

CITY of LAGUNA WOODS CITY COUNCIL AGENDA

Regular Meeting
Wednesday, January 18, 2023
2:00 p.m.

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

Cynthia Connors
Mayor

Noel Hatch
Mayor Pro Tem

Shari L. Horne
Councilmember



Annie McCary
Councilmember

Carol Moore
Councilmember

Welcome to a meeting of the Laguna Woods City Council!

This meeting may be recorded, televised, and made publicly 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 meets regularly on the third Wednesday of each month at 2 p.m.

AGENDA POSTING AND AVAILABILITY

Regular and Adjourned Regular Meetings: Pursuant to California Government Code Section 54954.2 of the Ralph M. Brown Act, the City of Laguna Woods posts agendas at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, California 92637; on the City’s website (www.cityoflagunawoods.org); and, at other locations designated by Resolution No. 17-30, at least 72 hours in advance of regular and adjourned regular meetings. Agendas and agenda materials are available at Laguna Woods City Hall during normal business hours and on the City’s website. Printed copies of agendas and agenda materials are provided at no charge in advance of meetings. After meetings have occurred, a per page fee is charged for printed copies.

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

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FOR ADDITIONAL INFORMATION

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

AFFIDAVIT OF POSTING

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

I, Yolie Trippy, 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.

/s/ Yolie Trippy
YOLIE TRIPPY, CMC, City Clerk

1/13/23
Date

NOVEL CORONAVIRUS (COVID-19) NOTICE

Please exercise caution when attending City Council meetings. If you attend this meeting, please abide by all applicable state and local public health orders.

OPTIONS FOR PUBLIC COMMENTS

1. Attend the meeting in-person.

2. Submit public comments in writing. Written public comments may be submitted via email (cityhall@cityoflagunawoods.org) or by mail (Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637), provided that they are received by the City prior to 2:00 p.m. on the day of the meeting. Written public comments may be read or summarized to the City Council at the meeting, and parties submitting comments should be aware that their email addresses and any information submitted may be disclosed or become a matter of public record. No party should expect privacy of such information.

3. Make public comments by telephone. Dial (669) 444-9171. When prompted enter the following meeting ID: 895 6806 6250 followed by pound (#) and the following meeting passcode: 588448 followed by pound (#). When an item you wish to comment on is discussed, press *9 on your telephone to raise your hand. When it is your turn, you will be unmuted and able to speak. Please note that your telephone number will be visible to the City. No party should expect privacy of such information.

4. Make public comments by computer.

- Visit www.zoom.us
- Click on “Join a Meeting” toward the top right of the webpage
- Enter the following meeting ID: 895 6806 6250
- Open the Zoom application following the on-screen prompts
- Enter the following meeting password: 588448
- Enter a name and email address as required by Zoom

When an item you wish to comment on is discussed, click on “Raise Hand.” When it is your turn, you will be unmuted and able to speak. Please note that information you enter into Zoom will be visible to the City. No party should expect privacy of such information.

I. CALL TO ORDER

Introductory Note: Members of the public wishing to address the City Council on items appearing on this agenda are advised to indicate their interest in doing so at the time an item is considered by notifying City staff if present in-person, pressing *9 on their telephone if participating by telephone, or clicking on “Raise Hand” if participating by computer via Zoom. Members of the public wishing to address the City Council on items *not* appearing on this agenda may do so during Item V.

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. PRESENTATIONS AND CEREMONIAL MATTERS

- 4.1 Donald R. Forden – Assemblywoman Cottie Petrie-Norris’ 2022 Laguna Woods Veteran of the Year
(agendized by Mayor Connors)

Recommendation: Approve and present the commendation.

- 4.2 City Hall/Public Library Project Update

Recommendation: Receive and file

V. PUBLIC COMMENTS ON NON-AGENDA ITEMS

About Public Comments on Non-Agenda Items: This is the time and place for members of the public to address the City Council on items *not* appearing on this agenda. To indicate interest, please notify City staff if present in-person, press *9 on your telephone if participating by telephone, or click on “Raise Hand” if participating by computer via Zoom. 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 member of 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 special meeting on September 15, 2022, the regular meeting on November 16, 2022, the special meeting on December 12, 2022, and the regular meeting on December 21, 2022.

6.2 City Treasurer's Report

Recommendation: Receive and file the City Treasurer's Report for the month of December 2022.

6.3 Warrant Register

Recommendation: Approve the warrant register dated January 18, 2023 in the amount of \$967,602.94.

