

**CITY OF LAGUNA WOODS, CALIFORNIA
CITY COUNCIL MINUTES
ADJOURNED REGULAR MEETING
June 23, 2010
10:00 A.M.**

I. CALL TO ORDER

Mayor Robbins called the Regular Meeting of the City Council of the City of Laguna Woods to order at 10:00 a.m.

II. FLAG SALUTE

Councilmember Rhodes 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. CONSENT CALENDAR

Moved by Councilmember Ring, seconded by Councilmember Rhodes, and carried unanimously to approve Consent Calendar Items 4.1 – 4.3.

4.1 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.

4.2 November 2010 Municipal Elections

Adopted two resolutions calling for the November 2010 Election:

Resolution No. 10-05 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 2, 2010 FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES

AND

Resolution No. 10-06 A RESOLUTION OF THE CITY COUNCIL OF

THE CITY OF LAGUNA WOODS, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF ORANGE TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 2, 2010, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT TO § 10403 OF THE ELECTION CODE

4.3 Fiscal Year 2010-11 Annual Budget

A. Adopted four resolutions related to the implementation of the Fiscal Year 2010-11 budget, entitled:

1. **Resolution No. 10-07** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, APPROVING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING JULY 1, 2010 AND ENDING JUNE 30, 2010

AND

2. **Resolution No. 10-08** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ADOPTING A SEVEN-YEAR CAPITAL IMPROVEMENT PROGRAM IN CONFORMANCE WITH MEASURE M REQUIREMENTS

AND

3. **Resolution No. 10-09** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, CONCERNING THE STATUS OF THE CIRCULATION ELEMENT OF THE CITY OF LAGUNA WOODS

AND

4. **Resolution No. 10-10** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, APPROVING AND ADOPTING THE ANNUAL APPROPRIATIONS LIMIT FOR THE FISCAL YEAR 2010-11

B. Allocated Supplemental Law Enforcement Services Funds received from the state of California in FY 10-11 to salary, benefits, supervision, equipment and related services for one-half of the cost for the Orange County Sheriff's Department deputy assigned to traffic enforcement in Laguna Woods.

C. Approved **Resolution No. 10-11** authorizing an application for the Transportation Enhancement Funds, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AUTHORIZING THE

APPLICATION FOR FUNDS FOR THE TRANSPORTATION
ENHANCEMENT (TE) PROGRAM UNDER THE 2005 SAFE,
ACCOUNTABLE, FLEXIBLE, EFFICIENT, TRANSPORTATION
ACT-LEGACY FOR USERS (SAFETEA-LU) FOR THE EL TORO
ROAD/ALISO CREEK ROAD PHASE II BICYCLE AND
PEDESTRIAN ENHANCEMENT PROJECT

- D. Approved an agreement with the County of Orange for Fiscal Year 2010-11 law enforcement services in the City of Laguna Woods, and authorized the Mayor to execute the agreement subject to approval as to form by the City Attorney.
- E. Coastal Area Road Improvements and Traffic Signals Fee Program
 - 1. Accepted the distribution of \$361,915.86 in unallocated general Coastal Area Road Improvement and Traffic Signal (CARITS) funds that have been held on the City's behalf by the County of Orange.
 - 2. Authorized the City Manager to execute the CARITS implementation agreement with the County of Orange for the distribution of unallocated general CARITS funds, subject to approval as to form by the City Attorney.
- F. Authorized the City Manager to modify and extend the agreement with Curbside, Inc. for household hazardous waste, electronic waste, medical waste and bulky item collection services to June 30, 2012, subject to approval as to form by the City Attorney.

V. CITY MANAGER

City Manager Keane noted that, contrary to what has been reported in the newspaper, the adopted budget does continue the City's newsletter.

5.1 Integrated Waste Management Franchise Extension

Assistant City Manager Reilly summarized the agenda report.

At Mayor Pro Tem Hack's request, Assistant City Manager Reilly discussed Ware's offer to provide Laguna Woods Village with a 100% Material Recovery Facility (MRF) option at a pass-through cost. The option would be implemented at the Village's discretion and could be for all or a part of the community. Assistant City Manager Reilly noted that the purpose of the franchise is to set minimum service levels and maximum rates.

City Manager Keane and Assistant City Manager Reilly discussed the bulky item pick-up services offered by Ware and those offered by Curbside.

At Councilmember Rhodes' request, Assistant City Manager Reilly discussed the City's diversion rates as expressed in the agenda report and presentation.

Assistant City Manager Reilly discussed Ware's offer to provide Laguna Woods Village

with a guaranteed annual payment if they maintain their separate newspaper bin recycling program. Negotiations would be between Ware and the Village.

In response to Councilmember Conners' inquiry about how many blue bins it would take to cover the entire community, Assistant City Manager Reilly stated that the City's solid waste consultant estimates 300.

City Manager Keane and Assistant City Manager Reilly described the methodology used for labor rates in the proposed agreement. The City proposes a one-time rate increase, as opposed to annual Consumer Price Index (CPI) increases. In the past, Laguna Woods Village expressed a preference for a one-time increase.

Councilmember Conners stated that there is a bill pending in the state legislature that would require the owner of multi-family buildings to provide recycling opportunities.

City Manager Keane noted that "provide recycling opportunities" does not mean a bin at every possible location, but rather recycling opportunities accessible by all residents.

Councilmember Conners asked if tonnage reductions are attributed to use of blue bins.

Assistant City Manager Reilly responded that staff is tracking that information and will provide updates to the City Council.

