



AGENDA of THE LAGUNA WOODS CITY COUNCIL

**Regular Meeting
October 17, 2012
2:00 P.M.**

**Council Chambers
Laguna Woods City Hall
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. The listed Recommended Action represents staff or a particular Committee's recommendation. The City Council may take any action, which it deems to be appropriate on the agenda item and is not limited in any way by the recommended action. Any person wishing to address the City Council on any matter, whether or not it appears on this agenda, is requested to complete a "Request to Speak" form available at the door. The completed form is to be submitted to the City Clerk prior to an individual being heard by the City Council. Whenever possible, lengthy testimony should be presented to the City Council in writing (8 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. FLAG SALUTE

III. ROLL CALL

COUNCILMEMBERS: Hack Rhodes Robbins
 Ring, Mayor Pro Tem Conners, Mayor

IV. PRESENTATIONS

- 4.1 El Toro Water District – Recycled Water Expansion Project: Bob Hill, General Manager and Dennis Cafferty, Director of Operations and Engineering.
- 4.2 Smoke Alarm Installation Program – Chris Macon, Director of Public Safety

V. CITY COMMENDATIONS AND PROCLAMATIONS

- 5.1 Proclamation - National Breast Cancer Awareness Month, October 2012

VI. CONSENT CALENDAR

All matters listed under the Consent Calendar are considered routine and will be enacted by one vote. There will be no separate discussion of these items unless Members of the City Council, the public, or staff request specific items be removed from the Consent Calendar for separate action.

- 6.1 City Council Minutes

RECOMMENDED ACTION: Approve the minutes from the September 19, 2012 regular meeting.

- 6.2 Approve 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.

RECOMMENDED ACTION: Waive reading of ordinances and resolutions.

- 6.3 Treasurer's Report

RECOMMENDED ACTION: Receive and File the September 2012 monthly Treasurer's Report.

- 6.4 Warrant Register

RECOMMENDED ACTION: Approve the October 17, 2012 Warrant Register in the amount of \$471,528.51.

6.5 Employee Pension Contributions

RECOMMENDED ACTION: Approve a resolution designating employee pension contributions as pre-tax in accordance with Internal Revenue Code 414 (h) (2), 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

RECOMMENDED ACTION: Authorize the City Manager to execute an agreement for environmental review of the Village Activity Center specific plan with Michael Brandman Associates, in the amount of \$114,220, plus a 20% contingency allowance, subject to approval by the City Attorney as to form.

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

RECOMMENDED ACTION:

- A. Authorize 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. Authorize 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

RECOMMENDED ACTION: Approve a resolution 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 HEARINGS

7.1 Medical Marijuana Dispensary Regulations

RECOMMENDED ACTION:

A. Receive Staff Report

B. Continue Public Hearing

C. Receive Public Comment

D. Close Public Hearing

E. Adopt an ordinance, modifying medical marijuana dispensary regulations, entitled:

AN ORDINANCE 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

RECOMMENDED ACTION: 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

RECOMMENDED ACTION: 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

9.3 Street Excavation – Santa Maria Avenue

RECOMMENDED ACTION: Approve an exception to the current street excavation moratorium on Santa Maria Avenue, and authorize the City Manager to issue an encroachment permit that will allow El Toro Water District to initiate work on a recycled water project.

X. COMMITTEE REPORTS

10.1 Transportation Corridor Agencies (Councilmember Hack)

10.2 Orange County Library Board (Councilmember Robbins)

10.3 Orange County Fire Authority (Councilmember Rhodes)

10.4 Southern California Water Committee (Councilmember Hack)

10.5 Coastal Greenbelt Authority (Mayor Connors)

10.6 Laguna Canyon Foundation (Councilmember Rhodes)

10.7 Vector Control District Board (Councilmember Robbins)

XI. PUBLIC COMMENTS

XII. CITY COUNCIL COMMENTS AND ANNOUNCEMENTS

12.1 Reports on Meetings Attended per Government Code §53232.3

State law requires Councilmembers to provide a report on all meetings or events they attend for which the City pays fees, travel or other expenses. These are informational reports and no action is taken on the item.

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

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

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

12.2 Other Meetings, Comments and Announcements

XIII. CLOSED SESSION

None

XIV: ADJOURNMENT

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

AMERICANS WITH DISABILITIES ACT: In compliance with Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the City Clerk at (949) 639-0500 (Voice) or, TDD (949) 639-0535 or the California Relay Service at (800) 735-2929 if you have a TDD or (800) 735-2922 if you do not have a TDD. Notification 48 hours prior to the meeting should enable the City to make reasonable arrangements to assure accessibility to the meeting.

AGENDA: The City Council agenda and agenda back-up materials are available from the Office of the City Clerk, after 4:30 p.m., on the Friday prior to the City Council meeting. The office of the City Clerk is located at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637. Copies of the agenda are provided at no cost. Agenda back-up materials are available at City Hall for inspection and copies are available at no charge prior to the

meeting. A per page copy cost does apply after the meeting. If you wish to be added to the e-mail or regular mail list to receive a copy of the agenda, a request must be made to the City Clerk in writing. Copies of the agenda are mailed only if stamped, self-addressed envelopes are provided. The City of Laguna Woods mailing address is 24264 El Toro Road, Laguna Woods, CA 92637. Phone: (949) 639-0500, FAX (949) 639-0591.

5.1
**PROCLAMATION – NATIONAL BREAST
CANCER AWARENESS MONTH**

Proclamation

City of Laguna Woods

National Breast Cancer Awareness Month October, 2012

WHEREAS, Breast cancer is the most common cancer in American women and the second leading cause of cancer deaths in women in the United States; and

WHEREAS, According to the American Cancer Society, nearly 200,000 new cases of invasive breast cancer are expected to be diagnosed among women in the United States in 2012; and

WHEREAS, though the exact causes of breast cancer are unknown, understanding its risk factors is essential to prevention; and

WHEREAS, if breast cancer is detected in its earliest stages, the chance for long term survival is over 95%, compared to less than 25% for late stage diagnoses; and

WHEREAS, National Breast Cancer Awareness Month is a time to honor those we have lost, lend our strength to those who carry on the fight, and pledge to educate ourselves and our loved ones about this traffic disease.

NOW, THEREFORE, BE IT RESOLVED that the City of Laguna Woods City Council does hereby proclaim October 2012 as National Breast Cancer Awareness Month.

Dated this 17th day of October 2012

Cynthia S. Connors
Mayor

Attest: Yolie Trippy
Deputy City Clerk

6.1-6.8
CONSENT CALENDAR SUMMARY

City of Laguna Woods Agenda Report

FOR: October 17, 2012 City Council Meeting

TO: Honorable Mayor and Councilmembers

FROM: Leslie A. Keane, City Manager 

AGENDA ITEM: Consent Calendar

Recommendation:

Approve all proposed actions on the October 17, 2012 Consent Calendar by single motion and Council action.

Discussion:

In general, the Consent Calendar contains routine matters or matters that have already been discussed by the City Council. It is adopted in total with a single motion and Council action. However, if any councilmember or member of the public has questions or wishes to discuss an item further, it may be removed from the Consent Calendar and placed later on the agenda for discussion and action. The way to remove an item from the Consent Calendar is to request its removal, by agenda item number, immediately prior to the adoption of the Consent Calendar. Members of the public may fill out a request to speak on the item they wish removed and the City Clerk will note the item for removal. No reason need be given with the request. Items pulled from the Consent Calendar are not discussed at the time they are pulled; they are scheduled for discussion immediately after action on the balance of the Consent Calendar.

The October 17th Consent Calendar contains the following eight items:

- 6.1 Approval of the minutes from the September 19, 2012 regular City Council meeting, as submitted.

- 6.2 Approval of a motion to allow reading proposed ordinances and resolutions by title only – this is a standard practice in cities. If this motion is not approved, all ordinances and resolutions must be read out loud in their entirety during the Council Meeting.
- 6.3 Approval of a motion to receive and file the September Treasurer’s Report. This report identifies the City’s current liquid assets and their location. At the end of September, the City had approximately \$7.8 million in cash on hand and in other liquid assets.
- 6.4 Approval of the October 17, 2012 Warrant Register, as submitted, in the amount of \$471,528.51. A list of all warrants is included in the agenda packet; detailed information about individual warrants is available in the Finance Manager’s office.
- 6.5 Approval of a resolution clarifying that employee contributions to the CalPERS retirement system are pre-tax. At its September 19, 2012 meeting, the City Council took action to shift the payment of 7% of the City’s contribution to the CalPERS retirement system to employees. This resolution assures that these contributions will be considered pre-tax by the Internal Revenue Service, as are the balance of employer contributions. If contributions were to be made on a different basis, there would need to be an annual calculation identifying the tax-exempt portion of individual pension payments. This resolution will establish the entire amount contributed from Laguna Woods – city and employees – as tax exempt and, therefore, taxable upon distribution.
- 6.6 Authorization for the City Manager to execute an agreement with Michael Brandman Associates for the provision of environmental services associated with the Village Activity Center specific plan. The proposed agreement amount is \$114,220, plus the ability for the City Manager to increase the agreement cost up to 20% for required services. The City issued a Request for Proposals (RFP) for environmental review services of the specific plan on August 3, 2012. Five proposals were received by the August 31st due date. The RFP required consultants to submit a proposed scope of services and a separate cost proposal in a sealed envelope. City staff and our consultant (Hogle-Ireland) reviewed the proposals and selected two firms as the most responsive. Cost proposals were opened after this selection, but prior to interviews.

