

CITY OF LAGUNA WOODS, CALIFORNIA
CITY COUNCIL MINUTES
REGULAR MEETING
April 18, 2012
2:00 P.M.

I. CALL TO ORDER

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

II. FLAG SALUTE

Councilmember Rhodes led the flag salute.

III. ROLL CALL

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

STAFF PRESENT: City Manager Keane; Assistant City Manager Reilly; Public Safety
 Director Macon; Deputy City Clerk Trippy; City Attorney Cosgrove

IV. PRESENTATIONS – None

V. CITY COMMENDATIONS AND PROCLAMATIONS

Moved by Councilmember Hack, seconded by Councilmember Rhodes, and carried unanimously to approve City Commendations and Proclamations:

5.1 Proclamation – Environmental Awareness Days, April 22 – 27, 2012

Mayor Connors announced that the Laguna Woods Goods Exchange will take place at City Hall on Saturday, April 21st from 8:30 a.m. – 1:00 p.m. She discussed the various services that will be provided on the day of the event and encouraged residents bring in their unwanted items.

VI. CONSENT CALENDAR

City Manager Keane announced that staff has additional updates regarding Item 6.8 and requested the item be removed from the Consent Calendar. The item will be presented at the May 16, 2012 meeting.

Moved by Councilmember Robbins, seconded by Councilmember Hack, and carried unanimously to approve Consent Calendar Items 6.1 – 6.7 and 6.9 – 6.10.

6.1 City Council Minutes

Approved the minutes from the March 21, 2012 regular meeting.

- 6.2 Approved the reading by title of all ordinances and resolutions. Said ordinances and resolutions that appear on the public agenda shall be determined to have been read by title only and further reading waived.

6.3 Treasurer's Report

Received and filed the March 2012 monthly Treasurer's Report.

6.4 Warrant Register

Approved the April 18, 2012 Warrant Register in the amount of \$592,974.36.

6.5 Annual Audit Services

Approved a three year agreement for annual auditing services and two one year options for renewal, with Gruber and Associates, Inc.

6.6 Construction and Demolition Regulations

Adopted **Ordinance No. 12-05** pertaining to construction and demolition materials management, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING CHAPTER 4.24 OF THE LAGUNA WOODS MUNICIPAL CODE PERTAINING TO CONSTRUCTION AND DEMOLITION MATERIALS MANAGEMENT

6.7 FY 2012-13 COMMUNITY DEVELOPMENT BLOCK GRANT

A. Authorized the City Manager and Mayor to execute agreements with the County of Orange for the receipt of Community Development Block Grant (CDBG) Funds in FY 2012-13, subject to approval as to form by the City Attorney.

B. Designated the City Manager and Community Services Manager as staff responsible for the City's FY 2012-13 CDBG Projects.

6.9 Engineering and Traffic Signal Maintenance Contract Services

Authorized the City Manager to execute an agreement with CivilSource, Inc. for City engineering, traffic engineering, and street light operation and engineering services, subject to approval of the contract as to form by the City Attorney.

6.10 Moulton Smart Street Improvements

Authorized the City Manager to execute an agreement with David Evans and Associates,

Inc. in the amount of \$180,370, plus authorize change orders not to exceed 15%, for landscape architectural and oversight services for the final phase of the Moulton Smart Street improvements, subject to approval of the contract as to form by the City Attorney.

VII. PUBLIC HEARING – None

VIII. CITY COUNCIL

8.1 Earthquake Insurance Affordability Act

City Manager Keane announced that there has been proposed legislation from both the senate and congress pertaining to earthquake insurance and she introduced Public Safety Director Chris Macon.

Public Safety Director Macon summarized the agenda report and noted that the proposed legislation is designed to lower the cost of premiums by 20%, at no cost to tax payers, by allowing the federal government to guarantee bonds.

Councilmember Hack remarked that the Earthquake Insurance Affordability Act would provide a Federal guarantee with a rationale that eliminates a profit motive and makes it more affordable to consumers.

Mayor Connors expressed her opinion that the cost for earthquake insurance are outweighed by the benefits for those who live in a co-op or condominium. She expressed support of the proposal. She and Councilmember Rhodes commented on the high deductible associated with earthquake insurance.

Public Safety Director Macon clarified that the deductible is typically based on 15% of the amount insured, and that total damages must reach that amount in order for coverage to take effect. This is often a disincentive to purchase the insurance. He noted that homeowners believe that the Federal Emergency Management Agency (FEMA) will provide assistance in the event of a catastrophic earthquake; however, FEMA typically has a limit that does not exceed \$30,000 per household if funding is even available. And FEMA's assistance is generally a loan which the homeowner must pay back.

Councilmember Hack discussed the difference between individual loss and the proposed legislation's broader coverage. He suggested that the homeowner's associations (HOA) consider supporting the proposed legislation.

Moved by Councilmember Hack, seconded by Mayor Connors, and carried unanimously to approve the City's support for the Earthquake Insurance Affordability Act and authorized staff to draft letters in support for the Mayor's signature.

