

CITY of LAGUNA WOODS CITY COUNCIL AGENDA

Regular Meeting
Wednesday, November 15, 2017
2:00 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



Noel Hatch
Councilmember

Joe Rainey
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.

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FOR ADDITIONAL INFORMATION

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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); and, at other locations designated by Resolution No. 17-30, pursuant to California Government Code Section 54954.2 of the Ralph M. Brown Act.



YOLIE TRIPPY, Deputy City Clerk

11-9-17

Date

I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. PRESENTATIONS AND CEREMONIAL MATTERS

4.1 Lee Bevilaqua – 100th Birthday

Recommendation: Approve and present the commendation.

4.2 America Recycles Day – November 15, 2017

Recommendation: Approve and present the proclamation.

4.3 World Pancreatic Cancer Day – November 16, 2017

Recommendation: Approve and present the proclamation.

4.4 World AIDS Day – December 1, 2017

Recommendation: Approve and present the proclamation.

4.5 Human Rights Day – December 10, 2017

Recommendation: Approve and present the proclamation.

V. 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.

VI. CONSENT CALENDAR

About the Consent Calendar: All items listed on the Consent Calendar are considered routine and will be enacted by one vote. There will be no separate discussion of these items unless a member of the City Council, City staff, or the public requests that specific items be removed from the Consent Calendar for separate discussion and consideration of action.

6.1 City Council Minutes

Recommendation: Approve the City Council meeting minutes for the regular meeting on October 18, 2017 and the special meeting on October 25, 2017.

6.2 City Treasurer's Report

Recommendation: Receive and file the City Treasurer's Report for the month of October 2017.

6.3 Warrant Register

Recommendation: Approve the warrant register dated November 15, 2017 in the amount of \$548,821.07.

6.4 Investment of Financial Assets Policy

Recommendation: Approve a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, REVIEWING AND ADOPTING AN ANNUAL STATEMENT OF THE INVESTMENT POLICY, ADOPTING AN INVESTMENT POLICY, AND RENEWING ITS DELEGATION OF INVESTMENT AUTHORITY PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 53607 TO THE CITY TREASURER

6.5 City Hall Restroom Repair and Refurbishment Project

Recommendation: Reject all bids received for the "City Hall Restroom Repair and Refurbishment Project".

VII. PUBLIC HEARINGS

VIII. CITY COUNCIL BUSINESS

8.1 “A Place for Paws” Dog Park Advisory Group

Recommendation:

1. Approve a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ADOPTING ADMINISTRATIVE POLICY 1.5 PERTAINING TO THE ESTABLISHMENT, APPOINTMENT, RESPONSIBILITIES, ACTIVITIES, AND PROCEDURES OF A DOG PARK ADVISORY GROUP

AND

2. Approve a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ESTABLISHING A REGULAR MEETING SCHEDULE, INCLUDING DATES, TIMES, AND LOCATIONS, FOR THE DOG PARK ADVISORY GROUP

8.2 Mayors’ Compact to Combat Hate, Extremism and Bigotry
(agendized by Mayor Horne)

Recommendation: Approve a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, JOINING THE MAYORS’ COMPACT TO COMBAT HATE, EXTREMISM AND BIGOTRY, AND SUPPORTING RELATED EFFORTS

8.3 Smoking and Tobacco Sales Regulations

Recommendation: Approve second reading and adopt an ordinance – read by title with further reading waived – entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY

OF LAGUNA WOODS, CALIFORNIA, AMENDING CHAPTER 7.16 OF THE LAGUNA WOODS MUNICIPAL CODE RELATED TO THE REGULATION AND PROHIBITION OF SMOKING, AND AMENDING SECTIONS 13.06.010, 13.08.010, 13.10.020, 13.12.020, AND 13.13.020 OF THE LAGUNA WOODS MUNICIPAL CODE RELATED TO THE SALE OF AND ZONING FOR TOBACCO AND CIGARETTES

8.4 Speed Limits on City Streets

Recommendation: Approve second reading and adopt an ordinance – read by title with further reading waived – entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING SECTION 8.06.010 OF THE LAGUNA WOODS MUNICIPAL CODE RELATED TO THE ADOPTION AND ESTABLISHMENT OF SPEED LIMITS ON EL TORO ROAD, MOULTON PARKWAY, RIDGE ROUTE DRIVE, AND SANTA MARIA AVENUE, INCLUDING AN INCREASED SPEED LIMIT ON EL TORO ROAD BETWEEN AVENIDA SEVILLA AND PASEO DE VALENICA, AND RE-ADOPTION AND RE-ESTABLISHMENT OF OTHER EXISTING SPEED LIMITS

IX. CITY COUNCIL REPORTS AND COMMENTS

About City Council Comments and Reports: This is the time and place for members of the City Council to provide reports on meetings attended including, but not limited to, meetings of regional boards and entities to which they have been appointed to represent the City and meetings attended at the expense of the City pursuant to California Government Code Section 53232.3. Members of the City Council may also make other comments and announcements.

- 9.1 Coastal Greenbelt Authority
Councilmember Connors; Alternate: Mayor Horne

- 9.2 Orange County Fire Authority
Councilmember Hatch

- 9.3 Orange County Library Advisory Board
Mayor Pro Tem Moore; Alternate: Mayor Horne
- 9.4 Orange County Mosquito and Vector Control District
Mayor Horne
- 9.5 San Joaquin Hills Transportation Corridor Agency
Councilmember Conners; Alternate: Mayor Pro Tem Moore
- 9.6 South Orange County Watershed Management Area
Mayor Pro Tem Moore; Alternate: Councilmember Hatch
- 9.7 Other Comments and Reports

X. CLOSED SESSION

XI. CLOSED SESSION REPORT

XII. ADJOURNMENT

Next Adjourned Regular Meeting: Wednesday, December 13, 2017 at 2 p.m.
Laguna Woods City Hall
24264 El Toro Road, Laguna Woods, California 92637

Next Regular Meeting: Wednesday, January 17, 2018 at 2 p.m.
Laguna Woods City Hall
24264 El Toro Road, Laguna Woods, California 92637

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**4.1
COMMENDATION –
LEE BEVILAQUA –
100TH BIRTHDAY**

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**City of Laguna Woods
Certificate of Commendation
Lee Bevilaqua
100th Birthday**

WHEREAS, Lee Bevilaqua will celebrate her 100th birthday on November 17, 2017; and

WHEREAS, Lee Bevilaqua has lived in Laguna Woods since 1985; and

WHEREAS, Lee Bevilaqua served her country in the United States Marine Corps during World War II before embarking on a diverse professional career ranging from secretarial duties to purchasing management; and

WHEREAS, since moving to Laguna Woods, Lee Bevilaqua has invested herself in the community through volunteer service with former Assemblyman Devore's Office, the Florence Sylvester Memorial Senior Center, Meals-on-Wheels, and Laguna Woods Village Channel 6, as well as the California, Saddle, and World on Film clubs; and

WHEREAS, due to her extensive and tireless volunteer work, Lee Bevilaqua has been called "one of the silent worker bees who makes good things happen"; and

WHEREAS, one of Lee Bevilaqua's most recent accomplishments was working to collect 40 years of *Leisure World News/Laguna Woods Globe* newspapers for the Laguna Woods History Center, in order to preserve the community's history.

NOW, THEREFORE, BE IT RESOLVED that the Laguna Woods City Council does hereby deem it an honor and a pleasure to extend this certificate of commendation to Lee Bevilaqua on the occasion of her 100th birthday, with congratulations and best wishes for many more joyous years to come.

Dated this 15th day of November, 2017

Shari L. Horne
Mayor

Attest: Yolie Trippy
Deputy City Clerk

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4.2
**PROCLAMATION –
AMERICA RECYCLES DAY –
NOVEMBER 15, 2017**

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**Proclamation
City of Laguna Woods
America Recycles Day
November 15, 2017**

WHEREAS, in 2016, California landfilled or exported for landfill 35.2 million tons of waste, which amounted to approximately six pounds per resident, per day; and

WHEREAS, recycling helps to preserve and protect our environment, conserve natural resources, prevent pollution, save energy, and reduce greenhouse gas emissions; and

WHEREAS, the State of California has established a statewide recycling goal of 75% by 2020, with 44% statewide recycling achieved as of 2016; and

WHEREAS, the City of Laguna Woods has long been committed to providing a wide array of residential and commercial recycling services, such that approximately 65% of the waste generated within Laguna Woods in 2016 was recycled; and

WHEREAS, the City of Laguna Woods is one of the only cities in California to offer a free in-home bulky item collection service, through which many of the bulky items collected are donated to Goodwill Industries; and

WHEREAS, the City of Laguna Woods also hosts free recycling events throughout the year, including quarterly shredding events and biannual goods exchanges.

NOW, THEREFORE, BE IT RESOLVED that the Laguna Woods City Council does hereby proclaim November 15, 2017 as “America Recycles Day” in Laguna Woods and encourages individuals and businesses to recycle whenever possible.

Dated this 15th day of November, 2017

Shari L. Horne
Mayor

Attest: Yolie Trippy
Deputy City Clerk

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**4.3
PROCLAMATION –
WORLD PANCREATIC CANCER DAY –
NOVEMBER 16, 2017**

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**Proclamation
City of Laguna Woods
World Pancreatic Cancer Day
November 16, 2017**

WHEREAS, every day, more than 1,000 people worldwide are diagnosed with pancreatic cancer, and an estimated 985 die from the disease; and

WHEREAS, pancreatic cancer has the lowest survival rate of all major cancers and, even with surgery, is the only major cancer with a single-digit five-year survival rate in nearly every country; and

WHEREAS, while there are currently no early detection methods for pancreatic cancer and its symptoms may well be caused by other conditions, individuals who regularly experience unexplained abdominal bloating, pain, weight loss, jaundice, diabetes, and digestive problems should speak with their healthcare providers; and

WHEREAS, there are a variety of supportive resources available to those affected by pancreatic cancer, including the Pancreatic Cancer Action Network; and

WHEREAS, the well-being of the residents of Laguna Woods is enhanced as a direct result of increased awareness and research of pancreatic cancer.

NOW, THEREFORE, BE IT RESOLVED that the Laguna Woods City Council does hereby proclaim November 16, 2017 as “World Pancreatic Cancer Day” in Laguna Woods and encourages the support of pancreatic cancer research.

Dated this 15th day of November, 2017

Shari L. Horne
Mayor

Attest: Yolie Trippy
Deputy City Clerk

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**4.4
PROCLAMATION –
WORLD AIDS DAY –
DECEMBER 1, 2017**

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**Proclamation
City of Laguna Woods
World AIDS Day
December 1, 2017**

WHEREAS, more than 1.1 million individuals in the United States are living with a Human Immunodeficiency Virus infection, or “HIV”, including one in seven who are unaware of their infection; and

WHEREAS, although individuals 55 years of age and older account for approximately one-quarter of all individuals living with HIV and possess common risk factors, they are less likely to get tested than younger individuals; and

WHEREAS, HIV is primarily spread through sex and injection drug equipment, and attacks and destroys infection-fighting cells, which makes it difficult for the body to fight infections and certain types of cancer; and

WHEREAS, individuals can reduce their risk of HIV infection by practicing safe sex, avoiding injection drugs, using single-use sterile injection equipment, and taking pre-exposure prophylaxis (“PrEP”) when prescribed by a health care provider; and

WHEREAS, HIV, including its most advanced stage, Acquired Immunodeficiency Syndrome, or “AIDS”, is incurable, but with proper medical care can be controlled; and

WHEREAS, the well-being of the residents of Laguna Woods is enhanced as a direct result of increased awareness and research of HIV and AIDS.

NOW, THEREFORE, BE IT RESOLVED that the Laguna Woods City Council does hereby proclaim December 1, 2017 as “World AIDS Day” in Laguna Woods and encourages HIV testing and the support of HIV- and AIDS-related research.

Dated this 15th day of November, 2017

Shari L. Horne
Mayor

Attest: Yolie Trippy
Deputy City Clerk

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4.5
**PROCLAMATION –
HUMAN RIGHTS DAY –
DECEMBER 10, 2017**

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Proclamation
City of Laguna Woods
Human Rights Day
December 10, 2017

WHEREAS, on December 10, 1948, the United Nations General Assembly adopted the Universal Declaration of Human Rights, the first dedicated statement of human rights at the international level; and

WHEREAS, the Universal Declaration of Human Rights reads, in part: *“All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.”*; and

WHEREAS, human rights are a foundational quality of our nation as expressed in the Declaration of Independence, the Constitution, and the Bill of Rights; and

WHEREAS, recognition of the inherent dignity and of the equal and inalienable rights of all people is the foundation of freedom, justice, and peace in the world; and

WHEREAS, the City of Laguna Woods reaffirms its belief in the principles of fairness and equity as set forth in the Universal Declaration of Human Rights, and states, unequivocally, its opposition to discrimination in all forms.

NOW, THEREFORE, BE IT RESOLVED that the Laguna Woods City Council does hereby proclaim December 10, 2017 as “Human Rights Day” in Laguna Woods and encourages individuals to fight prejudice and discrimination in their own lives, and to treat others with dignity and respect.

Dated this 15th day of November, 2017

Shari L. Horne
Mayor

Attest: Yolie Trippy
Deputy City Clerk

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6.1-6.5
CONSENT CALENDAR SUMMARY

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City of Laguna Woods Agenda Report

TO: Honorable Mayor and City Councilmembers
FROM: Christopher Macon, City Manager
FOR: November 15, 2017 Regular Meeting
SUBJECT: Consent Calendar Summary

Recommendation

Approve all proposed actions on the November 15, 2017 Consent Calendar by single motion and City Council action.

Background

All items listed on the Consent Calendar are considered routine and will be enacted by one vote. There will be no separate discussion of these items unless a member of the City Council, staff, or the public requests that specific items be removed from the Consent Calendar for separate discussion and consideration of action.

Summary

The November 15, 2017 Consent Calendar contains the following items:

- 6.1 Approval of the City Council meeting minutes for the regular meeting on October 18, 2017 (Attachment A) and the special meeting on October 25, 2017 (Attachment B).
- 6.2 Approval of a motion to receive and file the City Treasurer's Report for the month of October 2017.
- 6.3 Approval of the warrant register dated November 15, 2017 in the amount of \$548,821.07. A list of warrants is included in the agenda packet; detailed information about individual warrants is available at City Hall.

- 6.4 Approval of a resolution reviewing and adopting an annual statement of the investment policy, adopting an investment policy, and renewing the City Council’s delegation of investment authority pursuant to California Government Code Section 53607 to the City Treasurer. An agenda report is included.

- 6.5 Rejection of all bids received for the “City Hall Restroom Repair and Refurbishment Project”. Bids were invited for the project from September 7 through October 5, 2017. Three bids were received (Glenn Chavez Construction, P&P Develop, Inc., and Pro Team Plumbing); however, staff recommend that all bids be rejected in order to allow for reconsideration of the scope of work and bidding requirements. If rejected, staff would review the plans and specifications and issue a new solicitation for bids.

6.1
CITY COUNCIL MINUTES

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**CITY OF LAGUNA WOODS CALIFORNIA
CITY COUNCIL MINUTES
REGULAR MEETING
October 18, 2017
2:00 P.M.
Laguna Woods City Hall
24264 El Toro Road
Laguna Woods, California 92637**

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, Rainey, Moore, Horne
ABSENT: -

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

III. PLEDGE OF ALLEGIANCE

Councilmember Rainey led the flag salute.

Mayor Horne called for a moment of silence for the victims of the Las Vegas shooting.

A moment of silence was observed.

IV. PRESENTATIONS AND CEREMONIAL MATTERS – None

4.1 Laguna Woods History Center – 40th Anniversary

Catherine Brians, Laguna Woods History Center, made comments.

Councilmembers made comments.

Moved by Mayor Pro Tem Moore, seconded by Councilmember Hatch, and carried unanimously on a 5-0 vote, to approve and present the commendation for the Laguna Woods History Center's 40th Anniversary.

4.2 Amateur Radio Appreciation Month – October 2017

Jim Riedel and Ernie Senser, Laguna Woods Amateur Radio Club, made comments.

Councilmembers made comments.

Moved by Councilmember Conners, seconded by Councilmember Hatch, and carried unanimously on a 5-0 vote, to approve and present the proclamation for Amateur Radio Appreciation Month.

4.3 Domestic Violence Awareness Month – October 2017

Carolyn Inmon, author of “The Seven Characters of Abuse: Domestic Violence: Where it Starts & Where it Can End”, made comments.

Councilmembers made comments.

Moved by Councilmembers Conners, seconded by Mayor Pro Tem Moore, and carried unanimously on a 5-0 vote, to approve and present the proclamation for Domestic Violence Awareness Month.

Mayor Horne called for a brief recess.

The meeting was called back to order at 2:42 p.m.

V. PUBLIC COMMENT – None

VI. CONSENT CALENDAR

Moved by Mayor Pro Tem Moore, seconded by Councilmember Conners, and carried unanimously on a 5-0 vote, to approve Consent Calendar items 6.1 – 6.7.

6.1 City Council Minutes

Approved the City Council meeting minutes for the regular meeting on September 20, 2017.

6.2 City Treasurer’s Report

Received and filed the City Treasurer’s Report for the month of September 2017.

6.3 Warrant Register

Approved the warrant register dated October 18, 2017 in the amount of \$770,754.21.

