

**CITY OF LAGUNA WOODS, CALIFORNIA**  
**CITY COUNCIL MINUTES**  
**REGULAR MEETING**  
**November 17, 2010**  
**2:00 P.M.**

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**I. CALL TO ORDER**

Mayor Robbins 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 Conners led the flag salute.

**III. ROLL CALL**

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

STAFF PRESENT:       City Manager Keane; Assistant City Manager Reilly; Deputy City Clerk Trippy; City Attorney McEwen

**IV. PRESENTATIONS – None**

**V. CITY PROCLAMATIONS**

Moved by Councilmember Conners, seconded by Councilmember Rhodes, and carried unanimously to approve City Proclamation 5.1.

5.1   Proclamation – Family Caregiver’s Month, November 2010

**VI. CONSENT CALENDAR**

Moved by Councilmember Ring, seconded by Councilmember Rhodes, and carried unanimously to approve Consent Calendar Items 6.1 – 6.5.

6.1   City Council Minutes

Approved the minutes from the October 20, 2010 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 October 2010 monthly Treasurer’s Report.

6.4 Warrant Register

Approved the November 17, 2010 Warrant Register in the amount of \$435,466.38.

6.5 Water Quality Regulations

Adopted four ordinances modifying water quality regulations, entitled:

**Ordinance No. 10-03**

AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING CHAPTER 4.14 OF THE LAGUNA WOODS MUNICIPAL CODE PERTAINING TO WATER QUALITY

AND

**Ordinance No. 10-04**

AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING CHAPTER 4.06 OF THE LAGUNA WOODS MUNICIPAL CODE PERTAINING TO TRASH AND LITTER CONTROL

AND

**Ordinance No. 10-05**

AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING CHAPTER 10.06 OF THE LAGUNA WOODS MUNICIPAL CODE PERTAINING TO GRADING

AND

**Ordinance No. 10-06**

AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA, REPEALING CHAPTER 4.16 OF THE LAGUNA WOODS MUNICIPAL CODE PERTAINING TO FATS, OILS AND GREASE DISPOSAL

**VII. PUBLIC HEARINGS**

7.1 Building and Constructions Codes

City Manager Keane summarized the agenda report and noted that the Residential Code and the Green Building Standards Code apply only to new construction.

Mayor Robbins opened the public hearing.

Councilmember Connors stated that, in her opinion, the issue was very well discussed at the previous City Council meeting.

City Manager Keane stated that no written comments were received.

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

Moved by Councilmember Ring, seconded by Councilmember Rhodes, and carried unanimously to approve **Resolution No. 10-19** that identifies findings for local Building and Construction Code amendments, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, SETTING FORTH FINDINGS WITH RESPECT TO LOCAL CONDITIONS WITHIN THE CITY THAT JUSTIFY CERTAIN MODIFICATIONS AND CHANGES TO THE CALIFORNIA BUILDING CODE, THE CALIFORNIA FIRE CODE, THE CALIFORNIA PLUMBING CODE, THE CALIFORNIA MECHANICAL CODE, THE CALIFORNIA ELECTRICAL CODE, CALIFORNIA RESIDENTIAL CODE, CALIFORNIA GREEN BUILDING STANDARDS CODE

AND

Adopt **Ordinance No. 10-07** modifying Laguna Woods Building and Constructions Codes, entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA AMENDING TITLE 10 OF THE LAGUNA WOODS MUNICIPAL CODE BY ADOPTING BY REFERENCE THE 2010 EDITIONS OF THE CALIFORNIA BUILDING, FIRE, RESIDENTIAL, PLUMBING, ELECTRICAL, MECHANICAL AND GREEN BUILDING STANDARDS CODES, AND RELATED MODEL AND UNIFORM CODES, WITH APPENDICES AND AMENDMENTS THERETO

**VIII. CITY COUNCIL** – None

**IX. CITY MANAGER**

9.1 2011 Community Services Grants

Assistant City Manager Reilly summarized the agenda report and identified the proposed recipients of grant funding.

Mary Wall, resident, objected to awarding a grant to Laura's House. She stated that she would rather have additional funds go to the Florence Sylvester Senior Center where she feels more residents would benefit. She suggested that the City look into how the Laura's House grant is used and how much is used in administration costs.

City Manager Keane explained that the 2010 grant that was awarded to Laura's House was used to start-up a program. Staff has informed the organization that if they receive a 2011 grant, they must provide higher levels of service.

Mayor Pro Tem Hack expressed interest, as he has in the past, in funding programs for

the American Lung Association that deal with respiratory problems.

City Manager Keane noted that no such application was received. She suggested that staff could conduct outreach to see if applications could be encouraged in the future.

Councilmember Conners thanked the Community Services Committee and staff for their work in evaluating the grant applications. She suggested to Ms. Wall that she attend a Community Services Committee meeting to review the information they have available on the grants. She also stated that she believes that the quarterly reports could be made available. Councilmember Conners noted that the City will evaluate the Laura's House grant for its benefit to residents.

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

- A. Award a total of \$75,000 in competitive Community Services grants to six grantees: The Braille Institute \$20,000; South County Outreach (formerly Saddleback Community Outreach) \$20,000; Trauma Intervention Program \$5,000; Laura's House \$5,000; Dayle McIntosh Center (DMC) \$10,000; and the Foundation of Laguna Woods Village \$15,000.
- B. Award a total of \$75,000 in Community Services grants to Age Well Senior Services for:
  - Adult day health care \$22,500
  - Transportation services \$22,500
  - General operations at Florence Sylvester Memorial Senior Center \$30,000.