Cost proposals ranged from \$59,901 to \$197,793. The two firms interviewed revised their cost proposals after discussion about the specifics of the project as follows:

<u>Firm</u>	<u>Initial Proposal</u>	<u>Revised Proposal</u>
Rincon Consultants, Inc.	\$ 59,901	\$ 71,004
Michael Brandman Associates (MBA)	\$122,220	\$114,220

City staff believes that either firm is capable of providing the services required. The applicant (GRF) has requested that the City select MBA because: 1) MBA is a local Orange County firm with an understanding of Orange County issues - Rincon is in Ventura County and has not worked on projects in South Orange County and 2) MBA has offices in Irvine and an excellent reputation for community interaction – Rincon, located in Ventura, anticipated that much of their interaction with the applicant and city staff would be by telephone. The entire cost of the selected consultant's environmental work will be funded by the applicant.

- 6.7 Authorization for the City Manager to execute agreements with WM Curbside, Inc. and Ware Disposal, Inc. for the provision of household hazardous waste, medical waste, electronic waste, sharps and in-home bulky item collection services through June 30, 2015, with two one-year optional extensions. The City's door-to-door Household Hazardous Waste (HHW) collection program was initiated in April 2002 and has expanded in subsequent years to include Sharps, electronic waste (E-Waste), medications, batteries, fluorescent lights and in-home bulky items. The City released a Request for Proposals (RFP) for these services on August 10, 2012; three proposals were received by the September 7th deadline. The RFP called for as-needed collection services of HHW, medical waste, E-Waste, Sharps and in-home bulky items, and allowed the City to split the contracts among responsive bidders. The current agreement for all services is with WM Curbside and will expire on October 31, 2012.

Clean Harbors Environmental Services, Inc. was the highest priced vendor and did not propose on collection of medications at City Hall or in-home bulky items. WM Curbside, Inc. was the lowest priced vendor for collection of door-to-door HHW and E-Waste, and medical and other HHW waste dropped off at City Hall. Ware Disposal was the lowest priced vendor for collection of Sharps, E-Waste dropped off at City Hall and in-home bulky

items. Staff believes that the City will be best served by contracting with WM Curbside, Inc. and Ware Disposal, Inc. for the services noted. Adequate funds for continuation of all services are included in the current fiscal year budget.

- 6.8 Approval of a resolution establishing fees for the sale of certain City promotional products. From time to time the City has sold promotional products, such as t-shirts and coffee mugs to interested individuals at the actual cost. Currently, staff proposes to sell honey for the City Hall's rooftop hives. The honey is packaged in 8 oz. jars and an equivalent market price for raw honey is \$9 – \$12. Staff is proposing a price of \$10 per jar for City Hall honey. The City incurs ongoing costs maintaining the hives, which is estimated to be approximately \$5,000 in the current fiscal year. The maintenance contract includes a percentage of honey returned to the City. Although the honey is provided at no cost, there is a cost for the jars. It is expected that the City will receive approximately 20 – 30 jars of honey per year.

The above matters are routine and/or have been reviewed by the Council on other occasions. Staff recommends that they be approved as part of the October 17, 2012 Consent Calendar.

If you have questions about any of the above items, feel free to call me prior to the meeting so that I may provide additional information.

6.1
MINUTES

**CITY OF LAGUNA WOODS, CALIFORNIA
CITY COUNCIL MINUTES
REGULAR MEETING
September 19, 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 Robbins led the flag salute.

III. ROLL CALL

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

STAFF PRESENT: City Manager Keane; Assistant City Manager Reilly; Public Safety
 Director Macon; City Planner Kurnow; City Attorney Cosgrove

IV. PRESENTATIONS

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

- 4.1 2011 Food Facility Awards to:
- Bon A Pita – 24310 Moulton Parkway
 - Carl's Jr. – 24342 El Toro Road
 - Guckenheimer Ent./Rossmoor Towers – 24055 Paseo del Lago
 - Hometown Buffet – 24381 El Toro Road
 - Jack-in-the-Box – 23562 Moulton Parkway
 - Moulton ARCO AM/PM – 24181 Moulton Parkway
 - Olive Garden – 24256 El Toro Road
 - Papa John's Pizza – 23582 Moulton Parkway
 - Starbucks Coffee – 24338 El Toro Road
 - Starbucks Coffee – 24100 El Toro Road
 - Subway Sandwiches – 24338 El Toro Road
 - Subway Sandwiches – 23582 Moulton Parkway

Mayor Connors presented the certificates of award and noted that Guckenheimer Enterprise, Hometown Buffet, Olive Garden and Papa John's Pizza were receiving their first awards; other recipients have received awards in past years.

V. CITY COMMENDATIONS AND PROCLAMATIONS

Moved by Councilmember Robbins, seconded by Councilmember Rhodes, and carried unanimously to approve City Proclamation:

5.1 Proclamation – Fire Prevention Week, October 7-13, 2012

Mayor Conners presented the proclamation to OCFA Chief Bryce.

Chief Bryce made brief remarks and emphasized the importance of staying alert and keeping a watchful eye to prevent home fires. He announced that an open house will be held on October 13, 2012 at the Regional Operations and Training Center, 1 Fire Authority Road, Irvine.

VI. CONSENT CALENDAR

Moved by Mayor Pro Tem Ring, seconded by Councilmember Robbins, and carried unanimously to approve Consent Calendar Items 6.1 – 6.9.

6.1 Approved the minutes from the August 15, 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 August 2012 monthly Treasurer's Report.

6.4 Warrant Register

Approved the September 19, 2012 Warrant Register in the amount of \$495,898.39.

6.5 Employee Compensation

Approved **Resolution No. 12-14** modifying employee compensation, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LAGUNA WOODS, CALIFORNIA, RESCINDING RESOLUTION NO.
12-10 AND ESTABLISHING A COMPENSATION SCHEDULE FOR
CITY EMPLOYEES

6.6 Polystyrene Foam Exception Policy

Approved Administrative Policy 4.23, establishing a process for granting exceptions to the ban on polystyrene foam food service ware.

6.7 Moulton Smart Street Roadway Jurisdiction

Approved **Resolution No. 12-15** transferring ownership to the City of portions of Moulton Parkway, Santa Maria Avenue, Ridge Route Drive, El Toro Road and Via Campo Verde, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ACCEPTING PORTIONS OF MOULTON PARKWAY, SANTA MARIA AVENUE, RIDGE ROUTE DRIVE, EL TORO ROAD AND VIA CAMPO VERDE, LYING WITHIN THE CITY LIMITS OF LAGUNA WOODS, AS CITY HIGHWAYS AFTER COMPLETION BY THE COUNTY OF ORANGE OF CONSTRUCTION OF PORTIONS OF THE MOULTON SMART STREET PROJECT

6.8 Orange County Transportation Authority Cooperative Agreement

Approved Amendment No. 12 to Agreement No. C-0-0936, an agreement between the Orange County Transportation and City of Laguna Woods regarding City eligibility to receive Combined Transportation Funding Program (CTFP) and Bicycle and Pedestrian Facilities Program (BPPF) funding; and authorized the Mayor to execute the agreement, subject to approval as to form by the City Attorney.

6.9 Memorandum of Understanding with Orange County Transportation Authority, County of Orange and cities of Irvine, Laguna Hills, Laguna Woods, Lake Forest to Amend the Master Plan of Arterial Highways

Approved the Memorandum of Understanding No. C-2-1592 with the Orange County Transportation Authority, County of Orange and cities of Irvine, Laguna Hills, Laguna Woods, Lake Forest to amend the Master Plan of Arterial Highways; and authorized the City Manager to execute the agreement, subject to approval as to form by the City Attorney.

VII. PUBLIC HEARING

7.1 Cell Tower Modification (CUP-745)

City Manager Keane summarized the agenda report and noted that the project was submitted prior to new regulations implemented by Congress in early 2012. She explained that cities are no longer able to go through a discretionary review process for minor modifications to existing wireless towers; however, the applicant chose to proceed with the process.

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

Moved by Councilmember Hack, seconded by Councilmember Rhodes, and carried unanimously to approve **Resolution No. 12-16**, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF

LAGUNA WOODS, CALIFORNIA APPROVING CONDITIONAL USE
PERMIT CUP 745 FOR THE EXPANSION OF AN EXISTING
“MINOR” WIRELESS FACILITY LOCATED ON THE ROSSMOOR
TOWERS BUILDINGS AT 24055 PASEO DEL LAGO

7.2 Initial Study/Negative Declaration ND 12-02 – Aliso Creek Pedestrian Bridge and Service Road Reconstruction

City Planner Kurnow summarized the agenda report and noted that the proposed pedestrian bridge and service road are designed to stabilize the creek bed and provide safe access across and to Aliso Creek for pedestrians and service vehicles.