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, AMENDING AND ADOPTING THE FISCAL YEAR 2016-17 BUDGET COMMENCING JULY 1, 2016 AND ENDING JUNE 30, 2017 TO INCREASE APPROPRIATIONS FOR THE GENERAL FUND, BEVERAGE CONTAINER RECYCLING FUND, AND USED OIL PAYMENT PROGRAM FUND; AUTHORIZE TRANSFERS FROM THE BEVERAGE CONTAINER RECYCLING FUND AND USED OIL PAYMENT PROGRAM FUND TO THE GENERAL FUND; AND, AUTHORIZE TRANSFERS FROM THE GENERAL FUND TO THE MEASURE M1 FUND AND THE COMMUNITY DEVELOPMENT BLOCK GRANT FUND

6.5 Permitting Software

Approved a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AWARDED AND AUTHORIZING THE CITY MANAGER'S EXECUTION OF SOLE SOURCE AGREEMENTS WITH TYLER TECHNOLOGIES, INC. FOR THE IMPLEMENTATION AND ON-GOING SUPPORT AND MAINTENANCE OF ENERGGOV SOFTWARE FOR PERMITTING, SUBJECT TO APPROVAL AS TO FORM BY THE CITY ATTORNEY

6.6 Pavement Management Plan Project (Westbound El Toro Road between Avenida Sevilla and Paseo de Valencia)

1. Approved a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING AND ADOPTING THE FISCAL YEARS 2017-19 BUDGET AND WORK PLAN FOR FISCAL YEAR 2017-18 COMMENCING JULY 1, 2017 AND ENDING JUNE 30, 2018, AND FISCAL YEAR 2018-19 COMMENCING JULY 1, 2018 AND ENDING JUNE 30, 2019, RELATED TO GENERAL FUND, CAPITAL PROJECTS FUND, AND FUEL TAX FUND APPROPRIATIONS FOR THE PAVEMENT MANAGEMENT PLAN PROJECT (WESTBOUND EL TORO ROAD BETWEEN AVENIDA SEVILLA AND PASEO DE VALENCIA), INCLUDING ADDITIONAL SIDEWALK REPAIRS ON EL TORO ROAD AND PAVEMENT WORK AT CITY HALL

2. Approved the "Pavement Management Plan Project (Westbound El Toro Road between Avenida Sevilla and Paseo de Valencia)" design plans and specifications as recommended by the City Engineer/City Traffic Engineer, inclusive of the addition of sidewalk repairs on El Toro Road and pavement work at City Hall to the scope of

work.

3. Awarded a contract agreement to Hardy & Harper, Inc. for the construction of the “Pavement Management Plan Project (Westbound El Toro Road between Avenida Sevilla and Paseo de Valencia)”, in the amount of \$222,000, 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.

6.7 Quitclaim Deed for Landscape and Scenic Preservation Easements

Approve a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, APPROVING AND ACCEPTING A QUITCLAIM DEED FOR THE CONVEYANCE OF REAL PROPERTY FROM THE COUNTY OF ORANGE REALTED TO LANDSCAPE AND SCENIC PRESERVATION EASEMENTS, WHICH ARE DESCRIBED AS PARCELS Z21-509 AND OS57Q-102 IN THE EASEMENT DEED RECORDED ON SEPTEMBER 10, 1996 AS INSTRUMENT NO. 19960461067 IN THE OFFICE OF THE COUNTY OF ORANGE RECORDER, AND WHICH ARE LOCATED IN THE GENERAL VICINITY OF THE SOUTHWEST CORNER OF THE INTERSECTION OF MOULTON PARKWAY AND EL TORO ROAD IN LAGUNA WOODS, CA 92637, AND AUTHORIZING THE MAYOR TO ACCEPT AND CONSENT TO THE QUITCLAIM DEED IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 27281

Mayor Horne requested to move Item 8.1 to next on the agenda. There were no objections.

VIII. CITY COUNCIL BUSINESS

8.1 “A Place for Paws” Dog Park

City Manager Macon made a presentation and noted that earlier in the day, the City was notified that Third Laguna Hills Mutual has offered to pay for the dog park to be temporarily relocated off of their property or wants access restricted to the portion of the dog park on their property. Due to the recent notice, staff had not yet been able to discuss those items with Third Laguna Hills Mutual’s representatives. He recommended scheduling a special meeting for next week to consider those and related issues.

The following members of the public expressed their support to relocate the dog park:

1. David Cohen
2. Burt Chudacoff

3. Mark Nussbaum
4. Patty Wilson
5. Gina Hall

Bill Walsh, Director on the Third Laguna Hills Mutual Board of Directors, stated that there was a lack of communication between the City and the Third Laguna Hills Mutual Board. He asked clarifying questions regarding the existing condition and proposal.

City Manager Macon briefly responded to Mr. Walsh's comments and stated that the City has communicated with Village Management Services staff, on Third Laguna Hills Mutual's behalf, since August 2017.

Lori Moss, on behalf of the Golden Rain Foundation (GRF), clarified that the dog park is being closed at dusk by Laguna Woods Village staff. She noted that Third Laguna Hills Mutual would prefer to have the portion of the dog park located on their property closed with the portion on GRF property to remain open.

Councilmembers discussed the item and staff answered related questions.

Moved by Mayor Pro Tem Moore, seconded by Councilmember Conners, and carried unanimously on a 5-0 vote, to approve the memorandum of understanding with the Golden Rain Foundation of Laguna Woods to allow for the City's operation and maintenance of a dog park along Ridge Route Drive and authorize the Mayor to execute the memorandum of understanding subject to approval as to form by the City Attorney.

Councilmembers discussed the item and staff answered related questions.

Moved by Councilmember Conners, seconded by Mayor Pro Tem Moore, and carried unanimously on a 5-0 vote, to approve a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING AND ADOPTING THE FISCAL YEARS 2017-19 BUDGET AND WORK PLAN FOR FISCAL YEAR 2017-18 COMMENCING JULY 1, 2017 AND ENDING JUNE 30, 2018, AND FISCAL YEAR 2018-19 COMMENCING JULY 1, 2018 AND ENDING JUNE 30, 2019, RELATED TO CAPITAL IMPROVEMENT PROJECTS, THE ADDITION OF A NEW "A PLACE FOR PAWS" DOG PARK RELOCATION PROJECT, AND RELATED GENERAL FUND AND CAPITAL PROJECTS FUND APPROPRIATIONS

Councilmembers discussed the item and staff answered related questions.

Moved by Councilmember Hatch, seconded by Mayor Pro Tem Moore, and carried unanimously on a 5-0 vote, to approve a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING AND ADOPTING THE SEVEN-YEAR CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2017-18 THROUGH 2023-24 IN COMFORMANCE WITH MEASURE M2 AND ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017 REQUIREMENTS

Councilmembers discussed the item and staff answered related questions.

Moved by Councilmember Connors, seconded by Mayor Pro Tem Moore, and carried unanimously on a 5-0 vote, to schedule a special meeting of the City Council on October 25, 2017 at 1:30 p.m. to consider issues related to the interim status of “A Place for Paws” Dog Park, including the offer and request made by Third Laguna Hills Mutual regarding the existing dog park.

Mayor Horne called for a brief recess.

The meeting was called back to order at 3:48 p.m.

VII. PUBLIC HEARINGS

7.1 Smoking and Tobacco Sales Regulations

City Manager Macon made a presentation.

Mayor Horne opened the public hearing.

Cynthia Schaefer, resident, requested that marijuana smoke be treated the same as tobacco smoke in the proposed smoking regulations.

City Manager Macon clarified that is already the case.

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

Councilmembers discussed the item and staff answered related questions.

Moved by Councilmember Hatch, seconded by Councilmember Connors, and carried unanimously on a 5-0 vote, to:

1. Approve the introduction and first reading 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 CHAPTER 7.16 OF THE LAGUNA WOODS MUNICIPAL CODE RELATED TO THE REGULATION AND PROHIBITION OF SMOKING, AND

AMENDING SECTIONS 13.06.010, 13.08.010, 13.10.020, 13.12.020,
AND 13.13.020 OF THE LAGUNA WOODS MUNICIPAL CODE
RELATED TO THE SALE OF AND ZONING FOR TOBACCO AND
CIGARETTES

AND

2. Disband the Ad Hoc Smoking & Tobacco Sales Regulations Update Committee (Mayor Horne and Councilmember Rainey).

VIII. CITY COUNCIL BUSINESS

8.2 Speed Limits on City Streets

City Manager Macon made a presentation.

Councilmembers discussed the item and staff answered related questions.

Jerry Stock, Hartzog & Crabill, Inc., briefly responded to questions.

Lieutenant Fred Thompson, Chief of Police Services, briefly responded to questions.

Moved by Councilmember Conners, seconded by Mayor Pro Tem Moore, and carried unanimously on a 5-0 vote, to approve the introduction and first reading 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 SECTION 8.06.010 OF THE LAGUNA WOODS MUNICIPAL CODE RELATED TO THE ADOPTION AND ESTABLISHMENT OF SPEED LIMITS ON EL TORO ROAD, MOULTON PARKWAY, RIDGE ROUTE DRIVE, AND SANTA MARIA AVENUE, INCLUDING AN INCREASED SPEED LIMIT ON EL TORO ROAD BETWEEN AVENIDA SEVILLA AND PASEO DE VALENCIA, AND RE-ADOPTION AND RE-ESTABLISHMENT OF OTHER EXISTING SPEED LIMITS

8.3 Local Hazard Mitigation Plan Update

City Manager Macon made a presentation.

Councilmembers discussed the item and staff answered related questions.

Based on comments from members of the City Council, City Manager Macon indicated that staff would review the probability categorizations for extreme heat, radiological accidents, and water shortages; the impact categorization for airplane accidents; and, the probability and impact categorization for wildfires.

8.4 City Council Meeting Schedule

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 unanimously on a 5-0 vote, to approve modifications to the City Council meeting schedule for Fiscal Year 2017-18.

IX. CITY COUNCIL REPORTS AND COMMENTS

9.1 Coastal Greenbelt Authority

Councilmember Conners provided a report.

9.2 Orange County Fire Authority

Councilmember Hatch provided a report.

Division Chief Phil Johnson provided an update on recent fires in Orange County.

Councilmembers briefly responded to the report.

9.3 Orange County Library Advisory Board

Mayor Pro Tem Moore stated that there had been no meeting since the last meeting.

9.4 Orange County Mosquito and Vector Control District

Mayor Horne provided a report.

9.5 San Joaquin Hills Transportation Corridor Agency

Councilmember Conners stated that she was unable to attend the last meeting due to the California Joint Powers Insurance Authority Risk Management Educational Forum.

9.6 South Orange County Watershed Management Area

Mayor Pro Tem Moore provided a report.

9.7 Other Comments and Reports

Councilmember Conners provided a report on the California Joint Powers Insurance Authority Risk Management Educational Forum that she recently attended with fellow Councilmembers and City staff.

Councilmembers briefly responded to the report.

Mayor Horne provided an update on the California Senior Legislature.

Councilmembers briefly responded to the report.

Councilmembers Connors reported on a recent meeting pertaining to a 90+ Study.

X. CLOSED SESSION – None

XI. CLOSED SESSION REPORT – None

XII. ADJOURNMENT

The meeting was adjourned at 5:18 p.m. The next regular meeting will be at 2:00 p.m. on Wednesday, November 15, 2017, at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

YOLIE TRIPPY, Deputy City Clerk

Adopted: November 15, 2017

SHARI L. HORNE, Mayor

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**CITY OF LAGUNA WOODS CALIFORNIA
CITY COUNCIL MINUTES
SPECIAL MEETING
October 25, 2017
1:30 P.M.
Laguna Woods City Hall
24264 El Toro Road
Laguna Woods, California 92637**

I. CALL TO ORDER

Mayor Horne called the Special Meeting of the City Council of the City of Laguna Woods to order at 1:36 p.m.

II. ROLL CALL

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

STAFF PRESENT: City Manager Macon, City Attorney Cosgrove, Administrative
 Services Director/City Treasurer Cady, Deputy City Clerk Trippy

III. PLEDGE OF ALLEGIANCE

Bill Walsh, resident, led the pledge of allegiance.

IV. PRESENTATIONS AND CEREMONIAL MATTERS – None

V. PUBLIC COMMENTS – None

VI. CITY COUNCIL BUSINESS

6.1 “A Place for Paws” Dog Park

City Manager Macon made a presentation.

Councilmembers discussed the item and staff answered related questions.

Patty Wilson, resident, requested a copy of the PowerPoint provided at the October 18, 2017 City Council meeting and asked for clarification regarding the portion of the dog park that is located on Third Laguna Hills Mutual property.

City Manager Macon described the portions of the dog park that are located on Third Laguna Hills Mutual and Golden Rain Foundation property. He stated that, if approved, use of the portion on Third Laguna Hills Mutual property would be suspended. The portion

on Golden Rain Foundation property would remain usable.

Councilmembers discussed the item and staff answered related questions.

Moved by Mayor Pro Tem Moore, seconded by Councilmember Conners, and carried on a 4-0 vote, with Councilmember Hatch absent, to direct staff to suspend active use of the portion of “A Place for Paws” Dog Park that is located on Third Laguna Hills Mutual property, pending completion of the “A Place for Paws” Dog Park Relocation Project.

VII. CLOSED SESSION – None

VIII. CLOSED SESSION REPORT – None

IX. ADJOURNMENT

Mayor Horne stated her intent to adjourn the meeting in memory of Denise “Denny” Welch, Rene Rainey, and Jerry Painter.

Bill Walsh, resident, commented on Denny Welch’s passing.

Councilmembers commented on Denny Welch’s passing.

The meeting was adjourned at 1:54 p.m. in memory of Denise “Denny” Welch, Rene Rainey, and Jerry Painter. The next regular meeting will be at 2:00 p.m. on Wednesday, November 15, 2017, at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

YOLIE TRIPPY, Deputy City Clerk

Adopted: November 15, 2017

SHARI L. HORNE, Mayor

6.2
CITY TREASURER'S REPORT

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City of Laguna Woods
City Treasurer's Report
 For the Month Ended October 31, 2017

ITEM 6.2

CASH AND INVESTMENTS

	Beginning Balances As of 9/30/17	Earnings & Receipts	Disbursements	Transfers & Other Adjustments	Ending Balances As of 10/31/17	% of Total Cash & Investment Balances	Maximum % Allowed per Investment Policy
Cash and Cash Equivalents							
Analyzed Checking Account (Note 4)	\$ 788,393	\$ 907,345	\$ (882,771)	\$ -	\$ 812,966	7.79%	
Cash Balances, Securities Account	\$ -	\$ -	\$ -	\$ 245,000	\$ 245,000	2.35%	
Earned Interest in Transit and Accrued Interest, Securities Account	\$ -	\$ -	\$ -	\$ 3,679	\$ 3,679	0.04%	
Petty Cash	\$ 1,141	\$ -	\$ (7)	\$ -	\$ 1,134	0.01%	
Total Cash and Cash Equivalents	\$ 789,534	\$ 907,345	\$ (882,779)	\$ 248,679	\$ 1,062,779	10.19%	100.00%
Pooled Money Investment Accounts (PIMA)							
Local Agency Investment Fund (LAIF) (Notes 1 and 2)	\$ 3,669,292	\$ 10,783	\$ -	\$ -	\$ 3,680,074	35.29%	
Orange County Investment Pool (OCIP) (Note 3)	\$ 4,013,042	\$ 3,779	\$ (204)	\$ -	\$ 4,016,617	38.51%	
Total Pooled Money Investment Accounts	\$ 7,682,334	\$ 14,562	\$ (204)	\$ -	\$ 7,696,692	73.80%	90.00%
Investments - Interest and Income Bearing							
Certificates of Deposit (book value) (Note 5)	\$ 1,922,535	\$ 2,739	\$ (6,595)	\$ (248,679)	\$ 1,670,000	16.01%	
Total Investments	\$ 1,922,535	\$ 2,739	\$ (6,595)	\$ (248,679)	\$ 1,670,000	16.01%	20.00%
TOTAL CASH, CASH EQUIVALENTS, AND INVESTMENTS	\$ 10,394,403	\$ 924,646	\$ (889,578)	\$ -	\$ 10,429,471	100.00%	

Summary of Total Cash, Cash Equivalents, and Investments (Note 4):

	General Fund	Special Revenue Funds	Totals
Analyzed Checking	\$ (1,023,227)	\$ 1,836,193	\$ 812,966
Cash, Securities Account	\$ 245,000	\$ -	\$ 245,000
Interest in Transit	\$ 3,679	\$ -	\$ 3,679
Petty Cash	\$ 1,134	\$ -	\$ 1,134
LAIF	\$ 3,680,074	\$ -	\$ 3,680,074
OCIP	\$ 4,016,617	\$ -	\$ 4,016,617
Certificates of Deposit	\$ 1,670,000	\$ -	\$ 1,670,000
Totals	\$ 8,593,278	\$ 1,836,193	\$ 10,429,471

(See **NOTES** on Page 3 of 3)



City of Laguna Woods
City Treasurer's Report
For the Month Ended October 31, 2017

ITEM 6.2

INVESTMENT PORTFOLIO DETAIL

CUSIP	Investment #	Issuer	Term	Purchase Date	Settlement Date	Par Value	Market Value	Book Value	Stated Rate (Note 5)	Coupon Type	1st Coupon Date	Rating or Rank (*)	Yield to Maturity 365 Days	Maturity Date
Money Funds and Certificate of Deposits (CDs, Federal Deposit Insurance Corporation [FDIC] Insured)														
02006LM59	2016-1	ALLY BK MIDVALE UTAH	24 months	09/12/16	09/15/16	245,000	243,915	245,000	1.150	Semi-Annual	03/15/17	300	1.150	09/17/18
949763BJ4	2016-3	WELLS FARGO BANK	18 months	09/13/16	09/28/16	245,000	244,593	245,000	1.000	Monthly	10/28/16	295	1.000	03/28/18
140420F47	2016-4	CAPITAL ONE BANK USA	18 months	09/13/16	09/21/16	245,000	244,620	245,000	1.000	Semi-Annual	03/21/17	300	1.000	03/21/18
57116ANC8	2017-1	MARLIN BUSINESS BK SALT LAKE	18 months	01/13/17	01/13/17	245,000	244,846	245,000	1.250	Monthly	02/13/17	300	1.250	07/13/18
508176CH5	2017-2	LAKE CITY BANK	24 months	03/08/17	03/22/17	245,000	245,032	245,000	1.600	Monthly	04/22/17	300	1.600	03/22/19
45340KDY2	2017-3	INDEPENDENCE BANK OF KY	10 months	05/04/17	05/09/17	100,000	99,925	100,000	1.000	Monthly	06/09/17	242	1.000	03/09/18
02587DR26	2017-4	AMERICAN EXPRESS CENTURIAN	18 months	05/04/17	05/10/17	245,000	244,939	245,000	1.500	Semi-Annual	11/10/17	300	1.500	11/13/18
864088DC0	2017-5	STURGIS BANK & TRUST CO.	9 months	05/04/17	05/18/17	100,000	99,944	100,000	1.000	Monthly	06/18/17	206	1.000	02/20/18
		Money Funds with Multi-Bank Securities, Inc.**				245,940		245,940						
		Accrued Interest - Month End				2,739		2,739						
Total CDs						1,918,679	1,667,813	1,918,679						

(*) At the time of purchase CDs were rated or ranked using an IDC Financial Publishing, Inc. compiled ranking, and includes a one-number summary rank of quality comprised of 35 key financial ratios. Ranks range from 1 (the lowest) to 300 (the highest) and fall into one of the following six groups:

Rank	Group
200-300	Superior
165-199	Excellent
125-164	Average
75-124	Below Average
2-74	Lowest Ratios
1	Highest Probability of Failure

(**) Money funds held by Multi-Bank Securities, Inc. represent the maturing of the \$245,000 City Bank 12 month CD on 9/20/17. These funds are to be re-invested.

