

# CITY of LAGUNA WOODS CITY COUNCIL AGENDA

Special Meeting  
Tuesday, May 30, 2017  
12:30 p.m.

Laguna Woods City Hall  
24264 El Toro Road  
Laguna Woods, California 92637

Shari L. Horne  
Mayor

Carol Moore  
Mayor Pro Tem

Cynthia Conners  
Councilmember



Vacant  
Councilmember

Noel Hatch  
Councilmember

***Welcome to a meeting of the Laguna Woods City Council!***

***This meeting may be recorded, televised, and made publically available.***

**Public Comments:** Persons wishing to address the City Council are requested to complete and submit a speaker card to City staff. Speaker cards are available near the entrance to the meeting location. Persons wishing to address the City Council on an item appearing on this agenda will be called upon at the appropriate time during the item's consideration. Persons wishing to address the City Council on an item *not* appearing on the agenda will be called upon during the "Public Comments" item. Persons who do not wish to submit a Speaker Card, or who wish to remain anonymous, may indicate their desire to speak from the floor. Speakers are requested, but not required, to identify themselves.

**Americans with Disabilities Act (ADA):** It is the intention of the City to comply with the ADA. If you need assistance to participate in this meeting, please contact either the City Clerk's Office at (949) 639-0500/TTY (949) 639-0535 or the California Relay Service at (800) 735-2929/TTY (800) 735-2922. The City requests at least two business days' notice in order to effectively facilitate the provision of reasonable accommodations.

REGULAR MEETING SCHEDULE

The Laguna Woods City Council regularly meets on the third Wednesday of each month at 2 p.m.

AGENDA POSTING AND AVAILABILITY

Regular and Adjourned Regular Meetings: Pursuant to California Government Code Section 54954.2 of the Ralph M. Brown Act, the City of Laguna Woods posts agendas at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, California 92637; on the City’s website ([www.cityoflagunawoods.org](http://www.cityoflagunawoods.org)); and, at other locations designated by Resolution No. 02-33, at least 72 hours in advance of regular and adjourned regular meetings. Agendas and agenda materials are available at Laguna Woods City Hall during normal business hours and on the City’s website. Printed copies of agendas and agenda materials are provided at no charge in advance of meetings. After meetings have occurred, a per page fee is charged for printed copies.

Special and Emergency Meetings: Agenda posting and availability for special and emergency meetings is conducted pursuant to all applicable provisions of California Government Code (Ralph M. Brown Act).

AGENDA DISTRIBUTION LISTS

Electronic Distribution: The City of Laguna Woods provides notification of agenda posting and availability via email. To register to receive email notifications, please email [cityhall@cityoflagunawoods.org](mailto:cityhall@cityoflagunawoods.org) or contact the City Clerk’s Office at (949) 639-0500/TTY (949) 639-0535. Please note that the City is not responsible for, and makes no guaranties or warranties related to, the transmission or receipt of email notifications.

Mail Distribution: The City of Laguna Woods is able to mail agendas and/or agenda materials if provided with advance payment for postage and printing (if applicable). To request mail distribution, please email [cityhall@cityoflagunawoods.org](mailto:cityhall@cityoflagunawoods.org) or contact the City Clerk’s Office at (949) 639-0500/TTY (949) 639-0535.

FOR ADDITIONAL INFORMATION

For additional information, please contact the City Clerk’s Office at (949) 639-0500/TTY (949) 639-0535, [cityhall@cityoflagunawoods.org](mailto:cityhall@cityoflagunawoods.org), or 24264 El Toro Road, Laguna Woods, California 92637.

AFFIDAVIT OF POSTING

STATE OF CALIFORNIA     )  
COUNTY OF ORANGE     ) ss.  
CITY OF LAGUNA WOODS    )

I, Yolie Trippy, Deputy City Clerk, City of Laguna Woods, hereby certify under penalty of perjury that this agenda was posted at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, California 92637; on the City’s website ([www.cityoflagunawoods.org](http://www.cityoflagunawoods.org)); and, at other locations designated by Resolution No. 02-33, pursuant to California Government Code Section 54954.2 of the Ralph M. Brown Act.

