

**CITY OF LAGUNA WOODS, CALIFORNIA
CITY COUNCIL MINUTES
ADJOURNED REGULAR MEETING
October 30, 2013
2:00 P.M.**

I. CALL TO ORDER

Mayor Ring called the Adjourned Regular Meeting of the City Council of the City of Laguna Woods to order at 2:00 p.m.

II. FLAG SALUTE

Natalie Miles led the flag salute.

III. ROLL CALL

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

STAFF PRESENT: City Manager Macon, Assistant City Manager Reilly, City Attorney
 Cosgrove, Building Official Gates, Deputy City Clerk Donohue

IV. PRESENTATIONS

4.1 Orange County Grand Jury Member Recruitment – Natalie Miles

Natalie Miles, member, Orange County Grand Jury, provided brochures and discussed the benefits of volunteering for the Orange County Grand Jury.

Councilmember Conners asked what the time commitment is for grand jurors.

Ms. Miles responded that the panel of jurors establishes their own time commitments.

Councilmember Hatch asked if alternates wait for a call to replace a grand juror or if they attend all of the meetings.

Ms. Miles stated that the first five alternates are chosen to be trained along with the panel. If someone then leaves the grand jury, the first alternate will step in.

V. CITY COMMENDATIONS AND PROCLAMATIONS – None

VI. CONSENT CALENDAR

Moved by Councilmember Hack, seconded by Mayor Pro Tem Robbins, and carried unanimously

to approve Consent Calendar Items 6.1 – 6.4.

6.1 Moulton Parkway Segment 3 Phase 1 Fire Department Connection Project – Notice of Completion

- A. Accepted project completion of a contract with E.J. Meyer Company for the Moulton Parkway Segment 3 Phase 1 Fire Department Connection Project;
- B. Released contract retention in the amount of \$1,960.90 withheld per California Government Code 35 days following recordation of the Notice of Completion with the County of Orange; AND
- C. Exonerated project posted bonds 35 days following recordation of the Notice of Completion with the County of Orange.

6.2 Agreement for Climate Adaptation Plan Development Services

Approved an agreement with PMC for climate adaptation plan development services; and authorized the City Manager to execute the agreement, subject to approval as to form by the City Attorney.

6.3 Bus Shelter Franchise Agreement Extension

Approved an addendum to the bus shelter franchise agreement with Clear Channel Outdoor, Inc. that extends the term for three years, to December 31, 2016, and reduces the guaranteed minimum annual franchise payment of \$81,000 to \$40,000, and authorized the City Manager to execute the addendum, subject to approval as to form by the City Attorney.

6.4 City Hall Storm Drain Improvements Project – Notice of Completion

- A. Accepted project completion of a contract with Scorpion Backhoe, Inc. for the City Hall Storm Drain Improvements Project;
- B. Released contract retention in the amount of \$3,566.40 withheld per California Government Code 35 days following recordation of the Notice of Completion with the County of Orange; AND
- C. Exonerated project posted bonds 35 days following recordation of the Notice of Completion with the County of Orange.

VII. PUBLIC HEARINGS

7.1 2013 California Building Standards & Local Amendments

City Manager Macon summarized the agenda report.

The public hearing was opened.

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

Councilmember Connors noted that incorporating the State building codes is a required act by the City.

Councilmember Hack asked if State codes are just a minimum requirement that local cities may make stricter.

City Manager Macon answered affirmatively.

Moved by Councilmember Hatch, seconded by Mayor Pro Tem Robbins, and carried unanimously to approve the introduction and first reading of an ordinance adopting 2013 California building standards and local amendments entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA AMENDING TITLE 10 OF THE LAGUNA WOODS MUNICIPAL CODE BY ADOPTING BUILDING AND SAFETY ADMINISTRATIVE PROVISIONS, BY REFERENCE THE 2013 EDITIONS OF THE CALIFORNIA BUILDING, FIRE, RESIDENTIAL, PLUMBING, ELECTRICAL, MECHANICAL AND GREEN BUILDING STANDARDS CODES, AND RELATED MODEL AND UNIFORM CODES, WITH REFERENCE STANDARDS, APPENDICES AND AMENDMENTS THERETO

VIII. CITY COUNCIL BUSINESS

8.1 911 Ambulance Services Request for Proposal Process

Councilmember Hatch introduced the item.