Pooled Money Investment Accounts (PIMA) (Notes 1, 2, and 3)

N/A	N/A	Local Agency Investment Fund (LAIF)	N/A	Various	Various	3,680,074	3,680,074	3,680,074	1.051	N/A	N/A	N/A	N/A	N/A
N/A	N/A	Orange County Investment Pool (OCIP)	N/A	Various	Various	4,016,617	4,016,617	4,016,617	1.084	N/A	N/A	N/A	N/A	N/A
Total PIMA						7,696,692	7,696,692	7,696,692						

(See **NOTES** on Page 3 of 3)



City of Laguna Woods
City Treasurer's Report
For the Month Ended October 31, 2017

OTHER FUNDS - HELD IN TRUST

	Beginning Balances As of 9/30/17	Contributions / (Withdrawals)	Administrative Fees & Investment Expense	Unrealized Gain / (Loss)	Ending Balances As of 10/31/17
Other Post-Employment Benefits (OPEB) Trust					
CalPERS California Employers' Retiree Benefit Trust (CERBT) (CERBT holds all assets and administers the OPEB Trust)	\$ 69,509	\$ -	\$ (5)	\$ (7)	\$ 69,497
Total Other Funds - Held in Trust	<u>\$ 69,509</u>	<u>\$ -</u>	<u>\$ (5)</u>	<u>\$ (7)</u>	<u>\$ 69,497</u>

Notes:

Note 1 - LAIF / During this period interest for the quarter ended September 30, 2017 was deposited.

Note 2 - LAIF / The stated earnings rate for LAIF balances is an average monthly yield applied to the City's weighted average balance within the total pool. Earnings are paid the month after the end of each quarter. Quarterly earnings for July through September 2017 of \$10,782.69 posted in October 2017. Interest earned is offset by expense, with the net interest reported by LAIF as a single transaction.

LAIF average monthly investment yield rate for September and October 2017 were 1.111% and 1.143%. October 2017 earnings will be included in earnings for the quarter ended December 31, 2017.

LAIF quarterly administrative costs for the quarter ended September 30, 2017 were 0.068% resulting in net, blended earnings for the quarter of 1.07%.

Note 3 - OCIP / The stated earnings rate for OCIP balances is an average monthly yield applied to the City's weighted average balance within the total pool. Earnings are accrued monthly. September accrued interest of \$3,779.26 was deposited in October 2017. August 2017 administrative fees of \$204.31 are included in October 2017 activity. September 2017 administrative fees will post in November 2017. Interest earned and investment expenses are posted as separate transactions each month.

OCIP average monthly investment yield rate for September 2017 was 1.146% and October 2017 has not been reported at the time of this report preparation.

OCIP administrative costs for August and September 2017 were 0.060%, resulting in net investment earnings of 1.054% and 1.086% respectively.

Note 4 - Analyzed Checking Account / Monthly activity reported does not reflect September vendor invoicing processed after the date of this report.

Note 5 - CDs / The stated earnings rate for CDs is a fixed rate for the full term. The City received interest payments of \$5,586.37 in October 2017. Cash balances to be invested or paid out are classified separately.

City Treasurer's Certification

I, Margaret A. Cady, City Treasurer, do hereby certify:

- That all investment actions executed since the last report have been made in full compliance with the City's Investment of Financial Assets Policy; and
- That the City is able to meet all cash flow needs which might reasonably be anticipated for the next 12 months.

Margaret A Cady
 Margaret A. Cady, City Treasurer

11/8/17
 Dated

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6.3
WARRANT REGISTER

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CITY OF LAGUNA WOODS
WARRANT REGISTER
11/15/2017

ITEM 6.3

		Date	Vendor Name	Description	Amount
Debit			Automatic Bank Debits		
Debit	10/16/2017	US BANK	Bank Supplies and Fees / September 2017		115.86
Debit	10/18/2017	ADP PAYROLL SERVICES	Payroll / Pay Period Ended 10/13/2017		\$32,119.76
Debit	10/18/2017	CALPERS - RETIREMENT	Retirement Contributions / Pay Period Ended 10/13/2017		2,193.83
Debit	10/27/2017	ADP PAYROLL SERVICES	Payroll Processing Fees / Pay Period Ended 10/13/2017		162.97
Debit	10/30/2017	COUNTY OF ORANGE	Law Enforcement Services / November 2017		216,434.57
Debit	11/1/2017	ADP PAYROLL SERVICES	Payroll / Pay Period Ended 10/27/2017		28,965.78
Debit	11/1/2017	CALPERS - RETIREMENT	Retirement Contributions / Pay Period Ended 10/27/2017		2,193.83
Debit	11/1/2017	CALPERS - HEALTH	Employee Benefit Program / November 2017		3,142.34
Debit	11/10/2017	ADP PAYROLL SERVICES	Payroll Processing Fees / Pay Period Ended 10/27/2017		178.69
Number			Warrants:		
1573	10/10/2017	360 BUSINESS CONSULTING	Website Maintenance / September 2017		200.00
1574	10/10/2017	AT&T	Telephone / 458-3487 / September 2017		38.77
1575	10/10/2017	AT&T	Telephone / 452-0600 / September 2017		1,139.17
1576	10/10/2017	AT&T	Telephone / 639-0500 / September 2017		209.25
1577	10/10/2017	CIVIL SOURCE	Building Inspection & Counter Services / August 2017		33,795.00
1578	10/10/2017	COMPUTER SERVICE COMPANY	Traffic Signal Maintenance / September 2017		868.00
1579	10/10/2017	COUNTY OF ORANGE	800MHz CCCS Next Gen Partnership Cost / Fiscal Year 2017-18		8,170.00
1580	10/10/2017	MARC DONOHUE	Administrative Services / September 2017		200.00
1581	10/10/2017	PETTY CASH	Replenish Petty Cash (expenditures reported separately, see Note 1 below)		358.77
1582	10/10/2017	SOUTHERN CALIFORNIA EDISON	Residential Streetlights / September 2017		1,736.64
1583	10/10/2017	STAPLES	Office and Janitorial Supplies		176.53
1584	10/19/2017	AT&T	White Pages - October 2017		4.48
1585	10/19/2017	CALIFORNIA BLDG STANDARDS COMM	Building Permit Fee Assessment / July - September 2017		292.40
1586	10/19/2017	CALIFORNIA YELLOW CAB	Taxi Voucher Services / September 2017		10,083.00
1587	10/19/2017	CITY OF LAGUNA BEACH	Animal Control & Shelter Services / October 2017		8,364.75
1588	10/19/2017	COUNTY OF ORANGE	Automated Fingerprint ID System / October 2017		597.00
1589	10/19/2017	COUNTY OF ORANGE	Communication Charges 800MHz Flat Rate / July - September 2017		360.00
1590	10/19/2017	DEPARTMENT OF CONSERVATION	Strong Motion Instrumentation & Seismic Hazard Mapping Fee / July - September 2017		1,056.60
1591	10/19/2017	ICMA RETIREMENT CORPORATION	Quarterly Plan Fee / October - December 2017		125.00
1592	10/19/2017	KONE INC.	City Hall Elevator Maintenance / October 2017		257.62
1593	10/19/2017	RUTAN & TUCKER, LLP	Legal Services / August 2017		360.00
1594	10/19/2017	SOUTHERN CALIFORNIA EDISON	Traffic Signal Controller / September 2017		238.26
1595	10/19/2017	SOUTHERN CALIFORNIA EDISON	Traffic Signal Controller / August - September 2017		937.40
1596	10/19/2017	SOUTHERN CALIFORNIA EDISON	Street Lights in Right of Way / September 2017		1,940.33
1597	10/19/2017	SOUTHERN CALIFORNIA EDISON	Irrigation Controller / September 2017		24.33
1598	10/19/2017	STAPLES	Office and Janitorial Supplies		62.03
1599	10/19/2017	STL LANDSCAPE, INC	Moulton Parkway Water Efficient Median Improvement Project		133,316.06
1600	10/19/2017	SUNSET PROPERTY SERVICES	Street Sweeping Services / September 2017		2,723.96
1601	10/19/2017	THE BEE DETECTIVES, INC.	Bee Removal Services		350.00
1602	10/19/2017	THE GAS COMPANY	City Hall Utilities / September 2017		22.15
1603	10/19/2017	TRAUMA INTERVENTION PROGRAMS,	Emotional and Practical Support Services / September 2017 - June 2018		1,998.24
1604	10/19/2017	TYLER TECHNOLOGIES, INC.	Software Conversion & Support / August 2017		375.00
1605	10/19/2017	WILLDAN ENGINEERING	Code Enforcement Services / June - July 2017		4,118.00

**CITY OF LAGUNA WOODS
WARRANT REGISTER
11/15/2017**

ITEM 6.3

Date	Vendor Name	Description	Amount	
1606	10/20/2017	CALIFORNIA JPIA	Pollution Liability Insurance Premium / Fiscal Year 2017-18	519.00
1607	10/26/2017	19 RESTAURANT & LOUNGE	Refreshments/Supplies for Retirement Event / Hack	581.86
1608	10/26/2017	360 BUSINESS CONSULTING	Website Maintenance / October 2017	400.00
1609	10/26/2017	ALLIED PRODUCTS	City Hall Flags	151.49
1610	10/26/2017	AT&T	Telephone / 581-3974 / October 2017	76.10
1611	10/26/2017	AT&T	Telephone / 583-1105 / September 2017	20.34
1612	10/26/2017	BLUE RIBBON TROPHY	Councilmember Name Badges	50.96
1613	10/26/2017	BUSINESS PLANS, INCORPORATED	125 Cafeteria Plan Administration / October 2017	100.00
1614	10/26/2017	CAA	Water Quality Services / September 2017	4,053.00
1615	10/26/2017	COASTAL CURRENT ELECTRIC	Cancelled Permit Refund	340.00
1616	10/26/2017	CSG CONSULTANTS INC	Building Plan Review Services / September 2017	255.00
1617	10/26/2017	EL TORO WATER DISTRICT	Landscape Irrigation / September 2017	4,644.06
1618	10/26/2017	HARTZOG & CRABILL, INC.	Engineering & Traffic Survey / August 2017	1,980.00
1619	10/26/2017	MICHAEL BAKER INTERNATIONAL	General Plan Comprehensive Update Project / September 2017	3,361.93
1620	10/26/2017	NIEVES LANDSCAPE, INC.	Landscape Maintenance / October 2017	11,800.00
1620	10/26/2017	NIEVES LANDSCAPE, INC.	City Hall Landscape Maintenance / October 2017	406.25
1621	10/26/2017	ON POINT LAND SURVEYING, INC	Traffic Engineering Survey / August - September 2017	5,500.00
1622	10/26/2017	ORANGE COUNTY REGISTER-NOTICES	Public Notices / September 2017	2,738.00
1623	10/26/2017	PROMOTIONAL SIGNS, INC.	Project Deposit Balance Refund	477.82
1624	10/26/2017	RICOH USA, INC.	Copier Lease / November 2017	214.20
1625	10/26/2017	SOUTHERN CALIFORNIA EDISON	Irrigation Controllers / October 2017	98.60
1626	10/26/2017	TEAM ONE MANAGEMENT	Janitorial Services / September 2017	950.78
1627	10/26/2017	TRILLIUM CONTRACTING SERVICES, INC	Project Deposit Balance Refund	2,505.00
1628	10/26/2017	U.S. BANK	Credit Card Charges / October 2017 (See Note 2)	909.16
1629	10/26/2017	WILLDAN ENGINEERING	Code Enforcement Services / August 2017	2,204.00
1629	10/26/2017	WILLDAN ENGINEERING	Building Official Services / August 2017	4,470.00
			Total Bank Debits and Warrants:	<u>\$548,813.92</u>
Petty Cash Expenditures Paid Out (See Note 1)				
		US Postal Office	Mailing Service	7.15
			Total Petty Cash:	<u>7.15</u>
			TOTAL	<u>\$548,821.07</u>

NOTES:

Note 1 - Petty cash is reported as cash is paid out.

Note 2 - The table below summarizes credit card expenditures paid via Check #1628 to U.S. Bank totaling \$909.16.

DoubleTree	Lodging, CJPIA Annual Conference / Conners, Hatch, Horne, Macon, Cady	909.16
Total Credit Card Reimbursement:		<u>\$909.16</u>

6.4

INVESTMENT OF FINANCIAL ASSETS POLICY

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City of Laguna Woods Agenda Report

TO: Honorable Mayor and City Councilmembers

FROM: Christopher Macon, City Manager

FOR: November 15, 2017 Regular Meeting

SUBJECT: Investment of Financial Assets Policy

Recommendation

Approve a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, REVIEWING AND ADOPTING AN ANNUAL STATEMENT OF THE INVESTMENT POLICY, ADOPTING AN INVESTMENT POLICY, AND RENEWING ITS DELEGATION OF INVESTMENT AUTHORITY PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 53607 TO THE CITY TREASURER

Background

Local government investment policies and activities are subject to standards and limitations set forth in California Government Code, including Section 53601 *et seq.*, which describes permissible investment types and maximum investments.

California Government Code Section 53607 requires that the City Council review the City's investment policy, as it relates to any delegation of investment authority, at least annually. Separately, California Government Code Section 53646 speaks to the advisability of regular investment policy reviews.

The existing investment policy (Attachment A) was last reviewed and adopted by the City Council at the regular meeting on April 19, 2017. Modifications made at that time were based on feedback provided by the California Municipal Treasurers

Association (“CMTA”) following CMTA’s certification of the investment policy that was adopted by the City Council in November 2016, as well as on the City’s experience implementing its investment policy since significant modifications were made in November 2015, and to better align the description of local government investment pools and other pooled investment funds with Government Code.

The City Council last voted to renew its delegation of investment authority to the City Treasurer at the regular meeting on November 16, 2016.

At the regular meeting on December 21, 2016, the City Council appointed Mayor Horne and Councilmember Moore to serve on the standing Investment Policy Review Committee from January 1, 2017 through December 31, 2017, as called for in the investment policy.

Table 1: Investment Earnings – Fiscal Years 2014-15 through 2016-17

Fiscal Year 2014-15 Investment Earnings	Fiscal Year 2015-16 Investment Earnings	Fiscal Year 2016-17 Investment Earnings
\$24,299	\$46,906	\$73,727

Discussion

Today’s meeting is an opportunity for City Council action, as well as public input, on the proposed review and adoption of an annual statement of the investment policy, adoption of an investment policy, and renewal of delegation of investment authority pursuant to California Government Code Section 53607 to the City Treasurer (Attachment A). The Investment Policy Review Committee and staff recommend that the City Council continue existing investment practices.

After review, the Investment Policy Review Committee, City Manager, and City Treasurer found that the existing investment policy (Attachment A) is adequate and effective in meeting the City’s needs. No modifications are recommended at this time. With modifications made approximately six months ago, the aforementioned parties believe that it would be prudent to continue implementing the investment policy in its current form for at least an additional six months, before considering additional modifications.

The Investment Policy Review Committee and City Manager recommend that the City Council renew its delegation of investment authority to the City Treasurer. Doing so would be consistent with best practices related to internal control, as well

as the investment process outlined in the existing investment policy. Margaret Cady, the current City Treasurer, is a Certified Public Accountant and member of several professional organizations, including the California Municipal Treasurers Association, Government Finance Officers Association, and California Society of Municipal Finance Officers.

Fiscal Impact

Funds to support this project are included in the City's budget.

Report Prepared With: Margaret Cady, CPA, Administrative Services Director/City Treasurer

Attachment: A – Proposed Resolution
Exhibit A – Proposed Investment Policy

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RESOLUTION NO. 17-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, REVIEWING AND ADOPTING AN ANNUAL STATEMENT OF THE INVESTMENT POLICY, ADOPTING AN INVESTMENT POLICY, AND RENEWING ITS DELEGATION OF INVESTMENT AUTHORITY PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 53607 TO THE CITY TREASURER

WHEREAS, the legislature of the State of California has declared that the deposit and investment of public funds by local officials and agencies is an issue of statewide concern (Government Code sections 53600.6 and 53630.1); and

WHEREAS, the City Council is able to invest surplus monies not required for the immediate necessities of the City in accordance with Government Code sections 5921 and 53601 *et seq.*; and

WHEREAS, the City's investment policy is contained in Administrative Policy 2.2 and was last adopted by the City Council on April 19, 2017; and

WHEREAS, the City Council's practice is to review the City's investment policy, annually, and consider any changes thereto at a public meeting; and

WHEREAS, on December 21, 2016, the City Council appointed Mayor Horne and Mayor Pro Tem Moore to a standing Investment Policy Review Committee, as called for in the City's investment policy; and

WHEREAS, the Investment Policy Review Committee has (1) worked with the City Treasurer and staff to review the adequacy and effectiveness of the City's investment policy as adopted on April 19, 2017, (2) found that the investment policy is adequate and effective in meeting the City's needs, and (3) recommended no modifications to the investment policy at this time; and

WHEREAS, Government Code Section 53607 provides that the authority of City Council to invest or to reinvest City funds, or to sell or exchange securities so purchased, may be delegated for a one-year period by the City Council to the City Treasurer, who shall thereafter assume full responsibility for those transactions until the delegation of authority is revoked or expires. Subject to review, the City Council may renew the delegation of authority annually.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That the administrative policy attached hereto as Exhibit A is approved and is a statement of the City’s investment policy. The City Council receives and files said statement in accordance with the City’s investment policy and applicable Government Code and Laguna Woods Municipal Code provisions. The administrative policy attached hereto as Exhibit A replaces and supersedes all previous City investment policies.