6.4 Teleconferencing for Meetings

Recommendation: Adopt a resolution titled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ALLOWING FOR THE CONTINUED USE OF TELECONFERENCING FOR MEETINGS DURING THE COVID-19 STATE OF EMERGENCY, PURSUANT TO CALIFORNIA ASSEMBLY BILL 361 (2021-2022)

6.5 Newport Bay Watershed Total Maximum Daily Load Programs

Recommendation: Approve a cooperative agreement with the County of Orange, the Orange County Flood Control District, the City of Costa Mesa, the City of Irvine, the City of Laguna Hills, the City of Lake Forest, the City of Newport Beach, the City of Orange, the City of Santa Ana, the City of Tustin, Irvine Ranch Water District, and the Irvine Company to fund total maximum daily load programs and related activities in the Newport Bay Watershed (Agreement No. MA-080-23010376) and authorize the Mayor to execute the agreement, subject to approval as to form by the City Attorney.

6.6 Pavement Management Plan Project (Northbound Moulton

Parkway between Calle Cortez and Via Campo Verde)

Recommendation:

1. Approve final record plans and specifications reflecting completion of the “Pavement Management Plan Project (Northbound Moulton Parkway between Calle Cortez and Via Campo Verde)” as prepared by the project engineer.

AND

2. Accept project completion of the contract agreement with Hardy & Harper, Inc. for the “Pavement Management Plan Project (Northbound Moulton Parkway between Calle Cortez and Via Campo Verde)”.

AND

3. Release contract retention in the amount of \$12,178.23 withheld per California Government Code 35 days following recordation of the Notice of Completion with the County of Orange, provided no Stop Notices are on file with the City preventing the release of the contract retention.

AND

4. Exonerate project posted bonds 35 days following recordation of the Notice of Completion with the County of Orange.

VII. PUBLIC HEARINGS

VIII. CITY COUNCIL BUSINESS

- 8.1 Laguna Woods Civic Support Fund
(agendized by Mayor Pro Tem Hatch)

Recommendation:

1. Discuss the future structure and role of the Laguna Woods

Civic Support Fund.

AND

2. Recognizing the Laguna Woods Civic Support Fund's success, maturity as an organization, and ability to function independent of the City, direct the Mayor to provide written notice of the City's termination of its formal involvement as contemplated in Section 5.5 of the Laguna Woods Civic Support Fund's Bylaws.

AND

3. Approve a contribution of \$5,000 to the newly independent Laguna Woods Civic Support Fund to support future activities.

AND

4. Appoint Councilmember Moore to serve as a liaison to the Laguna Woods Civic Support Fund to foster communication between the City and Laguna Woods Civic Support Fund related to their shared interest in supporting the City and Laguna Woods Branch of OC Public Libraries, from January 18, 2023 through December 31, 2024

8.2 Cannabis Retail Sales Business Regulations
(agendized by Councilmember Horne)

Recommendation:

1. Direct the City Manager to draft an ordinance for future consideration by the City Council that would – if adopted by the City Council at a future meeting – authorize the operation of storefront retailer (dispensary) businesses engaged in retail sales of cannabis and/or cannabis products.

AND

2. Direct the City Manager to draft a resolution for future consideration by the City Council that would – if approved by

the City Council at a future meeting – set the rate of the cannabis business tax authorized by Measure T (Ordinance No. 22-01) for storefront retailer (dispensary) businesses at the higher of the following: (a) 10% of gross receipts received or generated for each monthly reporting period, or (b) \$35 per square foot of floor area (annual tax rate) prorated monthly to one-twelfth of the annual tax rate amount.

IX. CITY COUNCIL REPORTS AND COMMENTS

About City Council Reports and Comments: 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 McCary, First Alternate: Councilmember Moore, Second Alternate: Councilmember Horne
- 9.2 Orange County Fire Authority
Mayor Pro Tem Hatch
- 9.3 Orange County Library Advisory Board
Councilmember Moore; Alternate: Councilmember McCary
- 9.4 Orange County Mosquito and Vector Control District
Councilmember Horne
- 9.5 San Joaquin Hills Transportation Corridor Agency
Mayor Conners; Alternate: Mayor Pro Tem Hatch
- 9.6 South Orange County Watershed Management Area
Councilmember Moore; Alternate: Councilmember Horne
- 9.7 Liaisons to Community Bridge Builders
Councilmember Horne and Councilmember McCary
- 9.8 Other Comments and Reports

X. CLOSED SESSION

XI. CLOSED SESSION REPORT

XII. ADJOURNMENT

Next Regular Meeting:

Wednesday, February 15, 2023 at 2 p.m.