IX. CITY MANAGER

9.1 Disaster Recovery Initiative

Public Safety Director Macon summarized the agenda report and noted that the Initiative

will improve the City's public safety/emergency management capabilities and open new opportunities for non-emergency pre-disaster grant assistance. Council has already taken steps toward Local Hazard Mitigation Plan (LHMP) by adopting two ordinances regarding Fire Hazard Severity Zones and approving a regulations pertaining to Flood Insurance.

Councilmember Hack discussed the various disasters which the City has faced over the years and expressed support for the Disaster Recovery Initiative projects.

Mayor Connors thanked staff for keeping the community safe and for finding grant funding to implement such programs. She asked if any new building standards would apply only to renovations, since the City is considered to be built out. She asked if staff has considered a program for generator back-up to existing cell towers and gas stations.

City Manager Keane stated that once the City has approved a project, it generally cannot go back and modify the requirements. The City could make the renovations voluntary and/or provide funding, if available, for any new regulations.

City Attorney Cosgrove concurred with City Manager Keane that the City certainly could not modify its regulations under the development/permitting process.

Councilmember Rhodes asked if accidents at the San Onofre Nuclear Generating Station (SONGS) would be included; he noted a meeting he attended at SONGS and asked if resident Bert Moldow could be allowed to comment on issues at the nuclear station.

Public Safety Director Macon noted that radiological accident issues that might occur are addressed on the LHMP list.

Councilmember Rhodes noted that this type of incident should be at the top of the list as a priority.

Public Safety Director Macon replied that the first five types of incidents are considered priorities; but the remainder are not listed in any order of priority.

Bert Moldow, resident, stated that there is no way to predict earthquakes and that the community should consider the consequences to risks associated with SONGS. He discussed the various health risks and the idea of energy shortage versus surplus, and referred residents to the www.sanonofresafety.org website.

Councilmember Hack noted that it took special negotiations to assure that the elderly community in Laguna Woods would have access for certain necessities during a brown-out. He also remarked on the issues related to coal-fired electricity and the laws preventing nuclear waste disposal. He agreed that it is a rationale process for NRC to close SONGS until safety issues are resolved; but remarked that the larger problem is how to produce sufficient energy.

Mayor Connors reminded Council and the audience that the topic of discussion is the City's plan for Hazard Mitigation.

Councilmember Rhodes noted that he wanted to discuss an evacuation plan, in the event of a disaster.

City Manager Keane replied that an evacuation plan is not a part of the LHMP, but will be prepared following completion of the mitigation plan.

Councilmember Robbins suggested that a system should be implemented to notify residents of the exit areas, in the event of a major disaster.

Mayor Connors announced that the City has a reverse 9-1-1 notification system in place in the event of emergencies.

The City Council reached consensus to proceed with the Disaster Recovery Initiative projects, as submitted, in order to improve the City's public safety/emergency management capabilities and open new opportunities for non-emergency disaster grant assistance.

X. COMMITTEE REPORTS

10.1 Transportation Corridor Agencies (Mayor Hack)

Councilmember Hack reported that the Agency discussed toll fees and ways to develop modernized roads through public-private partnerships.

10.2 Orange County Library Board (Councilmember Robbins)

Councilmember Robbins reported that the Board's Finance Committee will meet on May 3, 2012 and that the next full Board meeting is scheduled for May 31, 2012, both of which he plans to attend.

Mayor Connors reported that OC Library personnel are planning to provide additional training to various senior facilities as a result of a successfully E-Library event which took place at City Hall.

10.3 Orange County Fire Authority (Councilmember Rhodes)

Councilmember Rhodes reported that a ceremony will take place on April 20th to acknowledge the agreement between OCFA and the City of Santa Ana. He also reported that an equity study showed discrepancies between donor cities and under-funded cities. An Equity study is being formed which will return to the Board with recommendations for possible adjustments to address the discrepancies. He reported that the Community Civic Association and Village Disaster Preparedness Task Force will co-sponsor a Fire Safety Program at 1 p.m. on April 26th at Club House 5 for Village residents.

Councilmember Hack asked how the retirement pensions for the firefighters for the City of Santa Ana would be integrated into OCFA's retirement system; and the effect it would have, if any, on other Authority members.

Councilmember Rhodes stated that Santa Ana's retirement system is equitable with that of OCFA. As new firefighters are hired, they will be under OCFA's retirement system; existing firefighters will remain the responsibility of Santa Ana.

Councilmember Hack asked if the City of Santa Ana will be responsible for the firefighters it had formerly employed, while new recruits will be enrolled in OCFA's retirement plan.

City Manager Keane clarified that firefighters previously employed by the City of Santa Ana were covered under CalPers for the period they were employed by Santa Ana; as new hires to OCFA they will be covered by the Orange County Employees' Retirement System (OCERS) for the period they are employed by OCFA.

