



AGENDA of THE LAGUNA WOODS CITY COUNCIL

**Regular Meeting
October 19, 2011
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: Rhodes Ring Robbins
 Conners, Mayor Pro Tem Hack, Mayor

IV. PRESENTATIONS

V. CITY COMMENDATIONS AND PROCLAMATIONS

5.1 Commendation – Olive Garden Restaurant

5.2 Proclamation – Breast Cancer Awareness Month, October 2011

5.3 Proclamation – America Recycles Day, November 15, 2011

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 21, 2011 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 2011 monthly Treasurer's Report.

6.4 Warrant Register

RECOMMENDED ACTION: Approve the October 19, 2011 Warrant Register in the amount of \$394,677.06.

6.5 Firearms Discharge Regulations

RECOMMENDED ACTION: Adopt an ordinance modifying City regulations for the discharge of firearms, entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS,
CALIFORNIA, AMENDING SECTION 7.06.010 OF THE
LAGUNA WOODS MUNICIPAL CODE RELATING TO
DISCHARGE OF FIREARMS

VII. PUBLIC HEARINGS

7.1 Conditional Use Permit for the Sale of Alcoholic Beverages (CUP-746)

- A. Receive Staff Report.
- B. Open Public Hearing.
- C. Receive Public Comment.
- D. Close Public Hearing.
- E. Adopt a resolution, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF LAGUNA WOODS, CALIFORNIA, APPROVING
CONDITIONAL USE PERMIT CUP-746 FOR THE SALE OF
ALCOHOLIC BEVERAGES TYPE 51 "CLUB" PERMIT AT
THE GOLF STARTER BUILDING LOCATED AT 24211
MOULTON PARKWAY

7.2 Temporary Uses and Special Events Regulations

- A. Receive Staff Report.
- B. Open Public Hearing.
- C. Continue Public Hearing to 2:00 p.m. on November 16, 2011.

VIII. CITY COUNCIL

8.1 Advisory Committee Appointments

RECOMMENDED ACTION: Approve proposed appointments to citizen advisory committees.

8.2 City Council Meeting Schedule

RECOMMENDED ACTION: Reschedule December 2011 regular City Council meeting for 2:00 p.m. on Wednesday, December 7, 2011.

IX. CITY MANAGER

9.1 No Right Turn on Red Light Signs

RECOMMENDED ACTION:

A. Install “no right turn on red light” signs at the following locations (Public Safety Committee and City Traffic Engineer):

1. Avenida Sevilla southbound approach to El Toro Road (Laguna Woods Village Gate 5)
2. Laguna Woods Village Gate 16 eastbound approach to Moulton Parkway

AND

B. Install “no right turn on red light” signs at Calle Sonora northbound approach to El Toro Road (City Traffic Engineer)

X. COMMITTEE REPORTS

10.1 Transportation Corridor Agencies (Mayor Hack)

10.2 Orange County Library Board (Councilmember Robbins)

10.3 Orange County Fire Authority (Councilmember Rhodes)

10.4 Southern California Water Committee (Mayor Hack)

10.5 Coastal Greenbelt Authority (Mayor Pro Tem Conners)

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.

None

12.2 Other Meetings, Comments and Announcements

XIII. CLOSED SESSION

13.1 The City Council will meet 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).

XIV. ADJOURNMENT

The meeting will be adjourned to a meeting of the City Council at 2:00 p.m. on Wednesday, November 16, 2011 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
COMMENDATION – OLIVE GARDEN
RESTAURANT

City of Laguna Woods Certificate of Commendation

Olive Garden Restaurant

WHEREAS, Market Force Information, a nationally recognized opinion polling organization, recently completed a customer satisfaction survey of the 51 top casual dining restaurants in the United States; and

WHEREAS, the survey asked participants to rank restaurants by food taste, speed of service, cleanliness and overall value; and

WHEREAS, survey responses were tabulated by the number of responses, factored by the number of restaurants; and

WHEREAS, the survey identified the Olive Garden restaurant chain as America's third favorite casual restaurant; and

WHEREAS, the Olive Garden restaurant at 24256 El Toro Road has been a member of the Laguna Woods community since 1991;

NOW, THEREFORE, BE IT RESOLVED, that the Laguna Woods City Council does hereby recognize and commend Olive Garden on this prestigious designation.

Dated this 19th day of October, 2011.

Bert Hack, Mayor

Attest: Yolie Trippy, Deputy City Clerk

5.2

**PROCLAMATION – NATIONAL BREAST
CANCER AWARENESS MONTH**

Proclamation

City of Laguna Woods

National Breast Cancer Awareness Month
October, 2011

WHEREAS, Breast cancer is the leading cause of cancer in American women and second only to lung cancer deaths in the United States; and

WHEREAS, National Breast Cancer Awareness Month educates women about the importance of early detection and treatment which offers the best chance of surviving breast cancer; 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, the American Cancer Society is the Nation's largest non-profit organization dedicated to eliminating cancer as a major health problem through research, education, advocacy, and service; and

NOW, THEREFORE, BE IT RESOLVED that the City of Laguna Woods City Council does hereby proclaim October 2011 as National Breast Cancer Awareness Month.

Dated this 19th day of October, 2011

Milton Robbins
Mayor

Attest: Yolie Trippy
Deputy City Clerk

5.3

**PROCLAMATION – AMERICA RECYCLES
DAY, NOVEMBER 15, 2011**

Proclamation

City of Laguna Woods

America Recycles Day
November 15, 2011

WHEREAS, Americans generate nearly 230 million tons of municipal solid waste each year; approximately 4.5 pounds per person per day; and

WHEREAS, Recycling saves precious energy, conserves valuable natural resources, protects the environment, reduces landfill requirements and has a positive impact on the economy; and

WHEREAS, Laguna Woods recognizes the importance of protecting and preserving our natural resources and continues to divert 65% of its solid waste from local landfills; and

WHEREAS, the City operates a variety of recycling programs designed to assist residents and businesses recycling; and

WHEREAS, America Recycles Day is a national celebration established in 1997 to help raise awareness about recycling and buying recycled products;

NOW, THEREFORE, BE IT RESOLVED that the City of Laguna Woods City Council does hereby proclaim November 15, 2011 as America Recycles Day, and urges all residents to take advantage of recycling programs and to buy recycled-content products.

Dated this 19th day of October, 2011

Bert Hack
Mayor

Attest: Yolie Trippy
Deputy City Clerk

6.1-6.5
CONSENT CALENDAR SUMMARY

City of Laguna Woods Agenda Report

FOR: October 19, 2011 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 19, 2011 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 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 in 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. 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 19th Consent Calendar contains the following five items:

- 6.1 Approval of the minutes from the September 21, 2011 regular City Council meeting, as submitted.

ITEMS 6.1 – 6.5

- 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 2011 Treasurer's Report. This report identifies the City's current liquid assets and their location. At the end of September, the City had approximately \$7.5 million in cash on hand and in other liquid assets.
- 6.4 Approval of the October 19, 2011 Warrant Register, as submitted, in the amount of \$394,677.06. 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 Adoption of an ordinance modifying discharge of firearms regulations in the City to allow the City Manager to issue discharge permits for ceremonial events and the city manager in conjunction with the police chief to issue discharge permits for the removal of dangerous animals. The City Council introduced and approved first reading of this ordinance at its September 21, 2011 meeting. If adopted, the new regulations would become effective November 19, 2011, replacing those in urgency ordinance No. 11-05.