  
\_\_\_\_\_  
YOLIE TRIPPY, Deputy City Clerk

5-24-17  
\_\_\_\_\_  
Date

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. PLEDGE OF ALLEGIANCE**

**IV. PUBLIC COMMENTS**

About Public Comments: This is the time and place for members of the public to address the City Council on items *not* appearing on this agenda. Pursuant to State law, the City Council is unable to take action on such items, but may engage in brief discussion, provide direction to City staff, or schedule items for consideration at future meetings.

**V. CITY COUNCIL BUSINESS**

5.1 City Council Vacancy

*Recommendation:*

1. Pursuant to California Government Code Section 36512(b), discuss options for filling the City Council office that became vacant upon Councilmember Hack's resignation on May 23, 2017; select to fill the vacancy either by appointment or special election; and, provide related direction to staff.

AND

2. Schedule special meetings of the City Council.

**VI. ADJOURNMENT**

Next Regular Meeting:                      Wednesday, June 21, 2017 at 2 p.m.  
Laguna Woods City Hall  
24264 El Toro Road, Laguna Woods, California 92637

*This page is intentionally blank.*

**5.1**  
**CITY COUNCIL BUSINESS**

*This page is intentionally blank.*



# City of Laguna Woods

## Agenda Report

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Christopher Macon, City Manager

**FOR:** May 30, 2017 Special Meeting

**SUBJECT:** City Council Vacancy

---

### **Recommendation**

1. Pursuant to California Government Code Section 36512(b), discuss options for filling the City Council office that became vacant upon Councilmember Hack's resignation on May 23, 2017; select to fill the vacancy either by appointment or special election; and, provide related direction to staff.

AND

2. Schedule special meetings of the City Council.

### **Background**

Due to the resignation of Councilmember Bert Hack on May 23, 2017, a vacancy exists on the City Council for the balance of his term (November 2018).

California Government Code Section 36512(b) states "*If a vacancy occurs in an elective office provided for in this chapter, the council shall, within 60 days from the commencement of the vacancy, either fill the vacancy by appointment or call a special election to fill the vacancy.*" Accordingly, the deadline to fill the vacancy by appointment or call a special election is July 22, 2017.

### **Discussion**

Today's meeting is an opportunity for City Council action, as well as public input, on the matter of filling the vacancy caused by Councilmember Hack's resignation.

Staff recommends that the City Council select to fill the vacancy by appointment or special election, and provide related direction to staff.

If the City Council elects to fill the vacancy by appointment, an updated version of an application form that has been used previously is included as Attachment A. A schedule for a potential appointment process might look like:

*Table 1: Potential Appointment Process Schedule*

<b>Description</b>	<b>Date(s)</b>
Decision to fill the vacancy by appointment	May 30, 2017
Application period (two weeks)	June 1 – 15, 2017
Meeting to review applications and select candidates to schedule for interviews	June 21, 2017
Meeting to interview candidates and make an appointment	June 28, 2017

If the City Council elects to hold a special election, the special election must be held on the next regularly established election date not less than 114 days from the call of the special election. The next election date that would meet that requirement is November 7, 2017 (California Elections Code Section 1000). There is currently no County of Orange consolidated election scheduled for that date, which means that the City would bear the cost of conducting a standalone election. Staff would return to the City Council with the resolutions necessary to call an election no later than the adjourned regular meeting on June 28, 2017.

### **Fiscal Impact**

Expenses related to filling the vacancy by appointment could be accommodated in the City's budget.

A special election is estimated to cost between \$85,832 and \$93,507.

Report Prepared With: Yolie Trippy, Deputy City Clerk

Attachment: A – Draft Application for City Council Appointment



## CITY OF LAGUNA WOODS APPLICATION FOR CITY COUNCIL APPOINTMENT

Please sign and return an original copy of this form by mail or in-person to the City Clerk's Office, Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637. Applications must be received no later than XX, XX, 2017 at XX:X X.X. Emailed and faxed applications will not be accepted.

For more information, please contact Yolie Trippy, Deputy City Clerk, at (949) 639-0512.

### General Information

- The City Council is seeking candidates to fill the vacancy caused by Bert Hack's resignation.
- The term of service would begin upon appointment and end in November 2018.
- Finalists will be scheduled for public interviews on XX, 2017.