Councilmember Hack asked for clarification to the definition of Negative Declaration.

City Manager Keane explained that a Negative Declaration simply means that there is no negative impact on the environment.

The public hearing was opened.

Barbara Copely, resident and United Mutual Director, stated that it has been two years since the Golden Rain Foundation (GRF) first introduced the project. She stated that the City has delayed the project and asked Council to take immediate action.

City Manager Keane noted that the applicant believed that no environmental review was required for this project, but that the City was unable to make that finding and processed the project in accordance with city regulations and state law. She also noted that the City is only one part of the process and asked City Planner Kurnow to explain the roles of other environmental agencies.

City Planner Kurnow explained that the City filed an exemption request with the California Department of Fish and Game which denied the request, based on the scope of work which affects the stream bed.

City Manager Keane asked if there are pending approvals from other agencies.

City Planner Kurnow acknowledged that notices were sent to the Army Corps of Engineer and the Regulatory Water Quality Board. GRF must go through those agencies' permit process and meet their requirements.

City Manager Keane asked if the City has completed the building permit process.

City Planner Kurnow stated that there are several outstanding issues that must be resolved before the City can issue permits and the City is waiting from a response from the applicant to City comments on the plans.

Approval of the resolution was moved by Councilmember Hack, who noted that the City is waiting for further submission from GRF and that this is the first discussion presented to Council and that they can only proceed as fast as the process allows.

A resident asked if a draft of the bridge plans is available.

City Manager Keane stated that staff could make plans available for review by residents.

Mayor Connors discussed the statutory steps required by the City in regards to the environmental review process. She reiterated that the City has been responsive to the project.

A representative of GRF (the applicant) announced that they have received approval from the Department of Fish and Game and that they are only waiting on the outcome of the City's environmental process.

Councilmember Hack reiterated the roles of various agencies and noted that the City must conform to California Environmental Quality Act (CEQA) regulations.

A resident thanked the Council and staff for clarification of the project.

A resident noted that the existing service road is very rough and uneven.

City Manager Keane clarified that the proposed project includes reconstruction of the service road.

A resident asked if handrails are included in the project.

City Planner Kurnow stated that GRF and the City are still discussing this issue as part of the building permit process. The City believes the handrails are required, but GRF has asked for an exemption.

The resident asked if the bridge would be wide enough for wheelchair access and would there be something on the sides that would prevent someone from falling.

City Manager Keane reiterated that the City is waiting for GRF to provide documentation regarding deleting the handrails – at this point the City believes they are required.

A resident asked if the earliest and latest completion dates are available.

City Manager Keane stated that the City cannot make that determination and that GRF has its own processes. However, she noted that the environmental report will be completed once Council approves the resolution.

City Planner Kurnow confirmed that the City's building official indicated that the railing issue is being discussed. He further explained that there is a 30-day challenge period after adoption of the Negative Declaration.

City Manager Keane stated that it is up to the applicant if they wish to proceed with the project during the 30-day period.

A resident asked if it would take one month before approval of the building permit.

City Manager Keane stated that, from the City's perspective, it would take less time if the issue of the handrails can be resolved.

A resident asked why the process is taking so long to an already existing bridge that is undergoing repair.

City Manager Keane explained that the replacement bridge is not in the same location as the original bridge and, therefore, environmental review is required.

A resident asked why there is so much discussion about whether or not a railing should be included in the project; he hopes that common sense prevails and they are included.

City Manager Keane suggested that residents would have to discuss this matter with GRF.

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

Moved by Councilmember Hack, seconded by Councilmember Rhodes, and carried unanimously to approve **Resolution No. 12-17**, issuing Negative Declaration ND 12-02, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LAGUNA WOODS, CALIFORNIA, ADOPTING NEGATIVE
DECLARATION 12-02 FOR THE RECONSTRUCTION OF THE
ALISO CREEK PEDESTRIAN BRIDGE AND SERVICE ROAD

7.3 Community Development Block Grants

City Manager Keane summarized the agenda report beginning with the Rehabilitation Projects category. She noted that the City will solicit applications in October for the FY 2012-13 for the energy efficiency improvement program. Staff proposes that the City apply for continuation of this program in FY 2013-14.

Councilmember Hack asked about the status of the current eligibility list and how staff determines that the current list does not include residents who have received grants in prior years.

City Manager Keane stated that applications are checked against prior grantees.

Community Services Manager Foley confirmed that there are only a few names remaining of the existing list and they would be at the top of the new list.

City Manager Keane summarized the agenda report pertaining to Public Facilities and Improvement Projects. She explained that the existing City Hall electrical panel is insufficient for the new generator approved by the Council. She noted that City Hall is a designated "cooling center" and the generator is required to provide air conditioning if

ITEM 6.1

there is an electricity failure. Staff proposes that the City apply for funds to enlarge the electric panel.

Councilmember Hack asked if the new electrical panel would provide sufficient electrical capacity if City Hall were to operate during a power outage.

Public Safety Director Macon affirmed that the electrical capacity would be equivalent and that only physical space is needed for a new larger panel.

City Manager Keane discussed the second priority proposed project which is lighting for City Centre Park. When the park was constructed, it was wired for lighting, but there was insufficient funding to purchase lighting fixtures. The proposed project would provide funding for safety lighting along the walkway and lighting at the activity center at the top of the facility.

Councilmember Hack asked if staff is proposing to modify the hours of operation of City Centre Park.

City Manager Keane clarified that the lighting at the upper level would require a key to turn on and off; and bollard lighting is proposed along the pathway.

Assistant City Manager Reilly clarified that current park hours are from dawn until dusk and the proposed lighting in the activity area would be turned on only for special events.

City Manager Keane explained that the intent of the public hearing is to discuss and prioritize the projects proposed as well as invite comments and suggestions from the public.

The public hearing was opened.

David Russell Ohrn, resident and member of the Village Amateur Radio Club, stated that he supports the proposal to add a generator to City Hall that can support a cooling center and the emergency communication center in the event of a disaster.

Barbara Copley, resident, stated that the cost to fund for lighting at City Centre Park seems excessive and asked Council to take careful consideration before acting on such expenditures. She believes that there are already sufficient facilities in the City to hold special events.

Mayor Connors indicated that the competitive grants are available to other cities in the county and that it is up to the Council to choose whether Laguna Woods should benefit from the funding.

Bevann Strom, a resident, commended the City for its efforts to serve the community as a whole and not just focus to the gated community. She noted that facilities such as City Centre Park improve the quality of life and the value of homes. She stated her support for the lighting project at City Centre Park.

Shari Horne, resident, stated that both projects will be assets to the community and she supports both. She suggested the City consider solar lighting for the park pathway.

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

Councilmember Rhodes stated that City Centre Park might be utilized more often with proper lighting, and he likes the idea of using solar lighting and is supportive of the project.

Councilmember Hack discussed the initial plans of City Centre Park and that further improvements could benefit residents of the City at large.

City Manager Keane noted that staff is looking into the City of Irvine's use of bollard solar pathway lighting to see if it is something the City could consider using. She announced that electrical wiring was already installed during the initial construction and can be used, should solar lighting prove ineffective.

Moved by Councilmember Robbins, seconded by Councilmember Rhodes, and carried unanimously to prioritize project proposals and authorized staff to submit applications to the County of Orange for funding consideration under the federal Community Development Block Grant (CDBG) Program:

1. Rehabilitation Projects:

First Priority: Low Income Residential Energy Efficiency Improvements Project (\$150,000)

2. Public Facilities and Improvements Projects:

First Priority: Phase VI Emergency Power and Appurtenances – Laguna Woods designated Severe Weather Shelter (\$250,000)

Second Priority: City Centre Park Safety Lighting (\$200,000)

VIII. CITY COUNCIL – None

IX. CITY MANAGER – None

X. COMMITTEE REPORTS

10.1 Transportation Corridor Agencies (Mayor Hack)

Councilmember Hack reported that the Agency may be one year away from automating its toll collection process. He discussed the retirement of the Agency's CEO and the need to recruit to fill the position.

10.2 Orange County Library Board (Councilmember Robbins)

Councilmember Robbins reported that there was no meeting and that the next meeting is scheduled for October 18, 2012.