Jim Ruane, Finance Manager, Orange County Fire Authority (OCFA), summarized the agenda report.

Councilmember Hack stated that problems in the City are distinct from surrounding cities. He expressed his support for the City retaining final selection and contracting authority.

Councilmember Hatch asked for an explanation of the additional services that Doctors Ambulance agreed to provide during the previous selection process.

City Manager Macon stated that there is a subscription program that Doctors Ambulance provides for individuals who require 911 emergency services and there is a "Back to Bed" program that provides assistance to individuals who fall out of bed. He noted that OCFA cannot require those items in a Request for Proposal (RFP) if the selection process is delegated to them.

Mayor Ring asked how many people are currently using the subscription program.

Dave Sanford, Doctors Ambulance, stated that there are 1,600 households enrolled.

Councilmember Hatch asked if this is the final date for the City Council to decide whether or not to retain or delegate authority.

Mr. Ruane stated the final date to make a selection is December 5, 2013.

Councilmember Hatch asked if OCFA has ever had any litigation or major disputes after awarding an ambulance services contract.

Mr. Ruane answered affirmatively. He noted that there were two appeals in 2004 and one significant appeal in 2008.

Jim Gross, Risk Manager, California Joint Powers Insurance Authority (CJPIA), stated that delegating the authority to OCFA removes the City from potential liabilities.

Councilmember Hack stated that the City has less potential liability than most other cities.

City Attorney Cosgrove stated that potential for problems to occur tend to be of greater risk when dealing with ambulance services. He recommend that the City Council delegate the authority to OCFA.

Councilmember Connors asked if the City is put at risk if someone were to be unhappy with an ambulance service that the City selected.

Mr. Gross stated that exposure to potential liabilities is higher when the service provider is an agent of the City as opposed to an agent of OCFA. He noted that contracting directly would make the ambulance service an agent of the City.

Mr. Ruane stated that if the selection process is delegated to OCFA, administration of the contract is done by OCFA instead of the City.

Councilmember Connors asked if other ambulance companies offer the same or similar "Back to Bed" program.

Mr. Sanford was unable to say whether other companies offer such programs.

Councilmember Hatch asked if there is increased competition to provide ambulance services.

Mr. Ruane answered affirmatively. He noted that there was twice the competition in 2008 as compared to 2004.

Councilmember Hatch asked if the City has any role in the ambulance selection process

if selection is delegated to OCFA.

Mr. Ruane stated that City staff can participate in the grading criteria.

Mayor Ring asked what would be Councilmember Hatch's involvement, as the City Council's representative on the OCFA Board of Directors in the process if the selection is delegated to OCFA.

Mr. Ruane stated that Councilmember Hatch would state the City's preference during the OCFA Board meeting and the Board would subsequently vote on it.

Councilmember Hatch asked if votes on the OCFA Board are weighted or if one vote counts as one vote.

Mr. Ruane stated that one vote counts as one of twenty-five.

Councilmember Conners stated that she believes that OCFA is better equipped to make this decision than the City Council.

Councilmember Hack reiterated his opposition to delegating the process to OCFA.

Councilmember Hatch stated that he is confident that OCFA will conduct this process in a straightforward, open, and transparent manner.

Mayor Ring asked if Councilmember Hatch or his alternate will get the chance to voice the City's opinion before the matter is voted on.

Mr. Ruane answered affirmatively.

Moved by Councilmember Hatch, seconded by Mayor Pro Tem Robbins, and voted 4 to 1 with respect to the 2013-14 ambulance services request for proposal process, to delegate the final selection and contracting authority for 911 emergency ambulance services in the City's exclusive operating area to the Orange County Fire Authority.

