

**CITY OF LAGUNA WOODS, CALIFORNIA
CITY COUNCIL MINUTES
REGULAR MEETING
April 17, 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

Councilmember Hack 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 Councilmember Conners, seconded by Councilmember Hack, and carried unanimously to approve Proclamations:

5.1 Commendation – Violet Alma Alsup, 100th Birthday

Mayor Ring presented a certificate of commendation to Violet Alma Alsup in honor of her 100th birthday. Ms. Alsup made brief remarks.

5.2 Proclamation – Earth Awareness Week, April 22-28, 2013

5.3 Proclamation – Building Safety Month, May 2013

VI. CONSENT CALENDAR

Moved by Mayor Pro Tem Robbins, seconded by Councilmember Conners and carried unanimously to approve Consent Calendar Items 6.1 – 6.4.

6.1 Approved the minutes the March 20, 2013 regular meeting and the March 27, 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 March 2013 monthly Treasurer's Report.

- 6.4 Warrant Register

Approved the March 20, 2013 Warrant Register in the amount of \$803,501.62

VII. PUBLIC HEARING

- 7.1 Density Bonus Standards

City Manager Keane summarized the agenda report and noted that all of the provisions included in the ordinance are required by state law; staff has suggested no discretionary enhancements. She noted that Land Use and Design Review Committee unanimously recommended the Council approve adoption of the ordinance.

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 Conners, and carried unanimously to approve **Ordinance 13-03** adopting reasonable accommodations for persons with disabilities 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

VIII. CITY COUNCIL

- 8.1 City Council 2013 Meeting Schedule

City Manager Keane presented the proposed City Council meeting schedule for the balance of 2013. The schedule includes adjourned regular meetings on May 1st and June 26th for the purpose of discussion and adoption of the 2013-14 budget and a shift of the November 20th meeting to November 13th due to the Thanksgiving holiday.

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

Approve a meeting schedule for the remainder of calendar year 2013.

IX. CITY MANAGER

9.1 Red Light Photo Enforcement Program

City Manager Keane introduced James England as the new Police Chief for the City.

Police Chief England talked about his background in law enforcement and stated that he is looking forward to working with the City of Laguna Woods.

Public Safety Director Macon presented a power point presentation about the modifications in the proposed Memorandum of Understanding (MOU) with Redflex. He noted that there will be an additional cost reduction of \$75,000 in the 2013-14 fiscal year and a \$18,750 reduction for the remainder of the current 2012-13 fiscal year. He stated that the City retains the right to terminate, without cause, with a 45-day notice.

Councilmember Connors asked how much was the 2012-13 fiscal year reduction.

Public Safety Director Macon stated it was \$7,500 a month but only for 9 months.

Public Safety Director Macon noted that the Public Safety Committee voted unanimously to approve the MOU.

Councilmember Hatch asked what the monthly reduction will be for the remainder of the fiscal year.

Public Safety Director Macon stated that the reduction will be \$6,250 monthly for the last 3 months of the 2012-13 fiscal year, as opposed to the \$7,500 for the first nine months.

Councilmember Hatch asked Police Chief England if red-light cameras are the most effective way to enforce red-light violations.

Police Chief England replied that in Laguna Woods red-light cameras are the most effective because they provide 24/7 coverage of the lights as opposed to assigning deputies at the intersection which would cost significantly more.

City Manager Keane stated that the City had tried and discussed a number of other options before starting the red-light program, none of which were successful.

Councilmember Hatch asked why the City has to have an attorney attending hearings pertaining to the red light camera tickets.

City Attorney Cosgrove stated that there is concern about the admissibility of the evidence and the ability of an officer to introduce evidence and cross examine plaintiffs.

City Manager Keane stated that when other cities do not send an attorney and these issues arise, the cases are often dismissed.

Councilmember Hatch asked if the City has any statistics on which directions get the most citations (e.g. East on El Toro or North on El Toro).

Public Safety Director Macon stated he currently only has statistics on how many citations occur at specific intersections.

Councilmember Hatch asked if Redflex is willing to do the price reduction due to the fear of losing the City's business.