- 10.3 Orange County Fire Authority (Councilmember Rhodes)
Councilmember Rhodes reported that there was no meeting and that the next scheduled meeting will be held in November. He reiterated Chief Bryce's invitation to visit OCFA headquarters' open house on October 13th and discussed the many services which the Authority and firefighters provide. He urged residents to express their gratitude by visiting Station 22.
- Mayor Connors concurred that the Authority provides various regional rescue services and training programs relevant to the community.
- 10.4 Southern California Water Committee (Mayor Hack)
Councilmember Hack reported that the annual dinner will take place in October and he will be unable to attend. He announced that the Committee is involved in a number of projects, including the topic of waste water.
- 10.5 Coastal Greenbelt Authority (Mayor Pro Tem Connors)
Mayor Connors reported that there was no meeting and that the next scheduled meeting will be held tomorrow at 5 p.m. at City Hall.
- 10.6 Laguna Canyon Foundation (Councilmember Rhodes)
Councilmember Rhodes reported that the Board met on September 6, 2012 and approved the Fiscal Year 2012-13 Budget. The Foundation is in the process of acquiring the last 14 acres of property for the Laguna Coast Wilderness Park; fundraising efforts are going well; and the clearing of Arundo plants is underway. He noted that negotiations continue regarding the planned wildlife corridor and he reported on a recent event highlighting butterflies. The next scheduled meeting will be held on November 1, 2012.
- 10.7 Vector Control District Board (Councilmember Robbins)
Councilmember Robbins noted that the Board's monthly report included 80 dead birds, 64 were tested for the West Nile Virus (WNV); 35 tested positive. However, none were from Laguna Woods or its neighboring cities of Lake Forest and Laguna Hills. Two more cases of the WNV one each in Anaheim and Cypress were reported, for a total of three in Orange County. He urged residents to empty any standing water which might attract mosquitoes. The next scheduled meeting will be held tomorrow, September 20th.

XI. PUBLIC COMMENTS

Barbara Copley, resident, expressed her concerns that a number of bird baths exist in the community that may be a breeding ground for the West Nile Virus. She asked if the City could work in collaboration with the Village to regulate the issue.

City Manager Keane stated that the City could look into the issue. She also noted that Vector Control is concerned with flea-borne typhus as well.

Councilmember Hack indicated that battery-operated bird baths, which control and move water so it does not stagnate, are available.

XII. CITY COUNCIL COMMENTS AND ANNOUNCEMENTS

12.1 Reports on Meetings Attended per Government Code §53232.3

- A. League of California Cities/Orange County Division Quarterly Meeting, August 23, 2012 – Mayor Pro Tem Ring, Councilmember Hack

Mayor Pro Tem Ring reported that the main objective was to elect officers and the following is a list of top three seats: President – Keith Curry, Mayor Pro Tem City of Newport Beach; First Vice-President – Scott Nelson, Mayor Pro Tem City of Placentia; Second Vice-President – Bert Murdock, Mayor Pro Tem City of Brea. Michael Coleman was the guest speaker and he spoke on California's fiscal outlook.

Councilmember Hack felt that the speaker provided complex and insightful information and a thorough discussion of the history of government finance in California.

- B. Water Advisory Committee Orange County (WACO), September 7, 2012 – Councilmember Hack

Councilmember Hack reported that the Army Corps of Engineers discussed a number of projects, including refurbishing and maintaining the Santa Ana Watershed. He discussed the problems associated with storing water at the site and asked the Corps if they had considered dredging as a solution. He was informed that they would discuss the topic at the next meeting.

12.2 Other Meetings, Comments and Announcements

Councilmember Rhodes commented on the American Legion's Freedom Walk from City Hall to Clubhouse 1 in commemoration of the tragic events of 9-1-1. He reported that speeches by Mayor Connors, OCFA Chief Bryce and OCSD Lieutenant Rudy were well received; however, the attendance was a disappointing low. He reminded residents to take notice of the event and not take freedom for granted. Councilmember Rhodes announced that the City's Laguna Woods Good Exchange took place on September 15th and again proved to be a success.

Councilmember Hack thanked staff who worked tirelessly on the event.

Councilmember Rhodes stated that he was impressed at how well organized this event was and that the large space to accommodate the event was a plus.

Councilmember Hack commented on the progress of the City Hall/Library Site project and expressed grave concern about safety to residents as they access the facilities.

City Manager Keane noted that staff is in the process of having the sidewalk area completed as quickly as possible and is looking at alternatives for safer access in the interim.

Mayor Conners reported on a meeting she attended of the OC Waste Management Commission. She announced an upcoming ribbon-cutting ceremony at the Alpha-Olinda site that recycles waste energy and captures methane gas which is purified and sold to OCTA to operate its buses. She also noted that the City Council has three open seats for the November 6th election with six candidates running. The League of Women Voters will host a candidate forum at City Hall on Monday, September 24th at 4 p.m. which will be broadcast and replayed at later dates.

XIII. CLOSED SESSION

- 13.1 The City Council met in closed session to confer with legal counsel regarding two matters of potential litigation, pursuant to the provisions of Government Code Section 54956.9(c).

The City Council reconvened in open session at 4:00 p.m. City Attorney Cosgrove advised that there was no reportable action.

XIV. ADJOURNMENT

The meeting was adjourned at 4:00 p.m. The next regular meeting will be at 2:00 p.m. on Wednesday October 17, 2012 at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

YOLIE TRIPPY, Deputy City Clerk

Adopted: October 17, 2012

CYNTHIA S. CONNERS, Mayor

6.2
WAIVE READING OF ORDINANCES AND
RESOLUTIONS
(No Report)

6.3
TREASURER'S REPORT

City of Laguna Woods

Monthly Treasurer's Report

September 30, 2012

CASH ON HAND

1. Investments/General Fund

Local Agency Investment Fund	\$	6,236,250
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Subtotal	\$	6,236,250
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2. Investments/Transportation Fund

Local Agency Investment Fund	\$	725,731
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Subtotal	\$	725,731
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3. Other Interest & Non-Interest Bearing/General & Transportation

Petty Cash Funds	\$	421
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Analyzed Checking Account	\$	835,803
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Subtotal	\$	836,224
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TOTAL	\$	7,798,205
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Note: LAIF reports interest earnings quarterly.

6.4
WARRANT REGISTER

CITY OF LAGUNA WOODS
 WARRANT REGISTER
 October 17, 2012

Check Number	Check Date	Vendor Name	Description	Amount
PREPAID WARRANTS:				
<i>Automatic Bank Debits</i>				
Debit	09/13/2012	ADP PAYROLL SERVICES	Pay Period Ended 9/07/12	31,976.90
Debit	09/13/2012	ICMA RETIREMENT CORPORATION	Pay Period Ended 9/07/12	1,594.03
Debit	09/13/2012	ADP PAYROLL SERVICES	Processing Charges/Payroll 9/07/12	125.40
Debit	09/27/2012	ADP PAYROLL SERVICES	Pay Period Ended 9/21/12	31,191.03
Debit	09/27/2012	ICMA RETIREMENT CORPORATION	Pay Period Ended 9/21/12	1,594.03
Debit	09/27/2012	ADP PAYROLL SERVICES	Processing Charges/Payroll 9/21/12	125.40
Other				
112419	09/19/2012	AFLAC	Employee Benefit Program/October 2012	310.80
112420	09/19/2012	AT&T	Telephone/581-3974/August 2012	76.74
112421	09/19/2012	AT&T	Telephone/583-1105/August 2012	16.20
112422	09/19/2012	CAA	Water Quality Consulting/August 2012	3,971.00
112423	09/19/2012	CANYON COASTAL BUILDERS	Waste Diversion Deposit Refund/BP 33130C	250.00
112424	09/19/2012	CIVIL SOURCE	Building Inspection Services/August 2012	4,875.00
112425	09/19/2012	CNA	Employee Benefit Program/October-December 2012	410.36
112426	09/19/2012	DAVID LANGDON	Waste Diversion Deposit Refund/BP 33877C	250.00
112427	09/19/2012	ORANGE COUNTY CLERK-RECORDER	Categorical Exemption Filing/GP-802	50.00
112428	09/19/2012	ORANGE COUNTY REGISTER-NOTICES	Public Notices/July-August 2012	1,033.28
112429	09/19/2012	ORKIN	Pest Control/September 2012	84.49
112430	09/19/2012	RHA LANDSCAPE ARCHITECTS	City Hall Irrigation Conversion	300.00
112431	09/19/2012	SOUTHERN CALIFORNIA EDISON	Safety Lights Over Traffic Signals/August 2012	359.79
112432	09/19/2012	SOUTHERN CALIFORNIA EDISON	Irrigation Controllers/September 2012	99.24
112433	09/19/2012	VANTAGEPOINT TRANSFER AGT-457	457 Plan Retirement Contributions/September 2012	1,325.00
112434	09/19/2012	REILLY, DOUGLAS C.	Employee Benefit Program	199.00

