

**CITY OF LAGUNA WOODS CALIFORNIA  
CITY COUNCIL MINUTES  
REGULAR MEETING  
May 17, 2017  
2:00 P.M.  
Laguna Woods City Hall  
24264 El Toro Road  
Laguna Woods, California 92637**

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**I. CALL TO ORDER**

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

**II. ROLL CALL**

COUNCILMEMBER:       PRESENT:   Conners, Hatch, Moore, Horne  
                              ABSENT:   Hack

STAFF PRESENT:       City Manager Macon, Assistant City Attorney Patterson,  
                              Administrative Services Director/City Treasurer Cady, Deputy  
                              City Clerk Trippy, Development Programs Analyst Pennington

**III. PLEDGE OF ALLEGIANCE**

Councilmember Conners led the pledge of allegiance.

**IV. PRESENTATIONS AND CEREMONIAL MATTERS**

4.1   Saddleback Kiwanis – 50<sup>th</sup> Anniversary

Mike Maxson, Steve Carpenter, and Jim Kane, Saddleback Kiwanis, made comments.

Councilmembers made comments.

Moved by Councilmember Conners, seconded by Mayor Pro Tem Moore, and carried on a 4-0 vote, with Councilmember Hack absent, to approve and present the commendation.

4.2   Drowning Prevention Awareness Period – May-October 2017

Captain Steve Dohman, Orange County Fire Authority, made comments.

Councilmembers made comments.

Moved by Councilmember Hatch, seconded by Mayor Pro Tem Moore, and carried on a

4-0 vote, with Councilmember Hack absent, to approve and present the proclamation.

4.3 Asian American and Pacific Islander Heritage Month – May 2017

Councilmembers made comments.

Moved by Mayor Pro Tem Moore, seconded by Councilmember Conners, and carried on a 4-0 vote, with Councilmember Hack absent, to approve and present the proclamation.

4.4 Building Safety Month – May 2017

Councilmembers made comments.

Moved by Mayor Pro Tem Moore, seconded by Councilmember Conners, and carried on a 4-0 vote, with Councilmember Hack absent, to approve and present the proclamation.

4.5 Older Americans Month – May 2017

Nakia Thierry, Orange County Office on Aging, made comments.

Councilmembers made comments.

Moved by Mayor Pro Tem Moore, seconded by Councilmember Conners, and carried on a 4-0 vote, with Councilmember Hack absent, to approve and present the proclamation.

4.6 Stroke Awareness Month – May 2017

Deborah Massaglia, Roxanna Todd Hodges Stroke Foundation, made comments.

Councilmembers made comments.

Moved by Mayor Pro Tem Moore, seconded by Councilmember Conners, and carried on a 4-0 vote, with Councilmember Hack absent, to approve and present the proclamation.

4.7 Water Awareness Month – May 2017

Mark Monin, El Toro Water District, made comments.

Councilmembers made comments.

Moved by Councilmember Conners, seconded by Mayor Pro Tem Moore, and carried on a 4-0 vote, with Councilmember Hack absent, to approve and present the proclamation.

Mayor Horne called for a brief recess.

The meeting was called back to order at 2:49 p.m.

**V. PUBLIC COMMENT – None**

**VI. CONSENT CALENDAR**

Moved by Mayor Pro Tem Moore, seconded by Councilmember Conners, and carried on a 4-0 vote, with Councilmember Hack absent, to approve Consent Calendar Items 6.1 – 6.9.

**6.1 City Council Minutes**

Approved the City Council meeting minutes for the regular meeting on April 19, 2017 and the adjourned regular meeting on April 26, 2017.

**6.2 City Treasurer's Report**

Received and filed the City Treasurer's Report for the month of April 2017.

**6.3 Warrant Register**

Approved the warrant register dated May 17, 2017 in the amount of \$790,757.65.

**6.4 Fiscal Year 2016-17 Budget Adjustments**

Approved a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ADOPTING A FISCAL YEAR 2016-17 BUDGET FOR THE MEASURE M1 FUND; INCREASING THE ADOPTED FISCAL YEAR 2016-17 BUDGETS FOR THE BEVERAGE CONTAINER RECYCLING FUND AND SENIOR MOBILITY FUND; INCREASING THE ADOPTED FISCAL YEAR 2016-17 BUDGET AND AUTHORIZING TRANSFERS FROM THE GENERAL FUND TO THE FUEL TAX FUND, MEASURE M2 FUND, SENIOR MOBILITY FUND, MEASURE M1 FUND, AND PROPOSITION 84 GRANT FUND; INCREASING THE ADOPTED FISCAL YEAR 2016-17 BUDGETS AND AUTHORIZING TRANSFERS FROM THE TRAFFIC MITIGATION FEES FUND AND CALRECYCLE GRANT FUND TO THE GENERAL FUND; AND, AUTHORIZING THE CLOSURE OF THE CALRECYCLE GRANT FUND, MEASURE M1 FUND, PROPOSITION 84 GRANT FUND, AND TRAFFIC MITIGATION FEES FUND

**6.5 Code Enforcement Services**

Approved an agreement with Willdan Engineering for code enforcement services and authorized the City Manager to execute the agreement, subject to approval as to form by

the City Attorney.