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 19, 2011 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 21, 2011
2:00 P.M.**

I. CALL TO ORDER

Mayor Hack called the regular meeting of the City Council of the City of Laguna Woods to order at 2:00 p.m.

II. FLAG SALUTE

Mayor Pro Tem Conners led the flag salute; she asked the audience to reflect on the events of 9-1-1 and encouraged the community to unite in commemorating the tragic events of that day.

III. ROLL CALL

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

STAFF PRESENT: City Manager Keane; Assistant City Manager Reilly; City Planner Drasler; Deputy City Clerk Trippy; City Attorney Cosgrove

IV. PRESENTATIONS – None

V. CITY PROCLAMATIONS – None

VI. CONSENT CALENDAR

Moved by Councilmember Robbins, seconded by Councilmember Ring, and carried unanimously to approve Consent Calendar Items 6.1 – 6.6.

6.1 City Council Minutes

Approved the minutes from the August 17, 2011 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 2011 monthly Treasurer's Report.

6.4 Warrant Register

Approved the September 21, 2011 Warrant Register in the amount of \$556,735.16.

6.5 City Hall Automatic Sliding Glass Door

Awarded a contract to Pasco Doors in the amount of \$6,744.64, plus authorized change orders not to exceed 10% of the base amount; and authorized the City Manager to execute a contract and approved change orders, subject to approval of the contract as to form by the City Attorney.

6.5 Master Funding Agreement No. C-12722 between the Orange County Transportation Authority and City of Laguna Woods

Approved Master Funding Agreement No. C-12772 between the Orange County Transportation Authority and City of Laguna Woods to allow receipt of funds for specific transportation projects; and authorized the Mayor to execute the agreement, subject to approval of the contract as to form by the City Attorney.

VII. PUBLIC HEARING

7.1 Conditional Use Permit: Temporary Chain Link Fencing (CUP 740)

City Manager Keane introduced City Planner Drasler, who summarized the agenda report. The conditional use permit would allow an existing temporary chain link fence adjacent to the Village equestrian center to remain in place for up to three years. The applicant is the Golden Rain Foundation; the fence was installed by the County during the Moulton/El Toro intersection improvement.

Mayor Hack opened the public hearing.

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

Mayor Pro Tem Connors noted that she regularly drives past the area and feels that the fencing is not unsightly, and that three years is a reasonable amount of time to allow the plants to fully mature to provide screening to the equestrian center.

Moved by Mayor Pro Tem Connors, seconded by Councilmember Robbins, and carried unanimously to approve **Resolution No. 11-19**, granting a conditional use permit to allow temporary chain link fencing with opaque sheeting along El Toro Road for up to three years, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (CUP 740) TO ALLOW TEMPORARY CHAIN LINK FENCING WITH OPAQUE SHEETING ALONG EL TORO ROAD FOR UP TO THREE YEARS LOCATED ALONG THE FRONTAGE OF THE LAGUNA WOODS VILLAGE EQUESTRIAN CENTER PARKING LOT LOCATED AT 24312 EL TORO ROAD

VIII. CITY COUNCIL**8.1 Advisory Committee Appointments**

City Manager Keane summarized the agenda report, noting one nomination to the Land Use and Design Review Committee.

Mayor Pro Tem Conners encouraged the public to get involved in City governance and suggested that anyone interested in volunteering for any of the committees should contact City Hall.

City Manager Keane noted that the Public Safety Committee has two vacancies (Mayor Hack and Councilman Robbins); and the Community Services Committee has one vacancy (Mayor Pro Tem Conners).

Moved by Councilmember Robbins, seconded by Councilmember Ring, and carried unanimously to ratify nominations for City Council advisory committees, as follows:

Land Use and Design Review Committee

Pat Feeney, nominated by Mayor Pro Tem Conners

IX. CITY MANAGER**9.1 Firearms Discharge Regulations**

City Manager Keane summarized the agenda report, noting that the proposed ordinance would allow the city manager and police chief to issue discharge permits under very limited circumstances.

Libby Marks, resident, asked if the urgency ordinance would no longer be in effect.

City Manager Keane clarified that the proposed ordinance is the same as the urgency ordinance and would replace that ordinance, if adopted.

Ms. Marks asked if shooting permits would be issued.

City Manager Keane noted that permits for animal removal would only be issued as a last resort if needed. Permits for ceremonial firing would be issued as requested.

Councilmember Ring stated that the City is faced with no other options and that limited trapping and shooting of coyotes has proven to be effective. He cautioned that the situation may continue to occur periodically.

Moved by Councilmember Ring, seconded by Councilmember Robbins and carried unanimously to introduce and approve first reading of an ordinance modifying City regulations for the discharge of firearms, entitled:

A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF

LAGUNA WOODS, CALIFORNIA, AMENDING SECTION 7.06.010
OF THE LAGUNA WOODS MUNICIPAL CODE PRELATING TO
DISCHARGE OF FIREARMS

9.2 Multimodal Trail Golf Cart Usage

City Manager Keane summarized the agenda report, noting that the Council's prior temporary approval of golf carts on the El Toro multimodal trail. The majority of the comments staff received during the three month trial period have been favorable, although there is some concern about speed and right-of-way on the trail. Some residents have also complained that golf carts do not adhere to traffic signals.

Harriet Arnest, resident, asked if golf carts would be permitted to use the sidewalk. She expressed concern that some residents of Laguna Woods Village lack the necessary skills to obtain a driver license and should not be driving a golf cart in the roadway or on sidewalks. She believes that other means of transportation fill the gap and does not support golf cart usage.

An unidentified resident stated that she is handicapped and a golf cart allows her to maintain her independence. She noted that she would like to see better golf cart routes to other locations in the City.

Mr. Frank, resident and PCM staff member, stated that he uses the sidewalk to get to work at the Village golf course and agrees with Ms. Arnest's concerns. Pedestrian and other trail user's need information about how to use the trail. He asked why there are two golf cart paths in front of St. Nicholas Church.

City Manager Keane stated that the additional path was constructed for golf cart use prior to allowing them on the El Toro multimodal trail.

Mayor Hack expressed reservations about golf cart use of public rights of way. He noted that pedestrians should always have the first priority; following that, secondly mobility scooters; and only third, bicyclists and golf carts. He stated that he believes strongly that a duty of care to other users should include a degree of order.

Councilmember Rhodes concurred with Mayor Hack in regards to the priority of sidewalk users. He suggested that golf cart users should be educated to exercise caution and drive responsibly.

Mayor Pro Tem Conners stated that the main purpose of the trial period was to see if sidewalk users can co-exist. She acknowledged reported incidents and concerns about the safety of all users, and asked if any injuries were reported during the trial period.

City Manager Keane stated there are no reports of injuries related to use of either of the multimodal trails.

Mayor Pro Tem Conners asked if the City's insurance provider, Joint Powers Insurance Authority (JPIA), is comfortable with the mixed use of the sidewalk.

ITEM 6.1

City Manager Keane indicated that JPIA has not said that they are comfortable, but they believe that the City is at no greater risk from golf cart use on the multimodal trail than bicycle or Segway use.

Mayor Pro Tem Conners agreed with concerns raised regarding safety and asked if there are arrows that direct users which side of the trail to use.

City Manager Keane stated that the City Council made a conscious decision not to place directional signs on either the El Toro or Santa Maria trail because the limited trail width requires users to be able to pass if conditions are safe, and some walkers and mobility users travel side by side and cannot be easily accommodated in a single lane.

Mayor Pro Tem Conners suggested that the signs could state “please travel on the right side”.

City Manager Keane stated that current law outlines the use of bicycles on sidewalks. She proposed that the City instead install “Yield to Pedestrians” signs.