**CITY OF LAGUNA WOODS
WARRANT REGISTER
October 17, 2012**

Check Number	Check Date	Vendor Name	Description	Amount
112435	09/26/2012	AT&T	Telephone/458-3487/September 2012	32.83
112436	09/26/2012	ROBERT BURNETT	Manual Pay Check/Pay Period Ending 9/21/12	1,384.79
112437	09/26/2012	CALPERS - HEALTH	Employee Benefit Program/October 2012	3,308.72
112438	09/26/2012	CENTURY INTERIORS	Waste Diversion Deposit Refund/BP 31867C	250.00
112439	09/26/2012	CNA	Employee Benefit Program/October-December 2012	518.16
112440	09/26/2012	DAVID EVANS & ASSOCIATES INC.	Moulton Parkway Landscaping/Phase 1	1,854.75
112441	09/26/2012	EL TORO WATER DISTRICT	City Hall Utilities/September 2012	28.00
112442	09/26/2012	EL TORO WATER DISTRICT	City Hall Utilities/September 2012	116.04
112443	09/26/2012	FLEX ONE	Program Fees/September 2012	50.00
112444	09/26/2012	HOGLE-IRELAND	Water Quality GIS Mapping/June 2012	396.00
112445	09/26/2012	LEAGUE OF CA CITIES - OC DIVISION	Dinner Meeting/Ring/Hack/Keane/August 2012	120.00
112446	09/26/2012	LYNN CAPOUYA	Ridge Route Extension	17.09
112447	09/26/2012	NIEVES LANDSCAPE, INC.	Landscaping	475.00
112448	09/26/2012	ONE WAY CONSTRUCTION	Waste Diversion Refund/BP 33736C	250.00
112449	09/26/2012	PASCO DOORS	Building Maintenance	572.31
112450	09/26/2012	PEAK LIGHTING & ELECTRIC, INC	Streetlight Maintenance/September 2012	704.52
112451	09/26/2012	PRINCIPAL FINANCIAL GROUP	Employee Benefit Program/October 2012	452.30
112452	09/26/2012	SOUTHERN CALIFORNIA EDISON	City Hall Utilities/September 2012	2,151.50
112453	09/26/2012	SOUTHERN CALIFORNIA EDISON	Ridge Route Park/September 2012	47.18
112454	09/26/2012	SOUTHERN CALIFORNIA EDISON	City Centre Park/September 2012	24.90
112455	09/26/2012	VERRALL, SANDRA	Mileage Reimburse/August-September 2012	161.73
112456	09/26/2012	VISION SERVICE PLAN OF AMERICA	Employee Benefit Program/October 2012	199.14
112457	09/26/2012	WEST COAST REMODEL	Waste Diversion Refund/BP 33748C	250.00
112458	09/26/2012	BETTY WILLIAMS	Taxi Voucher Refund	50.00
112459	10/03/2012	CALIFORNIA YELLOW CAB	Taxi Voucher Services/August 2012	14,538.00

CITY OF LAGUNA WOODS
WARRANT REGISTER
October 17, 2012

Check Number	Check Date	Vendor Name	Description	Amount
112460	10/03/2012	CALPERS - RETIREMENT	Retirement Contributions/Pay Period Ending 9/21/2012	5,273.44
112461	10/03/2012	CAPTIONING UNLIMITED	Closed Captioning/Council Meeting/September 2012	200.00
112462	10/03/2012	COASTAL TRAFFIC SYSTEMS, INC.	Street Maintenance/Signage	265.29
112463	10/03/2012	COPYFORCE	Printing/City Envelopes	1,016.08
112464	10/03/2012	DAVID EVANS & ASSOCIATES INC.	Moulton Smart Street/Phase II	36,589.14
112465	10/03/2012	DELTA DENTAL PLAN OF CA	Employee Benefit Program/October 2012	633.98
112466	10/03/2012	FOLEY, PATRICK	Mileage Reimbursement	27.81
112467	10/03/2012	JONES, ERNESTINE	Employee Benefit Program/August-September 2012	617.12
112468	10/03/2012	KONICA MINOLTA	Copier Lease/October 2012	482.72
112469	10/03/2012	MANAGED HEALTH NETWORK	Employee Benefit Program/October 2012	22.23
112470	10/03/2012	OFFICE DEPOT	Office Supplies	85.53
112471	10/03/2012	TERESE S OLIVER	Attorney/Red Light Camera/August 2012	2,992.50
112472	10/03/2012	ORKIN	Pest Control/October 2012	84.49
112473	10/03/2012	SONITROL	Alarm Monitoring/October 2012	58.91
112474	10/03/2012	SOUTHERN CALIFORNIA EDISON	Residential Streetlights/United/September 2012	1,510.12
112475	10/03/2012	SOUTHERN CALIFORNIA EDISON	Traffic Signal Controllers/September 2012	832.83
112476	10/03/2012	YOLIE TRIPPY	Employee Benefit Program/September 2012	359.00
112477	10/03/2012	VERRALL, SANDRA	Cell Phone Reimbursement/September 2012	25.00
112478	10/03/2012	WLC ARCHITECTS	City Hall/Library Site Project	1,687.50
112479	VOID	VOID	VOID	-
112480	VOID	VOID	VOID	-
112481	10/04/2012	ASTRA BUILDERS INC.	City Hall Improvements/GF #1A	1,910.16
112482	10/04/2012	ASTRA BUILDERS INC.	City Hall Improvements/CDBG #1	31,336.22
112483	10/10/2012	AMERICAN RAMP SYSTEMS	CDBG/Temporary Ramps	859.79
112484	10/10/2012	AT&T	White Pages/October 2012	3.79

**CITY OF LAGUNA WOODS
WARRANT REGISTER
October 17, 2012**

Check Number	Check Date	Vendor Name	Description	Amount
112485	10/10/2012	BALLIET, MICHAEL	Waste Consulting/September 2012	4,547.50
112486	10/10/2012	ROBERT BURNETT	Mileage/Phone Reimbursement/September 2012	152.65
112487	10/10/2012	BUSCH DESIGN BUILD, INC.	Waste Diversion Deposit Refund/BP 32274C	1,350.00
112488	10/10/2012	STANLEY BYUN MD	Waste Diversion Deposit Refund/BP 31727C	900.00
112489	10/10/2012	CALIFORNIA BLDG STANDARDS COMM	Building Permit Access Fee/3rd Quarter 2012	763.20
112490	10/10/2012	EL TORO WATER DISTRICT	Ridge Route Park/September 2012	606.50
112491	10/10/2012	EL TORO WATER DISTRICT	Dog Park/September 2012	20.68
112492	10/10/2012	GRF	Meet the Candidates/DVD	10.00
112493	10/10/2012	HARTZOG & CRABILL, INC.	E&T Radar Survey	1,500.00
112494	10/10/2012	HOGLE-IRELAND	Plan Check Services/June 2012	11,032.50
112495	10/10/2012	KEANE, LESLIE A.	October 2012 Auto Allowance	450.00
112496	10/10/2012	MAY LAN	Waste Diversion Deposit Refund/BP 32868D	250.00
112497	10/10/2012	DAVID LANGDON	Waste Diversion Deposit Refund/BP 33202C	250.00
112498	10/10/2012	LOS ANGELES TIMES	Newspaper Delivery/October-November 2012	56.80
112499	10/10/2012	OC LOCAL HONEY	Bee Maintenance/Supplies/July-August 2012	618.00
112500	10/10/2012	REILLY, DOUGLAS C.	Employee Benefit Program	248.49
112501	10/10/2012	RUTAN & TUCKER, LLP	City Hall Eminent Domain/July 2012	11,627.26
112502	10/10/2012	SCOTT FAZEKAS & ASSOCIATES	Plan Checking/August 2012	200.00
112503	10/10/2012	SOUTHERN CALIFORNIA EDISON	Safety Lights Over Traffic Signals/September 2012	359.79
112504	10/10/2012	SOUTHERN CALIFORNIA EDISON	Residential Streetlights/Third/September 2012	4,267.81
112505	10/10/2012	SOUTHERN CALIFORNIA EDISON	Right of Way/September 2012	2,060.40
112506	10/10/2012	THE GAS COMPANY	City Hall Utilities/September 2012	15.03
112507	10/10/2012	WM CURBSIDE, LLC	Waste Collection/August 2012	3,216.15
Total Prepaid Warrants				239,547.06

CITY OF LAGUNA WOODS
 WARRANT REGISTER
 October 17, 2012

Check Number	Check Date	Vendor Name	Description	Amount
REGULAR WARRANTS:				
112508	10/10/2012	ALLIED MECHANICAL AIR SYS, INC	Maintenance Inspection	1,958.00
112509	10/10/2012	ARBORGATE CONSULTING, INC.	CDBG/City Hall Access Project	270.00
112510	10/10/2012	AT&T	Telephone/452-0600/September 2012	311.58
112511	10/10/2012	AT&T	Telephone/639-0500/September 2012	181.68
112512	10/10/2012	AT&T	Telephone/770-9359/September 2012	16.09
112513	10/10/2012	CALIFORNIA YELLOW CAB	Non-Emergency Medical Taxi/September 2012	5,263.00
112514	10/10/2012	CITY OF LAGUNA BEACH	Animal Services/July-September 2012	21,698.25
112515	10/10/2012	CIVIL SOURCE	Building Inspection Services/September 2012	17,286.25
112516	10/10/2012	COASTAL TRAFFIC SYSTEMS, INC.	Street Maintenance/Signage	219.45
112517	10/10/2012	COMMPRO	Website Hosting/October 2012	295.00
112518	10/10/2012	CYNTHIA CONNERS	October 2012 Compensation	300.00
112519	10/10/2012	COUNTY OF ORANGE - SIGNALS	Signal Maintenance/January-June 2012	38,817.60
112520	10/10/2012	EL TORO WATER DISTRICT	Landscape Irrigation/September 2012	7,200.34
112521	10/10/2012	GREAT CLEANING SERVICE	Janitorial Services/September 2012	1,007.08
112522	10/10/2012	HACK, BERT	October 2012 Compensation	300.00
112523	10/10/2012	KONE INC.	Elevator Maintenance/October 2012	227.37
112524	10/10/2012	KONICA MINOLTA BUSINESS	Copier Charges/July-September 2012	237.01
112525	10/10/2012	KONICA MINOLTA BUSINESS	Copier Charges/July-September 2012	314.62
112526	10/10/2012	MACEACHENN CONSTRUCTION	Waste Diversion Deposit Refund/BP 33091D	900.00
112527	10/10/2012	RONALD MOORE	Taxi Voucher Refund	50.00
112528	10/10/2012	MYKATON CONSTRUCTION	Waste Diversion Deposit Refund/BP 32550C	250.00
112529	10/10/2012	NIEVES LANDSCAPE, INC.	Landscape Maintenance/October 2012	10,725.41
112530	10/10/2012	ORANGE CTY TREASURER - STREETS	Street Maintenance/July 2012	7,812.67