6.6 El Toro Road Regional Traffic Signal Synchronization Program Project P

1. Approved the “El Toro Road Regional Traffic Signal Synchronization Program Project P” design plans and specifications as recommended by the City Engineer/City Traffic Engineer.

AND

2. Awarded a contract agreement to Elecnor Belco Electric, Inc. for the construction of the “El Toro Road Regional Traffic Signal Synchronization Program Project P”, in the amount of \$354,500, plus authorized change orders not to exceed 10% of the base amount; and authorized the City Manager to execute a contract agreement and approve change orders, subject to approval of the contract agreement as to form by the City Attorney.

AND

3. Authorized the City Manager to enter into agreements with the Orange County Transportation Authority, California Department of Transportation, and participating agencies, as necessary, to facilitate the reimbursement of funds for the “El Toro Road Regional Traffic Signal Synchronization Program Project P”, subject to approval as to form by the City Attorney.

6.7 Moulton Parkway Regional Traffic Signal Synchronization Program Project P

1. Approved the “Moulton Parkway Regional Traffic Signal Synchronization Program Project P” design plans and specifications as recommended by the City Engineer/City Traffic Engineer.

AND

2. Awarded a contract agreement to Elecnor Belco Electric, Inc. for the construction of the “Moulton Parkway Regional Traffic Signal Synchronization Program Project P”, in the amount of \$263,289, plus authorized change orders not to exceed 10% of the base amount; and authorized the City Manager to execute a contract agreement and approve change orders, subject to approval of the contract agreement as to form by the City Attorney

AND

3. Authorized the City Manager to enter into agreements with the Orange County Transportation Authority, California Department of Transportation, and participating agencies, as necessary, to facilitate the reimbursement of funds for the “Moulton Parkway Regional Traffic Signal Synchronization Program Project

P”, subject to approval as to form by the City Attorney.

6.8 City Hall Restroom Repair and Improvement Project

Rejected all bids received for the “City Hall Restroom Repair and Improvement Project”.

6.9 Urban County Community Development Block Grant and Other Programs Cooperation Agreement

Approved amendment four to the cooperation agreement with the County of Orange related to participation in the Urban County Community Development Block Grant (CDBG) program and other United States Department of Housing and Urban Development programs, and authorized the City Manager to execute the amendment subject to approval as to form by the City Attorney.

**VII. PUBLIC HEARINGS**

7.1 Conditional Use Permit CUP-1135 to allow for exceedances of maximum fence and wall height provisions of the Laguna Woods Municipal Code, along all perimeter fences and walls of Laguna Woods Village

City Manager Macon made a presentation and proposed the following modifications to the conditions of approval that were included with the agenda report:

- Revise the last sentence of Condition of Approval #4 to read: “Permitted materials for any portion of a fence or wall in excess of six feet in height are shepherd’s hook, masonry, or other materials as permitted by the Laguna Woods Municipal Code.”

AND

- Add the following sentence to the end of Condition of Approval #5: “After completion of the modification of the perimeter fencing and walls, the 900 foot per year requirement shall be deemed satisfied, and the remainder of this conditional use permit, and all conditions thereon, shall remain in full force and effect.”

Councilmembers discussed the item and staff answered related questions.

Mayor Pro Tem Moore suggested modifying staff’s proposed addition to Condition of Approval #5 by adding the word “calendar” before “year requirement.”

Staff concurred with Mayor Pro Tem Moore’s suggested modification.

Mayor Horne opened the public hearing.

Lori Moss, Community Manager for Laguna Woods Village, spoke on behalf of the applicant and in support of the proposed conditional use permit.

Kathryn Freshley, resident, expressed concerns regarding the potential costs to comply with the proposed 900 foot per calendar year modification requirement. She suggested that the City adopt an ordinance that would regularly allow fences and walls to be seven feet high when viewed from adjoining properties.

City Manager Macon noted that Laguna Woods Village staff agreed with the 900 foot per calendar year modification requirement and that the applicant chose to apply for a conditional use permit. He indicated that there could be potential consequences if the City were to allow fences and walls to be seven feet in all locations, but that such an option was not the subject of evaluation, as it was not what the applicant requested. He also commented on the differences in fence and wall height requirements set forth in the Laguna Woods Zoning Code and the California Building Standards Code.