City Manager Keane stated that the reductions were negotiated because of the unique legal circumstances Laguna Woods is experiencing in court and partially because of current construction which is causing some of the cameras to go down.

Councilmember Hatch asked if the \$100,000 that the state allocated would be included.

City Manager Keane stated that the City expects to receive that funding in the 2013-14 fiscal year.

Councilmember Connors stated that insurance studies have shown that there are fewer red light fatalities when cameras installed and noted that the program is something the City should continue to support.

Linda Iannelli introduced herself as an attorney who defends individuals who receive red-light camera tickets. She believes that the program should be shut down. She noted that 95% of citations are for right turn violations. She suggests the City look at alternatives to the red light cameras such as adding an extra second to yellow lights. She urged the City Council not to make a decision on this matter today so it could be discussed further.

Allen Baylis introduced himself as an attorney who defends individuals who receive red-light camera tickets. He stated that Reflex is probably very scared due to the fact that several California cities have ended their red-light camera programs. He discussed several alternatives that could replace the red-light cameras. He urged the City Council not to move too quickly on this item.

City Manager Keane stated that the issue of right turns on red has been discussed several times and that the City has explored trying to differentiate a "rolling California stop" from running a red light. The OC Sheriff's Department has informed the City that they are unable to make that distinction.

Police Chief England stated that the City Manager is correct; the Sheriff's Department relies upon the current California Vehicle Code.

City Manager Keane noted that the City has looked into putting green and red arrows at these intersections but it is cost prohibitive.

Councilmember Hack stated that the City has this program to protect the elderly residents of the City and not to make profit. He noted that it is difficult to see residents crossing on Moulton when you are trying to make a right turn.

Councilmember Conners asked if the technology to check if the driver of the vehicle is the registered owner exists.

Police Chief England stated that the Deputy does check the registered owner's photo with who was actually driving the vehicle.

City Manager Keane stated that the City still does issue to tickets for violations where the person driving the car is not the registered owner, in hopes that the registered owner will nominate whoever was driving the vehicle.

Councilmember Hatch stated the Village has educational videos that are extremely valuable to the older population in the City. He noted he would like these shown on the cable channel in the City.

David Russell Ohrn, resident, stated that he supports the retention of the red light cameras where they are currently located.

Linda Iannelli stated that the accidents shown on the video would not have been stopped by the red light cameras. She noted different alternatives to replace the red light cameras.

Councilmember Hack stated that the deterrent is that residents in the community know about the red light cameras, which causes them to drive more carefully at those intersections.

Councilmember Hatch asked staff to take a look at the cost for the alternates that have been mentioned during the discussion.

Moved by Councilmember Hack, seconded by Councilmember Conners, and approved unanimously to:

Approve a Memorandum of Understanding between the City and Reflex Traffic Systems, Inc. modifying and extending the existing automated red light photo enforcement system agreement; and authorize the City Manager to execute the agreement, subject to minor modifications and approval as to form by the City Attorney.

X. COMMITTEE REPORTS

10.1 Transportation Corridor Agencies (Councilmember Hack)

Councilmember Hack reported that the Committee is going through their budget process for the next fiscal year. He noted that cash-less toll roads should be completed by May 2014.

10.2 Orange County Library Board (Mayor Pro Tem Robbins)

Mayor Pro Tem Robbins reported that there was no quorum at the last meeting. He is hopeful that the Board will be able to get a quorum at the meeting on May 9th.

10.3 Orange County Fire Authority (Councilmember Hatch)

Councilmember Hatch reported that the Fire Chief of the year award was given to Orange County Fire Chief Keith Rickter. He stated the issue of unfunded liabilities has surfaced in a different form. The Orange County Employees Retirement System voted on reducing the return on investment from 7.75% to 7.25%. He noted that this could have a harmful effect on contract Cities with the Fire Authority. He noted that this vote creates another 1 billion in unfunded liability which must be paid back in a short period of time.

10.4 Southern California Water Committee (Councilmember Hack)

Councilmember Hack reported that the Committee will meet in the coming week to discuss bringing water down south.