CITY OF LAGUNA WOODS
 WARRANT REGISTER
 October 17, 2012

Check Number	Check Date	Vendor Name	Description	Amount
112531	10/10/2012	ORANGE CTY TREASURER - SHERIFF	Sheriff Services/September 2012	110,992.00
112532	10/10/2012	P. F. PETTIBONE & CO.	Cash Receipt Books	94.95
112533	10/10/2012	MARTIN RHODES	October 2012 Compensation	300.00
112534	10/10/2012	RING, ROBERT	October 2012 Compensation	300.00
112535	10/10/2012	ROBBINS, MILTON	October 2012 Compensation	300.00
112536	10/10/2012	VMI, INC	PEG Equipment/Projector	4,353.10
Total Regular Warrants				231,981.45
Total Register				471,528.51

6.5
EMPLOYEE PENSION CONTRIBUTIONS

RESOLUTION NO. 12-XX

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

WHEREAS, the City of Laguna Woods has the authority to implement the provisions of section 414(h)(2) of the Internal Revenue Code (IRC); and

WHEREAS, the City of Laguna Woods has determined that the tax benefit offered by this section should be provided to those employees who are members of CalPERS; and

WHEREAS, the City of Laguna Woods elects to participate in the pre-tax payroll deduction plan for all employees in the following CalPERS coverage group:

Miscellaneous Employee Group

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1:

1. The City of Laguna Woods will implement the provisions of IRC section 414(h)(2) by making employee contributions pursuant to California Government Code Section 20691 to the California Public Employees' Retirement System on behalf of its employees who are members of CalPERS. "Employee contributions" shall mean those contributions to CalPERS which are deducted from the salary of employees and are credited to individual employee accounts pursuant to California Government Code section 20691.
2. The contributions made by the City of Laguna Woods to CalPERS, although designated as employee contributions, are being paid by the City of Laguna Woods in lieu of contributions by the employees who are members of CalPERS.

- 3. The employees shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by the City of Laguna Woods to CalPERS.
- 4. The City of Laguna Woods shall pay to CalPERS the contributions designated as employee contributions from the same source of funds as used in paying salary.
- 5. The amount of the contribution designated as employee contributions and paid by the City of Laguna Woods to CalPERS on behalf of an employee shall be the entire contribution required of the employee by the California Public Employees' Retirement Law (California Government Code Sections 20000, et seq.).

SECTION 2:

The City Clerk shall certify as to the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this ____ day of _____ 2012.

CYNTHIA S. CONNERS, Mayor

ATTEST:

YOLIE TRIPPY, Deputy City Clerk

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF LAGUNA WOODS)

I, YOLIE TRIPPY, Deputy City Clerk of the City of Laguna Woods, do HEREBY CERTIFY that the foregoing **Resolution No. 12-XX** was duly adopted by the City Council of the City of Laguna Woods at a regular meeting thereof, held on the ____ day of _____ 2012, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

YOLIE TRIPPY, Deputy City Clerk

6.6
LAGUNA WOODS VILLAGE ACTIVITIES
CENTER SPECIFIC PLAN – ENRIVONMENTAL
REVIEW (NO REPORT)

6.7
**HOUSEHOLD HAZARDOUS WASTE,
MEDICAL WASTE, ELECTRONIC WASTE,
SHARPS, AND IN-HOME BULKY ITEM
COLLECTION SERVICES (NO REPORT)**

6.8
SALE OF CITY PROMOTIONAL PRODUCTS

RESOLUTION NO. 12-XX

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

WHEREAS, from time to time the City has promotional products for sale to members of the public.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. Establish fees for the sale of the certain promotional products:

T-shirts, polo shirts, hats and coffees mugs	Actual item cost, plus appropriate sales tax and postage, if mailed
City Hall Honey, 8 oz. jars	\$10, plus postage if mailed

SECTION 2. The City Clerk shall certify as to the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this ____ day of _____ 2012.

CYNTHIA S. CONNERS, Mayor

ATTEST:

YOLIE TRIPPY, Deputy City Clerk

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF LAGUNA WOODS)


I, YOLIE TRIPPY, Deputy City Clerk of the City of Laguna Woods, do HEREBY CERTIFY that the foregoing **Resolution No. 12-XX** was duly adopted by the City Council of the City of Laguna Woods at a regular meeting thereof, held on the ____ day of _____ 2012, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

YOLIE TRIPPY, Deputy City Clerk

7.1
MEDICAL MARIJUANA DISPENSARY
REGULATIONS

**City of Laguna Woods
Agenda Report**

FOR: October 17, 2012 City Council Meeting
TO: Honorable Mayor and Councilmembers
FROM: Leslie A. Keane, City Manager 
AGENDA ITEM: Medical Marijuana Dispensary Regulations

Recommendation

- A. Receive Staff Report
- B. Continue Public Hearing
- C. Receive Public Comment
- D. Close Public Hearing
- E. Adopt an ordinance modifying medical marijuana dispensary regulations, entitled:

AN ORDINANCE 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

Background

In 2008, the City Council adopted regulations (Municipal Code Section 13.26.025) governing medical marijuana dispensaries in the City. At its May 16, 2012 meeting, the Council approved introduction and first reading of an ordinance that would modify some of the existing operating condition requirements for dispensaries.

Discussion

The Laguna Woods' Municipal Code contains a permitting process, which allows medical marijuana dispensaries in certain zoning districts (community commercial and professional office) under specified operating conditions. Permit applications must include a written acknowledgement from the property owner that the facility will engage in medical marijuana dispensing.

Operating conditions for medical marijuana dispensaries include hours of operation, records maintenance and verification, storage of products and dispensing requirements, a separate ventilation system in multi-unit building (to avoid inconvenience to other tenants) and the inability to obstruct windows or doors (this is a general requirement for all buildings in community commercial and professional office zones). In addition, medical marijuana dispensaries must surrender security tapes on demand and can only dispense product to Laguna Woods' residents.

To date, the City has received hundreds of inquiries, but no actual permit applications. Potential applicants have informed staff that Laguna Woods' property owners are unwilling to lease space for this purpose. Although staff expected to have concerns raised about the requirement that distribution be limited to Laguna Woods' residents, no potential applicant has raised this as a significant issue.

In an effort to simplify the application review and monitoring impact on the City and the Orange County Sheriff's Department, staff is recommending that the requirements for the surrender of security tapes and limit on patient distribution be eliminated. These last two requirements are unique to medical marijuana dispensaries and would be time-consuming and costly to enforce with only limited benefit to the oversight of the permits.

Fiscal Impact

Since the City currently has no medical marijuana dispensaries, there is no quantifiable information available regarding the costs to monitor medical marijuana dispensaries. Elimination of the recommended requirements is expected to reduce City costs should a dispensary open.

Conclusion

Approval of the proposed modifications to current medical marijuana dispensary permit regulations will simplify the staff and Orange County Sheriff's Department

review and monitoring of permits; and is not expected to have any effect on the number of dispensaries that might apply for or receive a permit. If, at the conclusion of the public hearing, the City Council adopts the proposed amendments, they would become effective in mid-November 2012.

Attachment: Proposed Ordinance

ORDINANCE NO. 12-XX

AN ORDINANCE 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

WHEREAS, in November 1996, the voters of California passed Proposition 215, the Compassionate Use Act (CUA), which has been codified as California Health and Safety Code Section 11362.5; and

WHEREAS, Section 11362.83 of the California Health and Safety Code provides that localities are free to adopt laws that are consistent with State law, and as such, it is up to each jurisdiction to decide if they will allow medical marijuana dispensaries, in what zones, and under what regulations; and

WHEREAS, in 2008, the City of Laguna Woods adopted regulations permitting the location and operation of medical marijuana dispensaries in community commercial zoning districts, subject to certain specified conditions; and

WHEREAS, the City finds it now appropriate to modify existing regulations.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council finds that the actions contemplated by this ordinance are exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 (b) 3 and 15305 of the Guidelines, in that the amendment does not have the potential for causing a significant effect on the environment.