Ron Cormack, member of the public and resident of the Woodwinds community in Laguna Hills, spoke in opposition to the proposed conditional use permit and the impacts that it would have on individuals living in surrounding communities. He also expressed concerns regarding the adequacy of noticing for the public hearing and provided written correspondence dated May 16, 2017.

An unidentified member of the public expressed noise concerns regarding a wall near his residence.

Mary Wall, resident, expressed concerns regarding the potential costs for residents of Laguna Woods Village, whether the applicant had standing to apply for the conditional use permit, and health and safety issues related to the height of the wall that borders El Toro Road near her residence, which she also asked the City to raise.

City Manager Macon noted that the City received written correspondence in advance of the meeting from the following individuals: Judy Larsen and Howard Vork, Jay Laessi, Wendy Fox, Mark Skrenes, and Keith Strohler. All correspondence is public record.

Lori Moss, Community Manager for Laguna Woods Village, commented on the application process and noted that the presidents of Third Laguna Hills Mutual and United Laguna Woods Mutual have submitted letters concurring with the proposed conditional use permit. She also commented on the estimated costs to comply with the proposed 900 foot per year calendar requirement and stated that such amounts could be included in future capital budgets.

Bert Moldow, Third Laguna Hills Mutual, stated that the purpose of the conditional use permit is to enhance the security of Laguna Woods Village.

With no other requests to speak, the public hearing was closed.

Councilmembers discussed the item and staff answered related questions.

Moved by Mayor Pro Tem Moore and seconded by Councilmember Conners to approve a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT CUP-1135 TO ALLOW FOR EXCEEDANCES OF MAXIMUM FENCE AND WALL HEIGHT PROVISIONS OF THE LAGUNA WOODS MUNICIPAL CODE, ALONG ALL PERIMETER FENCES AND WALLS OF LAGUNA WOODS VILLAGE, LAGUNA WOODS, CA 92637

with Condition of Approval #4 and Condition of Approval #5 modified as recommended by staff (modifications included Mayor Pro Tem Moore's suggested language).

Councilmember Hatch suggested amending the last sentence of Condition of Approval #4 by replacing the word "are" with "include."

Moved by Councilmember Hatch, seconded by Councilmember Conners, and carried on a 4-0 vote, with Councilmember Hack absent, to approve a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT CUP-1135 TO ALLOW FOR EXCEEDANCES OF MAXIMUM FENCE AND WALL HEIGHT PROVISIONS OF THE LAGUNA WOODS MUNICIPAL CODE, ALONG ALL PERIMETER FENCES AND WALLS OF LAGUNA WOODS VILLAGE, LAGUNA WOODS, CA 92637

with Condition of Approval #4 and Condition of Approval #5 modified as recommended by staff (modifications included Mayor Pro Tem Moore's and Councilmember Hatch's suggested language).

The first motion died with the approval of the second motion.

## **VIII. CITY COUNCIL BUSINESS**

### **8.1 State Video Franchise and Public, Educational, and Governmental ("PEG") Fees**

City Manager Macon made a presentation.

Moved by Councilmember Hatch, seconded by Councilmember Conners, and carried on a 4-0 vote, with Councilmember Hack absent, to approve the second reading and adoption of an ordinance – read by title with further reading waived – entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, RETROACTIVELY READOPTING SECTION 6.42.020 OF CHAPTER 6.42 OF TITLE 6 OF THE LAGUNA WOODS MUNICIPAL CODE ENTITLED "STATE VIDEO FRANCHISE AND PEG FEES" RELATING TO STATE FRANCHISES FOR CABLE COMMUNICATIONS; AND REAUTHORIZING A FEE TO SUPPORT PUBLIC, EDUCATIONAL, AND GOVERNMENTAL ("PEG") CHANNEL FACILITIES WITHIN THE CITY'S JURISDICTION

## 8.2 Medical and Non-Medical Marijuana Dispensary Regulations

City Manager Macon made a presentation.

Moved by Mayor Pro Tem Moore, seconded by Councilmember Conners, and carried on a 4-0 vote, with Councilmember Hack absent, to approve the second reading and adoption of an ordinance – read by title with further reading waived – entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING SECTIONS 13.08.101, 13.10.020, 13.12.020, 13.13.020, AND 13.26.025 AND ADDING A NEW SECTION 13.26.027 OF THE LAGUNA WOODS MUNICIPAL CODE RELATED TO MEDICAL AND NON-MEDICAL MARIJUANA DISPENSARIES AND DELIVERY SERVICES

## 8.3 Unfunded Retirement Liability

City Manager Macon made a presentation.