SECTION 2. After independent review and consideration, the City Council renews its delegation of investment authority to the City Treasurer, as described in the administrative policy attached hereto as Exhibit A, in accordance with applicable Government Code and Laguna Woods Municipal Code provisions.

SECTION 3. The Deputy City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED AND ADOPTED on this XX day of XX 2017.

SHARI L. HORNE, Mayor

ATTEST:

YOLIE TRIPPY, Deputy City Clerk

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

I, YOLIE TRIPPY, Deputy City Clerk of the City of Laguna Woods, do HEREBY CERTIFY that the foregoing **Resolution No. 17-XX** was duly adopted by the City Council of the City of Laguna Woods at a regular meeting thereof, held on the XX day of XX 2017, by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

YOLIE TRIPPY, Deputy City Clerk

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**CITY OF LAGUNA WOODS
ADMINISTRATIVE POLICY 2.2**

INVESTMENT OF FINANCIAL ASSETS

2.2.01. Statement of Purpose.

This Administrative Policy is intended to assist the City of Laguna Woods with the investment of the City's financial assets in a manner that ensures adequate safety and liquidity, while maximizing yield (return) and complying with the requirements of California Government Code sections 5921 and 53600 et seq.

2.2.02. Scope.

This Administrative Policy generally applies to all financial assets of the City. Such funds are accounted for, or disclosed, in annual audited financial statements and include the General Fund, Special Revenue Funds, and the Capital Projects Fund. Funds invested separately with independent fiduciaries, including funds held and managed by the California Public Employees' Retirement System (CalPERS) for the purpose of funding employee retirement obligations and other post-employment benefits (OPEB) are exempt from this Administrative Policy.

2.2.03. Objectives.

The objectives of the City's investment activities, in priority order, shall be:

1. Safety – Safety of principal shall be the foremost objective. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall investment portfolio and the mitigation of credit risk and interest rate risk. This Administrative Policy recognizes that market conditions may warrant the sale of individual securities that would incur market losses in order to protect from further capital losses. The intent of this Administrative Policy is to ensure that capital losses are minimized on a portfolio level rather than on each transaction. To attain the safety objective, diversification of investments among a variety of securities with independent returns and institutions is required.
2. Liquidity – The investment portfolio shall remain sufficiently liquid (i.e., capable of being converted to cash quickly) in order to enable the City to meet all reasonably anticipated cash demands and operational requirements and to maintain compliance with all applicable indenture agreements. Since unusual

or unanticipated cash demands and operational requirements may occur from time-to-time, the portfolio shall primarily consist of investments in securities with active secondary and resale markets.

3. Yield (Return) – The investment portfolio shall be designed in a manner that seeks to attain the highest rate of return, consistent with established safety and liquidity objectives. While it is acknowledged and understood that occasional measurement losses may occur, the overall portfolio should generally earn at least market interest rates (market-average rates of return throughout budgetary and economic cycles for similar investments).

2.2.04. Delegation of Authority.

City Treasurer

No person other than the City Treasurer or Acting City Treasurer (hereafter referred to jointly as the “City Treasurer”) shall engage in an investment transaction using the City’s financial assets. The City Treasurer shall additionally be responsible for all transactions undertaken and shall establish and maintain a system of internal controls to regulate all investing activities.

In accordance with Government Code Section 53607, the City Council delegates investment authority for a one-year period to the City Treasurer. Such delegation of authority is subject to annual review and renewal by the City Council, as well as revocation at the City Council’s discretion. Adoption of this Administrative Policy shall constitute renewal of such delegation for an additional one-year period.

Pursuant to Laguna Woods Municipal Code Section 2.10.010, the City Treasurer is appointed by, and reports to, the City Manager. The City Manager may serve as, or appoint, an Acting City Treasurer at any time during the absence of a permanent City Treasurer. During his or her appointment, the Acting City Treasurer shall have all of the powers and duties of the City Treasurer.

The City Treasurer and City Manager (with respect to his or her role appointing and supervising the City Treasurer, and participating in investment decisions) shall be relieved of personal responsibility for an individual investment’s performance or losses, market price changes, and the performance of or losses incurred by the overall portfolio provided that (1) actions were undertaken in accordance with this Administrative Policy and applicable federal and state law, (2) significant deviations

from expectations were reported to the City Council in a timely manner, and (3) appropriate action was taken to mitigate future adverse developments.

Investment Policy Review Committee of the City Council

The City Council shall appoint two of its members to serve on an Investment Policy Review Committee for calendar year terms commencing on January 1 of each year. The Investment Policy Review Committee shall be responsible for conducting at least biannual reviews of the adequacy and effectiveness of this Administrative Policy and preparing related recommendations for City Council consideration.

The Investment Policy Review Committee shall be considered a standing committee, subject to all applicable provisions of the Ralph M. Brown Act.

2.2.05. Public Trust.

The City Council, City Manager, City Treasurer, and all individuals authorized to participate in investment decisions on behalf of the City shall act as custodians of the public trust and recognize that the investment portfolio is subject to public review and evaluation. The City's overall approach to investment shall be designed and managed with a degree of professionalism that is worthy of the public trust.

2.2.06. Prudence.

The City Council, City Manager, City Treasurer, and all individuals authorized to participate in investment decisions on behalf of the City, are considered to be trustees and, therefore, fiduciaries subject to the prudent investor standard. The prudent investor standard is summarized in Government Code Section 53600.3, as follows:

All governing bodies of local agencies or persons authorized to make investment decisions on behalf of those local agencies investing public funds pursuant to this chapter are trustees and therefore fiduciaries subject to the prudent investor standard. When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs

of the agency. Within the limitations of this section and considering individual investments as part of an overall strategy, investments may be acquired as authorized by law.

2.2.07. Ethics and Conflicts of Interest.

As set forth in the City’s Conflict of Interest Policy, and as otherwise required by the Political Reform Act and Fair Political Practices Commission, public officials who manage public investments are required to file economic interest disclosures.

In addition to federal, state and local statutes relating to conflicts of interest, the City Council, City Manager, City Treasurer, and all individuals authorized to participate in investment decisions on behalf of the City shall refrain from personal business association or activity that conflicts with proper execution of this Administrative Policy, or which could impair their ability to make impartial investment decisions.

2.2.08. Internal Controls and Routine External Review.

The City Treasurer shall develop, implement, and maintain a system of internal controls designed to ensure the effectiveness and efficiency of investment activities, compliance with applicable laws and regulations, and the reliability of financial reporting. Such internal controls shall seek to prevent the loss of public funds due to fraud, error, misrepresentation, and unanticipated market changes.

As a part of their annual review of internal controls, the City’s independent, external auditors shall review internal controls related to investment activities.

2.2.09. Authorized Financial Dealers, Depositories, and Institutions.

In accordance with Government Code Section 53601.5, investments shall either be purchased (1) directly from the issuer, (2) from an institution licensed by the State of California as a Broker-Dealer, as defined in Corporations Code Section 25004, provided that the institution is a primary or regional dealer qualified under federal Securities and Exchange Commission Rule 15C3-1 (Uniform Net Capital Rule), (3) from a member of a federally regulated securities exchange, (4) from a national or state-chartered bank, from a savings association or federal association, as defined by Financial Code Section 5102, or (5) from a brokerage firm designated as a primary government dealer by the Federal Reserve bank. In addition, investments shall only be purchased from entities or deposits made in qualified public depositories, as

established by State law, with full knowledge of applicable California law and at least five years' experience providing similar services to California municipalities.

The selection of financial dealers, depositories, and institutions shall follow a periodic competitive procurement process (e.g., requests for proposals or requests for qualifications) and be subject to ultimate approval of the City Council or City Manager in accordance with established purchasing regulations and policies. The nature of the competitive procurement process, frequency thereof, and submittals required, shall be designed and determined by the City Treasurer.

On an annual basis, the City Treasurer shall send a copy of the current version of this Administrative Policy to all financial dealers, depositories, and institutions approved to do business with the City. Receipt of this Administrative Policy shall be considered confirmation that the parties to whom they were distributed understand the City's authorized investment types and requirements thereof.

2.2.10. Authorized Investments.

In accordance with the requirements set forth in this Administrative Policy and in Government Code sections 53601, 53601.6, 53601.8, 53635, 53635.2, 53638, and 53684, the following types of investment are authorized:

A. Monies required to meet immediate cash flow needs:

- *Federal Deposit Insurance Corporation (FDIC) Insured Accounts*
Fully insured under \$250,000 or collateralized at 110% of principal and accrued interest in accordance with California Government Code

B. Monies not required to meet immediate cash flow needs, but which can be reasonably anticipated to be required over the following 12 months:

- *Bankers' Acceptances*
Minimum Standard & Poor's Rating: A-1, Minimum Moody's Rating: P-1
- *Commercial Paper*
Minimum Standard & Poor's Rating: A-1, Minimum Moody's Rating: P-1
- *Local Government Investment Pools and other pooled investment funds such as money market mutual funds*
Minimum Standard & Poor's Rating (Money Market Mutual Funds): AAA, Minimum Moody's Rating: Aaa, or other rating service equivalent

- *Non-Negotiable Certificates of Deposit*
Issued by a nationally or state-chartered bank, or state or federal savings and loan association, as defined by Financial Code Section 5102; and (1) with an “A” or better rating on its long-term debt as provided by Standard & Poor’s or Moody’s or (2) with minimum short-term ratings by two rating services. For (2), the minimum Standard & Poor’s rating shall be A-1 and the minimum Moody’s rating shall be P-1.
- *Passbook Savings Demand Deposits*
Fully insured by FDIC or collateralized
- *Repurchase Agreements*
Minimum Standard & Poor’s Rating: AA, Minimum Moody’s Rating: Aa
- *All investments authorized under Section 2.2.10(A).*

C. Monies not required to meet immediate cash flow needs, and which cannot be reasonably anticipated to be required over the following 12 months:

- *United States Treasury Obligations (notes, bonds, bills, or other certificates or coupons)*
Explicit full faith and credit guarantee of the United States Government.
Minimum Standard & Poor’s Rating for Bonds: AA or A-1+, Minimum Moody’s Rating for Bonds: Aa3 or P-1
- *United States Agency Obligations*
Implied full faith and credit guarantee of the United States Government.
Minimum Standard & Poor’s Rating for Bonds: AA or A-1+, Minimum Moody’s Rating for Bonds: Aa3 or P-1
- *State of California and Others States-issued Obligations (notes, bonds, or warrants)*
Minimum Standard & Poor’s Rating for Bonds: AA or A-1+, Minimum Moody’s Rating for Bonds: Aa or P-1
- *California Local Government-issued Municipal Obligations (notes, bonds, warrants, or other indebtedness issued by a California county, city, or local district/agency)*
Minimum Standard & Poor’s Rating: AA or A-1+, Minimum Moody’s Rating: Aa or P-1
- *Negotiable Certificates of Deposit*
Issued by a nationally or state-chartered bank, or state or federal savings and loan association, as defined by California Financial Code Section 5102.

Collateral shall comply with Chapter 4, Bank Deposit Law, Section 16500 et seq., and Chapter 4.5, Savings and Loan Association and Credit Union Deposit Law, Section 16600 et seq., of California Government Code.

- *All investments authorized under sections 2.2.10(A) and (B).*

2.2.11. Local Government Investment Pools and Other Pooled Investment Funds.

While local government investment pools generally provide significant safety and liquidity, the City Treasurer shall complete a thorough investigation prior to making any such investment and consider the same during the monthly compliance review required by Section 2.2.13. Due diligence in investigations shall generally include a review of written statements of investment policies, objectives, fees schedules, and reporting schedules, as well as issues related to (1) eligible investors and securities, (2) the permitted frequencies and sizes of deposits and withdrawals, (3) security safeguards, including settlement processes, (4) the frequency with which securities are priced and the program audited, (5) the treatment of gains and losses, including interest calculations and distribution, (6) whether and, if so, how reserves, retained earnings, and similar funds are utilized by the investment pool, and (7) whether the investment pool is eligible for and, if so, accepts bond proceeds. In addition, only local government investment pools with at least five years' experience providing similar services to other California municipalities may be utilized. Similar due diligence and investigative procedures shall be performed prior to investing in any other pooled investment funds, such as money market mutual funds.

2.2.12. Prohibited Investments.

Notwithstanding those types of investments that are otherwise prohibited by law or this Administrative Policy, financial derivatives (e.g., futures, options, and interest rate swaps) and foreign investments (e.g., indices and currencies) are prohibited.

2.2.13. Monthly Internal Compliance Review of Investment Portfolio.

Investments shall be in compliance with the ratings and other requirements set forth in this Administrative Policy at the time of purchase. It is acknowledged and understood that some investments may not fully comply with the same following purchase. The City Treasurer shall review the overall investment portfolio on a monthly basis and identify any investments that no longer comply. Non-compliant investments shall be reported to the City Council, City Manager, and City Attorney within 10 business days of discovery and corrected as soon as practical.

2.2.14. Safekeeping and Custody.

All investments shall be registered in the name of the City and all interest, principal payments, and withdrawals shall indicate the City as the sole payee.

All investments, with the exception of Federal Deposit Insurance Corporation (FDIC) Insured Accounts, Local Government Investment Pools, and Money Market Funds shall be held by a third party custodian designated by the City Treasurer and evidenced by custodial agreements or safekeeping receipts. Third-party custodians shall comply with the requirements set forth in Section 2.2.09.

All security transactions, where applicable, shall use a Delivery-versus-Payment (DVP) settlement procedure with the City's payment due at the time of delivery.

2.2.15. Collateralization.

Collateral for non-negotiable certificates of deposit and negotiable certificates of deposit shall comply with Government Code, Chapter 4, Bank Deposit Law Section 16500 *et seq.* and the Savings and Loan and Credit Union Deposit Law Government Code Section 16600 *et seq.* In addition, if the Non-Negotiable Certificate of Deposit is not Federal Deposit Insurance Corporation (FDIC) insured or exceeds the FDIC insured limit, collateral is required equal to 100% of the principal.

Collateral for repurchase agreements shall be 110% of the market value of principal and accrued interest. Collateral can be either United States Treasury securities or United States Agency securities. The City Treasurer is authorized to grant the right of collateral substitution for repurchase agreements.

All collateral shall be held by an independent third party with whom the City has a current custodial agreement. A clearly marked evidence of ownership (safekeeping receipt) must be supplied to the City and retained.

2.2.16. Diversification and Maximum Maturities.

The overall investment portfolio shall be diversified to avoid incurring unreasonable and avoidable risks associated with concentrating investments in specific investment types, maturity segments, or individual financial institutions. In a diversified portfolio, it is acknowledged and understood that occasional measurement losses may occur. Such losses shall be considered within the overall portfolio's investment

return. Diversification also requires investments to be spread among varying security types and institutions.

Authorized investments shall be invested subject to the following:

Table 2.2-1: Diversification and Maximum Maturities Table

Type of Investment	Maximum Amount of Portfolio Investment	Maximum Maturity
Federal Deposit Insurance Corporation (FDIC) Insured Accounts	100%	N/A
Bankers' Acceptances	20% (no more than 5% with one bank)	180 days
Commercial Paper	15% (no more than 10% of a single issuer)	270 days
Local Government Investment Pools	90%	N/A
Money Market Mutual Funds	10%	N/A
Non-Negotiable Certificates of Deposit	20% (no more than 5% with one bank or issuer) and no more than 30% of the overall portfolio when combined with Negotiable Certificates of Deposit	3 years
Negotiable Certificates of Deposit	30% (no more than 5% with one bank or single issuer) and no more than 30% of the overall portfolio when combined with Non-Negotiable Certificates of Deposit	3 years
Passbook Savings Demand Deposits	100%	3 years
Repurchase Agreements	10% (no more than 20% of a single issuer)	30 days

Type of Investment	Maximum Amount of Portfolio Investment	Maximum Maturity
United States Treasury Obligations	90% of overall portfolio for any one investment type (no more than 20% of a single issuer)	3 years
United States Agency Obligations		3 years
State of California and Other States-issued Obligations	20% of overall portfolio for any one investment type (no more than 5% of a single issuer)	3 years
California Local Government-issued Municipal Obligations		3 years

2.2.17. Reporting.

The City Treasurer shall prepare and submit a monthly investment report to the City Council. The report shall include a summary of all investment transactions for the reporting period, as required by Government Code Section 53607, as well as similar information required for optional quarterly investment reports by Government Code Section 53646(b), to the extent that such information is available. The report shall also comply with Government Accounting Standard Board (GASB) Statement No. 40 and include the following:

- A. Certification that all investment actions executed since the last report have been made in full compliance with this Administrative Policy; and
- B. Certification that the City is able to meet all cash flow needs which might reasonably be anticipated for the next 12 months.

2.2.18. Annual City Council Review and Adoption of this Administrative Policy.

This Administrative Policy shall be reviewed, modified as necessary, and adopted, at least annually, by resolution of the City Council at a duly noticed public meeting. Such annual review shall be in addition to the reviews conducted by the Investment Policy Review Committee as described in Section 2.2.04.

2.2.19. Relationship to Federal and State Laws.

Where federal or state laws are more restrictive than or contradict this Administrative Policy, such laws shall take precedence. Where this Administrative Policy is more restrictive than federal or state laws, this Administrative Policy shall take precedence.

The City Treasurer shall advise the Investment Policy Review Committee of any contradictions of federal or state law for consideration during its reviews conducted as described in Section 2.2.04.

2.2.20. Attachments.

Attachment A, “Glossary of Terms and Acronyms,” is incorporated by reference.

Attachment B, “California Municipal Treasurers Association Investment Policy Certification”

City Council Adoption: November XX, 2017

Attachment A, “Glossary of Terms and Acronyms”

This Glossary of Terms and Acronyms contains common investment terminology to provide users with a better understanding of basic investment terms. It is intended to be used as a basic reference only, is not intended to be all inclusive, and should not be treated as a substitute for professional counsel or analysis.

ACCRUED INTEREST: Coupon interest accumulated on a bond or note since the last interest payment or, for a new issue, from the dated date to the date of delivery.