## **X. CITY ATTORNEY'S REPORT**

City Attorney McEwen reported on Proposition 26 which establishes a new definition of taxes that requires a two-thirds majority vote of the electorate. He noted that there are numerous exemptions and that each fee will need to be examined on a case-by-case basis.

Mayor Pro Tem Hack shared his concerns with Proposition 26 and the initiative process.

Councilmember Rhodes asked City Attorney McEwen about Proposition 26's effect on existing fees and taxes.

City Attorney McEwen stated that it only applies to new levies, charges and exactions.

City Manager Keane stated that the inclusionary housing in-lieu fee may be the only existing fee subject to Proposition 26 due to changes in regulations. She noted that the park in-lieu fee would be grandfathered.

City Manager Keane concurred with Mayor Pro Tem Hack that the State may be greatly affected because it funded much of its deficit by calling taxes "fees."

## **XI. COMMITTEE REPORTS**

11.1 Transportation Corridor Agencies (Mayor Pro Tem Hack)

Mayor Pro Tem Hack discussed TCA's move to cashless tolling systems.

Councilmember Conners commented on a problem with her transponder and stated that she was told that the program is already in place.

Mayor Pro Tem Hack noted that replacement transponders are available.

Councilmember Rhodes asked for Mayor Pro Tem Hack's opinion on the proposed use of the 405 freeway as a toll road.

Mayor Pro Tem Hack stated that, in his opinion, it would be difficult to turn an existing highway into a toll system. He also noted that it is a CalTrans issue.

11.2 Orange County Library Board (Mayor Robbins)

Mayor Robbins stated that there was no meeting.

11.3 Orange County Fire Authority (Councilmember Rhodes)

Councilmember Conners attended the meeting but had nothing to report.

11.4 Southern California Water Committee (Mayor Pro Tem Hack)

Mayor Pro Tem Hack discussed the Committee's recent dinner meeting and challenges facing Southern California waters supply.

11.5 Coastal Greenbelt Authority (Councilmember Conners)

Councilmember Conners stated that there was no meeting.

11.6 Laguna Canyon Foundation (Councilmember Rhodes)

Councilmember Rhodes stated that there was no meeting.

11.7 Vector Control District Board (Board Member Bouer)

Mayor Robbins announced that Board Member Bouer was not present to provide a report and that Council will need to make a new appointment for the 2011-12 term.

**XII. PUBLIC COMMENTS**

Mary Wall, resident, expressed concern with bike racing and the illegal use of golf carts and scooters on the El Toro sidewalk. She suggested installing bollards.

City Manager Keane acknowledged Ms. Wall's concern and noted that the City has been unable to witness violations. She explained that staff believes that bollards would prevent not only golf carts, but wide mobility scooters, as well, from using the sidewalk.

Ms. Wall stated there is a difference in width between golf carts and mobility scooters.

City Manager Keane responded that some mobility scooters are very wide. She noted that staff is taking a look at the situation to see what can be done.

Ms. Wall asked why the City placed a requirement to donate land on the Laguna Woods Village golf starter building.

City Manager Keane explained that there are a number of conditions placed on the golf starter building project. She stated that the City Council approved the conditions and that only the City Council has the ability to change the conditions.

### **XIII. CITY COUNCIL COMMENTS AND ANNOUNCEMENTS**

#### **13.1 Reports on Meetings Attended (Government Code §53232.3)**

A. California Joint Powers Insurance Authority Conference, October 27-29, 2010  
(Robbins, Connors)

#### **13.2 Other Comments and Announcements**

Councilmember Connors reported on a recent meeting of the Orange County Waste and Recycling Commission. She discussed her desire to increase waste diversion rates and develop a program to reuse corrugated cardboard moving boxes. Rentagreenbox.com provides plastic moving bins made of recycled material. There are also new statues on paint and carpet that place liability on manufacturers to recycle expired material.

Councilmember Ring reflected on the recent passing of former Councilmember Jan McLaughlin and her achievements and contributions to the community. He requested that the City Council meeting be adjourned in her memory.

Mayor Robbins stated that he would adjourn the meeting in Jan McLaughlin's memory.

Mayor Pro Tem Hack congratulated Councilmember Ring on his recent appointment as a Commissioner to the Local Agency Formation Commission (LAFCO) beginning in 2011.

### **XIV. CLOSED SESSION**

City Manager Keane stated that an item needs to be added to the closed session agenda. The matter was previously included under Item 14.2, but since the agenda was posted, the City has been served and the matter has changed from potential litigation to pending litigation. Moved by Mayor Pro Tem Hack, seconded by Councilmember Connors, and carried unanimously to add Item 14.3 as listed below.

14.1 The City Council met in closed session to confer with legal counsel regarding one matter of pending litigation: City of Laguna Woods vs. Raintree Realty LLC. Case No. 05 CC 09350 pursuant to the provisions of Government Code Section 54956.9(a).

14.2 The City Council met in closed session to confer with legal counsel regarding a matter of pending litigation: Golden Rain Foundation of Laguna Woods vs. City of Laguna Woods. Case No. 30-2010 pursuant to the provisions of Government Code Section 54956.9(a).

The City Council reconvened in open session at 4:28 p.m. City Attorney McEwen advised that there was no reportable action.

#### **XV. ADJOURNMENT**

The meeting was adjourned at 4:28 p.m. in memory of former Councilmember Jan McLaughlin. The next adjourned regular meeting will be at 2:00 p.m. on Wednesday, December 15, 2010 at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

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YOLIE TRIPPY, Deputy City Clerk

Adopted: December 15, 2010

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MILTON ROBBINS, Mayor