Mayor Pro Tem Conners stated that the City Council can only remind trail users to use caution. She asked how staff proposed to deal with the traffic signal issue.

City Manager Keane stated that staff is proposing to install a pedestrian signal push button located so that golf cart drivers can access it without leaving their cart.

Mayor Pro Tem Conners discussed the public’s request for golf cart access through Via Campo Verde and from the Village Gate 14 area to the Home Depot shopping center and noted that the gated community would need to provide access across private property.

Councilmember Rhodes asked if a sign that says “Keep Right” serves the same purpose as “Yield to Pedestrians”.

Mayor Hack indicated that he has a problem with “Keep Right” since that suggests everyone must stay to the right. He reiterated that the priority of users needs to be determined.

City Manager Keane stated that the City’s Municipal Code requires bicyclists must yield to pedestrians and that golf carts fall into the same category.

Councilmember Ring concurs with Mayor Hack that signs must indicate that pedestrians have the right of way. He asked how long before signs can be installed.

Assistant City Manager Reilly stated it would take two weeks.

Mayor Hack asked for clarification if the proposed pedestrian signal would allow golf cars to use the trail.

City Manager Keane clarified that that the signal would be specific to golf carts, not golf cars.

ITEM 6.1

Mayor Hack suggested that golf cart drivers would be subject to the same rules as pedestrians.

City Manager Keane stated that walkers are following the law, while golf cart drivers sometimes behave as if they are not in the category of either pedestrians or vehicles and they ignore the traffic signals.

Mayor Hack concurred with Councilmember Rhodes that there should be an education program and he requested that staff develop and implement such a program.

City Manager Keane acknowledged Mayor Hack's request and reiterated that if the Council approved the staff recommendation, staff will install signs indicating golf cart users must yield to pedestrians; modify the signals at Gates 1 and 5; and develop and education program.

Mayor Hack asked what regulations Segways should follow and noted that a Segway user has less physical control than those using other types of mobility vehicles.

Councilmember Rhodes stated that a Segway is easy to use; however, the reaction times of some users might be a problem.

Mayor Hack stated that reaction time is slower in all types of vehicles due to the aging population.

City Manager Keane confirmed that state law includes Segways with mobility vehicles and that they are allowed on sidewalks, unless specifically prohibited by the City.

Mayor Hack asked City Attorney Cosgrove who has the right of way, in the event an accident occurs between a Segway and an individual.

Attorney Cosgrove stated that there is no definitive answer to liability questions such as this and fault is generally determined by negligence. He further noted that the City has immunity for trail use.

Councilmember Rhodes proposed that Council take no action in the proposed resolution and return after 30 days to report back with remedial actions.

City Manager Keane reiterated that the current authorizations for golf carts to use the El Toro trail has expired and that unless Council takes an action, they will prohibited immediately.

Councilmember Robbins noted that he is in favor of allowing golf cart use on the El Toro trail; he believes that the majority of users will be respectful and that with proper signage and public education, the program should work in a satisfactory manner.

Councilmember Rhodes suggested that the City work in cooperation with the Laguna Woods Village (LWV) to provide an educational pamphlet to LWV registered golf cart owners, at the City's expense.

ITEM 6.1

Mayor Hack noted that the sidewalk is a public right-of-way that can be used by anyone residing outside of the City and that education should not be limited to Village residents.

Councilmember Ring suggested that education can be provided with an article in The Laguna Woods Globe. The news in the community would also spread quickly if the City's police services issues citations to those who break the law.

City Manager Keane suggested that if the Council approves the resolution, it can also rescind it at a later date if there are problems with the trail usage.

Mayor Hack stated that it is his understanding that there will be an educational process that provides clarity as to who has the right to use the trails.

Mayor Pro Tem Conners suggested that signs should include "all users must obey traffic signals".

City Manager Keane noted that the City must use standardized signs if it wishes to enforce regulations, but these can include pictures for clarification.

Mayor Hack stated that he is confident that City Manager Keane understands the Council's direction.

Councilmember Rhodes suggested the matter be held and brought back in October.

Mayor Hack noted that Council can reflect on the issue, at a later date, however Council need to take action now.

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

A. Approved **Resolution No. 11-20** permitting golf cart use on multimodal trails, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LAGUNA WOODS, CALIFORNIA, RESCINDING RESOLUTION
NOL. 11-08 AND DESIGNATING GOLF CART PATHS IN THE
PUBLIC RIGHT-OF-WAY

B. Allocated \$4,000 in Coastal Area Road Improvements and Traffic Signal (CARITS) funding for signage and traffic signal modifications at the intersections of El Toro Road and St. Nicholas Church.

X. COMMITTEE REPORTS

10.1 Transportation Corridor Agencies (Mayor Hack)

Mayor Hack reported that the Toll Roads Agency is investigating the process of implementing cashless tolling.

- 10.2 Orange County Library Board (Councilmember Robbins)
Mayor Robbins stated that there was no meeting this month.
- 10.3 Orange County Fire Authority (Councilmember Rhodes)
Councilmember Rhodes stated that there was no meeting this month. He reported on events commemorating 9-1-1 at Station 22 and City Hall.
- 10.4 Southern California Water Committee (Mayor Hack)
Mayor Hack reported that there was no meeting this month.
- 10.5 Coastal Greenbelt Authority (Mayor Pro Tem Conners)
Councilmember Rhodes, alternate member, announced that Mayor Pro Tem Conners was appointed as Vice-Chair of the Coastal Greenbelt Authority. He discussed the potential pedestrian gateway to the Laguna Coast Wilderness Parks and the process that the County would follow to make a determination.
- 10.6 Laguna Canyon Foundation (Councilmember Rhodes)
Councilmember reported that Laguna Woods' residents Dr. and Mrs. David Rabinov were one of three recent major donors to the Laguna Canyon Foundation.
- 10.7 Vector Control District Board (Councilmember Robbins)
Councilmember Robbins discussed an article regarding the prevention of malaria and reminded residents to drain any standing water from potted plants to prevent mosquitoes from breeding.

XI. PUBLIC COMMENTS – None

XII. CITY COUNCIL COMMENTS AND ANNOUNCEMENTS

12.1 Reports on Meetings Attended per Government Code §53232.3

A. Orange County League Division – August 18, 2011 (Ring, Robbins)

City Manager Keane, who attended by meeting with Councilmembers Ring and Robbins, reported that the Division discussed its new meeting format and the separation of the Division and the Association of Cities-California. Guest Speaker State Controller John Chiang discussed the state of California finances and why he took actions not to pay state legislatures during the budget process.

12.2 Other Meetings, Comments and Announcements

Mayor Hack stated that he and Councilmember Ring are representatives of separate committees of the Southern California Association of Government (SCAG) and discussed the role of SCAG.

Mayor Pro Tem Conners reported on a proposal to ban plastic bags by the City of Huntington Beach and urged residents to use fabric bags. She also announced that an interactive recycling exhibit, made available from grant funding provided by the County

and Waste Management Company, has opened at the Discovery Science Center,.

Mayor Hack reported on a meeting he and Councilmember Ring attended at the California League of Cities, where new Division officers were elected.

XIII. CLOSED SESSION

City Attorney Cosgrove announced that there was no need for a closed session.

