

**CITY OF LAGUNA WOODS, CALIFORNIA
CITY COUNCIL MINUTES
REGULAR MEETING
March 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

Ernie Sensor, led the flag salute.

III. ROLL CALL

COUNCILMEMBERS: PRESENT: Hatch, Hack, Conners, Robbins, Ring
ABSENT:

STAFF PRESENT: City Manager Keane; Public Safety Director Macon; Deputy City Clerk Donohue; City Attorney Cosgrove, Planning Manager Kurnow

IV. PRESENTATIONS

None

V. CITY COMMENDATIONS AND PROCLAMATIONS

Moved by Mayor Pro Tem Robbins, seconded by Councilmember Hack, and carried unanimously to approve Proclamations:

5.1 Proclamation – National Donate Life Month, April 2013

Councilmember Conners shared a story about a teenager who became an organ donor and later passed away; the teenager’s mother was later able to hear her daughter’s heart beat through another person. Councilmember Conners encouraged everyone to become an organ donor.

5.2 Proclamation – Amateur Radio Appreciation Month, April 2013

City Manager Keane introduced “RACES” members Jim Riedel, Ernie Sensor, Joe Burkhardt, Gail Gomez, and Lloyd Gomez and discussed the history of the team and services it provides.

Councilmember Conners asked what the acronym “RACES” stands for.

City Manager Keane stated it stands for Radio Amateur Civil Emergency Service.

Ernie Senser, "RACES" member, thanked the City for the proclamation on behalf of the "RACES" team and talked about their many duties and responsibilities.

Mayor Ring presented Mr. Senser with the proclamation.

VI. CONSENT CALENDAR

Moved by Mayor Pro Tem Robbins, seconded by Councilmember Connors and carried unanimously to approve Consent Calendar Items 6.1 – 6.7.

6.1 Approved the minutes the February 20, 2013 special meeting, February 20, 2013 regular meeting and the March 6, 2013 special 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 February 2013 monthly Treasurer's Report.

6.4 Warrant Register

Approved the March 20, 2013 Warrant Register in the amount of \$533,103.00

6.5 Code Enforcement Services

Authorized the City Manager to execute a one year agreement with Charles Abbott Associates, Inc. for as needed code enforcement services for the 2013-2014 fiscal year, subject to approval as to form by the City Attorney.

6.6 City Hall Low Impact Development Retrofit Project

Authorized the City Manager to execute an agreement with obrARCHITETURE, Inc. for architectural and engineering services for the City Hall Low Impact Development Retrofit Project, in an amount not to exceed \$71,820, subject to approval as to form by the City Attorney.

6.7 Audit Hoc Committee

Appointed Mayor Ring and Mayor Pro Tem Robbins to an ad hoc audit committee.

VII. PUBLIC HEARING

7.1 Reasonable Accommodations for Persons with Disabilities

City Manager Keane summarized the agenda report and noted that the accommodation process only relates to City regulations and development standards. She noted that the Land Use and Design Review Committee recommended to approve the adoption of the ordinance, with one abstention.

Councilmember Hatch thanked City Manager Keane for replacing a term in the document that he had requested in the previous City Council meeting.

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

Moved by Mayor Pro Tem Robbins, seconded by Councilmember Hatch, and carried unanimously to approve **Ordinance 13-02** adopting reasonable accommodations for persons with disabilities entitled:

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

VIII. CITY COUNCIL

None

IX. CITY MANAGER

9.1 Moulton Parkway Improvements

City Manager Keane summarized the agenda report and noted that the Memorandum of Understanding (MOU) would allow the Golden Rain Foundation (GRF) to go forward with a golf hole realignment that would result in a much shorter (120') and less lengthy safety net.

Councilmember Hatch asked what the proposed height of the new tee would be.

City Attorney Cosgrove replied that it would be 23-30 feet lower than the current tee.

City Manager Keane noted that GRF would need to obtain all the permits necessary to start work on the hole realignment by April 15, 2013 and would have to be substantially through with the work by May 31, 2013. She referenced the revised MOU agreement which states GRF may temporarily use hole one as a par three hole by moving the tee further down the fairway. GRF has proposed this to keep the garden center annex open until the end of the calendar year. She noted that the City's Golf Architect has approved this plan.