Councilmember Rhodes stated that the City of Santa Ana will save \$10 million each year as a result of the merge and will go through a retraining process.

- 10.4 Southern California Water Committee (Mayor Hack)
Councilmember Hack reported that the next quarterly meeting is scheduled for April 27, 2012. The Committee will discuss whether or not to remove the proposed ballot initiative, due to the current economic state.
- 10.5 Coastal Greenbelt Authority (Mayor Pro Tem Connors)
Mayor Connors reported that there was no meeting.
- 10.6 Laguna Canyon Foundation (Councilmember Rhodes)
Councilmember Rhodes reported that the Foundation will hold its first Advisor Emeritus meeting on April 19, 2012. He further reported that the Foundation received \$12,096 in grant funds from the Orange County Conservation Corps which will provide funding for the "work to restore and improvement projects". He stated that agreements are underway to establish a nature center in the Aliso and Wood Canyon Wilderness Park and that there are only 16 parcels remaining for the completion of the land acquisition process.
- 10.7 Vector Control District Board (Councilmember Robbins)
Councilmember Robbins stated that there were no reports of West Nile Virus (WNV) either in the City or the neighboring cities of Lake Forest and Laguna Hills. There have been no reports of human cases of the WNV since March 31, 2012. Councilmember Robbins reminded the public to empty out any standing water from potted planters that would otherwise attract mosquitoes.

XI. PUBLIC COMMENTS

Robert Groz, resident, suggested that the City enforce traffic regulations inside the gated community under the California Vehicle Code. He noted that he understood that the City had previously offered this service, but that the Golden Rain Foundation (GRF) declined the offer.

Mayor Connors stated that Council will discuss it with staff and will determine if it will be placed on the agenda for a future meeting.

Ellie (no last name provided), resident, discussed an incident she experienced at Gate 14 when traffic was delayed for one and one-half hours as a result of a traffic accident at El

Toro Road. She believes that the lack of exits in the area mentioned is a “recipe for disaster.” She asked why the additional exit in the area is kept locked.

City Manager Keane stated that Gate 14 has had only one exit for many years; however, OCFA required an additional exit and the community worked with the City of Aliso Viejo to develop a second exit for disasters. This exit opens into a park area in the City of Aliso Viejo and the Village agreed that it would be locked unless an evacuation was required.

Councilmember Hack discussed the negotiations between OCFA, Aliso Viejo, and the Village which took place ten years ago that prompted the additional exit. As a result of the agreement, the gate can be unlocked only for major disasters such as a wildland fire evacuation.

City Manager Keane noted that the gate can be opened by OCFA or the Orange County Sheriff’s Department, based on the agreement with the community association in Aliso Viejo.

The resident expressed her opinion that this is not a realistic solution. She expressed frustration with the lack of assistance she received from the gate guards and Village security.

Mayor Connors suggested that concerned residents should speak with GRF to address the lack of communication with the gate guards.

Caroline Epstein, resident, stated that she is aware that another locked gate exists which is located at Avenida Del Sol and asked who is responsible for that gate.

City Manager Keane stated that the homeowners’ association (HOA) and/or adjacent property owners would be responsible and that the City has no authority in this matter.

Councilmember Hack concurred with City Manager Keane that the City has no authority to operate the gates and that the issue must be addressed with the HOA.

XII. CITY COUNCIL COMMENTS AND ANNOUNCEMENTS

12.1 Reports on Meetings Attended per Government Code SS53232.3

A. Water Advisory Committee of Orange County, April 13, 2012

Councilmember Hack reported that the speaker at this meeting from the Air Quality Management District discussed the possible effects of the Salton Sea on air quality if the declining water is not restored to certain levels.

12.2 Other Meetings, Comments and Announcements

Mayor Connors reported on her attendance at the Village Space Balloon Club event. The Club launched a space balloon from Catalina Island which landed in Riverside County.

Councilmember Rhodes announced that Soka University is celebrating their 11th Year Anniversary with an international festival on Saturday, May 5, 2012 from 10:30 a.m. – 5:30 p.m. He will be there at 2:00 p.m. for the ceremonial introductions, and he encouraged the public to attend the festivities.

Mayor Connors reported that the Laguna Beach Animal Shelter will host a free clinic for Laguna Woods dog/cat spay/neuter during the month of May; reservations must be made by April 30, 2012. She also noted recent sightings of coyotes in the vicinity of Gates 9, 10 and 11. She warned residents to take precaution by keeping their pets on leash, walking in pairs and carrying a stick or noise maker.

XIII. CLOSED SESSION

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

The City Council reconvened in open session at 4:59 p.m. City Attorney Cosgrove advised that there was no reportable action.

XIV. ADJOURNMENT

The meeting was adjourned at 5:00 p.m. The next adjourned regular meeting will be at 2:00 p.m. on Wednesday May 2, 2012 at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

YOLIE TRIPPY, Deputy City Clerk

Adopted: May 16, 2012

CYNTHIA S. CONNERS, Mayor