XIV. ADJOURNMENT

The meeting was adjourned at 3:16 p.m. The next regular meeting will be at 2:00 p.m. on Wednesday, October 19, 2011 at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

YOLIE TRIPPY, Deputy City Clerk

Adopted: October 19, 2011

BERT HACK, 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, 2011

CASH ON HAND1. Investments/General Fund

Local Agency Investment Fund	\$	6,971,179
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Subtotal	\$	6,971,179
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2. Investments/Transportation Fund

Local Agency Investment Fund	\$	228,587
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Subtotal	\$	228,587
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3. Other Interest & Non-Interest Bearing/General & Transportation

Petty Cash Funds	\$	938
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Analyzed Checking Account	\$	341,090
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Subtotal	\$	342,028
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TOTAL	\$	7,541,794
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Note: LAIF reports interest earnings quarterly.

6.4
WARRANT REGISTER

CITY OF LAGUNA WOODS
 WARRANT REGISTER
 October 19, 2011

Check Number	Check Date	Vendor Name	Check Description	Amount
PREPAID WARRANTS:				
<i>Automatic Bank Debits</i>				
Debit	09/09/2011	ADP PAYROLL SERVICES	PPE 09/09/11	30,330.85
Debit	09/09/2011	ICMA RETIREMENT CORPORATION	PPE 09/09/11	1,594.03
Debit	09/09/2011	ADP PAYROLL SERVICES	Processing Charges/Payroll 09/23/11	119.05
Debit	09/23/2011	ADP PAYROLL SERVICES	PPE 09/23/11	30,847.37
Debit	09/23/2011	ICMA RETIREMENT CORPORATION	PPE 09/23/11	1,594.03
Debit	09/23/2011	ADP PAYROLL SERVICES	Processing Charges/Payroll 09/23/11	119.05
<i>Other</i>				
110924	09/21/2011	AFLAC	Employee Benefit Program/October 2011	310.80
110925	09/21/2011	* ALLIED MECHANICAL AIR SYSTEMS, INC	HVAC Maintenance/FY 2011	385.00
110926	09/21/2011	BENNETT'S PLUMBING	City Hall/Plumbing Repair	563.11
110927	09/21/2011	CAA	Water Quality Consulting/August 2011	1,285.00
110928	09/21/2011	CALIFORNIA YELLOW CAB	Taxi Voucher Services/August 2011	20,576.00
110929	09/21/2011	CIVIL SOURCE	Consulting Services/August 2011	2,843.75
110930	09/21/2011	ORAM FAMILY TRUST	Bldg Permit Refund/BP-30052B	24.00
110931	09/21/2011	PRACTICAL DATA SOLUTIONS	Information Technology Services/August 2011	2,160.00
110932	09/21/2011	REDFLEX TRAFFIC SYSTEMS	Redlight Camera/August 2011	20,000.00
110933	09/21/2011	SADDLEBACK WINDOWS AND DOORS	CBDG Energy Efficiency Program	10,030.00
110934	09/21/2011	SOUTHERN CALIFORNIA EDISON	Irrigation Controllers/September 2011	89.29
110935	09/21/2011	VANTAGEPOINT TRANSFER AGT-457	Employee Benefit Program/September 2011	1,425.00
110936	09/21/2011	WM CURBSIDE, LLC	Waste Collection/August 2011	3,030.79

**CITY OF LAGUNA WOODS
WARRANT REGISTER
October 19, 2011**

Check Number	Check Date	Vendor Name	Check Description	Amount
110937	09/21/2011	VOID		-
110938	09/21/2011	TERESE S OLIVER	Attorney Services/July 2011	1,935.00
110939	09/26/2011	ORANGE COUNTY CLERK-RECORDER	CEQA Document Processing Fee	50.00
110940	09/28/2011	AT&T	Telephone/581-3974/August 2011	79.22
110941	09/28/2011	AT&T	Telephone/583-1105/August 2011	15.58
110942	09/28/2011	CALPERS - RETIREMENT	Retirement Contributions/Period End 9/9/11	5,023.50
110943	09/28/2011	CAPTIONING UNLIMITED	Captioning/Council Meeting/September 2011	200.00
110944	09/28/2011	DENNIS D. NELSON, PE	Professional Services/July 2011	110.00
110945	09/28/2011	EL TORO WATER DISTRICT	Ridge Route Park/September 2011	573.69
110946	09/28/2011	EL TORO WATER DISTRICT	Dog Park Irrigation/September 2011	23.40
110947	09/28/2011	EL TORO WATER DISTRICT	City Hall Utilities/September 2011	28.00
110948	09/28/2011	EL TORO WATER DISTRICT	City Hall Utilities/September 2011	99.09
110949	09/28/2011	FIVE BROTHERS FENCE	Ridge Rte Park Fence Installation	1,500.00
110950	09/28/2011	FLEX ONE	Program Fees/September 2011	50.00
110951	09/28/2011	MC FADDEN CONSTRUCTION	Waste Diversion Deposit Refund	2,700.00
110952	09/28/2011	ORANGE COUNTY REGISTER-NOTICES	Public Notices/August 2011	606.00
110953	09/28/2011	PRINCIPAL FINANCIAL GROUP	Employee Benefit Program/October 2011	457.10
110954	09/28/2011	SHIRLEY PRZEKLASA	Taxi Voucher Refund	50.00
110955	09/28/2011	SOUTHERN CALIFORNIA EDISON	Irrigation Controllers/City Centre/September	51.19
110956	09/28/2011	SOUTHERN CALIFORNIA EDISON	City Hall Utilities/September 2011	2,071.48
110957	10/04/2011	TAUBENPOST, INC	Fall Newsletter/Mailing Services	2,494.29
110958	10/05/2011	AT&T	Telephone/458-3487/September 2011	31.52
110959	10/05/2011	RUS CALISCH	Fall Newsletter/Design Services	400.00
110960	10/05/2011	CIT TECHNOLOGY FINANCING SERV.	Copier Lease/October 2011	641.12

**CITY OF LAGUNA WOODS
WARRANT REGISTER
October 19, 2011**

Check Number	Check Date	Vendor Name	Check Description	Amount
110961	10/05/2011	D&E CONSTRUCTION	Waste Diversion Deposit	1,200.00
110962	10/05/2011	DELTA DENTAL PLAN OF CA	Employee Benefit Program/October 2011	591.77
110963	10/05/2011	VOID	-	-
110964	10/05/2011	DENNIS D. NELSON, PE	Professional Services/August 2011	22,912.50
110965	10/05/2011	EL TORO WATER DISTRICT	City Hall/Irrigation/September 2011	6,928.40
110966	10/05/2011	HOGLE-IRELAND	Professional Services/July 2011	8,156.25
110967	10/05/2011	MANAGED HEALTH NETWORK	Employee Benefit Program/October 2011	22.23
110968	10/05/2011	NIEVES LANDSCAPE, INC.	Landscape Maintenance/Extra Work	2,548.07
110969	10/05/2011	PEAK LIGHTING & ELECTRIC, INC	Streetlight Maintenance/September 2011	704.52
110970	10/05/2011	REPUBLIC ITS	EECBG Program Grant	340.00
110971	10/05/2011	RUTAN & TUCKER, LLP	Attorney Services/City Hall Acquisition/August	4,363.18
110972	10/05/2011	SCOTT FAZEKAS & ASSOCIATES	Planning Services/August 2011	760.00
110973	10/05/2011	SONITROL	Alarm Monitoring/October 2011	57.19
110974	10/05/2011	SOUTHERN CALIFORNIA EDISON	Residential Streetlights/United/August 2011	1,594.85
110975	10/05/2011	SOUTHERN CALIFORNIA EDISON	Traffic Signal Controllers/September 2011	21.99
110976	10/05/2011	THE GAS COMPANY	City Hall Utilities/September 2011	18.90
110977	10/05/2011	YOLIE TRIPPY	Employee Benefit Program/September 2011	350.00
110978	10/05/2011	VERRALL, SANDRA	Expense Reimbursement/Copies	58.19
110979	10/05/2011	VISION SERVICE PLAN OF AMERICA	Employee Benefit Program/October 2011	167.53
110980	10/05/2011	WM CURBSIDE, LLC	Medical Waste/August 2011	994.40
110981	10/05/2011	COUNTY OF ORANGE	O.C. City Clerk Quarterly Meeting/Trippy	11.00
110982	10/05/2011	GARY GATES	Employee Benefit Program/September 2011	663.10
110983	10/05/2011	JONES, ERNESTINE	Employee Benefit Program/September 2011	516.43
110984	10/05/2011	KEANE, LESLIE A.	October 2011 Auto Allowance	450.00