Councilmember Hatch thanked GRF, City Council, and the City Manager for their work on the MOU agreement and asked why the modification to a par three hole is a temporary

solution.

City Manager Keane noted that the proposal is only temporary because the hole needs to be a certain length for the course to be eligible for tournaments.

Councilmember Hack asked what the orientation changes will be when the tee is moved.

City Manager Keane stated golfers will be shooting from a much lower angle and not aiming towards the street, but instead shooting towards the interior area of the golf course.

Councilmember Hatch asked if it's a possibility that the garden center annex will close if GRF does not give a satisfactory design for the par three hole.

City Manager Keane stated that the City's Golf Architect does not anticipate a problem with the par-three design, but will review it before the city agrees to let play on the hole continue.

Mayor Ring thanked Lynne Dvorak, City Manager Keane, Professional Community Management, Inc. (PCM) and the County for their work on the MOU agreement.

Councilmember Hatch stated that the foundation that the City and GRF have set from this MOU holds well for the future.

Moved by Councilmember Hatch, seconded by Mayor Pro Tem Robbins, and approved unanimously to:

Approve a Memorandum of Understanding between the City and the Golden Rain Foundation regarding modifications to the Moulton Parkway Smart Street project; and authorize the City Manager to execute the agreement, subject to minor modifications and approval as to form by the City Attorney.

9.2 Density Bonus Regulations

City Manager Keane summarized the agenda report and noted that this is the last remaining issue that must be resolved prior to proceeding with the Housing Element update.

Planning Manager Kurnow gave a power point presentation of the proposed density bonus ordinance and explained the current law and the requirements. The proposed regulation mirror state law.

City Manager Keane stated that density bonus regulations allow developers to build more residential units than are allowed by basic zoning requirements. She noted that this is a voluntary program and developers must request a bonus.

Councilmember Hack asked if there is any benefit to passing this ordinance.

City Manager Keane stated that if the City does not bring their housing ordinance into conformance with state law then the City may not be eligible for grant funding projects such as the community development block grants and the Energy Efficient Program. She noted the City could also be subjected to lawsuits from advocacy agencies.

Councilmember Hatch asked – hypothetically - if the City was in a situation where a developer wants to build 10 acres of low cost housing and if the City has the power to approve or deny such a project.

City Manager Keane stated the City still has to go through an environmental review process considering issues such as air quality issues, noise, public infrastructure capacity and, ability to provide required public services.

Councilmember Hack stated that the reality is that developers want the highest return on profits and that’s why there is no motivation to build low income housing.

Councilmember Hatch asked if these regulations would apply if the Village came to the City and wanted to do new construction.

City Manager Keane stated that there is specific zoning in the Village and a maximum number of units that can be built.

Councilmember Hatch asked if this would apply to the Village based on present day costs of units.

City Manager Keane stated it would depend on what the Village is constructing. She noted that affordable housing requires either maximum rental rates or a formula based on mortgages and down payments for different classes of housing.

City Manager Keane noted that every few years the City gets a Regional Housing Needs Assessment. She noted that the City is required to make land available for this requirement.

Moved by Mayor Pro Tem Robbins, seconded by Councilmember Connors, and carried unanimously to approve introduction and first reading of an ordinance to modify the City’s Density bonus regulations, entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS,
CALIFORNIA, AMENDING CHAPTER 13.26 OF THE LAGUNA
WOODS MUNICIPAL CODE PERTAINING TO RESIDENTIAL
DENSITY BONUS STANDARDS

X. COMMITTEE REPORTS

10.1 Transportation Corridor Agencies (Councilmember Hack)

Councilmember Hack reported about the cash-less toll road progress. He noted the

Agency is still in process of picking a new CEO.

10.2 Orange County Library Board (Mayor Pro Tem Robbins)

Mayor Pro Tem Robbins reported that it was the second meeting in a row that was canceled due to lack of quorum. He is hopeful that more of the cities that make up the Board see that their members attend future meetings.