Councilmember Hack asked if the topic of Lake Mead drying up by year 2021 has been discussed at the meetings.

Councilmember Hack stated the Committee has discussed it and noted that the state is experiencing a very dry spell at the moment, but he doubts that the Lake will ever disappear entirely.

10.5 Coastal Greenbelt Authority (Councilmember Connors)

Councilmember Connors reported on tours available at the Nix Nature Center. She stated that Park Rangers will inform you of the flora and fauna around the area. She encouraged residents to bring their grandchildren to the Discovery Science Center eco-challenge exhibit to learn about the different aspects of recycling. She stated that she had hopes of a falcon program that could deal with the crow program in the City. Unfortunately crows are also predators and would swarm around the falcons. She encouraged residents to not put out food for the birds or crows to better control the crow population.

10.6 Vector Control District Board (Mayor Pro Tem Robbins)

Mayor Pro Tem Robbins reported there is nothing new to report on the West Nile Virus. He noted no dead birds were picked up in the City, Lake Forest or Laguna Hills.

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, April 1, 2013:

Councilmember Hack reported that the Committee talked about the issue of ground

water. He noted that it's important to keep open spaces for the water to be leached through.

12.2 Other Meetings, Comments and Announcements

Councilmember Hatch asked City Manager Keane if the foot bridge at Aliso Creek has been completed.

City Manager Keane stated the City has not issued the permit for the project yet. She noted it is being delayed for several reasons such as weather and nesting bird issues.

Councilmember Hatch asked for an update on the Moulton Parkway Improvement project.

City Manager Keane stated the City has issued Golden Rain Foundation (GRF) a permit for the tee relocation and they have started work on the project. She noted that the City has agreed to the proposal to change hole 1 temporarily from a par 4 to a par 3 hole so that the garden center annex can stay open until the end of the year.

Councilmember Hack left the dais at 3:18 p.m.

Councilmember Conners talked about pensions and unfunded liabilities. She noted there won't be enough money for future retirees.

City Manager Keane noted that there have been similar changes to the CalPERS system, of which the City is a member, but no current significant impact is anticipated since the City has very few full time employees.

Mayor Ring 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. He discussed the various services that will be provided on the day of the event and encouraged residents to bring in their unwanted items.

City Manager Keane encouraged residents to bring in anything except for very hazardous waste and ammunition. She noted that residents are given the option to pick through items dropped off and anything that is not taken is recycled or donated to Goodwill.

Councilmember Hack re-entered the meeting at 3:22 p.m.

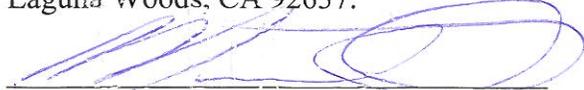
Mayor Ring announced the recent passing of Ed Miller who served as a member of the GRF Board and Security Committee, the City's Planning Advisory Committee, and co-chaired Project 21, which was a community-wide planning effort. He was part of numerous clubs such as, The Aerospace Club, Rod & Gun Club, Canine Club, Lions Club, and the Historical Society. He read a quote by Ed Miller which stated, "I want to help address the needs of residents and enhance our lives here in what was called Leisure World. I really love this place."

XII. CLOSED SESSION

None

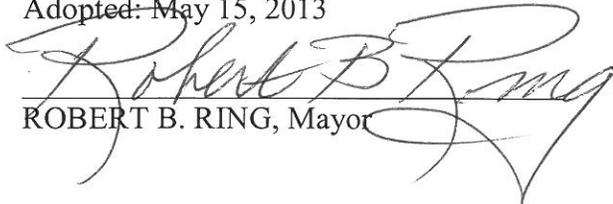
XIII. ADJOURNMENT

The meeting was adjourned in memory of Ed Miller at 3:24 p.m. The next regular meeting will be at 2:00 p.m. on Wednesday May 15, 2013 at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.



MARC DONOHUE, Deputy City Clerk

Adopted: May 15, 2013



ROBERT B. RING, Mayor