Laguna Woods City Hall

24264 El Toro Road, Laguna Woods, California 92637

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4.1

**DONALD R. FORDEN – ASSEMBLYWOMAN
COTTIE PETRIE-NORRIS' 2022 LAGUNA
WOODS VETERAN OF THE YEAR
(AGENDIZED BY MAYOR CONNERS)**

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**Commendation
Donald R. Forden
Assemblywoman Cottie Petrie-Norris' 2022
Laguna Woods Veteran of the Year**

WHEREAS, Chaplain (Colonel) Donald R. Forden joined the Army as a Chaplain in 1968, with a degree in Pastoral Counseling, beginning a military career that would span five decades, alternating periods of Active Duty with Active Reserve; and

WHEREAS, during Chaplain Forden's Active Duty periods, he served as hospital Chaplain at Ft. Lewis, Washington, Ft. Sam Houston, Texas, Ft. Leavenworth, Kansas, and at evacuation hospitals in Desert Shield/Desert Storm, Operation Iraq Freedom, and Iraq Enduring Freedom, and he provided chaplain services to servicemembers in Germany and in the United States; and

WHEREAS, during Chaplain Forden's Active Reserve periods, in addition to exercises and training and staff organizational meetings, he worked as a counselor in private practice and in public schools, and as clinical supervisor and faculty at Point Loma Nazarene University and Azusa Pacific University, and at the VA as a Hospice and Palliative Care Chaplain, all while earning Masters and Doctoral degrees in Education, Counseling, and Ministry; and

WHEREAS, following Chaplain Forden's retirement from the Army in 2004, he continued to volunteer as a VA hospital Chaplain, and continues to perform monthly memorial services at Riverside National Cemetery for unclaimed veterans; and

WHEREAS, being a licensed barber who worked his way through college giving haircuts, Chaplain Forden continues to provide free haircuts to veterans, at the VA hospital and wherever else he finds them, always listening with a professional ear; and

WHEREAS, Assemblymember Cottie Petrie-Norris honored Donald R. Forden as the 2022 Laguna Woods Veteran of the Year in recognition of his service to our nation.

NOW, THEREFORE, BE IT RESOLVED that the Laguna Woods City Council does hereby commend Donald R. Forden on being selected as Assemblywoman Cottie Petrie-Norris' 2022 Laguna Woods Veteran of the Year and extends its sincere gratitude to Chaplain Forden for his lifetime of service.

Dated this 18th day of January, 2023

Cynthia Conners
Mayor

Attest: Yolie Trippy, CMC
City Clerk

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4.2
CITY HALL/PUBLIC LIBRARY UPDATE
(NO REPORT)

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6.0
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: January 18, 2023 Regular Meeting

SUBJECT: Consent Calendar Summary

Recommendation

Approve all proposed actions on the January 18, 2023 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 January 18, 2023 Consent Calendar contains the following items:

- 6.1 Approval of the City Council meeting minutes for the special meeting on September 15, 2022 (Attachment A), the regular meeting on November 16, 2022 (Attachment B), the special meeting on December 12, 2022 (Attachment C), and the regular meeting on December 21, 2022 (Attachment D).
- 6.2 Approval of a motion to receive and file the City Treasurer's Report for the month of December 2022.

- 6.3 Approval of the warrant register dated January 18, 2023 in the amount of \$967,602.94. A list of warrants is included in the agenda packet; detailed information about individual warrants is available at or from City Hall.
- 6.4 Adoption of a resolution allowing for the continued use of teleconferencing for meetings during the COVID-19 State of Emergency, pursuant to California Assembly Bill 361 (2021-2022). The proposed resolution includes the findings required by California Government Code Section 54953(e)(3) for meetings to continue to be held via teleconferencing.
- 6.5 Approval of a cooperative agreement with the County of Orange, the Orange County Flood Control District, the City of Costa Mesa, the City of Irvine, the City of Laguna Hills, the City of Lake Forest, the City of Newport Beach, the City of Orange, the City of Santa Ana, the City of Tustin, Irvine Ranch Water District, and the Irvine Company to fund total maximum daily load programs and related activities in the Newport Bay Watershed (Agreement No. MA-080-23010376) and authorization for the Mayor to execute the agreement, subject to approval as to form by the City Attorney. The proposed agreement is a successor to various agreements that the City has participated in since 2003 to facilitate compliance with watershed-related regulatory orders adopted by the Santa Ana Regional Water Quality Control Board as part of National Pollutant Discharge Elimination System (“NPDES”) stormwater requirements.
- 6.6 [1] Approval of final record plans and specifications reflecting completion of the “Pavement Management Plan Project (Northbound Moulton Parkway between Calle Cortez and Via Campo Verde)” as prepared by the project engineer (available for review at City Hall).

AND

[2] Acceptance of project completion of the contract agreement with Hardy & Harper, Inc. for the “Pavement Management Plan Project (Northbound Moulton Parkway between Calle Cortez and Via Campo Verde)”.