ASSET-BACKED SECURITIES: Securities that are supported by pools of assets, such as installment loans or leases, or by pools of revolving lines of credits. Asset-backed securities are structured as trusts in order to perfect a security interest in the underlying assets.

AVERAGE: An arithmetic mean of selected stocks intended to represent the behavior of the market or some component of it.

BANK DEPOSITS: Deposits in banks or other depository institutions that may be in the form of demand accounts (checking) or investments in accounts that have a fixed term and negotiated rate of interest.

BANK NOTES: A senior, unsecured, direct obligation of a bank or United States branch of a foreign bank.

BANKERS’ ACCEPTANCE: A draft or bill of exchange accepted by a bank or trust company. The accepting institution, as well as the issuer, guarantees payment of the bill.

BASIS POINTS: Refers to the yield on bonds. Each percentage point of yield in bonds equals 100 basis points (1/100% or 0.01%). If a bond yield changes from 7.25% to 7.39% that is a rate of 14 basis points.

BENCHMARK: A passive index used to compare the performance, relative to risk and return, of an investor’s portfolio.

BOND PROCEEDS: The money paid to the issuer by the purchaser or underwriter of a new issue of municipal securities. These moneys are used to finance the project or purpose for which the securities were issued and to pay certain costs of issuance as may be provided in the bond contract.

BONDS: A debt obligation of a firm or public entity. A bond represents the agreement to repay the debt in principal and, typically, in interest on the principal.

BOOK VALUE: The value at which an asset is carried on a balance sheet.

BROKER: A person or firm that acts as an intermediary by purchasing and selling securities for others rather than for its own account.

CALL OPTION: The terms of the bond contract giving the issuer the right to redeem or call an outstanding issue of bonds prior to its stated date of maturity.

CASH FLOW: A comparison of cash receipts (revenues) to required payments (debt service, operating expenses, etc.).

CERTIFICATE OF DEPOSIT: A short-term, secured deposit in a financial institution that usually returns principal and interest to the lender at the end of the loan period. Certificates of Deposit (CDs) differ in terms of collateralization and marketability. CDs appropriate to public agency investing include:

Negotiable Certificates of Deposit – Generally, short-term debt instruments that pay interest and re issued by a bank, savings or federal association, state or federal credit union, or state-licensed branch of a foreign bank. The majority of negotiable CDs mature within six months while the average maturity is two weeks. Negotiable CDs are traded in a secondary market and are payable upon order to the bearer or initial depositor (investor). Negotiable CDs are insured by the FDIC up to \$250,000, but they are not collateralized beyond that amount.

Non-Negotiable Certificates of Deposit – CDs that carry a penalty if redeemed prior to maturity. A secondary market does exist for non-negotiable CDs, but redemption includes a transaction cost that reduces returns to the investor. Non-negotiable CDs issued by banks and savings and loans are insured by the FDIC up to the amount of \$250,000, including principal and interest. Amounts deposited above this amount may be secured with other forms of collateral through an agreement between the investor and the issuer. Collateral may include other securities, including treasuries or agency securities (e.g., issued by the Federal National Mortgage Association).

CERTIFICATE OF DEPOSIT ACCOUNT REGISTRY SYSTEM (CDARS): A private CD placement service that allows local agencies to purchase more than \$250,000 in CDs from a single financial institution (must be a participating institution of CDARS) while still maintaining FDIC insurance coverage. CDARS is

currently the only entity providing this service. CDARS facilitates the trading of deposits between the California institution and other participating institutions in amounts that are less than \$250,000 each, so that FDIC coverage is maintained.

CD PLACEMENT SERVICE: A service that allows local agencies to purchase more than \$250,000 in CDs from a single financial institution while still maintaining FDIC insurance coverage. See “CDARS”.

COLLATERALIZATION OF DEPOSITS: A process by which a bank or other financial institution pledges securities or other deposits for the purpose of securing the repayment of deposited funds.

COMMERCIAL PAPER: An unsecured short-term promissory note issued by corporations or municipalities, with maturities ranging from two to 270 days.

CORPORATE NOTES AND BONDS: Debt instruments, typically unsecured, issued by corporations, with original maturities in most cases greater than one year and less than ten years.

COUNTY POOLED INVESTMENT FUNDS: The aggregate of all funds from public agencies placed in the custody of the county treasurer or chief finance officer for investment and reinvestment.

COUPON: The annual rate of interest that a bond’s issuer promises to pay the bondholder in the bond’s face value; a certificate attached to a bond evidencing interest due on a payment date.

CREDIT RATING: The credit worthiness of an investment. Credit ratings are issued by nationally recognized statistical rating organizations (NRSROs) registered with the Securities and Exchange Commission. Three highly recognized organizations are Standard and Poor’s, Moody’s, and Fitch. The organizations use a primary letter designation (numbers or symbols may follow the letter designation) to indicate the quality of an investment. As an example, short-term ratings by Standard and Poor’s of A-1+ and Moody’s of P-1 indicate a prime or high grade quality investment. Long-term prime or high grade quality investments would be rated AAA or Aaa by Standard and Poor’s and Moody’s, respectively. Rates beginning with letters B or C would typically indicate an investment of speculative and higher risk quality.

CREDIT RISK: The chance that an issuer will be unable to make scheduled payments of interest and principal on an outstanding obligation. Another concern for

investors is that the market's perception of an issuer/borrower's credit will cause the market value of a security to fall, even if default is not expected.

CUSTODIAN: A bank or other financial institution that keeps custody of stock certificates and other assets.

DEALER: Someone who acts as a principal in all transactions, including underwriting, buying, and selling securities, including from his or her own account.

DEFAULT RISK: The risk that issuers or borrowers will be unable to make the required payments on their debt obligations.

DEFEASED BOND ISSUES: Issues that have sufficient money to retire outstanding debt when due, so that the agency is released from the contracts and covenants in the bond document.

DELIVERY-VERSUS-PAYMENT (DVP): The payment of cash for securities as they are delivered and accepted for settlement.

DERIVATIVE: Securities that are based on, or derived from, some underlying asset, reference date, or index.

DISCOUNT: The difference between the par value of a security and the cost of the security, when the cost is below par. Investors purchase securities at a discount when return to the investor (yield) is higher than the stated coupon (interest rate) on the investment.

DISCOUNT RATE: The interest rate used in discounted cash flow analysis to determine the present value of future cash flows. The discount rate in discounted cash flow analysis takes into account not just the time value of money, but also the risk or uncertainty of future cash flows; the greater the uncertainty of future cash flows, the higher the discount rate.

DIVERSIFICATION: The allocation of different types of assets in a portfolio to mitigate risks and improve overall portfolio performance.

DURATION: A measure of the timing of the cash flows to be received from a security that provides the foundation for a measure of the interest rate sensitivity of a bond. Duration is a volatility measure and represents the percentage change in price divided by the percentage change in interest rates. A high duration measure indicates

that for a given level of movement in interest rates, prices of securities will vary considerably.

EFFECTIVE DURATION: A measurement of the weighted average of the present value of the cash flows of a fixed-income investment. Effective duration measures the price sensitivity of fixed-income investments, especially for those with embedded option features such as call options. As yields rise, the effective duration of a callable investment rises to reflect the fact that it has become less likely to be called. The more rates rise, the longer the effective duration will become, approaching the duration to maturity. The converse is true in a declining interest rate environment (that is, the more rates fall, the shorter the effective duration will become, approaching the duration to call). For securities without an embedded option, the duration to call, maturity, and effective duration are all the same. The calculation for effective duration is complicated and involves averaging the duration under a simulation of many possible interest rate scenarios in the future.

EVENT RISK: The risk associated with a changing portfolio value due to a market event causing swings in market prices and/or spreads.

EXTENDABLE NOTES: Securities with maturity dates that can be extended by mutual agreement between the issuer and investor. When investing in these types of securities, the maturity date plus the stated extendable option must not exceed the time frames that are allowed in California Government Code or the investment policy for the investment type.

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC): A federal agency that insures bank deposits, currently up to \$250,000 per entity.

FIDUCIARY: An individual who holds something in trust for another and bears liability for its safekeeping.

FIRST TIER SECURITIES: Securities that have received short term debt ratings in the highest category from the requisite nationally recognized statistical-rating organizations (NRSROs), or are comparable unrated securities, or are issued by money market funds, or government securities. [See SEC Rules: Paragraph (A) (12) of rule 2A-7.]

FLOATING RATE SECURITY: A security that has a variable or “floating” interest rate.

GOVERNMENT ACCOUNTING STANDARDS BOARD (GASB): A standard-setting body, associated with the Financial Accounting Foundation, which prescribes standard accounting practices for governmental units.

GOVERNMENT SPONSORED ENTERPRISES (GSE): Privately held corporations with public purposes created by the United States Congress to reduce the cost of capital for certain borrowing sectors of the economy. Securities issued by GSEs carry the implicit backing of the United States Government, but they are not direct obligations of the United States Government. For this reason, these securities will offer a yield premium over Treasuries.

GUARANTEED INVESTMENT CONTRACT (GIC): An agreement acknowledging receipt of funds for deposit, specifying terms for withdrawal, and guaranteeing a rate of interest to be paid.

INDEX: An indicator that is published on a periodic basis that shows the estimated price and/or yield levels for various groups of securities.

INTEREST: The amount a borrower pays to a lender for the use of his or her money.

INTEREST RATE RISK: The risk that an investment's value will change due to a change in the absolute level of interest rates, spread between two rates, shape of the yield curve, or any other interest rate relationship.

INVESTMENT AGREEMENTS: Contracts with respect to funds deposited by an investor. Investment agreements are often separated into those offered by banks and those offered by insurance companies. In the former case, they are sometimes referred to as “bank investment contracts.”

LONDON INTERBANK OFFERED RATE (LIBOR): The average rate at which a leading bank can obtain unsecured funding in the London interbank market. LIBOR serves as a benchmark for various interest rates. Obligations of parties to such transactions are typically expressed as a spread to LIBOR.

LIQUIDITY: The measure of the ability to convert an instrument to cash on a given date at full face or par value.

LIQUIDITY RISK: The risk that a security, sold prior to maturity, will be sold at a loss of value. For a local agency, the liquidity risk of an individual investment may

not be as critical as how the overall liquidity of the portfolio allows the agency to meet its cash needs.

LOCAL AGENCY INVESTMENT FUND (LAIF): A voluntary investment fund open to government entities and certain non-profit organizations in California that is managed by the State Treasurer's Office.

LOCAL GOVERNMENT INVESTMENT POOL (LGIP): Investment pools that range from the State Treasurer's Office Local Agency Investment Fund (LAIF) to county pools to Joint Powers Authorities (JPAs). These funds are not subject to the same SEC rules applicable to money market mutual funds.

MARKET RISK: The chance that the value of a security will decline as interest rates rise. In general, as interest rates fall, prices of fixed income securities rise. Similarly, as interest rates rise, prices fall. Market risk also is referred to as systematic risk or risk that affects all securities within an asset class similarly.

MARKET VALUE: The price at which a security is trading and presumably could be purchased or sold at a particular point in time.

MATURITY: The date on which the principal or stated value of an investment becomes due and payable.

MEDIUM-TERM NOTE: Corporate or depository institution debt securities meeting certain minimum quality standards (as specified in California Government Code) with a remaining maturity of five years or less.

MONEY MARKET MUTUAL FUNDS (MMFs): Mutual funds that invest exclusively in short-term money market instruments. MMFs seek the preservation of capital as a primary goal while maintaining a high degree of liquidity and providing income representative of the market for short term investments.

MORTGAGE-BACKED SECURITIES (MBS): Securities created when a mortgagee or a purchaser of residential real estate mortgages creates a pool of mortgages and markets undivided interests or participations in the pool. MBS owners receive a pro-rata share of the interest and principal cash flows (net of fees) that are "passed through" from the pool of mortgages. MBS are complex securities whose cash flow is determined by the characteristics of the mortgages that are pooled together. Investors in MBS face prepayment risk associated with the option of the underlying mortgagors to pre-pay or payoff their mortgage. Most MBS are issued

and/or guaranteed by federal agencies and instrumentalities (e.g., Government National Mortgage Association (GNMA), Federal National Mortgage Association (FNMA), and Federal Home Loan Mortgage Corporation (FHLMC)).

MORTGAGE PASS-THROUGH OBLIGATIONS: Securities that are created when residential mortgages (or other mortgages) are pooled together and undivided interests or participations in the stream of revenues associated with the mortgages are sold.

MUNICIPAL ADVISOR RULE: Regulations for non-dealer "municipal advisors" such as financial advisors, swap advisors, GIC brokers, etc. In addition, the rule pertains to banks and broker dealers acting as municipal advisors. Municipal advisors have a fiduciary responsibility to the government agency receiving their services and they must register with the Securities Exchange Commission (SEC). Municipal finance professionals that do not have a fiduciary duty to issuers cannot provide advice to governments unless certain exemptions are met. The SEC has published a list of frequently asked questions: www.sec.gov/info/municipal/mun-advisors-faqs.pdf.

MUNICIPAL NOTES, BONDS, AND OTHER OBLIGATIONS: Obligations issued by state and local governments to finance capital and operating expenses.

MUTUAL FUNDS: An investment company that pools money and can invest in a variety of securities, including fixed-income securities and money market instruments.

NEW ISSUE: Securities sold during the initial distribution of an issue in a primary offering by the underwriter or underwriting syndicate.

NET ASSET VALUE (NAV): A determination of the average price per share of a pool or mutual fund. How this measure varies over time provides information on whether the pool is stable or variable. NAV is the market value of all securities in a mutual fund, less the value of the fund's liabilities, divided by the number of shares in the fund outstanding. Shares of mutual funds are purchased at the fund's NAV.

NET PRESENT VALUE: An amount that equates future cash flows with their value in present terms.

NOTE: A written promise to pay a specified amount to a certain entity on demand or on a specified date. Usually bearing a short-term maturity of a year or less (though longer maturities are issued—see “Medium-Term Note”).

OPTIONS: A contract that gives the buyer the right to buy or sell an obligation at a specified price for a specified time. Exchange Traded Options are standardized option contracts that are actively traded on the Chicago Board of Exchange on a daily basis whereas Over-the-Counter Options are traded directly between the buyer and seller at agreed upon prices and conditions (the former type of option is therefore more liquid than the latter).

PAR AMOUNT OR PAR VALUE: The principal amount of a note or bond which must be paid at maturity. Par, also referred to as the “face amount” of a security, is the principal value stated on the face of the security. A par bond is one sold at a price of 100 percent of its principal amount.

PASSBOOK SAVINGS DEMAND DEPOSITS: An interest-bearing bank deposit that unlike time deposits which have a specified term, is typically considered readily available funds and can be withdrawn without advance notice.

PLACEMENT SERVICE DEPOSIT: Deposits at depository institutions placed by a private sector placement service entity.

PLACEMENT SERVICE CERTIFICATES OF DEPOSIT: Certificates of deposit placed with a private sector entity that assists in the placement of certificates of deposit with eligible financial institutions located in the United States.

PORTFOLIO: Combined holding of more than one stock, bond, commodity, real estate investment, cash equivalent, or other asset. The purpose of a portfolio is to reduce risk by diversification.

PREMIUM: The difference between the par value of a security and the cost of the security, when the cost is above par. Investors pay a premium to purchase a security when the return to the investor (yield) is lower than the stated coupon (interest rate) on the investment.

PRICE: The amount of monetary consideration required by a willing seller and a willing buyer to sell an investment on a particular date.

PRINCIPAL: The face value or par value of a debt instrument, or the amount of capital invested in a given security.

PROSPECTUS: A disclosure document that must be provided to any prospective purchaser of a new securities offering registered with the SEC that typically includes information on the issuer, the issuer’s business, the proposed use of proceeds, the experience of the issuer’s management, and certain certified financial statements (also known as an “official statement”).

PRUDENT INVESTOR STANDARD: A standard of conduct where a person acts with care, skill, prudence, and diligence when investing, reinvesting, purchasing, acquiring, exchanging, selling, and managing funds. The test of whether the standard is being met is if a prudent person acting in such a situation would engage in similar conduct to ensure that investments safeguard principal and maintain liquidity.

REINVESTMENT RISK: The risk that interest rates may be lower than the yield on a fixed income security when the investor seeks to reinvest interest income or repaid principal from the security.

REPURCHASE AGREEMENTS: An agreement of one party (for example, a financial institution) to sell securities to a second party (such as a local agency) and simultaneous agreement by the first party to repurchase the securities at a specified price from the second party on demand or at a specified date.

RISK: The uncertainty of maintaining the principal or interest associated with an investment due to a variety of factors.

RULE G-37 OF THE MUNICIPAL SECURITIES RULEMAKING BOARD: Federal regulations to sever any connection between the making of political contributions and the awarding of municipal securities business.

SAFEKEEPING SERVICE: Offers storage and protection of assets provided by an institution serving as an agent.

SAFETY: In the context of investing public funds, safety relates to preserving the principal of an investment in an investment portfolio; local agencies address the concerns of safety by controlling exposure to risks.

SECURITIES AND EXCHANGE COMMISSION (SEC): The federal agency responsible for supervising and regulating the securities industry.

SECURITIES LENDING AGREEMENT: An agreement of one party (for example, a local agency) to borrow securities at a specified price from a second party (for example, another local agency) with a simultaneous agreement by the first party to return the security at a specified price to the second party on demand or at a specified date. These agreements generally are collateralized and involve a third party custodian to hold the securities and collateral. Economically similar to reverse repurchase agreement.

TAX AND REVENUE ANTICIPATION NOTES (TRANS): Notes issued in anticipation of receiving tax proceeds or other revenues at a future date.

TOTAL RETURN: Interest, realized gains and losses, and unrealized gains and losses over a given period of time.

TRUSTEE, TRUST COMPANY OR TRUST DEPARTMENT OF A BANK: A financial institution with powers to act in a fiduciary capacity for the benefit of the bondholders in enforcing the terms of the bond contract.

UNDERWRITER: A dealer that purchases a new issue of municipal securities for resale.

UNITED STATES AGENCY OBLIGATIONS: Federal agency or United States government-sponsored enterprise obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises, including federal agency mortgage-backed securities. Types of instruments may include mortgage-backed securities from the Federal National Mortgage Association (FNMA) including Fannie Mae and Freddie Mac securities.