Assistant City Manager Reilly reviewed what is able to go in blue bins. He noted that polystyrene (Styrofoam) products can only be disposed of in black bins.

Councilmember Rhodes asked what would happen if dry newspaper was not collected separately. He suggested that a full pick-up could be eliminated.

City Manager Keane responded that it is an option for Laguna Woods Village under the proposed agreement. Assistant City Manager Reilly further described the option. He noted that it would be each mutual's responsibility to negotiate with Ware.

City Manager Keane asked Assistant City Manager Reilly if the provision of blue bins for free will continue and be figured into the negotiation process.

Assistant City Manager Reilly indicated that he understands that they will.

Councilmember Ring asked if people have been happy with Ware's service.

Assistant City Manager Reilly replied that, anecdotally, residents are pleased. He noted that the City receives fewer complaints than under the previous franchise hauler.

Councilmember Ring, City Manager Keane, and Assistant City Manager Reilly agreed that Ware has been more cooperative with the City, than other vendors are in other cities.

Shari Horne, resident, asked if a recycling load would be forfeited if the bin contains some building materials, such as a few pieces of wood.

Assistant City Manager Reilly responded that it would not.

Mrs. Horne questioned the 75% to 60% reduction in dumpsters going to the MRF.

Assistant City Manager Reilly reiterated that it results from the use of blue bins and that whatever can go to the MRF would continue to go to the MRF.

City Manager Keane clarified that the percentages are citywide and that the percentage from Laguna Woods Village may be lower.

Mrs. Horne asked how many red bins are in Laguna Woods Village.

City Manager Keane stated that the Village negotiates with Ware and that the City does not control the total number of red bins. Assistant City Manager Reilly indicated that the number of red bins may be double the number of blue bins.

Mrs. Horne stated her preference for blue bins to be placed next to every red bin in order to reduce the amount of wet waste and, in turn, decrease tipping fees.

City Manager Keane responded that it is a good suggestion, but that it would have to be negotiated between the mutuals and Ware.

Councilmember Connors concurred with Mrs. Horne that the ultimate goal is to increase the amount of recyclables and decrease the amount of wet waste.

City Manager Keane stated that the County has been clear that tipping fees will increase even as recycling increases.

Councilmember Connors noted that decreasing the amount of waste in landfills help to minimize costs and extend their life, as well as the life of the equipment that is used.

Assistant City Manager Reilly reminded the City Council that the proposed agreement includes annual CPI increases to cover increases in County tipping fees.

City Manager Keane noted the City signed an agreement for ten-year fixed rate tipping fees that include annual CPI increases.

Assistant City Manager Reilly discussed ongoing problems related to people who move in and out of the community and leave large amounts of trash in and around the bins. He stated that while there is a value for cardboard boxes, when they are not broken down, they take unnecessary space in the bins and cause trash to overflow.

City Manager Keane noted that additional charges are incurred when Ware has to pick-up trash that is left outside bins. She stated that the City does not have the ability to figure the cost of those additional pick-ups into the price charged for the bin.

City Manager Keane discussed the Great Laguna Woods Goods Exchange and the positive effect that it has on diversion.

Shari Horne, resident, commented that an insufficient number of bins are placed at larger buildings and seem to be constantly overflowing. She asked if additional bins could be obtained at a monthly rate of \$20.29.

City Manager Keane responded affirmatively.

Herb Snyder, resident, asked for an explanation of the decrease in trash that would be taken to the MRF and whether Laguna Woods Village would be affected by Ware having contracts with other cities.

Councilmember Connors explained that increased use of blue bins will result in decreased use of red bins.

City Manager Keane stated the City has a guaranteed tonnage amount for the MRF that has never been exceeded. There is also a limit on the total amount of putrescibles.

Assistant City Manager Reilly noted that 60% diversion to a MRF is an estimated amount with a blue recycle program in place.

Mr. Snyder asked if there is any reason to put in or not to put in the amount of putrescibles that will then make other trucks go directly to the landfill.

Assistant City Manager Reilly stated that the franchise states that whatever bins can go to the MRF will go to the MRF.

City Manager Keane stated that the city is unable to include an amount of putrescibles because the limit is on the facility itself.

Councilmember Connors suggested that buildings with the blue bins typically produce a higher amount of putrescibles. She asked if Ware manages their route by providing a separate pick up for areas with blue bins and another for concentrated putrescible bins.

City Manager Keane stated that the City has looked into route schedules, but that it would be difficult and more costly to require changes.

Councilmember Connors suggested that the best thing would be for blue bins to be placed in as many locations as possible.

Jay Ware, General Manager of Madison Materials and Ware Disposal, Inc., stated that they are excited about extending the agreement. He provided additional information on the services they provide and the use of liquefied natural gas for their vehicles.

Moved by Councilmember Ring, seconded by Councilmember Connors, and carried unanimously to award a five-year exclusive franchise to Ware Disposal, Inc. for the period July 28, 2010 through June 27, 2015, for the provision of solid waste collection and disposal services in the City of Laguna Woods, and authorized the City Manager to execute the agreement, subject to approval as to form by the City Attorney.

VI. PUBLIC COMMENTS – None

VII. CLOSED SESSION – None

VIII. ADJOURNMENT

The meeting was adjourned at 10:50 a.m. The next adjourned meeting will be at 2:00 p.m. on Wednesday, July 21, 2010 at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, California 92637.

YOLIE TRIPPY, Deputy City Clerk

Adopted: August 18, 2010

MILT ROBBINS, Mayor