in a noticed, public meeting. There are the following closed session exceptions:

1. Personnel and labor negotiations – with the exception of salary, which must be discussed in public.
2. Actual, pending or exposure to litigation.
3. Real estate negotiations
4. Public security

What is the Brown Act?

Last year there was significant discussion about the Brown Act following the legislature's suspension of portions of the Act's requirements. Adoption of Proposition 30 in November re-enacted those sections that had been suspended.

The Brown Act is based on the philosophy that public agencies exist for the purpose of conducting public business, and the public has the right to know how its "collaborative decisions" are being made.

Who is Covered?

The legislative bodies (boards, commissions, councils and committees) of all public agencies are subject to Brown Act requirements, as are all elected and appointed members of these bodies when they act collectively. Employees and employee-formed committees are not covered, nor are elected and appointed officials when they are not acting collectively. "Local agencies" include cities, counties, school districts, special districts and municipal corporations. There are different and less restrictive requirements for the state legislature. "Legislative bodies" includes governing bodies and their subsidiary bodies, e.g., boards, commissions, committees and other bodies that are created by charter, ordinance, resolution or "formal action" of a legislative body. There is an exception for ad hoc or "non-standing" advisory committees that are composed of less than a quorum of the legislative body.

What is a Meeting?

Any congregation of a majority of the members of a legislative body at the same time and place to hear, discuss or deliberate on any matter within its jurisdiction is considered a meeting. This can include lunches, social gatherings or retreats; however, there are exceptions for 1) conferences open to the general public that involve issues of interest to the body; 2) public meetings of other agencies; 3) meetings of committees and other bodies appointed by the public agency; and 4) social or ceremonial occasions, *as long as a majority of the members in attendance do not discuss any issues related to their office.*

Serial meetings are included within the Brown Act prohibitions. A serial meeting is a series of communications, (whether in person, by phone, email or other media) each of which individually involves less than a quorum, but which, taken as a whole, involves a majority of the board's members and involves the business of the agency. Individual contacts between members of the public and board members are exempt from the definition of meeting.

Location of Meetings

The location of meetings must generally be within the geographic location of the public agency. There are some limited exceptions to inspect real property, conduct meetings of multi-agency significance, meet with state or elected officials, and if the agency has no meeting facility available. It is also possible for individual members to participate via telephone or video conference if certain conditions are met.

Notice and Agenda Requirements

Generally, public agencies must post an agenda containing a brief general description of each action or discussion item to be considered, including items to be considered at closed sessions, at least 72 hours prior to meeting. The purpose is to notify members of the public of discussion and action in which they may wish to participate.

If the agency maintains a website, the agenda and related materials must also be posted on the website. There are exceptions to the 72-hour notice for 1) emergencies (requires specific findings and majority vote); 2) need for immediate action arising after publication of agenda (requires findings and a 2/3-vote of the entire body); and 3) matters that have been carried over from a previous meeting that occurred no more than five days before.

Public Input

All agendas for public meetings must contain an opportunity for public testimony on matters listed and not listed on the agenda; however, the agency cannot take action on a matter raised if the item is not on its agenda. The agency may impose reasonable time limitations on comment periods. Members of the public may provide their name and contact information when voicing their opinions, but this cannot be required.

Closed-Session Meetings

The majority of the public agency's business must be conducted in a noticed, public meeting. There are the following closed session exceptions:

1. Personnel and labor negotiations – with the exception of salary, which must be discussed in public.
2. Actual, pending or exposure to litigation.
3. Real estate negotiations
4. Public security

CITY OF LAGUNA WOODS

ADMINISTRATIVE POLICY 1.3

CODE OF ETHICS AND VALUES – COUNCILMEMEBRS AND COUNCIL APPOINTED ADVISORY COMMITTEE MEMBERS

1.1.01 PURPOSE

The City Council of the City of Laguna Woods believes that city residents and businesses are entitled to responsible, fair and honest city government that operates in an atmosphere of respect and civility consistent with the Council's Mission Statement. Accordingly, the Council has adopted a code of ethics for itself and its advisory committee members to:

- A. Describe the standards of behavior to which its leaders aspire; and
- B. Provide an ongoing source of guidance to city officials in their day-to-day service to the city; and
- C. Promote and maintain a culture of ethics.

1.1.02 RESPONSIBILITY

- A. As a community leader, I serve with dignity and respect for my office and I am an agent of the democratic process.
- B. I avoid actions that might cause the public to question my independent judgment.
- C. I do not use my office or the resources of the city for personal or political gain.
- D. I am a prudent steward of public resources and actively consider the impact of my decisions on the financial and social stability of the city and its residents.

1.1.03 FAIRNESS

- A. I promote consistency, equity and non-discrimination in public agency decision-making.

- B. I make decisions based on the merits of an issue, including research and facts.
- C. I encourage diverse public engagement in our decision-making processes and support the public's right to know.

1.1.04 RESPECT

I treat my fellow officials, staff and the public with patience, courtesy and civility, even when we disagree on what is best for the community.

1.1.05 HONESTY

- A. I am honest with my fellow officials and members of the public.
- B. I am prepared to make decisions when necessary for the public's best interests, whether those decisions are popular or not.
- C. I take responsibility for my actions, even when it is uncomfortable to do so.

Adopted by City Council: December 21, 2005