**CITY OF LAGUNA WOODS
WARRANT REGISTER
October 19, 2011**

Check Number	Check Date	Vendor Name	Check Description	Amount
110985	10/05/2011	METROPOLITAN WATER DISTRICT	Water Policy Meeting/Hack	75.00
110986	10/11/2011	AT&T	White Pages/October 2011	3.77
110987	10/11/2011	VIRGINIA BRIDGE	Taxi Voucher Refund	50.00
110988	10/11/2011	ROBERT BURNETT	Cell Phone & Mileage Reimbursement/Sept.	145.44
110989	10/11/2011	CALPERS - RETIREMENT	Retirement Contributions/Period End 9/23/11	5,031.38
110990	10/11/2011	COMMPRO	Website Hosting/September 2011	295.00
110991	10/11/2011	DENNIS D. NELSON, PE	Traffic Signal Maintenance/July 2011	8,304.61
110992	10/11/2011	HOGLE-IRELAND	Planning Services/July 2011	5,950.00
110993	10/11/2011	OFFICEMAX INC	Office Supplies/Copier Paper	240.88
110994	10/11/2011	ORKIN	Pest Control/October 2011	84.49
110995	10/11/2011	REILLY, DOUGLAS C.	Employee Benefit Program/September 2011	261.00
110996	10/11/2011	SEAN SCHWAB	Bee Removal	518.50
110997	10/11/2011	SOUTHERN CALIFORNIA EDISON	Traffic Signal Controllers/September 2011	800.70
110998	10/11/2011	SOUTHERN CALIFORNIA EDISON	Safety Lights Over Traffic Signals/September 2	384.16
110999	10/11/2011	SOUTHERN CALIFORNIA EDISON	Residential Streetlights/Third/September	4,270.33
111000	10/11/2011	SOUTHERN CALIFORNIA EDISON	Right of Way/September 2011	2,105.24
Total Prepaid Warrants				<u>228,468.30</u>
REGULAR WARRANTS:				
111001	10/11/2011	AT&T	Telephone/452-0600/September 2011	258.09
111002	10/11/2011	AT&T	Telephone/639-0500/September 2011	179.18
111003	10/11/2011	AT&T	Telephone/770-9359/September 2011	15.61
111004	10/11/2011	BALLIET, MICHAEL	Waste Consulting/September 2011	2,295.00

CITY OF LAGUNA WOODS
WARRANT REGISTER
 October 19, 2011

Check Number	Check Date	Vendor Name	Check Description	Amount
111005	10/11/2011	CITY OF LAGUNA BEACH	Animal Services/FY 2011-12	20,665.00
111006	10/11/2011	COMMPRO	Website Hosting/October 2011	295.00
111007	10/11/2011	CYNTHIA CONNERS	October 2011 Compensation	300.00
111008	10/11/2011	COPYFORCE	Fall 2011 Newsletter/Printing	3,228.08
111009	10/11/2011	GREAT CLEANING SERVICE	Janitorial Service/September 2011	660.52
111010	10/11/2011	HACK, BERT	October 2011 Compensation	300.00
111011	10/11/2011	NORMAN HORWITZ	Taxi Voucher Refund	40.50
111012	10/11/2011	KONICA MINOLTA BUSINESS	Copier Charges/July-September 2011	264.72
111013	10/11/2011	NIEVES LANDSCAPE, INC.	Landscape Maintenance/Extra Work	495.13
111014	10/11/2011	NIEVES LANDSCAPE, INC.	Landscape Maintenance/October 2011	10,605.41
111015	10/11/2011	ORANGE COUNTY TREASURER-SHERIFF	Sheriff Services/September 2011	100,282.52
111016	10/11/2011	PRACTICAL DATA SOLUTIONS	Information Technology Services/October	1,080.00
111017	10/11/2011	REDFLEX TRAFFIC SYSTEMS	Redlight Camera/September 2011	20,000.00
111018	10/11/2011	MARTIN RHODES	October 2011 Compensation	300.00
111019	10/11/2011	RING, ROBERT	October 2011 Compensation	300.00
111020	10/11/2011	ROBBINS, MILTON	October 2011 Compensation	300.00
111021	10/11/2011	UNITED STORM WATER	Catch Basin Maintenance	1,824.00
111022	10/11/2011	WLC ARCHITECTS	Professional Services/Library ADA/August	2,520.00
Total Regular Warrants				<u>166,208.76</u>
			Total Register	394,677.06

* FY 2010/11 Expenditures

6.5

FIREARMS DISCHARGE REGULATIONS

ORDINANCE NO. 11-XX

AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING CHAPTER 7.06.010 OF THE LAGUNA WOODS MUNICIPAL CODE, RELATING TO DISCHARGE OF FIREARMS

WHEREAS, the Laguna Woods Municipal Code contains section 7.06.010 regulating the discharge of firearms within the City; and

WHEREAS, as adopted in 2002, that section did not make provision for the permissible use of firearms to control situations arising from threats of wild animals, at large within the City, who may present threats to persons and property; and

WHEREAS, that section also did not make provisions for ceremonial firings without prior formal authorization of the City Council, and this has often prevented such events; and

WHEREAS, the City Council, acting in response to an emergency situation, adopted urgency ordinance No. 11-05 allowing the City Manager, in conjunction with the City's Police Chief, to issue firearms discharge permits under certain circumstances; and

WHEREAS, the City Council now wishes to confirm and/or modify its prior action using its regular ordinance process;

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

Section 1. Chapter 7.06, Public Safety, section 7.06.010 "Discharge of Firearms," is hereby repealed, in its entirety.

Section 2. A new section 7.06.010, "Discharge of Firearms" is hereby enacted, to read as follows:

Section 7.06.010. - Discharge of firearms.

(a) It shall be unlawful for any person to discharge or cause to be discharged a firearm within the City, except as may be otherwise permitted by State or Federal law. For purposes of this section, the term "firearm" shall mean any

rifle, pistol, revolver, handgun, air gun, paintball gun, BB gun, bow, crossbow, slingshot, or any other device of any kind, character, or description which throws, projects, or expels a bullet, arrow, projectile, missile, or similar item or substance by means of force, air, pressure, or explosion, and is likely to cause bodily or property harm. The term "firearm" shall not include tools that use small amounts of air pressure to drive nails, bolts, fasteners, or screws when used for construction purposes.

(b) Subsection (a) of Section 7.06.010 shall not apply to:

(1) A peace officer acting in his or her official line of duty.

(2) Persons who have obtained a written permit from the City Manager for controlled discharges in ceremonial situations. The City Manager may impose any conditions that are deemed necessary or desirable, including, but not limited to, limitations on the duration of the permit, the hours of the permit, the locations where the permit is valid, and the type or caliber of weapons used.