### Eligibility for Candidacy

To be eligible for appointment, a candidate must be 1) a registered voter in the City of Laguna Woods; 2) a United States citizen; 3) 18 years of age or older by the appointment date; and, 4) eligible to take the oath of office.

A candidate may not hold a public office if he or she has been convicted of any designated crime specified in the State of California's Constitution and statutes. Article 7, Section 8(b) of the State of California's Constitution states that persons who have been convicted of bribery, perjury, forgery, malfeasance in office, or other high crimes shall be prohibited from holding elected office.

### Incompatible Offices

California Government Code Section 1099 contains the common law prohibition against the holding of "incompatible offices." That prohibition restricts the ability of public officials to hold two different public offices, simultaneously, if the offices have overlapping and conflicting public duties. Pursuant to California Government Code Section 1099, a person may not simultaneously hold two public offices if:

1. Either of the offices exercises a supervisory, auditing, or removal power over the other office or body; or
2. There is a significant clash of duties or loyalties between the offices; or
3. There are public policy considerations that make it improper.

The consequence of holding an incompatible office is that the person is "deemed to have forfeited the first office upon acceding to the second." If you have questions about whether two public offices that you hold or seek to hold would be considered incompatible offices, please contact the California Attorney General's office at (916) 322-3360 or <http://www.oag.ca.gov>.

**Application**

NAME: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_

RESIDENCE ADDRESS: \_\_\_\_\_

REGISTERED VOTER IN THE CITY OF LAGUNA WOODS: YES \_\_\_\_\_ NO \_\_\_\_\_

OCCUPATION: \_\_\_\_\_

NAME/ADDRESS OF PRESENT EMPLOYER (if applicable): \_\_\_\_\_

\_\_\_\_\_

DO YOU HAVE ANY INTERESTS OR ASSOCIATIONS WHICH MIGHT PRESENT A CONFLICT OF INTEREST OR CREATE AN INCOMPATIBLE OFFICE? IF YES, PLEASE EXPLAIN.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

LIST ANY COMMUNITY ACTIVITIES IN WHICH YOU ARE CURRENTLY INVOLVED OR HAVE BEEN INVOLVED IN THE LAST TWELVE MONTHS.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

WHAT DO YOU BELIEVE TO BE THE MAIN RESPONSIBILITIES OF THE CITY COUNCIL?

\_\_\_\_\_

\_\_\_\_\_

---

---

---

WHAT DO YOU BELIEVE ARE YOUR MOST IMPORTANT QUALIFICATIONS FOR A CITY COUNCIL POSITION?

---

---

---

---

---

WHY DO YOU WISH TO SERVE AS A MEMBER OF THE CITY COUNCIL?

---

---

---

---

---

WHAT WOULD YOU BRING BY WAY OF PERSPECTIVE OR EXPERIENCE TO THE CITY COUNCIL AND WHAT ARE YOUR GOALS FOR THE CITY DURING YOUR TERM?

---

---

---

---

---

YOU MAY USE THE BACK OF THIS APPLICATION OR ADDITIONAL SHEETS TO COMPLETE YOUR ANSWERS TO THE ABOVE QUESTIONS.

PLEASE ATTACH YOUR RESUME, LETTER OF INTEREST, OR ANY ADDITIONAL INFORMATION OR STATEMENTS THAT YOU FEEL WOULD BE HELPFUL TO THE CITY COUNCIL IN REVIEWING YOUR QUALIFICATIONS.

THIS APPLICATION MUST BE ACCOMPANIED BY A COMPLETED AND SIGNED FAIR POLITICAL PRACTICES COMMISSION (FPPC) FORM 700. FOR MORE INFORMATION, PLEASE CONTACT THE FPPC AT (866) ASK-FPPC OR <http://www.fppc.ca.gov/Form700.html>.

**AUTHORIZATION AND RELEASE**

**I understand that in connection with this application for appointment, all information contained herein and attached hereto will be made available to the general public. I further understand that if appointed, I will be required to take the oath of office and file additional financial disclosure statements.**

PRINT NAME: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

DRAFT