

**CITY OF LAGUNA WOODS, CALIFORNIA
CITY COUNCIL MINUTES
ADJOURNED REGULAR MEETING
June 24, 2009
2:00 P.M.**

I. CALL TO ORDER

Mayor Ring announced the attendance of Councilmember Conners by teleconference from the Wyndham Grand Resort, 265 E. Harmon Avenue, Las Vegas, Nevada and called the Adjourned Regular Meeting of the City Council of the City of Laguna Woods to order at 2:00 p.m.

II. FLAG SALUTE

Javier Soto, Section Manager for Orange County Public Works led the flag salute.

III. ROLL CALL

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

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

IV. CONSENT CALENDAR

Moved by Councilmember Hack, seconded by Councilmember Robbins, and carried unanimously to approve Consent Calendar Items 4.1 – 4.4.

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 Fiscal Year 2009-10 Budget

Adopted four resolutions related to the implementation of the Fiscal Year 2009-10 budget, entitled:

- A. **Resolution No. 09-11** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, APPROVING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING JULY 1, 2009 AND ENDING JUNE 30, 2010

AND

- B. **Resolution No. 09-12** A 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

- C. **Resolution No. 09-13** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, APPROVING THE ANNUAL APPROPRIATIONS LIMIT FOR THE FISCAL YEAR 2009-10

AND

- D. **Resolution No. 09-14** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ESTABLISHING A GENERAL GOVERNMENTAL OVERHEAD RATE OF 46%

4.3 Fiscal Year 2009-10 Law Enforcement Services

Approved an agreement with the County of Orange for Fiscal Year 2009-10 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.

4.4 Fiscal Year 2009-10 Proposition 1B Funding

Adopted **Resolution No. 09-15** authorizing an application to the State of California for Proposition 1B funds for the El Toro Road/Avenida Sevilla Storm Drain Project, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, APPROVING THE APPLICATION TO THE STATE OF CALIFORNIA FOR PROPOSITION 1B FUNDS FOR THE EL TORO ROAD/AVENIDA SEVILLA STORM DRAIN PROJECT

V. **PUBLIC HEARINGS**

5.1 Moulton Parkway Construction Schedule

Assistant City Manager Reilly summarized the agenda report.

Ron Reeves from URS Corporation discussed the construction noise study.

Councilmember Hack asked for clarification on the duration of the project and proposed night hours.

Mr. Reeves responded that night hours are defined as 10 p.m. to 7 a.m. It is anticipated that the project could take up to nine months to complete.

Councilmember Conners stated that the presentation by URS Corporation was very clear and announced that she had no questions on the matter.

Assistant City Manager Reilly suggested amending Noise Mitigation Measure Item #3 to read as follows: "Equipment and work that generates 70 dBa or greater at residences shall be performed by 10 p.m., as shown on table #6 of the Noise Study Report."

Councilmember Robbins expressed his concerns regarding traffic and accessibility for emergency services if construction occurred during the day.

City Manager Keane stated that the Orange County Fire Authority informed the Public Safety Committee that they would be able to deal with either of the proposed construction schedules. She further noted that the Public Safety Committee expressed their concern with the noise level for the residents directly behind the Willow Tree Shopping Center but unanimously determined that the evening construction schedule was preferable.

Assistant City Manager Reilly noted that the City of Laguna Hills approved the evening construction schedule for the segment north of Santa Maria Avenue to El Pacifico.

The public hearing was opened.

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

Councilmember Hack asked if a significant drop in traffic would occur if construction began at 6:30 p.m., instead of 6 p.m.

Javier Soto, Section Manager for Orange County Public Works, stated he would provide staff with specific information for 6-6:30 p.m. He noted the duration of the construction may be prolonged, if the work hours are decreased.

City Manager Keane suggested that the City Council approve the evening construction schedule and add the following language to the agreement, if desired: "The County shall make every effort not to start noisy work until 6:30 p.m. if possible."

Councilmember Rhodes stated that he saw no reason to change the agreement.

Moved by Councilmember Rhodes, seconded by Councilmember Robbins, and carried unanimously to approve a noise variance authorizing construction work on the roadway in the late evening/early morning hours, amended to include the following addition to Noise Mitigation Measure Item #3: "Equipment and work that generates 70 dBa or greater at residences shall be performed by 10 p.m., as shown on table #6 of the Noise Study Report."

VI. CITY MANAGER

6.1 Landfill Disposal of Municipal Solid Waste

City Manager Keane summarized the agenda report.

Councilmember Connors stated that she believes that while the rate increase may seem significant, it is still less than the current rate plus inflation over the past years.

Moved by Mayor Pro Tem Robbins, seconded by Councilmember Rhodes, and carried unanimously to approve an agreement with the County of Orange for the disposal of municipal solid waste; and to authorize the City Manager to execute the agreement subject to approval as to form by the City Attorney.

VII. PUBLIC COMMENTS

None.

VIII. CITY COUNCIL COMMENTS AND ANNOUNCEMENTS

Councilmember Hack commented that the community has considered noise issues in the past and revered the proposal of the El Toro Airport and the Moulton Parkway construction schedule.

Councilmember Rhodes commented on his attendance at South County Senior Services' awards program on June 17, 2009.

IX. ADJOURNMENT

The meeting was adjourned at 2:40 p.m. The next meeting will be at 2:00 p.m. on Wednesday, July 15, 2009 at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

YOLIE TRIPPY, Deputy City Clerk

Adopted: July 15, 2009

ROBERT B. RING, Mayor