UNITED STATES TREASURY OBLIGATIONS: Debt obligations of the United States government sold by the Treasury Department in the forms of bills, notes, and bonds. Bills are short-term obligations that mature in one year or less and are sold at a discount. Notes are obligations that mature between one year and ten years. Bonds are long-term obligations that generally mature in 10 years or more.

WEIGHTED AVERAGE MATURITY (WAM): The average maturity of all the securities that comprise a portfolio, typically expressed in days or years.

YIELD: The current rate of return on an investment security generally expressed as a percentage of the securities current price.

YIELD CURVE: A graphic representation that shows the relationship at a given point in time between yields and maturity for bonds that are identical in every way except maturity.

YIELD-TO-CALL: The rate of return to the investor earned from payments of principal and interest, with interest compounded semi-annually at the stated yield when the security is redeemed on a specified call date. In addition, if the security is redeemed at a premium call price, the amount of the premium is also reflected in the yield.

YIELD-TO-MATURITY: The rate of return to the investor earned from payments of principal and interest, with interest compounded semi-annually at the stated yield as long as the security remains outstanding until the maturity date.

YIELD-TO-WORST: For a given dollar price on a municipal security, the lowest of the yield calculated to the pricing call, par option or maturity.

ZERO-COUPON BOND: A bond on which interest is not payable until maturity (or earlier redemption), but compounds periodically to accumulate to a stated maturity amount. Zero-interest bonds are typically issued at a discount and repaid at par upon maturity.

Attachment B, “California Municipal Treasurers Association Investment Policy Certification”

The City’s Investment of Financial Assets policy, as adopted by the City Council on November 16, 2016, received certification from the California Municipal Treasurers Association (CMTA) on January 17, 2017. Since receiving certification, the City’s modifications of the Investment of Financial Assets policy have been limited to addressing recommendations made by CMTA evaluators.



6.5
CITY HALL RESTROOM REPAIR AND
REFURBISHMENT PROJECT
(NO REPORT)

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8.1
"A PLACE FOR PAWS" DOG PARK
ADVISORY GROUP

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City of Laguna Woods Agenda Report

TO: Honorable Mayor and City Councilmembers
FROM: Christopher Macon, City Manager
FOR: November 15, 2017 Regular Meeting
SUBJECT: “A Place for Paws” Dog Park Advisory Group

Recommendation

1. Approve a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ADOPTING ADMINISTRATIVE POLICY 1.5 PERTAINING TO THE ESTABLISHMENT, APPOINTMENT, RESPONSIBILITIES, ACTIVITIES, AND PROCEDURES OF A DOG PARK ADVISORY GROUP

AND

2. Approve a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ESTABLISHING A REGULAR MEETING SCHEDULE, INCLUDING DATES, TIMES, AND LOCATIONS, FOR THE DOG PARK ADVISORY GROUP

Background

The “A Place for Paws” Dog Park Relocation Project has been approved and funded by the City Council, and is currently underway. Once complete, the Project will provide continued local access to a public dog park in a new location west of the existing location along Ridge Route Drive.

Discussion

Today's meeting is an opportunity for City Council action, as well as public input, on the proposed formation of a Dog Park Advisory Group (attachments A and B). Staff recommends that the City Council take action to form a Dog Park Advisory Group tasked with providing citizen advice and oversight on matters pertaining to the operation and maintenance of "A Place for Paws" Dog Park, in order to help to facilitate constructive opportunities for public input and engagement, as well as to promote transparency through an open exchange of information and ideas.

As proposed, the Dog Park Advisory Group would:

- Consist of up to seven members, one of whom would be appointed by each member of the City Council, and two of whom would be appointed by the Laguna Woods Village Dog Club Board of Directors;
- Require that members be residents of Laguna Woods with one or more dogs licensed by Laguna Woods Animal Services at the time of appointment;
- Meet regularly on a bimonthly basis; and
- Be subject to all applicable provisions of the Ralph M. Brown Act.

Additional information is included in Attachment A.

If the City Council takes the recommended action at today's meeting, application forms would be made available beginning on Thursday, November 16, 2017. The availability of applications would be promoted via the *Laguna Woods Globe*, local television channels, the City's website, and the Laguna Woods Village Dog Club.

Fiscal Impact

The City's budget could accommodate the formation and operation of a Dog Park Advisory Group. Recurring out-of-pocket expenditures would primarily consist of noticing and reproduction. Members of the Dog Park Advisory Group would serve as volunteers and would not be compensated for their service.

Attachments: A – Proposed Resolution
 Exhibit A – Proposed Administrative Policy 1.5
 Exhibit A – Proposed Application Form
 B – Proposed Resolution

RESOLUTION NO. 17-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ADOPTING ADMINISTRATIVE POLICY 1.5 PERTAINING TO THE ESTABLISHMENT, APPOINTMENT, RESPONSIBILITIES, ACTIVITIES, AND PROCEDURES OF A DOG PARK ADVISORY GROUP

WHEREAS, the City Council recognizes that the collective knowledge and experience of its residents and other stakeholders can benefit the local decision-making process; and

WHEREAS, the “A Place for Paws” Dog Park Relocation Project has been approved and funded by the City Council, and is currently underway; and

WHEREAS, once complete, the “A Place for Paws” Dog Park Relocation Project will provide continued local access to a public dog park in a new location; and

WHEREAS, the formation of a Dog Park Advisory Group tasked with providing citizen advice and oversight on matters pertaining to the operation and maintenance of “A Place for Paws” Dog Park would help to facilitate constructive opportunities for public input and engagement, and to promote transparency through an open exchange of information and ideas.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That the administrative policy attached hereto as Exhibit A is approved and is a statement of the City’s Dog Park Advisory Group policy.

SECTION 2. The Deputy City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED AND ADOPTED on this XX day of XX 2017.

SHARI L. HORNE, Mayor

ATTEST:

YOLIE TRIPPY, Deputy City Clerk

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

I, YOLIE TRIPPY, Deputy City Clerk of the City of Laguna Woods, do
HEREBY CERTIFY that the foregoing **Resolution No. 17-XX** was duly adopted
by the City Council of the City of Laguna Woods at a regular meeting thereof, held
on the XX day of XX 2017, by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

YOLIE TRIPPY, Deputy City Clerk

**CITY OF LAGUNA WOODS
ADMINISTRATIVE POLICY 1.5**

DOG PARK ADVISORY GROUP

1.5.01. Statement of Purpose.

The City of Laguna Woods recognizes that the collective knowledge and experience of its residents and other stakeholders can benefit the local decision-making process. To facilitate constructive opportunities for public input and engagement, and to promote transparency through an open exchange of information and ideas, the City Council has established a Dog Park Advisory Group.

The Dog Park Advisory Group is responsible for providing citizen advice and oversight on matters pertaining to the operation and maintenance of “A Place for Paws” Dog Park including, but not limited to, rules, regulations, physical conditions, and capital improvement projects. The Dog Park Advisory Group shall be consulted for assistance in identifying desired dog park-related programs, projects, and services as a part of each of the City’s two-year budget and work plan development processes.

1.5.02. Eligibility Requirements.

Any resident of Laguna Woods with one or more dogs licensed by Laguna Woods Animal Services at the time of appointment is eligible to serve on the Dog Park Advisory Group. Eligibility requirements shall also include interest, willingness, and ability to contribute to the purpose of the Dog Park Advisory Group.

1.5.03. Applications.

Individuals who are interested and eligible to serve on the Dog Park Advisory Group shall file a completed application form with the City Clerk’s Office (Exhibit A to this administrative policy). Application forms filed with the City Clerk’s Office shall be made available to City Councilmembers for purposes of each City Councilmember’s deliberation and independent selection of appointees. Application forms filed with the City Clerk’s Office and all of the information contained thereon, are considered to be public records and are subject to unrestricted public disclosure. Application forms are considered to be public records regardless of whether or not the applicant is ultimately appointed to the Dog Park Advisory Group or whether or not an application form is withdrawn by the applicant or deemed ineligible by the City Clerk’s Office.

1.5.04. Appointment and Terms.

Appointments to the Dog Park Advisory Group shall be made as follows:

- A. Each City Councilmember is able to appoint one individual to the Dog Park Advisory Group. Appointments shall be made by City Councilmembers filing original signed and dated notices with the City Clerk’s Office. Appointments shall be considered effective five calendar days following the date of receipt by the City Clerk’s Office and shall continue until one or more of the following occurs:
1. The member resigns. Members of the Dog Park Advisory Group may resign at any time. Resignations shall be made by the member filing an original signed and dated notice, or email notice from the email address on file, with the City Clerk’s Office. Resignations shall be considered effective immediately upon receipt by the City Clerk’s Office and are not revokable. For the purpose of this administrative policy, “resignation” shall also include vacancies due to a member’s passing, being declared mentally incompetent by a court of law, or any of the circumstances listed in Government Code Section 1770.
 2. The regular two-year term of the Dog Park Advisory Group ends. Regardless of the date that a member of the Dog Park Advisory Group was appointed, all Dog Park Advisory Group appointments expire on December 31 of even numbered years. There is no limit to the number of terms for members of the Dog Park Advisory Group.
 3. The City Councilmember who appointed the member to the Dog Park Advisory Group ceases to be a member of the City Council. Members of the Dog Park Advisory Group appointed by a City Councilmember who ceases to be a member of the City Council shall cease to be members of the Dog Park Advisory Group upon the end of the appointing City Councilmember’s term of office.
 4. The member is removed by the City Councilmember who appointed him/her to the Dog Park Advisory Group. Members of the Dog Park Advisory Group serve at the pleasure of the City Councilmember who appointed them and may be removed by the same, with or without cause or notice. Removals shall be made by a City Councilmember filing an original signed and dated notice with the City Clerk’s Office. Removals shall be considered effective

immediately upon receipt by the City Clerk’s Office.

5. The member is removed by the City Council. The City Council reserves the right to remove any member of the Dog Park Advisory Group, with or without cause, following a publically noticed vote with no more than one dissention of the quorum of the City Councilmembers present at the time. Removals shall be considered effective immediately upon the vote. In this case, the name of the member contemplated for removal must be printed on the meeting agenda.
- B. Two members of the Dog Park Advisory Group shall be appointed by a majority vote of the Laguna Woods Village Dog Club Board of Directors (“Board of Directors”). The Board of Directors shall submit an appointment letter to the City Clerk’s Office identifying the name of each appointee, the date of the vote, the names and titles of each member of the Board of Directors, and the vote of each member of the Board of Directors for each appointment. The appointment letter shall be accompanied by a completed application form for each appointee in the format required by this administrative policy. Appointments shall be considered effective five calendar days following the date of receipt of all required materials from the Board of Directors by the City Clerk’s Office and shall continue until one or more of the following occurs:
1. The member resigns. Members of the Dog Park Advisory Group may resign at any time. Resignations shall be made by the member filing an original signed and dated notice, or email notice from the email address on file, with the City Clerk’s Office. Resignations may also be submitted to the Board of Directors to be forwarded to the City Clerk’s Office. Resignations shall be considered effective immediately upon receipt by the City Clerk’s Office and are not revokable. For the purpose of this administrative policy, “resignation” shall also include vacancies due to a member’s passing, being declared mentally incompetant by a court of law, or any of the circumstances listed in Government Code Section 1770.
 2. The member is removed or replaced by the Laguna Woods Village Dog Club Board of Directors. The Board of Directors may remove or replace any member of the Dog Park Advisory Group, with or without cause, following a majority vote. Removals or replacements shall be considered effective five calendar days following the date of receipt of a notification letter from the Board of Directors by the City Clerk’s Office. The Board of Directors is

encouraged to exercise sound judgement and discretion prior to removing or replacing any member of the Dog Park Advisory Group. The Board of Directors is further encouraged to establish an internal process providing for an orderly nomination and appointment process, including the establishment of terms and desired qualifications.

3. The member is removed by the City Council. The City Council reserves the right to remove any member of the Dog Park Advisory Group, with or without cause, following a publically noticed vote with no more than one dissention of the quorum of the City Councilmembers present at the time. Removals shall be considered effective immediately upon the vote. In this case, the name of the member contemplated for removal must be printed on the meeting agenda.

In order to maintain its eligibility to make appointments to the Dog Park Advisory Group, all members of the Laguna Woods Village Dog Club Board of Directors shall execute and file with the City Clerk's Office an acknowledgement of this Administrative Policy and a non-discrimination agreement in form sufficient to the City Manager and City Attorney, within 10 calendar days of their appointment to such position.

1.5.05. Meetings and Conduct.

- A. Scheduling. The Dog Park Advisory Group shall hold regular meetings at a date, time, and place set by resolution of the City Council. Meetings may be called or cancelled for any lawful reason and by any lawful means consistent with this administrative policy, other City Council direction, and applicable laws.
- B. Noticing and Rules of Conduct. All Dog Park Advisory Group meetings shall be publically noticed and conducted in accordance with the Ralph M. Brown Act and applicable laws. The Dog Park Advisory Group may establish their own rules for conducting meetings, subject to the Ralph M. Brown Act, this administrative policy, other City Council direction, and applicable laws.
- B. Quorum. A majority of the members currently appointed to the Dog Park Advisory Group shall constitute a quorum of the Dog Park Advisory Group's membership. A quorum shall be required for the Dog Park Advisory Group to conduct any business and a majority of a quorum present at any meeting shall be required to carry a motion.

- D. Chair and Vice Chair. The Dog Park Advisory Group shall appoint a chair and vice chair from amongst its membership. The chair, or vice chair in the absence of the chair, shall conduct meetings and attest to meeting minutes. When neither the chair nor the vice chair are present at a meeting, a quorum of members may call the meeting to order and appoint an acting chair for the same purposes.
- E. Agenda Content. Items may be placed on the Dog Park Advisory Group agendas by a majority vote of the City Council or by the City Manager, consistent with this administrative policy and other City Council direction.
- F. Nature of Action. The Dog Park Advisory Group is advisory in nature to both the City Council and City staff. The Dog Park Advisory Group is able to provide input and make recommendations, but may not provide direction to City staff and possess no authority to bind the City to any particular course of action.
- G. Dissent. When the Dog Park Advisory Group submits a recommendation to the City Council or City staff, dissenting members are entitled to have the reason for their dissent fully, fairly, and accurately presented.
- H. Meeting Minutes. City staff shall prepare minutes for Dog Park Advisory Group meetings consisting of a record of the actions taken, presentation of the dissent thereto (if applicable), and public comments received, subject to approval by the Dog Park Advisory Group. The chair, or vice chair or acting chair in his or her absence, shall attest, in writing, to the approval of the meeting minutes and a copy shall be filed with the City Clerk's Office.

1.5.06. Subcommittees.

The establishment and appointment of a subcommittee or other subsidiary body to the Dog Park Advisory Group shall require prior approval of the City Council and shall comply with any conditions as the City Council may require. In general, the Dog Park Advisory Group are encouraged to carry out its advisory duties at meetings of the Dog Park Advisory Group as a whole, including at special meetings when necessary. All actions or deliberations related to the allocation or award of City grant monies shall be undertaken by the Dog Park Advisory Group as a whole. The City Council will only consider the establishment and appointment of ad hoc subcommittees to act in advisory capacities on discrete, short-term circumstances and matters.

Any subcommittee to the Dog Park Advisory Group may be disbanded or terminated at any time and for any reason by the City Council. The City Council may also impose additional conditions or limitations on any subcommittee.

1.5.07. Public Statements.

Neither the Dog Park Advisory Group nor any member thereof shall make a political or other endorsement; statement of position on legislation; financial commitment; or commit or speak in anyway, including but not limited to the issuance of statements, on behalf of the Dog Park Advisory Group or the City, without first obtaining the express consent of the City Council. Nothing in his administrative policy shall be construed, however, to inhibit or forbid political or other speech or activity, in a purely individual capacity, by any member of the Dog Park Advisory Group, so long as such member does not purport to speak for, or as a member of, the Dog Park Advisory Group.

Unless so authorized, Dog Park Advisory Group members who wish to speak on a subject within the purview of the Dog Park Advisory Group may identify themselves as a Dog Park Advisory Group member, but shall state that they do not speak on behalf of the City or the Dog Park Advisory Group, and that the opinion they offer is their own personal opinion.

1.5.08. Routine City Council Reporting.

- A. Provision of Meeting Agendas and Minutes (regular). The City Clerk’s Office shall provide City Councilmembers with the agendas and minutes for the Dog Park Advisory Group on a regular basis.

- B. Provision of Meeting Agendas and Minutes (annual). The City Clerk’s Office shall compile and provide City Councilmembers with the minutes for the Dog Park Advisory Group that occurred during the preceding calendar year no later than January 31 of each year.

City Council Approval: November XX, 2017



City of Laguna Woods

Application Form for Appointment

Dog Park Advisory Group

Thank you for your interest in serving on the Dog Park Advisory Group!

The Dog Park Advisory Group provides citizen advice and oversight on matters pertaining to the operation and maintenance of “A Place for Paws” Dog Park including, but not limited to, rules, regulations, physical conditions, and capital improvement projects. The Dog Park Advisory Group is also consulted for assistance in identifying desired dog park-related programs, projects, and services as a part of each of the City’s two-year budget and work plan development processes. The Dog Park Advisory Group meets regularly on the second Tuesdays of February, April, June, August, October, and December at 3 p.m.

This application form and all of the information hereon or attached hereto is considered to be a public record and is subject to unrestricted public disclosure. Application forms are considered to be public records regardless of whether or not an applicant is ultimately appointed to the Dog Park Advisory Group or whether or not an application form is withdrawn by an applicant or deemed ineligible by the City Clerk’s Office.

Please attach additional pages, if necessary.

For more information on the Dog Park Advisory Group, please contact the City Clerk’s Office at (949) 639-0500. Applications must be mailed or hand delivered to City of Laguna Woods, Attn: City Clerk’s Office, 24264 El Toro Road, Laguna Woods, CA 92637.