AYES: Conners, Hatch, Robbins, Ring

NOES: Hack

8.2 Moulton Smart Street Project Phase 2 Design and Multimodal Trail Designations

Assistant City Manager Reilly summarized the agenda report.

Councilmember Conners asked how golf carts will be prevented from driving along the Laguna Woods Village Garden Center to Gate 12 on the east side of Moulton Parkway.

Assistant City Manager Reilly stated that the use of bollards is being considered.

Councilmember Hack expressed his concern with having a golf cart crossing at Santa Maria Avenue and Moulton Parkway.

Councilmember Connors asked if it was possible to build out the wider sidewalk between the garden center and Santa Maria Avenue, but not allow golf carts to travel on the path.

Assistant City Manager Reilly answered affirmatively.

City Manager Macon stated that tree wells could be added to the section between the garden center and Santa Maria Avenue where golf carts would not be permitted. He noted that the tree wells could be removed at a later date should the City Council decide they want to add a golf cart path.

Councilmember Connors asked what potential liabilities exist for golf cart/automobile collisions if a golf cart crossing is added.

Jim Gross, Risk Manager, California Joint Powers Insurance Authority, stated that a strong defense to claims of that sort is based on having sound engineers and architects designing the paths and being in compliance with the other levels of design immunity.

Assistant City Manager Reilly stated that “and on the east side of Moulton Parkway from Santa Maria Avenue to the Village garden center driveway” will be added to Recommended Action A.

Councilmember Hatch expressed his concern over the passage of golf carts between the garden center and Santa Maria Avenue. He stated that two golf carts driving head on to each other might be susceptible to an accident.

Councilmember Hack expressed his support for the removal of the tree wells. He reiterated his previous statement that he does not support a golf cart crossing at Santa Maria Avenue and Moulton Parkway.

Mayor Ring stated that a crosswalk at the intersection of Santa Maria Avenue and Moulton Parkway is necessary because there are people illegally crossing the street to get to the garden center.

Councilmember Connors expressed her agreement with Mayor Ring’s statement. She noted that she is in favor of the recommended actions.

Councilmember Hatch requested that “an amount not to exceed \$15,000,” be added to Recommended Action B.

The recommended actions were moved by Councilmember Connors and seconded by Mayor Pro Tem Robbins.

Councilmember Hack requested item D to be voted on separately from items A, B and C.

Councilmember Conners and Mayor Pro Tem Robbins agreed to amend their motion accordingly.

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

- A. Direct staff to negotiate a change order with the County of Orange to remove tree wells along the rear of the sidewalk on the west side of Moulton Parkway between Santa Maria Avenue and Laguna Woods Village Gate 16 and on the east side of Moulton Parkway from Santa Maria Avenue to the Village garden center driveway to allow for future use as a multimodal trail accommodating pedestrian and golf cart travel.

AND

- B. Approve an amount not to exceed \$15,000 allocating Fuel Tax funds in the Contract – Traffic Engineering account for consultant design engineering work related to the removal of tree wells on the west side of Moulton Parkway to accommodate a multimodal trail.

AND

- C. Approve a resolution designating public rights of way as multimodal trails on which golf carts are allowed to travel, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, RESCINDING RESOLUTION NO. 11-20 AND DESIGNATING MULTIMODAL TRAILS IN THE PUBLIC RIGHTS-OF-WAY ON WHICH GOLF CARTS ARE ALLOWED TO TRAVEL

Moved by Councilmember Conners, seconded by Councilmember Hatch, and voted 4 to 1 to:

- D. Approve a resolution designating the Santa Maria Avenue multimodal crosswalk across Moulton Parkway as a highway crossing zone, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, DESIGNATING PORTIONS OF THE PUBLIC HIGHWAYS AS GOLF CART CROSSINGS IN CONFORMANCE WITH THE CALIFORNIA VEHICLE CODE

AYES: Conners, Hatch, Robbins, Ring
NOES: Hack

8.3 Community Outreach Strategies

City Manager Macon summarized the agenda report.