SECTION 2. Sections 13.26.025 (k) (4) and 13.26.025 (l) (1) of the Laguna Woods Municipal Code are hereby deleted.

SECTION 3. This Ordinance shall take effect and be in full force thirty (30) days from and after the date of its final passage and adoption, or until otherwise superseded by action of the City Council or by operation of State Law.

SECTION 4. The City Clerk shall certify to the passage of this Ordinance and shall cause this Ordinance to be published or posted as required by law.

PASSED, APPROVED AND ADOPTED THIS ___ DAY OF _____, 2012.

CYNTHIA S. CONNERS, Mayor

ATTEST:

YOLIE TRIPPY, Deputy City Clerk

APPROVED AS TO FORM:

DAVID B. COSGROVE, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF LAGUNA WOODS)


I, YOLIE TRIPPY, Deputy City Clerk of the City of Laguna Woods, do HEREBY CERTIFY that the foregoing Ordinance No. 12-XX was duly introduced and placed upon its first reading at a Regular Meeting of the City Council on the 16th of May 2012, and that thereafter, said Ordinance was duly adopted and passed at a Regular Meeting of the City Council on the ___ day of _____ 2012 by the following vote to wit:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

YOLIE TRIPPY, Deputy City Clerk

9.1
BUILDING AND CONSTRUCTION CODES –
PATIO ENCLOSURES

City of Laguna Woods Agenda Report

FOR: October 17, 2012 City Council Meeting
TO: Honorable Mayor and Councilmembers
FROM: Leslie A. Keane, City Manager 
AGENDA ITEM: Building and Construction Codes – Patio Enclosures

Recommendation

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

Background

Every three years the California Building Standards Commission (BSC) updates the California Codes governing construction practices in the State of California. Affected state agencies review these codes, and the BSC adopts them in the California Administrative Code, Title 24. After the state Code is published, every city and county throughout the state has an opportunity to adopt the Codes with more stringent local amendments based on local geological, topographical and/or climatic conditions. The Codes contain both mandatory elements and appendices which are optional.

In November 2010, the City adopted the most recent Building Codes, with appropriate modifications related to the unique circumstances of the county and city. These codes included prohibition against the installation of dual pane windows in patio enclosures. This prohibition, contained in Appendix I, Section I101.1, was based on concerns about energy savings and stability of the enclosure structures.

Discussion

Many residents have installed dual pane windows in their homes – including patio enclosures - to improve energy efficiency. The City Building Official has reviewed standard plans for building enclosures and believes that the stability/load concern is no longer valid and that dual windows can be accommodated safely in patio enclosures. Although dual pane windows installed in patio enclosures may not provide the energy efficiency expected by property owners due to the construction type and lack of installation, they do provide some energy savings and contribute to the overall aesthetic consistency of structures in which other dual pane windows have been installed.

Since appendices to the state Building Code need not be adopted by local agencies, no findings of a unique local condition are required for their deletion and no notification to the state Building Standards Commission of the modification is required.

Fiscal Impact

There is no anticipated negative financial impact associated with the proposed regulation. In fact, it may reduce the number of uncompensated complaint and compliance inspections.

Conclusion

If first reading of the ordinance is approved by the Council, a public hearing and second reading would be scheduled for the November Council meeting. The new regulations would become effective 30 days following the second reading. The regulations would apply to both new patio enclosures and existing patios that have completed city permits.

Attached: Proposed ordinance

ORDINANCE NO. 12-XX

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

WHEREAS, Health and Safety Code Section 17922 requires that, except as otherwise specifically provided by law, local agencies must adopt by reference the regulations contained in Title 24 of the California Code of Regulations, as adopted, amended, or repealed from time; and

WHEREAS, regulations found within appendices of Title 24 are not mandated by the state; and

WHEREAS, the Laguna Woods Building Official has recommended that the City consider a modification to building regulations associated with patio enclosures that would allow the installation of dual pane windows.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, DOES HEREBY ORDANE AS FOLLOWS:

SECTION 1. **Modification to Existing Code Section**

Chapter 10.08.240 of the City of Laguna Woods Municipal Code (California Building Code, Appendix I, Section I101.1 amended) is hereby modified to read in its entirety as follows:

I101.1 General. Patio covers shall be permitted to be detached from or attached to *dwelling units*. Patio Covers shall be used only for recreational, outdoor living purposes and not as carports, garages, storage rooms or habitable rooms. Openings shall be permitted to be enclosed with insect screening, approved translucent or transparent plastic not more than 0.125 inch (3.2 mm) in thickness, glazing conforming to the provisions of Chapter 24, or any combination of the foregoing. Multiple glazing may be allowed when meeting the requirements of all other sections of this code.

SECTION 2. **Effective Date**

This Ordinance shall take effect and be in full force and operation thirty (30) days after the second reading of the adopted ordinance.

SECTION 3. Severability

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase added by this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity of effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs sentences, clauses, or phrases are declared unconstitutional, invalid, or ineffective.

SECTION 4. City Clerk’s Certification.

The City Clerk shall certify to the passage of this Ordinance and shall cause this Ordinance to be published or posted as required by law.

PASSED, APPROVED AND ADOPTED this *** day of **** 2012.

CYNTHIA S. CONNERS, Mayor

ATTEST:

YOLIE TRIPPY, Deputy City Clerk

APPROVED AS TO FORM:

DAVID B. COSGROVE, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF LAGUNA WOODS)


I, YOLIE TRIPPY, Deputy City Clerk of the City of Laguna Woods, do HEREBY CERTIFY that the foregoing **Ordinance No. 12-XX** was duly introduced and placed upon its first reading at a Regular Meeting of the City Council on the ** day of *** 2012, and that thereafter, said Ordinance was duly adopted and passed at a Regular Meeting of the City Council on the ** day of *** 2012 by the following vote to wit:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

YOLIE TRIPPY, Deputy City Clerk

9.2
TEMPORARY SIGN ENFORCEMENT

City of Laguna Woods Agenda Report

FOR: October 17, 2012 City Council Meeting
TO: Honorable Mayor and Councilmembers
FROM: Leslie A. Keane, City Manager 
AGENDA ITEM: Temporary Sign Enforcement

Recommendation

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

Background

Municipal Code Chapter 13.20 Section contains regulations for temporary signs. These regulations anticipate that: 1) illegal signs on public property can be removed and fines issued immediately and 2) fines can be levied immediately for illegal signs on private property, but the signs themselves must be removed by the sign or property owner. Staff has established an enforcement policy which allows for warnings prior to the issuance of fines for signs on both public and private property.

Discussion

The City's temporary sign regulations are found in its zoning code. Generally, state law establishes that code enforcement of zoning code violations requires a five day "notice to correct" period prior to issuance of a citation and subsequent fines. With respect to temporary signs, strict interpretation of this requirement could allow sign proponents to put up illegal signs repeatedly for five day periods, and the City would have no ability to remove – or have removed – illegal signs or to issue citations. Although the City Attorney's Office believes that temporary signs are not subject to

the five day requirement, they have suggested the addition of language that would clarify the City's right to require immediately removal of temporary signs.

Fiscal Impact

There is no anticipated negative financial impact associated with the proposed regulation.

Conclusion

If first reading of the ordinance is approved by the Council, a public hearing and second reading would be scheduled for the November Council meeting. The new regulations would become effective 30 days following the second reading.

Attached: Proposed ordinance

ORDINANCE NO. 12-XX

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

WHEREAS, the City Council of the City of Laguna Woods wishes to protect and preserve the quality of the residential and commercial areas of the City, as well as the quality of life throughout the City, through effective land use and planning; and

WHEREAS, on March 16, 2011, the City Council adopted Ordinance 11-04 which enacted a new Chapter 13.20 to the Laguna Woods Municipal Code relating to signs; and

WHEREAS, the City desires to amend Chapter 13.20 of the Laguna Woods Municipal Code by adding specific language that will clarify standards; and

WHEREAS, Section 1.02.060 of the Laguna Woods Municipal Code prescribes a method of repealing, amending, and adding portions of the Laguna Woods Municipal Code, which shall be made by Ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Section 13.20.160 of Chapter 13.20 of the Laguna Woods Municipal Code is hereby repealed as follows:

~~Sec. 13.20.160.— Enforcement.~~

~~(a) *Consecutive violations.* Each day in which a violation occurs and each separate sign in violation of this chapter shall constitute a separate violation of this chapter punishable by fines or sentences issued in accordance herewith.~~

~~(b) *Illegal signs.* Any sign that does not have a required permit or otherwise violates this chapter shall be deemed illegal. If the City Manager determines a sign to be illegal, he/she may order the property owner and/or sign owner to remove the sign or may require such other actions to ensure compliance with this chapter.~~

~~(c) *Signs on City property.* The City Manager may remove any illegal signs on City property summarily and without prior notice. Illegal signs may be disposed if they are not claimed within five working days of removal.~~

~~(d) *Signs on private property.* The City Manager may order the property owner and/or sign owner to remove any illegal signs on private property or may require such other actions to ensure compliance with this chapter. Upon failure to comply with a removal order from the City Manager, the City Manager may exercise the nuisance abatement process described in this Code to remove illegal signs. Illegal signs may be disposed if they are not claimed within ten working days of removal.~~

~~(e) *Fees.* The City Council may establish by resolution fees as are necessary and reasonable to cover the cost of removing and storing illegal signs. Such fees shall be collected at the time of claim. The City Manager is authorized to use collection proceedings to recover uncollected fees after the claim period has ended.~~

~~(f) *Liability.* Neither the City nor any of its agents shall be liable for any damage to a sign which is removed under this section.~~

~~(g) *Non-exclusive remedies.* Each and every remedy available for the enforcement of this chapter shall be non-exclusive and it is within the discretion of the City Manager to seek cumulative remedies. The remedies available to the City pursuant to this Code and chapter, including but not limited to removal authority, shall not limit the right of the City to seek any other remedy that may be available by law.~~

~~(Ord. No. 11-04, § 4, 3-16-2011)~~

SECTION 2. A replacement Section 13.20.160 of Chapter 13.20 of the Laguna Woods Municipal Code is hereby added to read as follows:

Sec. 13.20.160. - Enforcement.