CONTACT INFORMATION

First and Last Name: _____

Home Address: _____

Home Telephone Number: _____

Cellular Telephone Number: _____

Email Address: _____

[CONTINUED ON NEXT PAGE]

ELIGIBILITY SCREENING

1. Are you a resident of Laguna Woods?

Yes_____ No (ineligible)_____

2. Do you currently have one or more dogs licensed by Laguna Woods Animal Services?

Yes_____ No (ineligible)_____

3. Are you interested and able to serve on the Dog Park Advisory Group after having been provided with, read, and understood Administrative Policy 1.5 (Dog Park Advisory Group)?

Yes_____ No (ineligible)_____

RESPONSES TO QUESTIONS

1. How often and for how long have you used “A Place for Paws” Dog Park?

2. Why do you use “A Place for Paws” Dog Park?

3. Why are you interested in serving on the Dog Park Advisory Group?

4. How long have you lived in Laguna Woods and are you a full-time resident?

5. Please describe your educational background, including schools attended and degrees held.

6. Please describe any relevant experience (paid or volunteer), qualifications, and training that you feel you would bring to the Dog Park Advisory Group.

7. “A Place for Paws” Dog Park is regularly used by a diverse group of individuals and their dogs for a variety of reasons. If appointed to serve on the Dog Park Advisory Group, how would you work to effectively understand the needs and desires of dog park users?

ACKNOWLEDGEMENTS

I, the undersigned, do hereby certify that the information submitted on this application form is true and correct and that I am a resident of Laguna Woods.

I further understand and agree that if I am appointed to the Dog Park Advisory Group, I would serve at the pleasure of either the City Councilmember who appointed me and the City Council as a whole, or the Laguna Woods Village Dog Club Board of Directors and the City Council as a whole, as the case may be, and subject to the Ralph M. Brown Act, Administrative Policy 1.5, and any other applicable laws and policies, as may change from time-to-time.

I further understand and agree that this application form and all of the information hereon or attached hereto is considered to be a public record and is subject to unrestricted public disclosure. This application form will be considered to be a public record regardless of whether or not I am ultimately appointed to the Dog Park Advisory Group or whether or not I withdraw this application form or this application form is deemed ineligible by the City Clerk's Office.

First and Last Name: _____

Signature: _____

Date: _____

RESOLUTION NO. 17-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ESTABLISHING A REGULAR MEETING SCHEDULE, INCLUDING DATES, TIMES, AND LOCATIONS, FOR THE DOG PARK ADVISORY GROUP

WHEREAS, Administrative Policy 1.5 formed a Dog Park Advisory Group tasked with providing citizen advice and oversight on matters pertaining to the operation and maintenance of “A Place for Paws” Dog Park; and

WHEREAS, Administrative Policy 1.5 states that “The Dog Park Advisory Group shall hold regular meetings at a date, time, and place set by resolution of the City Council.”

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That regular meetings of the City Council-appointed Dog Park Advisory Group shall be held on the second Tuesdays of February, April, June, August, October, and December at 3 p.m. at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

SECTION 2. The Deputy City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED AND ADOPTED on this XX day of XX 2017.

SHARI L. HORNE, Mayor

ATTEST:

YOLIE TRIPPY, Deputy City Clerk

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

I, YOLIE TRIPPY, Deputy City Clerk of the City of Laguna Woods, do
HEREBY CERTIFY that the foregoing **Resolution No. 17-XX** was duly adopted
by the City Council of the City of Laguna Woods at a regular meeting thereof, held
on the XX day of XX 2017, by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

YOLIE TRIPPY, Deputy City Clerk

8.2

**MAYORS' COMPACT TO COMBAT HATE,
EXTREMISM AND BIGOTRY
(AGENDIZED BY MAYOR HORNE)**

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[HOME \(/\)](#)

[ABOUT \(/ABOUT/\)](#)

[THE MAYORS'
THE COMPACT \(/COMPACT/\)](#)

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[SIGNATORIES \(/SIGNATORIES/\)](#)

[PRESS KIT \(/PRESS/\)](#)

The Compact

MAYORS' COMPACT TO COMBAT HATE, EXTREMISM AND BIGOTRY

The United States of America is a nation founded on principles of liberty and justice for all. We treasure our freedom, our commitment to equality, and our democratic values. These values are what has made America great for more than 240 years.

Individual Americans can, and often do, agree to disagree with each other on issues large and small. Differences should be celebrated. And our freedom of speech and the other rights enshrined in the First Amendment are among our most cherished freedoms.

But our diverse and pluralistic nation has endured and thrived for centuries because we have been able to reject the forces of extremism and bigotry that could tear us apart. The country has a long history of striving to be a more perfect union. In the face of

challenges and division, we have stood together – Americans of different races, ethnicities, religions, sexual orientations, nationalities, and political persuasions – and we have found ways to move forward.

“

For decades, America's mayors have taken a strong position in support of civil rights and in opposition to racism and discrimination of all kinds.

For decades, America's mayors have taken a strong position in support of civil rights and in opposition to racism and discrimination of all kinds. In the 54 years since the murder of Medgar Evers in Jackson, Mississippi, the bombing of the 16th Street Baptist Church in Birmingham, Alabama, which killed four young girls, and the March on Washington led by Dr. Martin Luther King, Jr., much progress has been made in addressing past grievances and in ensuring the civil and human rights of all Americans.

Across the country, many mayors have spoken out against discrimination and injustice when it has occurred and have undertaken efforts to build tolerance and understanding within their communities. In recent years, cities have undertaken efforts to integrate immigrants into their communities and have adopted a variety of policies to include fully and treat equitably their LGBT residents.

Today, however, we are being challenged again. Dark forces of extremism and violent bigotry are rearing their ugly heads. We are now seeing efforts in our states and at the highest levels of our government to weaken existing civil rights policies and reduce their enforcement. We have seen an increase in hate violence, xenophobic rhetoric, and discriminatory actions that target Muslims, Jews, and other minorities. We will not permit them to succeed.

Mayors and their cities must continue to be a beacon for inclusion, tolerance, and respect for all. We will continue to create stronger cultures of kindness and compassion in our communities, and expect our federal and state partners to join us in this endeavor.

The Anti-Defamation League and The United States Conference of Mayors are launching a new initiative to fight extremism and bigotry and to promote the fundamental principles of justice and equality that define America.

This new initiative has 10 key components:

1. EXPRESSLY REJECTING EXTREMISM, WHITE SUPREMACY AND ALL FORMS OF BIGOTRY

Mayors will use the bully pulpit to speak out against racism, extremism, xenophobia, white supremacy and all forms of bigotry, and those who espouse such ideologies, and promote community conversations around these issues as needed.

2. DENOUNCING ALL ACTS OF HATE WHEREVER THEY OCCUR

Mayors will publicly denounce specific acts of hate and support efforts to punish bias-motivated violence to the fullest extent of the law, and provide comfort and assistance to victims of hate crimes and discrimination.

3. ENSURING PUBLIC SAFETY WHILE PROTECTING FREE SPEECH AND OTHER BASIC CONSTITUTIONAL RIGHTS

Mayors will protect public safety while safeguarding free speech and other basic constitutional rights through the use of appropriate time, place, and manner restrictions. This might include encouraging alternative rally sites and placing limits on the rights of protestors to bring weapons to political rallies.

4. CALLING FOR FULLY-RESOURCED LAW ENFORCEMENT AND CIVIL RIGHTS INVESTIGATIONS OF DOMESTIC TERRORISM AND HATE CRIMES

Mayors will work to ensure that local police departments have the financial resources necessary to prevent, respond to and investigate domestic terrorism and hate crimes, and work with federal authorities when appropriate to ensure that the interests of justice are served.

5. ELEVATING AND PRIORITIZING ANTI-BIAS AND ANTI-HATE PROGRAMS IN OUR NATION'S SCHOOLS

Mayors will encourage schools to implement anti-bias and anti-hate content in their curricula and/or through extra-curricular activities. ADL and other groups have materials and training programs that can help make this happen.

6. SUPPORTING TARGETED COMMUNITIES AND BRINGING TOGETHER CIVIC AND COMMUNITY LEADERS TO BUILD TRUST

Mayors will reach out proactively to civil rights leaders, clergy and other community leaders to ensure that they are engaged and actively involved in efforts to build trust across neighborhood and community lines and minimize intergroup tensions.

7. CELEBRATING DIVERSITY, PROMOTING INCLUSIVITY AND CHALLENGING BIAS

Mayors will support the integration of immigrants and other new residents into the community, encourage community activities which celebrate diversity and educate city residents about the different cultures that compose a city's population, and work with creative partners to use various electronic and print media outlets to promote public messages celebrating inclusivity and challenging bias.

8. PROMOTING LAW ENFORCEMENT TRAINING ON RESPONDING TO AND REPORTING HATE INCIDENTS, HATE CRIMES AND DOMESTIC TERRORISM

Mayors will encourage their police departments to participate in training programs offered by ADL and others that address how to identify and respond to hate incidents, hate crimes, and domestic terrorism. Members will also encourage the collection of data on such crimes and the provision of the data to appropriate state authorities and the FBI in compliance with the Federal Hate Crime Statistics Act.

9. ENCOURAGING RESIDENTS IN THEIR COMMUNITIES TO REPORT HATE INCIDENTS AND CRIMES, INCLUDING USING HOT LINES AND ONLINE TOOLS

Mayors will encourage residents – both victims and witnesses – to report hate incidents and hate crimes to local authorities, and provide the tools necessary to facilitate such reporting, including hot lines and online tools, as possible and appropriate.

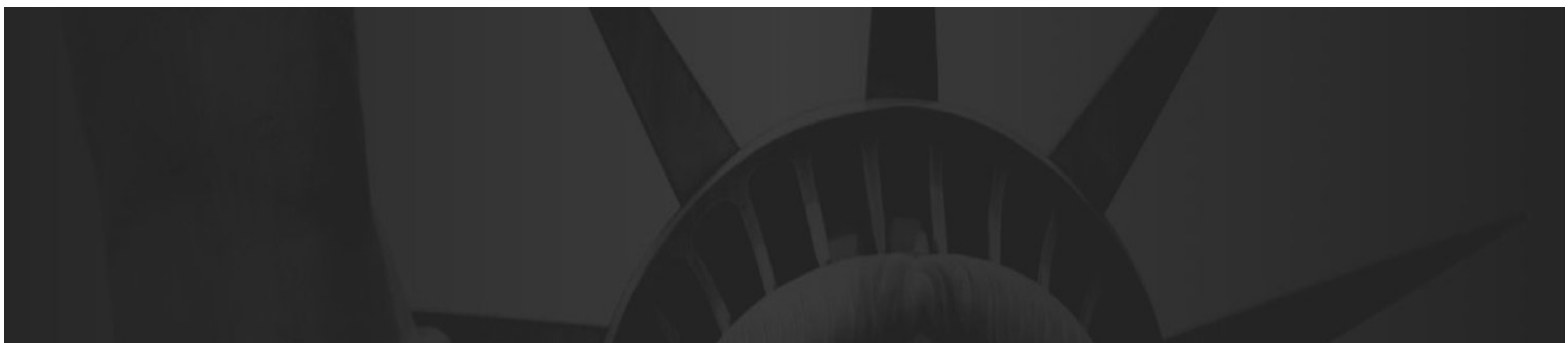
10. MAINTAINING CIVIL RIGHTS ENFORCEMENT AND STRENGTHENING HATE CRIME LAWS WHEN NECESSARY

Mayors will work with executive and legislative partners at the federal and state levels to assure that civil rights laws are aggressively enforced, existing hate crime laws are strengthened as needed, and new laws are enacted to ensure that all hate crimes are prosecutable in their jurisdictions to the greatest extent possible.

If you are or represent a mayor and would like to join the compact, please *click* (https://community.usmayors.org/login_register?startURL=%2Faction_detail%3Fid%3Da0e610000069ZH5AAM%26utm_source%3DMaster%2BList%26utm_campaign%3D1b7fec40cc-EMAIL_CAMPAIGN_2017_08_15%26utm_medium%3Demail%26utm_term%3D0_debc3849ca-1b7fec40cc-109172993)*here*

(https://community.usmayors.org/login_register?startURL=%2Faction_detail%3Fid%3Da0e610000069ZH5AAM%26utm_source%3DMaster%2BList%26utm_campaign%3D1b7fec40cc-EMAIL_CAMPAIGN_2017_08_15%26utm_medium%3Demail%26utm_term%3D0_debc3849ca-1b7fec40cc-109172993).

(https://community.usmayors.org/login_register?startURL=%2Faction_detail%3Fid%3Da0e610000069ZH5AAM%26utm_source%3DMaster%2BList%26utm_campaign%3D1b7fec40cc-EMAIL_CAMPAIGN_2017_08_15%26utm_medium%3Demail%26utm_term%3D0_debc3849ca-1b7fec40cc-109172993)



We are coming together to fight extremism and bigotry and to promote the fundamental principles of justice and equality that define America.

[See our press kit \(/press\)](#)

**HOME (/HOME) / ABOUT (/ABOUT) / THE COMPACT (/COMPACT)
/ SIGNATORIES (/SIGNATORIES) / NEWS (/NEWS) / PRESS KIT
(/PRESS)**

[\(https://www.adl.org/\)](https://www.adl.org/)

[\(https://www.usmayors.org/\)](https://www.usmayors.org/)

RESOLUTION NO. 17-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, JOINING THE MAYORS’ COMPACT TO COMBAT HATE, EXTREMISM AND BIGOTRY, AND SUPPORTING RELATED EFFORTS

WHEREAS, the United States of America is a nation founded on principles of liberty and justice for all; and

WHEREAS, diversity, tolerance, and respect are hallmarks of a civilized society and vital to maintaining the extraordinary character of our community; and

WHEREAS, racism, extremism, xenophobia, white supremacy, all forms of bigotry, and all acts of hate, threaten the fabric of our community; and

WHEREAS, the Mayors’ Compact to Combat Hate, Extremism and Bigotry is an initiative of the Anti-Defamation League and The United States Conference of Mayors intended to fight extremism and bigotry and to promote the fundamental principles of justice and equality that define America.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The City hereby joins and supports, in principle, the Mayors’ Compact to Combat Hate, Extremism and Bigotry.

SECTION 2. This resolution shall not bind the City to any particular policy action nor result in any financial obligations or commitments.

SECTION 3. The Deputy City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED AND ADOPTED on this XX day of XX 2017.

SHARI L. HORNE, Mayor

ATTEST:

YOLIE TRIPPY, Deputy City Clerk

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

I, YOLIE TRIPPY, Deputy City Clerk of the City of Laguna Woods, do
HEREBY CERTIFY that the foregoing **Resolution No. 17-XX** was duly adopted
by the City Council of the City of Laguna Woods at a regular meeting thereof, held
on the XX day of XX 2017, by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

YOLIE TRIPPY, Deputy City Clerk

8.3
SMOKING AND TOBACCO SALES
REGULATIONS

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City of Laguna Woods Agenda Report

TO: Honorable Mayor and City Councilmembers
FROM: Christopher Macon, City Manager
FOR: November 15, 2017 Regular Meeting
SUBJECT: Smoking and Tobacco Sales Regulations

Recommendation

Approve second reading and adopt an ordinance – read by title with further reading waived – entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING CHAPTER 7.16 OF THE LAGUNA WOODS MUNICIPAL CODE RELATED TO THE REGULATION AND PROHIBITION OF SMOKING, AND AMENDING SECTIONS 13.06.010, 13.08.010, 13.10.020, 13.12.020, AND 13.13.020 OF THE LAGUNA WOODS MUNICIPAL CODE RELATED TO THE SALE OF AND ZONING FOR TOBACCO AND CIGARETTES

Background

The Fiscal Years 2017-19 Budget & Work Plan includes the following significant work plan item:

- **Smoking and Tobacco Sales Regulations Update** – Review and update the City’s smoking and tobacco sales regulations in order to protect public health, safety, and welfare, as well as to promote clarity and administration.

The existing smoking regulations are included as Attachment B.

On August 1, 2017, the City Council appointed Mayor Horne and Councilmember Rainey to an Ad Hoc Smoking & Tobacco Sales Regulations Update Committee beginning immediately through December 31, 2017 to work with staff on the Smoking and Tobacco Sales Regulations Update significant work plan item.

At the City Council's regular meeting on September 20, 2017, an item was included on the agenda to allow for an opportunity for the City Council and public to provide input to the Ad Hoc Smoking & Tobacco Sales Regulations Committee and staff prior to their making recommendations to the City Council.

On October 18, 2017, a public hearing was held and the City Council introduced and approved the first reading of an ordinance (Attachment A) which, if adopted, would amend Chapter 7.16 of the Laguna Woods Municipal Code related to the regulation and prohibition of smoking, and amend sections 13.06.010, 13.08.010, 13.10.020, 13.12.020, and 13.13.020 of the Laguna Woods Municipal Code related to the sale of and zoning for tobacco and cigarettes. At the meeting on October 18, 2017, the City Council also voted to disband the Ad Hoc Smoking & Tobacco Sales Regulations Committee.

A sampling of available information regarding the impacts of smoking and tobacco use is included as attachments C and D. Complete copies of either U.S. Surgeon General report can be obtained from City Hall.

Discussion

Today's meeting is an opportunity for City Council action, as well as public input, on the proposed smoking and tobacco sales regulations (Attachment A). Staff recommends that the City Council adopt the proposed ordinance, in order to protect public health, safety, and welfare, as well as to promote clarity and administration.

The existing and proposed smoking regulations are similar in approach in that they generally prohibit smoking in multi-unit residence common areas, places of employment, and public places, as well as in unenclosed areas within 20 feet of any enclosed area in which smoking is prohibited. Significant proposed modifications include, but are not limited to, the following:

- Regulations related to smoking in places of employment would be updated to reflect changes in the California Labor Code.