(3) Licensed pest control companies, exterminators, veterinarians, or similar animal control professionals who have obtained a written permit from the City Manager and Police Chief for the control or destruction of dangerous animals. The City Manager and Police Chief may impose any conditions that are deemed necessary or desirable, including, but not limited to, verification of the firearms training or experience of the individuals covered by the permit, limitations on the duration of the permit, the hours of the permit, the locations and surrounding circumstances where the permit is valid, and the type or caliber of weapons used.

Section 3. If any section, subsection, subdivision, paragraph, sentence, clause or phrase added by this Ordinance Amendment, or any part thereof, is for any reason held to be unconstitutional or invalid, or ineffective by any court of competent jurisdiction, such a decision shall not affect the validity or effectiveness of the remaining portions of this ordinance, or any part thereof. City Council hereby declares it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof, without regard to the fact that one or more subsections, subdivisions, paragraphs, sentences, clauses, or phrases, are declared unconstitutional, invalid, or ineffective.

Section 4. This Ordinance shall take effect and be in full force and operation thirty (30) days after its final passage and adoption.

Section 5. 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 ***, 2011.

BERT HACK, Mayor

ATTEST:

YOLIE TRIPPY
Deputy City Clerk

APPROVED AS TO FORM:

DAVID B. COSGROVE
City Attorney

State of California)
County of Orange)
City of Laguna Woods)

I, YOLIE TRIPPY, Deputy City Clerk of the City of Laguna Woods, do HEREBY CERTIFY that the foregoing **Ordinance No. 11-**** was duly introduced and placed upon its first reading at a Regular Meeting of the City Council on the 21st of September 2011, and that thereafter, said Ordinance was duly adopted and passed at a Regular Meeting of the City Council on the ** day of *** 2011 by the following vote to wit:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

YOLIE TRIPPY, Deputy City Clerk

7.1
CONDITIONAL USE PERMIT FOR THE SALE
OF ALCOHOLIC BEVERAGES (CUP-746)

City of Laguna Woods Agenda Report

DATE: October 19, 2011, City Council Meeting

TO: Honorable Mayor and Council Members

FROM: Leslie Keane, City Manager 

AGENDA ITEM: Conditional Use Permit for the Sale of Alcoholic Beverages (CUP-746)

Recommendation

- A. Receive Staff Report
- B. Open Public Hearing
- C. Receive Public Comment
- D. Close Public Hearing
- E. Adopt a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT CUP-746 FOR THE SALE OF ALCOHOLIC BEVERAGES TYPE 51 "CLUB" PERMIT AT THE GOLF STARTER BUILDING LOCATED AT 24211 MOULTON PARKWAY

Background

The Golden Rain Foundation is seeking approval for the sale of alcohol at the newly constructed Golf Starter Building (SDP 602/CUP 603) approved in August of 2010 and anticipated to be complete by early November 2011. The original Golf Starter Building did retain a Type 51 "Club" permit (license no. 9866). However, at the time of construction, Golden Rain Foundation changed the address of the Golf Starter

Building from 24112 Moulton Parkway to 24122 Moulton Parkway, thus requiring a new application for an ABC license from the Alcoholic Beverage Control Board.

The Golf Starter Building is located at 24122 Moulton Parkway within the Gate 12 entrance of the Laguna Woods Village. The zoning on the property is Open Space-Recreational (OS-R), which is intended to provide for the development and preservation of public and private parks and associated recreation facilities within open space areas. Clubhouses and dining facilities are permitted in open space recreation districts subject to a conditional use permit. The sale of alcohol is an accessory use to the Golf Starter Building clubhouse and dining operations.

Discussion

Issue 1: Alcohol Sales

The sale of alcoholic beverages is regulated by the State Department of Alcoholic Beverage Control (ABC). Any business within the State that desires to sell alcoholic beverages must first obtain a license from ABC. Prior to the issuance of an alcohol sales permit, ABC requires that the local land use authority provide authorization. In the City of Laguna Woods, the sale of alcoholic beverages requires a conditional use permit.

There are many types of alcohol sales. Depending on the type of alcohol sales, there are varying potential impacts that might significantly affect surrounding land uses or create law enforcement issues. For example, bars and liquor stores tend to create certain concerns with local law enforcement agencies such as excessive noise, loitering, driving under the influence (DUI), and litter. The Golden Rain Foundation is seeking a Type 51 "Club" license which authorizes the sale of beer, wine, and distilled spirits to organization members and guests. Under the Type 51 license, food service is not required and consumption is limited to the subject premises. Alcohol sales associated with private clubs tend to be more passive and less of an enforcement concern. The Golf Starter facility is only available to Laguna Woods Village residents and their guests. The facility will have a cafe open from 6:00 a.m. to 6:00 p.m. with beer, wine, and spirits being available. Additionally, the banquet room which may be reserved until 9:00 p.m. is available for private events where alcohol beverages would be available by reservations only. Under the use restriction and terms of a "Club" license, there is more control over who can purchase alcohol and under what conditions.

The Golf Starter Building is - for the most part - surrounded by private recreational uses which would not be expected to be impacted by the addition of alcohol sales.

Surrounding Land Uses:

<u>Direction</u>	<u>Zoning</u>	<u>Land Use</u>
North	OS-R Open Space Recreation	Golf Course
South	OS-R Open Space Recreation	Golf Course & Tennis Courts
East	OS-R Open Space Recreation	Golf Course
West	OS-R Open Space Recreation	Parking lot & Clubhouse II

From a law enforcement perspective, there is often a concern with over saturation of alcohol-related uses and businesses. In an effort to limit over-saturation associated with new applications, many jurisdictions establish minimum distance separations from sensitive land uses and existing alcohol sales. The City of Laguna Woods currently has not adopted standards that would place limitations on approving an application based on saturation. However, when reviewing discretionary permits, the decision makers may consider saturation concerns when considering alcohol permit applications. For the purpose of looking at the saturation issue, Staff has identified the ABC license holders within a 1000' radius. Use of the 1000' radius for review is based on previous City applications, as well as past experiences with other jurisdictions.

Existing Alcohol Sales within 1000' Radius

Business	Type of Sales
Clubhouse 7 - 24111 Moulton Parkway	Type 51 "Club"
Clubhouse 2 - 24112 Moulton Parkway	Type 51 "Club"
ARCO Station AM/PM - 24181 Moulton Parkway	Type 20 "Off-Sale Beer & Wine"

The ABC license review shows there are two Type 51 "Club" permits in the review area and one Type 20 "Off-Sale Beer and Wine" associated with ARCO Station AM/PM. Typically saturation is a concern when there is an excessive amount of one license type or a combination of license types that might result in a cumulative negative impact. Based on the 1000' ABC license review, the area does not appear to be saturated.

In addition to Clubhouse 2 and Clubhouse 7, the applicant GRF, possesses four additional Type 51 "Club" licenses for Clubhouses 1, 3, 5, and 6 which are spread throughout the Laguna Woods Village community. These licenses pre-date the adoption of the current City zoning standards and did not require a conditional use

permit at the time of issuance. A review of all licenses maintained by the applicant indicates that there is no history of violations or disciplinary action.

Issue 2: Police Services Input

The Orange County Sheriff's Department (OCSD) provides the City's police services. The Chief of Police Services was contacted to comment on the proposed application. Because of the nature of the application and lack of alcohol related problems in the area, Police Services has no concerns associated with approval of this application.

Environmental Review

The proposed project is categorically exempt from the requirements for the preparation of environmental documents under section 15301 "Existing Facilities" of the California Environmental Quality Act.