Councilmembers discussed the item and staff answered related questions.

Moved by Councilmember Hatch, seconded by Councilmember Conners, and carried on a 4-0 vote, with Councilmember Hack absent, to approve a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, INCREASING THE ADOPTED FISCAL YEAR 2016-17 BUDGET FOR THE GENERAL FUND FOR PURPOSES RELATED TO MAKING LUMP SUM PAYMENTS TO PAY OFF THE CITY'S CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (CALPERS) UNFUNDED ACCRUED LIABILITY AS OF JUNE 30, 2015, AND MAKING RELATED AUTHORIZATIONS

## 8.4 City Council Meeting Schedule

City Manager Macon summarized the agenda report.

Moved by Mayor Pro Tem Moore, seconded by Councilmember Conners, and carried on



a 4-0 vote, with Councilmember Hack absent, to approve the City Council meeting schedule for Fiscal Year 2017-18.

#### 8.5 Fiscal Years 2017-19 Budget and Work Plan Development

City Manager Macon made a presentation.

Councilmembers discussed the item and staff answered related questions.

Moved by Councilmember Conners, seconded by Mayor Pro Tem Moore, and carried on a 4-0 vote, with Councilmember Hack absent, to direct staff to include a Complete Streets Assessment in the draft Fiscal Years 2017-19 Budget and Work Plan.

Councilmember Conners left the meeting at 4:03 p.m.

Councilmembers discussed the item and staff answered related questions.

Moved by Councilmember Hatch, seconded by Mayor Pro Tem Moore, and carried on a 3-0 vote, with Councilmember Hack and Councilmember Conners absent, to include a new, multi-phase Americans with Disability Act (ADA) Pedestrian Accessibility Improvement Project in the draft Fiscal Years 2017-19 Budget and Work Plan, contingent on the receipt of external funding.

Councilmembers discussed the item and staff answered related questions.

Moved by Councilmember Hatch, seconded by Mayor Pro Tem Moore, and carried on a 3-0 vote, with Councilmember Hack and Councilmember Conners absent, to direct staff to include a Drainage Improvement Project (Moulton Parkway at Santa Maria Avenue) in the draft Fiscal Years 2017-19 Budget and Work Plan.

Moved by Councilmember Hatch, seconded by Mayor Pro Tem Moore, and carried on a 3-0 vote, with Councilmember Hack and Councilmember Conners absent, to direct staff to include phase one of a City Hall Refurbishment and Safety Project in the draft Fiscal Years 2017-19 Budget and Work Plan.

Councilmembers discussed the item and staff answered related questions.

Moved by Councilmember Hatch, seconded by Mayor Pro Tem Moore, and carried on a 3-0 vote, with Councilmember Hack and Councilmember Conners absent, to direct staff to include the preparation of construction drawings and technical specifications for the El Toro Road Water Efficient Median Improvement Project (Between Calle Sonora and Moulton Parkway) in the draft Fiscal Years 2017-19 Budget and Work Plan.

### **IX. CITY COUNCIL REPORTS AND COMMENTS**

#### 9.1 Coastal Greenbelt Authority

No report was given due to Councilmember Conners' absence.

9.2 Orange County Fire Authority

Councilmember Hatch stated that there had been no meeting since the last meeting. He provided information on other Orange County Fire Authority matters.

9.3 Orange County Library Advisory Board

Mayor Pro Tem Moore provided a report.

Councilmember Hatch briefly responded to the report.

9.4 Orange County Mosquito and Vector Control District

Mayor Horne provided a report.

9.5 San Joaquin Hills Transportation Corridor Agency

No report was given due to Councilmember Hack's absence.

9.6 South Orange County Watershed Management Area

Mayor Pro Tem Moore provided a report.

9.7 Other Comments and Reports

Mayor Horne reported on the recent "Under the Flight Path" community forum.

Mayor Horne reported on the recent Southern California Association of Governments 2017 Regional Conference & General Assembly.

Mayor Horne reported on the recent 2017 South County Senior Summit.

Mayor Horne reported that she and Councilmember Conners attended the 2017 National Donate Life Run/Walk Family Festival.

Mayor Horne commented on recent letters of support for H.R. 474 and SB 5.

**X. CLOSED SESSION – None**

**XI. CLOSED SESSION REPORT – None**


**XII. ADJOURNMENT**

The meeting was adjourned at 4:35 p.m. The next regular meeting will be at 2:00 p.m. on

Wednesday, June 21, 2017, at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

  
YOLIE TRIPPY, Deputy City Clerk

Adopted: June 21, 2017

  
SHARI L. HORNE, Mayor