Moved by Councilmember Hack, seconded by Councilmember Conners, and carried unanimously to authorize staff to expand community outreach strategies to include replacing the quarterly Wood Works newsletter with a combination of periodic targeted mailings, public forums, and a Mayor's column.

Councilmember Hatch asked if the City Council authorized the City's Twitter account.

City Manager Macon stated that there was no specific action taken by the City Council.

Councilmember Hatch asked if there has been any significant interaction with the City's Twitter and members of the public.

City Manager Macon stated that the Twitter account currently has 721 followers. He noted that the City's tweets generally consist of upcoming meetings notices and public service-type announcements.

Councilmember Hack stated that the cable channels provide an outreach of information to the community. He expressed his concern for social media use in the City.

Mayor Ring requested CJPIA's opinion on the subject of social media.

Jim Gross, Risk Manager, California Joint Powers Insurance Authority, stated that many member agencies have moved into the realm of social media. He noted that CJPIA has developed a social media policy template for member agencies to utilize.

Mayor Ring asked how many people it takes to implement the policy.

Mr. Gross stated that implementing social media does take time away from other duties. He noted that the fewer media being used, the less time it takes away from staff.

Councilmember Hatch stated that he currently does not see a need for the City to get involved with social media.

Councilmember Conners suggested waiting to see what kind of experience the Golden Rain Foundation (GRF) has with their newly opened Facebook account. She expressed concern over the burden on staff to manage social media.

Councilmember Conners made a motion to give direction to staff to explore the social media policy with CJPIA and consider adopting such a policy to maintain the City's Twitter page.

There being no second to Councilmember Conner's motion, the motion failed.

Councilmember Hack asked who made the decision to create the City's twitter page.

City Manager Macon stated that it was a decision by the previous administration.

Moved by Councilmember Hack, seconded by Councilmember Hatch, and voted 4 to 1 to terminate the City's twitter account and have no participation in social media.

AYES: Hack, Hatch, Robbins, Ring

NOES: Conners

IX. PUBLIC COMMENTS – None

X. CITY COUNCIL COMMENTS AND ANNOUNCEMENTS

11.1 Reports on Meetings Attended per Government Code §53232.3.

A. Southern California Water Committee's 29th Annual Meeting & Dinner, October 24, 2013: Councilmember Hack

Councilmember Hack reported that the Committee discussed the upcoming water bond. He noted that the current year is quickly becoming one of the driest on record.

11.2 Other Meetings, Comments and Announcements

Councilmember Conners commended the City's recent flu shot clinic.

Councilmember Conners announced a Veterans Day Program taking place at Laguna Woods Village Clubhouse 5, on November 11, 2013 at 10 a.m.

Councilmember Conners discussed the recent Contractors Roundtable hosted by the Ad Hoc Economic and Community Development Committee.

Councilmember Hatch discussed a recent evaluation of Fire Chief Richter by the Orange County Fire Authority's (OCFA) Executive Committee.

Mayor Ring asked if the City Council would like a speaker to come make a presentation pertaining to the I-405 project.

The City Council was generally receptive to such a presentation.

Mayor Ring announced the grand opening of Laguna Café on November 2, 2013 at 12 p.m.

XI. CLOSED SESSION – None

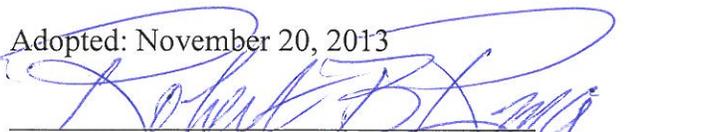
XII. ADJOURNMENT

The meeting was adjourned at 4:03 p.m. The next regular meeting will be at 2:00 p.m. on Wednesday, November 20, 2013 at Laguna Woods City Hall 24264 El Toro Road, Laguna Woods, CA 92637.



MARC DONOHUE, Deputy City Clerk

Adopted: November 20, 2013



ROBERT B. RING, Mayor