Advisory Committee Action

The Land Use and Design Review Committee reviewed and discussed the proposed application for alcohol sales at their October 13, 2011 meeting. The Committee questioned if the Club 51 "Club" license allows golfers to take their alcoholic beverage outside the clubhouse to be consumed on the golf course itself. Per ABC, any license issued to a golf course facility or any license issued to a licensee that operates at a golf course facility, entitles the licensee to make sales of alcoholic beverages from any golf cart, which the licensee operates on the golf course premises and, therefore, the entire golf course would be authorized for the sale and consumption of alcoholic beverages.

During the discussion an issue arose regarding the consumption of alcohol while driving a golf car, which is a motor vehicle. Although not relative to the issuance of the City's conditional use permit or the ABC license, staff is pursuing this matter with the Sheriff's department.

Upon a motion, the Land Use and Design Review Committee voted unanimously to recommend approval of the conditional use permit to City Council, subject to the conditions of approval.

Fiscal Impact

The issuance of this permit could have an impact on City costs related to public safety and law enforcement, but this is not expected to be significant, unless the golf car issue noted above becomes an issue. In addition, the City may experience a slight increase in

sales tax revenue associated with the sale of beer, wine, and distilled spirits. Laguna Woods recovers all of its costs to process the permit through the established permit processing fees.

Conclusion

Approval of the proposed conditional use permit will result in the ability of Golden Rain Foundation to obtain a State license from ABC for the sale of alcohol associated with activities at the Golf Starter facility. It is unlikely that there will be any negative impact to surrounding land uses and there is not an over-saturation of alcohol licenses within the area. There are no fiscal, environmental or police service concerns associated with the application and the Land Use and Design Review Committee unanimously recommended approval of Condition Use Permit CUP-746, subject to the conditions of approval.

Attached: 1. Resolution
 2. Vicinity Map

RESOLUTION NO. 11-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT CUP-746 FOR THE SALE OF ALCOHOLIC BEVERAGES TYPE 51 "CLUB" PERMIT AT THE GOLF STARTER BUILDING LOCATED AT 24211 MOULTON PARKWAY

WHEREAS, the City Council of the City of Laguna Woods has considered conditional use permit application CUP-746 for the sale of alcoholic beverages Type 51 "Club" which authorizes the sale of beer, wine, and distilled spirits in accordance with the city's municipal code; and

WHEREAS, the proposed project is categorically exempt from the requirements for the preparation of environmental documents under Section 15301 "Existing Facilities" of the California Environmental Quality Act; and

WHEREAS, the Land Use and Design Review Committee, in a public meeting on October 13, 2011, considered the Conditional Use Permit and recommended City Council approval subject to certain conditions; and

WHEREAS, the City Council held a duly noticed public hearing on October 19, 2011, to consider the Conditional Use Permit; and

WHEREAS, the City Council at such public hearing received comments from all those in attendance wishing to speak; and

WHEREAS, the City Council has considered the information and public testimony presented in the public hearings and in the proposed documents and staff reports, all of which are included in the public record and incorporated herein by reference; and

WHEREAS, City Council makes the following findings, subject to the conditions of approval:

1. The proposed Project is consistent with the City of Laguna Woods General Plan; and

2. The use, activity, or improvements proposed are consistent with the provisions of the City Zoning Code; and
3. The approval of the permit application is in compliance with the requirements of the California Environmental Quality Act; and
4. The location size, design, and operating characteristics of the proposed use will not create conditions or situations that may be incompatible with other permitted uses in the vicinity; and
5. The approval of the permit application will not result in conditions or circumstances contrary to the public health, safety and general welfare; and
6. The approval of the permit application is in compliance with all City-required public facilities regulations, and

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

SECTION 1. The above recitals are true and correct.

SECTION 2. Based on the information presented by the applicant, public testimony at the public hearing and staff report analysis, the City Council approves use permit application CUP-746 subject to the following conditions:

GENERAL PROJECT CONDITIONS

1. The Applicant, or successor in interest, shall abide by and faithfully comply with any and all conditions of this permit. Failure to comply with the conditions of this permit constitutes grounds for revocation of said permit by the City of Laguna Woods City Council.
2. The applicant, or successor in interest, shall agree, as a condition of issuance of this permit, to at its sole expense, defend, indemnify, and hold harmless the City, its officers, employees, agents and consultants from any claim, action, or proceeding against the City, its officers,

agents, and employees to attach, set aside, void or annul an approval of the City Council, Planning Agency, or other decision-making body, or staff action concerning this project. The applicant shall pay the City's defense costs and shall reimburse the City for court costs and attorney fees that the City may be required by a court to pay as a result of such defense. The applicant may at its sole discretion participate in the defense or any such action under this condition.

3. The permit is granted for the property as described in the application and shall not be transferable from one parcel or suite to another.
4. This permit shall become null and void within 24 months from the date of its issuance, unless the proposed development or use has been diligently pursued. The issuance of a State Alcoholic Beverage Control license shall constitute evidence of diligent pursuit.
5. The development or use by the Developer of any activity or structure authorized by this permit shall constitute acceptance of all of the conditions and obligations imposed by the City on this permit. The Developer by said acceptance waives any challenge as to the validity of these conditions.
6. The Applicant and applicant's successors in interest shall be fully responsible for knowing and complying with all conditions of approval, including making known the conditions to City staff for future governmental permits or actions on the project site.
7. The Applicant and applicant's successors in interest shall be responsible for payment of all applicable fees along with reimbursement for all City expense in ensuring compliance with these conditions.
8. This approval constitutes approval of the project only to the extent that it complies with the City Zoning Code and any other applicable City standards. Approval does not eliminate the need for building permits or include any action or finding as to compliance or approval of any other applicable Federal, State or Local ordinance, regulation or requirement.
9. Consumption of alcohol shall be limited to the interior of the establishment and established outdoor seating areas associated with

the primary clubhouse facility. No off premise alcohol sales are permitted.

- 10. The applicant shall post warning signs at each temporary or permanent bar, dining table as required by the City Health and Sanitation Code stating the danger associated with drinking. The warning shall contain the following message: "WARNING: Drinking Distilled Spirits, Beer, Coolers, Wine and Other Alcoholic Beverages May Increase Cancer Risk and During Pregnancy, Can Cause Birth Defects."
- 11. There shall be no advertising of alcoholic beverages visible to the outside of the facility
- 12. Smoking in unenclosed areas shall be prohibited within a reasonable distance of 20 feet from any entrance, opening, crack or vent into an enclosed area where smoking is prohibited.

PASSED, APPROVED AND ADOPTED ON THE 19TH DAY OF October, 2011.

BERT HACK, 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. 11-XX** was duly adopted by the City Council of the City of Laguna Woods at a regular meeting thereof, held on the ___ day of _____ 2011, by the following vote:

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

YOLIE TRIPPY, Deputy City Clerk



Vicinity Map

24122 Moulton Parkway

7.2
TEMPORARY USE AND SPECIAL EVENTS
REGULATIONS (NO REPORT)

8.1
ADVISORY COMMITTEE APPOINTMENTS

City of Laguna Woods Agenda Report

FOR: October 19, 2011 City Council Meeting

TO: Honorable Mayor and Councilmembers

FROM: Leslie A. Keane, City Manager 

AGENDA ITEM: Advisory Committee Appointments

Recommendation

Approve proposed appointments to citizen advisory committees.

Background

Administrative Policy 2.1 allows councilmembers to appoint individuals to City advisory committees, subject to ratification by the Council as a whole, and the City Council as a whole to appoint committee chairpersons.