(a) *Illegal signs.* Any sign that does not have a required permit, or otherwise violates this chapter, shall be deemed illegal.

(b) *Administrative Fines.* If the City Manager determines a sign is illegal, he/she may impose an administrative fine against the property owner, the sign owner, or both in accordance with chapters 1.04 and 1.06 of this Code. Consistent with section 1.04.010(i)(5) of this Code, any violation of this chapter may be deemed to be an infraction and may be punished as such, notwithstanding the fact that, at the discretion of the District Attorney, any violation of this chapter may be filed as a

misdemeanor. The complaint charging such violation shall specify whether the violation is a misdemeanor or an infraction. Notwithstanding section 1.06.040(b) of this Code and section 53069.4(2)(a) of the California Government Code, the City Manager may impose an administrative fine against the owner of an illegal temporary sign, the owner of the property where an illegal temporary sign is displayed, or both without providing said owner(s) with prior notice of violation and/or a correction period.

(c) *Abatement.*

(1) *Signs on private property.* The City Manager may order a property owner and/or sign owner to remove any illegal signs on private property. Upon failure to comply with a removal order from the City Manager, the City Manager may exercise the nuisance abatement process described in Title 1, sections 1.08.030 through 1.08.140 of this Code to remove illegal signs. Abated signs shall be retained at City Hall for a period of not less than ten (10) working days, after which the signs shall be considered abandoned, and may be discarded by the City.

(2) *Signs on City property.* To advance the City's interests in improving traffic safety and/or the appearance of the City, the City Manager may remove any illegal signs located within the public right-of-way or on public property immediately, without prior notice to the sign owner. Abated signs shall be retained at City Hall for a period of not less than ten (10) working days, after which the signs shall be considered abandoned, and may be discarded.

(d) *Enforcement Fees.* Should the City be required to remove any illegal or abandoned signs, the reasonable cost of such removal shall be assessed against the owner of such signs. The cost of removal shall be established by a Resolution of the City Council. The City Manager is authorized to use collection proceedings to recover uncollected fees.

(e) *Consecutive Violations.* Each separate sign in violation of this chapter and each day in which a violation occurs and shall constitute a separate violation of this chapter punishable by separate enforcement fees and/or administrative fines.

(f) *Liability.* Neither the City nor any of its agents shall be liable for any damage to a sign which is removed under this section.

(g) *Non-exclusive remedies.* Each and every remedy available for the enforcement of this chapter shall be non-exclusive and it is within the discretion of the City Manager to seek cumulative remedies. The remedies available to the City pursuant

to this Code and chapter, including but not limited to removal authority, shall not limit the right of the City to seek any other remedy that may be available by law.

SECTION 3. Effective Date.

This Ordinance shall take effect and be in full force and operation thirty (30) days after adoption.

SECTION 4. Severability

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase added by this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity of effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs sentences, clauses, or phrases are declared unconstitutional, invalid, or ineffective.

SECTION 5. City Clerk's Certification

The City Clerk shall certify to the passage of this Ordinance and shall cause this Ordinance to be published or posted as required by law.

PASSED, APPROVED AND ADOPTED this ** day of **** 2012.

CYNTHIA S. CONNERS, Mayor

ATTEST:

YOLIE TRIPPY, Deputy City Clerk

APPROVED AS TO FORM:

DAVID B. COSGROVE, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF LAGUNA WOODS)

I, YOLIE TRIPPY, Deputy City Clerk of the City of Laguna Woods, do
HEREBY CERTIFY that the foregoing **Ordinance No. 12-XX** was duly
introduced and placed upon its first reading at a Regular Meeting of the City
Council on the ** day of *** 2012, and that thereafter, said Ordinance was duly
adopted and passed at a Regular Meeting of the City Council on the ** day of ***
2012 by the following vote to wit:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

YOLIE TRIPPY, Deputy City Clerk

9.3
STREET EXCAVATION – SANTA MARIA
AVENUE

**City of Laguna Woods
Agenda Report**

FOR: October 17, 2012 City Council Meeting

TO: Honorable Mayor and Councilmembers

FROM: Douglas C. Reilly, Assistant City Manager *DUR*

AGENDA ITEM: Street Excavation – Santa Maria Avenue

Recommendation:

Approve an exception to the current street excavation moratorium on Santa Maria Avenue, and authorize the City Manager to issue an encroachment permit that will allow El Toro Water District to initiate work on a recycled water project.

Background

El Toro Water District (ETWD) is currently in the final engineering design phase of a recycled water project that will provide recycled water for landscape irrigation within the cities of Laguna Woods and Laguna Hills. The project includes new facilities at ETWD's existing water recycling plant located near Moulton Parkway and Ridge Route Drive, and installation of new pipelines in public rights-of-way and on private property. A portion of this project will be funded with grants that require project completion by June 2014.

Discussion

The distribution system for the ETWD recycled water project consists of approximately 19 miles of pipeline installed within existing street rights-of-way and on private property in residential neighborhoods, primarily in Laguna Woods Village and Laguna Hills. The project is divided into two main areas. The area east of Moulton Parkway runs from the Laguna Woods Village Golf Course almost to the I-5 freeway. The area west of Moulton Parkway extends from Lake Forest Drive south to El Toro Road, but does

not yet include the Village Gates 9 and 11 areas. Construction of the distribution system is expected to start later this year. Construction of the new tertiary treatment plant, which will be required to treat water before distribution, is scheduled to start early next year.

To complete design engineering for the distribution system and subsequent installation of pipelines for recycled water, ETWD has requested an encroachment permit to pothole and then trench a section of Santa Maria Avenue, from Santa Vittoria Drive to Avenida Sosiega. The City's municipal code prohibits excavation in newly renovated streets for three years. Santa Maria Avenue was renovated in 2011, and a notice of completion was filed in November 2011. Section 9.04.080 (3) of the Code, provides five exceptions to this moratorium, including emergencies that endanger life or property, interruption of essential utility services, work that is mandated by City, state or federal legislation, service for buildings where no other reasonable means of providing service exists, and other situations deemed by the City Council to be in the best interest of the general public.

ETWD and City staff believe that this project will provide a variety of benefits to its customers by reducing dependence on imported water supplies, enhancing conservation of drinking water resources, and improving potable water delivery reliability in the face of potential emergency and drought conditions. In addition, City staff has met with ETWD staff to identify connections from the new recycled water system to the City's existing landscape meters. Connection points have been identified to serve El Toro Road, Santa Maria Avenue, Ridge Route Drive (Linear Park) and Moulton Parkway north of El Toro Road.

City Council approval of an exception to the moratorium on excavation on Santa Maria will allow the ETWD project to move forward. If the City Council does not approve the encroachment permit, there is no currently feasible means of serving landscaped areas in Laguna Woods Village south of Santa Maria Avenue or in City rights-of-way on El Toro Road west of Moulton Parkway.

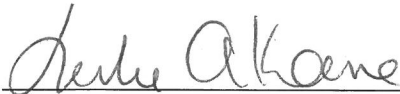
Fiscal Impact

ETWD will reimburse the City for all expenses related to the encroachment permit and will have its contractor repair any damaged sections of the roadway and repave the entire area.

Conclusion

ETWD has requested an encroachment permit to allow for testing and trenching of a portion of Santa Maria Avenue, from Santa Vittoria Drive to Avenida Sosiega. It is their intention to construct a recycled water distribution system for landscape irrigation that would serve residents in Laguna Woods Village and Laguna Hills. Recycled water would also be available for landscape irrigation in City parks and rights-of-way. The Laguna Woods Municipal Code prohibits excavation in newly renovated streets for three years; Santa Maria Avenue was renovated in 2011. The City Council can make an exception to the exemption by finding that the project is in the best interest of the general public.

Approved:



Leslie A. Keane

City Manager