- Smoking would be prohibited at any event open to the general public (the existing regulations prohibit smoking at “Sites of public events sponsored or co-sponsored by the City...”).
- The use of electronic smoking devices (e.g., electronic cigarettes) would be prohibited in all of the same areas where the use of combustible cigarettes is prohibited (state law also prohibits the use of electronic cigarettes in all of the same areas where *state law* prohibits the use of combustible cigarettes).
- Smoking would be prohibited in unenclosed areas located within the City’s fire hazard severity zones (Attachment E) during red flag warnings issued by the National Weather Service, subject to a determination of necessity by the Fire Chief. Notice would be required prior to determining that a person is in violation of this prohibition.
- “No Smoking” signs would be required to be posted at the entrances to unenclosed eating areas that are public places, as well as on each table within such areas. Staff would provide notice of this requirement to restaurants and other affected businesses prior to its effectiveness. Signage that would satisfy this requirement is readily available from a variety of retailers.
- Areas exempt from the City’s smoking regulations would be updated for increased consistency with applicable state law.
- The Zoning Code’s definition of “cigarette” would be modified to align with the new definition of “electronic smoking device” proposed to be included in the modified smoking regulations (the existing Zoning Code definition of “cigarette” includes a similar definition of “electronic cigarette”).
- The tables of permitted uses for various zoning districts would be updated to explicitly prohibit tobacco and cigarette sales (these updates would be for clarity and would not expand existing tobacco or cigarette sale restrictions).

If the City Council takes the recommended action at today’s meeting, the proposed ordinance would become effective in 30 days.

Environmental Review

This project has no possibility of directly impacting the environment, nor is it reasonably foreseeable that the adoption of this ordinance will have indirect

impacts on the environment. Therefore, the adoption of this ordinance is not a project subject to the California Environmental Quality Act (“CEQA”) pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations.

Fiscal Impact

Funds to support this project are included in the City’s budget.

- Attachments: A – Proposed Ordinance
 Exhibit A – Code Amendment Text
- B – Existing Laguna Woods Municipal Code Chapter 7.16 (Smoking in Public Places and Places of Employment)
 - C – U.S. Department of Health and Human Services, Surgeon General. *The Health Consequences of Smoking—50 Years of Progress*. Executive Summary. (2014)
 - D – U.S. Department of Health and Human Services, Surgeon General. *E-Cigarette Use Among Youth and Young Adults*. Executive Summary. (2016)
 - E – Existing Fire Hazard Severity Zones in Local Responsibility Area Map

ORDINANCE NO. 17-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING CHAPTER 7.16 OF THE LAGUNA WOODS MUNICIPAL CODE RELATED TO THE REGULATION AND PROHIBITION OF SMOKING, AND AMENDING SECTIONS 13.06.010, 13.08.010, 13.10.020, 13.12.020, AND 13.13.020 OF THE LAGUNA WOODS MUNICIPAL CODE RELATED TO THE SALE OF AND ZONING FOR TOBACCO AND CIGARETTES

WHEREAS, smoking regulations are codified at Chapter 7.16 of the Laguna Woods Municipal Code; and

WHEREAS, tobacco and cigarette sales and zoning regulations are codified at Title 13 of the Laguna Woods Municipal Code; and

WHEREAS, staff has recommended amendments to the existing smoking and tobacco and cigarettes sales and zoning regulations as set forth in the attached Exhibit A to this Ordinance (the “Code Amendments”); and

WHEREAS, the Community Development Director or his or her designee prepared an exhibit, including proposed language and terminology for the proposed Code Amendments and any additional information and documents deemed necessary for the City Council to take action, and such exhibit was available for public inspection at City Hall and, upon request, was supplied to all persons desiring a copy, at least 10 days prior to the scheduled City Council public hearing date; and

WHEREAS, on October 18, 2017, the City Council held a duly noticed public hearing on the proposed Code Amendments at which it considered all of the information, evidence, and testimony presented, both written and oral.

THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby finds and determines that (i) each of the recitals to this Ordinance are true and correct, and are adopted herein as findings; (ii) the Code Amendments comply with all applicable requirements of state law; (iii) the Code Amendments will not adversely affect the health, safety, or welfare of the residents within the community; (iv) the Code Amendments are in the public interest

of the City of Laguna Woods; and, (v) the Code Amendments are consistent with the Laguna Woods General Plan and its various elements.

SECTION 2. After reviewing the entire project record, the City Council hereby determines and certifies that there is no possibility that the Code Amendments could directly impact the environment, nor is it reasonably foreseeable that the adoption of this ordinance will have indirect impacts on the environment. Accordingly, pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations, the City Council determines and certifies that the Code Amendments are not subject to the California Environmental Quality Act (“CEQA”).

SECTION 3. Chapter 7.16 and sections 13.06.010, 13.08.010, 13.10.020, 13.12.020, and 13.13.020 of the Laguna Woods Municipal Code are hereby amended to read as set forth in Exhibit A, attached to this Ordinance and incorporated herein by this reference.

SECTION 4. This Ordinance shall take effect and be in full force and operation thirty (30) days after adoption.

SECTION 5. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase added by this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity of effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs sentences, clauses, or phrases are declared unconstitutional, invalid, or ineffective.

SECTION 6. The Deputy City Clerk shall certify to the passage of this Ordinance and shall cause this Ordinance to be published or posted as required by law.

SECTION 7. All of the above-referenced documents and information have been and are on file with the City Clerk of the City.

PASSED, APPROVED AND ADOPTED this XX day of XX 2017.

SHARI L. HORNE, Mayor

ATTEST:

YOLIE TRIPPY, Deputy City Clerk

APPROVED AS TO FORM:

DAVID B. COSGROVE, City Attorney

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

I, YOLIE TRIPPY, Deputy City Clerk of the City of Laguna Woods, do HEREBY CERTIFY that the foregoing **Ordinance No. 17-XX** was duly introduced and placed upon its first reading at a regular meeting of the City Council on the XX day of XX 2017, and that thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the XX day of XX 2017 by the following vote to wit:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

YOLIE TRIPPY, Deputy City Clerk

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**EXHIBIT A
CODE AMENDMENTS**

Chapter 7.16 (“Smoking in Public Places and Places of Employment”) of Title 7 (“Public Safety and Welfare”) of the Laguna Woods Municipal Code is repealed in its entirety and replaced with the following:

CHAPTER 7.16 - SMOKING

Sec. 7.16.010. - Purpose and intent.

This chapter recognizes the right of persons within the city to be free from unwelcome secondhand smoke, which is deemed to be a public nuisance. The purpose and intent of this chapter is to promote and protect public health, safety, and welfare by prohibiting smoking in – and in certain locations near – multi-unit residence common areas, places of employment, and public places, as well as on governmental property and during certain hazardous fire conditions, where persons would be exposed to unwelcome secondhand smoke and also to the risks and dangers associated with fires. This chapter is further intended to ensure a cleaner and more hygienic environment for the city and its residents, businesses, visitors, and natural resources.

Sec. 7.16.020. - Definitions.

The following definitions shall govern the meaning of words and phrases used in this chapter:

(05) *Electronic smoking device* shall mean an electronic device that can be used to deliver an inhaled dose of tobacco, nicotine, marijuana, or other substance, including any component, part, or accessory of such device, whether or not sold separately. This definition includes any such device, whether manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic vaporizer, an electronic hookah, an electronic bong, an electronic waterpipe, or any other product name or descriptor, including any component, part or accessory of such device, whether or not sold separately.

(10) *Employee* shall mean any person who is employed by an employer for direct or indirect monetary wages or profit.

(15) *Employer* shall mean any person who employs the services of an individual person or persons.

(20) *Enclosed* shall mean closed in by a roof and four walls with appropriate openings for ingress and egress.

(25) *Multi-unit residence* shall mean a building or portion thereof that contains more than one dwelling space consisting of essentially complete independent living facilities for one or more persons including, but not limited to, apartments, condominiums, cooperatives, dormitories, and group homes. “Multi-unit residence” does not include single-family residences regardless of occupancy, or facilities licensed by the State of California.

(30) *Multi-unit residence common area* shall mean any enclosed area, as well as any of the following unenclosed areas, that are accessible to and usable by the occupants or their guests for more than one dwelling space: breezeways, entryways, hallways, stairways, and other common areas in a multi-unit residence, as well as covered or semi-covered parking lots or structures. “Multi-unit residence common area” shall also mean any unenclosed patio or balcony.

(35) *Place of employment* shall have the same meaning as set forth in California Labor Code Section 6404.5, as may be amended from time to time. “Place of employment” shall also include, but is not limited to, retail or wholesale tobacco shops as that term is defined in subdivision (e)(2)(B) of California Labor Code Section 6404.5, as may be amended from time to time.

(40) *Public place* shall mean any enclosed or unenclosed area publicly or privately owned and open to the general public including, but not limited to, athletic courts and fields, auditoriums, bars, bed and breakfast establishments, breezeways, bus and other transportation shelters, businesses, cinemas, eating areas, elevators, entryways, golf courses, gymnasiums, halls, health care facilities, health club facilities, hiking trails, hospitals, hotels, libraries, lobbies, meeting rooms, motels, offices, parking lots and structures, parks,

picnic areas, play areas, plazas, pools, recreation facilities, restaurants, restrooms, seating areas, shops, stairways, streets, stores, and theaters. “Public place” shall also mean any enclosed or unenclosed place being used for an event that is open to the general public including, but not limited to, a craft fair, concert or other performance venue, farmers’ market, parade, festival, or polling place, as well as City Hall and all enclosed areas owned, leased, or operated by the City of Laguna Woods.

(45) *Smoke* shall mean the gases, particles, chemicals, or vapors released into the air as a result of combustion, electrical ignition or vaporization, when the apparent or usual purpose of the combustion, electrical ignition or vaporization is human inhalation of the byproducts, except when the combusting material contains no tobacco, nicotine, or marijuana and the purpose of inhalation is solely olfactory, such as, for example, aromatherapy or smoke from incense. “Smoke” specifically includes, but is not limited, to electronic smoking device vapors of any kind, marijuana smoke, and tobacco smoke.

(50) *Smoking* shall mean the release of gases, particles, chemicals, or vapors into the air as the result of combustion, electrical ignition, or vaporization and/or inhaling, exhaling, burning or carrying any lighted, heated or ignited cigar, cigarette, cigarillo, pipe, hookah, or any combustible plant product, including but not limited to tobacco and marijuana, intended for human inhalation. “Smoking” specifically includes, but is not limited to, the use of electronic smoking devices.

(55) *Unenclosed* shall mean not closed in by a roof and four walls with appropriate openings for ingress and egress.

(60) *Unenclosed patio or balcony* shall mean patios or balconies that are attached to multi-unit residences, except where such patios or balconies are fully enclosed with all windows and doors closed.

Sec. 7.16.030. - Smoking prohibited in public areas.

(a) In addition to all places where smoking is prohibited under state or federal law, in which case those laws shall also apply, no person shall smoke in, and smoking areas shall not be established or designated in, multi-unit

residence common areas, places of employment, or public places, or in any unenclosed area within 20 feet of an entrance, exit, window, door, opening, crack, or vent to an enclosed multi-unit residence common area, place of employment, or public place, except while actively passing on the way to another destination provided that smoke does not enter any such area.

(b) Nothing in this chapter prohibits any person with control over any property from prohibiting smoking on any part of such property, even if smoking is not otherwise prohibited in that area.

Sec. 7.16.040. - Smoking prohibited on other governmental property.

Smoking is prohibited in any enclosed or unenclosed area owned, leased, or operated by other governmental bodies including, but not limited to, the State of California, the County of Orange, special districts, and school districts, when such other governmental body has consented, in writing, to the City enforcing the provisions of this chapter on such property.

Sec. 7.16.050. - Smoking prohibited in fire hazard severity zones.

When deemed necessary by the Fire Chief, for the effective duration of any red flag warning issued by the National Weather Service which includes the City, and except when precluded by applicable law, smoking is prohibited in any unenclosed area that is located within any one or more of the City's fire hazard severity zones, as set forth in Chapter 10.13 of this Code. If, after being provided with verbal or written notice of the effectiveness of this prohibition, or if notices are posted, and a person fails to cease smoking or subsequently begins to smoke in such prohibited area, he or she shall be deemed to be in violation of this chapter.

Sec. 7.16.060. - Operations and posting requirements.

(a) No employer, owner, operator, manager, employee, or other person working in or having control of an area where smoking is prohibited by this chapter shall knowingly or intentionally permit smoking in such area. This subsection does not require the physical ejection of any person who is smoking from an area in which smoking is prohibited by this chapter or the taking of any action to prevent smoking under circumstances that would involve a risk of injury, physical harm, or property damage.

(b) The employer, owner, operator, manager, or other person having control of an enclosed area where smoking is prohibited by this chapter shall cause a sign stating “No Smoking” or “Smoking is Prohibited Except in Designated Areas”, as the case may be, to be clearly and prominently posted at each entrance to the building or structure. Notwithstanding this subsection, the presence, absence, wording, or condition of any one or more signs shall not be a defense to any violation of this chapter.

(c) The employer, owner, operator, manager, or other person having control of an unenclosed eating area that is a public place shall cause a sign stating “No Smoking” to be clearly and prominently posted at each entrance to such area. The employer, owner, operator, manager, or other person having control of an unenclosed eating area that is a public place shall also cause signs not less than two inches by two inches including the international “No Smoking” symbol to be placed on each table within an unenclosed eating area that is a public place. Notwithstanding this subsection, the presence, absence, wording, or condition of any one or more signs shall not be a defense to any violation of this chapter.

(d) The employer, owner, operator, manager, employee, or other person working in or having control of an unenclosed area where smoking is prohibited by this chapter shall ensure that no ashtray or receptacle for smoking waste is located or otherwise made available to any person in such area.

Sec. 7.16.070. - Exemptions.

The following areas are exempt from the provisions of this chapter:

- (1) Inside private residences, with the exception of areas that are considered to be multi-unit residence common areas.
- (2) Inside motor vehicles, with the exception of motor vehicles regulated by California Labor Code Section 6404.5, as may be amended from time to time, and motor vehicles parked in an area where smoking is prohibited by this chapter unless such motor vehicles are fully enclosed with all windows and doors closed.
- (3) 20 percent of the guestroom accommodations in a hotel, motel, or similar transient lodging establishment.

- (4) Medical research or treatment sites, if smoking is integral to the research or treatment being conducted.
- (5) Patient smoking areas in long-term health care facilities, as that term is defined in California Health and Safety Code Section 1418, as may be amended from time to time.

Sec. 7.16.080. - Enforcement.

- (a) The provisions of this chapter may be enforced by City personnel, the Orange County Sheriff's Department, the Orange County Fire Authority, and other persons designated by the City Manager.
- (b) Causing, permitting, aiding, abetting, or concealing a violation of any provision of this chapter shall constitute a violation of this chapter.
- (c) Any person who is found to violate any provision of this chapter shall be deemed guilty of an infraction and shall be punishable by:
 - (1) A civil fine not exceeding one hundred (\$100.00) dollars for the first violation;
 - (2) A civil fine not exceeding two hundred (\$200.00) dollars for a second violation within one year from the date of the first violation; and
 - (3) A civil fine not exceeding five hundred (\$500.00) dollars for a third or subsequent violation within one year from the date of the first violation.
- (d) Any aggrieved person may enforce the provisions of this chapter by means of a civil action on his or her own behalf pursuant to California Civil Code Section 3501 et seq.

Sec. 7.16.090. - Other applicable laws.

- (a) This chapter shall not be interpreted or construed to permit smoking where it is otherwise restricted or prohibited by other applicable laws.

(b) This chapter regulates smoking in places of employment only to the extent that such regulation is consistent with California Labor Code Section 6404.5, as may be amended from time to time.

Section 13.06.010(d)(208) of Chapter 13.06 (“Definitions”) of Title 13 (“Zoning”) of the Laguna Woods Municipal Code is amended to read as follows (additions shown with underlining and deletions shown with ~~strike through~~):

(208) *Cigarette*: Any product that contains nicotine, is intended to be burned or heated under ordinary conditions of use for smoking or ingestion, and consists of or contains (1) any roll of tobacco wrapped in paper or in any substance not containing tobacco; (2) tobacco, in any form, that is functional in the product; or, (3) any roll of tobacco wrapped in any substance containing tobacco. “Cigarette” also includes “roll-your-own” tobacco, meaning any tobacco which, because of its appearance, type, packaging, or labeling is suitable for use and likely to be offered to, or purchased by, consumers as tobacco for making cigarettes. For purposes of this definition of “cigarette,” loose leaf, 0.09 ounces or more of “roll-your-own” tobacco shall constitute one individual “cigarette.” “Cigarette” also includes ~~“Electronic cigarettes” which means a device that can provide an inhalable dose of nicotine or tobacco by delivering a vaporized solution. “E-Cigarette” includes any such device, whether manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, a vapor cigarette, or any other item that can provide for the smoking or ingestion of tobacco or products prepared from tobacco~~ any “electronic smoking device,” as that term is defined in Section 7.16.020(05) of this Code. ~~This~~ “Cigarette” does not include any product specifically approved or recognized by the State of California for use in the mitigation, treatment, or prevention of disease.

Section 13.08.010 (“Intent and permitted uses”) of Chapter 13.08 (“Residential Districts”) of Title 13 (“Zoning”) of the Laguna Woods Municipal Code is amended to read as follows (additions shown with underlining):

	Districts			
Land Use Types	RMF	RC	RT	Code References
<u>Tobacco and Cigarette Sales</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>7.16</u>

Section 13.10.020 (“Table of permitted uses”) of Chapter 13.10 (“Commercial Districts”) of Title 13 (“Zoning”) of the Laguna Woods Municipal Code is amended to read as follows (additions shown with underlining):

	Districts			
Land Use Types	NC	CC	PA	Code References
Tobacco and Cigarette Sales	X	U	X	<u>7.16</u>

Section 13.12.020 (“Table of permitted uses”) of Chapter 13.12 (“Open Space Districts”) of Title 13 (“Zoning”) of the Laguna Woods Municipal Code is amended to read as follows (additions shown with underlining):

	Districts		
Land Use Types	OS-P	OS-R	Code References
<u>Tobacco and Cigarette Sales</u>	<u>X</u>	<u>X</u>	<u>7.16</u>

Section 13.13.020 (“Table of permitted uses”) of Chapter 13.13 (“Community Facilities Districts”) of Title 13 (“Zoning”) of the Laguna Woods Municipal Code is amended to read as follows (additions shown with underlining and deletions shown with ~~strike through~~):

	Community Facilities		
Land Use Types	Public/Institutional	Private	Code References
Tobacco, Magazine/Periodical Sales	X	X	
<u>Tobacco and Cigarette Sales</u>	<u>X</u>	<u>X</u>	<u>7.16</u>