Discussion

The Chair of the Public Safety Committee has offered her resignation to pursue service on the Board of Directors of United Laguna Hills Mutual. The Vice-Chair, George Henderson, was elected by his fellow committee members to act in the absence of the Chair. Since the position of Chair is for two years, staff recommends that the Council appoint Mr. Henderson as Chair of the Public Safety Committee for the balance of the current term (through December 2012).

In addition to the vacant Chair position, the Public Safety Committee has three member vacancies. Mayor Pro Tem Connors has nominated resident Mark Monin for membership to this committee.

Fiscal Impact

Funding for staffing and advisory committee activities is included in the current year budget.

Conclusion

If the above appointments are approved, the Public Safety Committee will have three vacancies (Mayor Hack and Councilmembers Rhodes and Robbins); the Community Services Committee will have one vacancy (Mayor Pro Tem Conners), and the Land Use Committee will have one vacancy (Mayor Hack).

8.2
CITY COUNCIL MEETING SCHEDULE
(NO REPORT)

**9.1
NO RIGHT TURN ON RED LIGHT SIGNS**

City of Laguna Woods Agenda Report

FOR: October 19, 2011 City Council Meeting
TO: Honorable Mayor and Councilmembers
FROM: Douglas C. Reilly, Assistant City Manager 
AGENDA ITEM: No Right Turn on Red Light Signs

Recommendation

- A. Install “no right turn on red light” signs at the following locations (Public Safety Committee and City Traffic Engineer):
1. Avenida Sevilla southbound approach to El Toro Road (Laguna Woods Village Gate 5)
 2. Laguna Woods Village Gate 16 eastbound approach to Moulton Parkway

AND

- B. Install “no right turn on red light” signs at Calle Sonora northbound approach to El Toro Road (City Traffic Engineer)

Background

Section 21453 of the California Vehicle Code provides that:

(a) A driver facing a steady circular red signal alone shall stop at a marked limit line, but if none, before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection, and shall remain stopped until an indication to proceed is shown, except as provided in subdivision (b).

(b) Except when a sign is in place prohibiting a turn, a driver, after stopping as required by subdivision (a), facing a steady circular red signal, may turn right, or turn left from a one-way street onto a one-way street. A driver making that turn shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to any vehicle that has approached or is approaching so closely

as to constitute an immediate hazard to the driver, and shall continue to yield the right-of-way to that vehicle until the driver can proceed with reasonable safety.

Currently, there are 14 signalized intersections (identified below) within the City of Laguna Woods:

- El Toro Road/Aliso Creek Road
- El Toro Road/Calle Corta
- El Toro Road/Canyon Wren
- El Toro Road/Calle Sonora
- El Toro Road/Home Depot-Town Centre
- El Toro Road/Moulton Parkway
- El Toro Road/St. Nicholas Catholic and Lutheran Churches
- El Toro Road/Avenida Sevilla
- Moulton Parkway/Santa Maria Avenue
- Moulton Parkway/Village Gate 12
- Moulton Parkway/Via Campo Verde
- Moulton Parkway/Calle Cortez
- Moulton Parkway/Via Iglesia
- Moulton Parkway/Calle Aragon

Other intersections which border the City are controlled by neighboring cities.

The City of Laguna Woods, at the recommendation of its traffic engineer, has established and signed the following locations as “no right turn on red light” due to limited sight lines for drivers making right turns:

- El Toro Road/Calle Corta – no right turn on red southbound, out of Calle Corta onto El Toro Road
- Moulton Parkway/Village Gate 12 – no right turn on red westbound, out of Gate 12 onto Moulton Parkway
- Moulton Parkway/Via Campo Verde – no right turn on red westbound, out of the Willow Tree Center onto Moulton Parkway
- Moulton Parkway/Calle Cortez – no right turn eastbound, out of Calle Cortez onto Moulton Parkway
- Moulton Parkway/Via Iglesia – no right turn eastbound, out of Via Iglesia onto Moulton Parkway

**STOPPING SIGHT DISTANCE
(AUGUST 30, 2011)**



1) VILLAGE GATE 5 (LOOKING EAST) @ EL TORO ROAD (POSTED 35 MPH)



2) VILLAGE GATE 5 (LOOKING EAST) @ EL TORO ROAD (POSTED 35 MPH)

**STOPPING SIGHT DISTANCE
(AUGUST 30, 2011)**



1) VILLAGE GATE 14 (LOOKING WEST) @ EL TORO ROAD (POSTED 50 MPH)



2) VILLAGE GATE 14 (LOOKING WEST) @ EL TORO ROAD (POSTED 50 MPH)

**STOPPING SIGHT DISTANCE
(AUGUST 30, 2011)**



1) VILLAGE GATE 16 (LOOKING NORTH) @ MOULTON PARKWAY (POSTED 45 MPH)



2) VILLAGE GATE 16 (LOOKING NORTH) @ MOULTON PARKWAY (POSTED 45 MPH)

In January 2010, the City Council approved three additional locations for “no right turn on red light” signs that were recommended by the traffic engineer, Public Safety Committee and staff because of conflicts with pedestrian crossings and vehicular turning movements:

- El Toro Road/Avenida Sevilla, off El Toro Road westbound onto Avenida Sevilla
- El Toro Road/Calle Sonora, off El Toro Road westbound onto Calle Sonora
- El Toro Road/Town Centre Drive, off of El Toro Road westbound onto Town Centre Drive

Initially, painted signs were installed that did not permit right turn movements on red lights all the time. Later, the painted signs were replaced with LED automated signs that light when pedestrians push the buttons to cross El Toro Road or the cross streets, or if vehicles are turning from eastbound left turn lanes onto the cross streets.

The decisions to prohibit right turns on a red light are made based on the individual circumstances of each location and include consideration of sight lines, speed and flow of traffic, frequency of pedestrian crossings and past accidents at each location.

Discussion

Over the past few months, the Public Safety Committee reviewed current “no right turn on red light” locations and the possibility of recommending additional locations. Based on their discussion, the following new locations were reviewed and recommended by the City’s traffic engineer due to limited sight lines (see attached photographs):

- Avenida Sevilla southbound approach to turn west on El Toro Road (Laguna Woods Village Gate 5)
- Laguna Woods Village Gate 16 eastbound approach to turn south on Moulton Parkway
- Calle Sonora northbound approach to turn east on El Toro Road (Laguna Woods Village Gate 14)

Following discussion, the Public Safety Committee recommended that “no turn on red light” signs be added at the following locations, agreeing with the City traffic engineer:

- Avenida Sevilla southbound approach to turn west on El Toro Road (Laguna Woods Village Gate 5)
- Laguna Woods Village Gate 16 eastbound approach to turn south on Moulton Parkway

On a split vote, the Public Safety Committee did not recommend the following location because the majority believed that sight lines at this location are sufficient:

- Calle Sonora northbound approach to turn east on El Toro Road (Laguna Woods Village Gate 14)

If approved, painted signs would be installed that would be effective at all times. LED automated signs would not be used.

Conclusion

Laguna Woods Municipal Code authorizes the city manager “to determine the installation, design, operation, and maintenance of traffic control devices...” within the City. It is the current policy to take these matters to the Public Safety Committee for review, and when the Committee and the City traffic engineer do not agree, staff forwards the recommendations to the City Council for resolution. The City’s traffic engineer is recommending the installation of “no right turn on red light” signs at three new locations; the Public Safety Committee is not in agreement with one of the proposed locations.

Approved by:



Leslie A. Keane
City Manager