10.3 Orange County Fire Authority (Councilmember Hatch)

Councilmember Hatch stated that Councilmember Connors will give the report because he did not attend due to a family emergency.

Councilmember Connors reported about that this was a special meeting that dealt with hazardous materials inspections. She noted that there is a disclosure program for people who live near factories or dry cleaners. She stated the Fire Authority voted to separate the disclosure issue from the permit and safe storage inspection process. She noted that the Orange County Health Care Department will take on the responsibility of disclosing hazardous material issues to the public, which she believes makes more economical sense. She noted that the Fire Authority will still have control over the inspection and safe storage process because it's important for them to know what is on the site and how its stored when responding to calls.

10.4 Southern California Water Committee (Councilmember Hack)

Councilmember Hack reported that the biggest thing going on right now is the Bay Delta Conservation Plan (BDCP). He noted that in November of 2013 the issue about funding for the twin tunnels to bring water south will be on the ballot. He hopes that something will get accomplished soon so that water is not lost as it was in the 1980s.

10.5 Coastal Greenbelt Authority (Councilmember Connors)

Councilmember Connors reported that Authority will be meeting on March 21, 2013.

10.6 Vector Control District Board (Mayor Pro Tem Robbins)

Mayor Pro Tem Robbins reported there were no dead birds found in the City. However, two birds were found in Lake Forest and Laguna Hills; they tested negative for West Nile Virus. He noted that there was concern for Flea Born Typhus in the cities of Huntington Beach, Santa Ana, and Tustin.

XI. PUBLIC COMMENT

None

XI. CITY COUNCIL COMMENTS AND ANNOUNCEMENTS

12.1 Reports on Meetings Attended per Government Code §53232.3

A. Water Advisory Committee of Orange County, February 1, 2013 and March 1, 2013:

Councilmember Hack reported that at the February 1, 2013 meeting, an Engineer from South California Edison described the condition of the steam generator and the need for a replacement. He noted that the amount of electricity provided by nuclear power is 19% in the United States.

Councilmember Hack reported that at the March 1, 2013 meeting, a writer named Lar Pierce talked about his book that pertains to California and its tendency to begin projects that do not see completion. Councilmember Hack talked about a Railroad project that was funded by a \$6.2 billion grant. He stated that only \$2.2 billion will go the new railroad, \$2.1 billion will go the bay area to help with their rail system and \$2.1 billion will go to the Los Angeles area corridor to help their rail system. He noted that a rail system would benefit travelers in California because of the high cost of flying within the state.

Councilmember Connors stated that if there is grant money available, its better that's it's spent in the state of California.

12.2 Other Meetings, Comments and Announcements

Councilmember Connors reported on a meeting of the Orange County Waste Management Commission. She noted the efforts of the Alpha Olinda Land Field which has started a waste to energy conversion gas plant. She talked about a proposal to use incinerators to process garbage instead of land disposal, noting that incinerators can create large amounts of electricity and save thousands of carbon credits.

Councilmember Connors reminded residents that the Discovery Science Center is hosting an eco-challenge exhibit and it's a wonderful experience for kids to learn about recycling.

Councilmember Connors also reported on a Mayor's meeting she attended in Dana Point. There is an overpopulation of seagulls in Dana Point and they have been using falcons to "scare" away the seagulls from eating food at landfills. She noted she will be looking into this as a solution for the crow population in the City.

City Manager Keane announced that the Great Laguna Woods Goods Exchange will take place at City Hall on Saturday, April 27th from 8:30 a.m. – 1:00 p.m. She discussed the various services that will be provided on the day of the event and encouraged residents to bring in their unwanted items.

XII. CLOSED SESSION

None

XIII. ADJOURNMENT

The meeting was adjourned at 3:16 p.m. The next regular meeting will be at 2:00 p.m. on Wednesday April 17, 2013 at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

MARC DONOHUE, Deputy City Clerk

Adopted: April 17, 2013

ROBERT B. RING, Mayor