AND

[3] Release of contract retention in the amount of \$12,178.23 withheld per California Government Code 35 days following recordation of the Notice of

Completion with the County of Orange, provided no Stop Notices are on file with the City preventing the release of the contract retention.

AND

[4] Exoneration of project posted bonds 35 days following recordation of the Notice of Completion with the County of Orange.

The “Pavement Management Plan Project (Northbound Moulton Parkway between Calle Cortez and Via Campo Verde)” is included in the Fiscal Years 2021-32 Capital Improvement Program.

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6.1
CITY COUNCIL MINUTES

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**CITY OF LAGUNA WOODS CALIFORNIA
CITY COUNCIL MINUTES
SPECIAL MEETING
September 15, 2022
1:00 P.M.
Laguna Woods City Hall
24264 El Toro Road
Laguna Woods, California 92637**

I. CALL TO ORDER

Mayor Moore called the Special Meeting of the City Council of the City of Laguna Woods to order at 1:08 p.m.

II. ROLL CALL

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

Councilmember Hatch participated via teleconference.

All other councilmembers participated in-person at the meeting location.

STAFF PRESENT: City Manager Macon, City Attorney Patterson, City Clerk Trippy

All staff participated in-person at the meeting location.

III. PLEDGE OF ALLEGIANCE

Don Caskey, member of the Laguna Hills City Council, led the pledge of allegiance.

IV. PUBLIC COMMENTS ON NON-AGENDA ITEMS

Don Caskey, member of the Laguna Hills City Council, introduced himself and made comments regarding opportunities for collaboration between the cities of Laguna Hills and Laguna Woods, as well as Laguna Hills Heritage Day. Mr. Caskey responded to questions and comments from councilmembers on topics including the Urban Village Project, Laguna Hills Heritage Day, a potential golf cart crossing between Laguna Woods and Laguna Hills, and collaboration.

Mayor Pro Tem Conners joined the meeting in-person at 1:15 p.m. during Mr. Caskey's comments.

V. CONSENT CALENDAR

Mayor Moore expressed concern regarding sound quality in the Council Chambers.

City Manager Macon briefly responded to Mayor Moore’s comments.

Mayor Moore requested that Item 5.1 be removed from the consent calendar.

Moved by Mayor Pro Tem Conners, seconded by Councilmember Horne, and carried unanimously on a 5-0 vote, to approve Consent Calendar items 5.2 – 5.3. This vote was conducted by roll call.

5.2 Teleconferencing for Meetings

Adopted a resolution titled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ALLOWING FOR THE CONTINUED USE OF TELECONFERENCING FOR MEETINGS DURING THE COVID-19 STATE OF EMERGENCY, PURSUANT TO CALIFORNIA ASSEMBLY BILL 361 (2021-2022)

5.3 Fiscal Years 2021-23 Budget Adjustments

Adopted a resolution titled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING AND ADOPTING THE FISCAL YEARS 2021-23 BUDGET AND WORK PLAN FOR FISCAL YEAR 2021-22 COMMENCING JULY 1, 2021 AND ENDING JUNE 30, 2022, AND FISCAL YEAR 2022-23 COMMENCING JULY 1, 2022 AND ENDING JUNE 30, 2023, RELATED TO ADJUSTMENTS OF STATE OF CALIFORNIA GRANTS FUND APPROPRIATIONS (STATE BUDGET APPROPRIATION - CITY HALL/PUBLIC LIBRARY PROJECT) TO PROVIDE FOR THE EXPENDITURE OF INTEREST EARNINGS ON THE CITY HALL/PUBLIC LIBRARY PROJECT

Mayor Moore made comments regarding the accuracy of Item 5.1.

City Attorney Patterson responded to Mayor Moore’s comments.

Moved by Mayor Pro Tem Conners, seconded by Councilmember Tao, and carried unanimously on a 5-0 vote, to approve Consent Calendar Item 5.1. This vote was conducted by roll call.

5.1 City Council Minutes

Approved the City Council meeting minutes for the regular meeting on May 18, 2022.

VI. CITY COUNCIL BUSINESS

6.1 Ridge Route Drive Landscape Project

City Manager Macon made a presentation.

Councilmembers discussed the item and staff answered related questions.

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

1. Approve the “Ridge Route Drive Landscape Project” design plans and specifications as prepared by the project architect.

AND

2. Approve a notice of exemption for the “Ridge Route Drive Landscape Project” finding that the project is categorically exempt from the California Environmental Quality Act (CEQA) and authorize the City Manager to cause the notice of exemption to be filed pursuant to applicable law.

AND

3. Adopt a resolution titled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING AND ADOPTING THE FISCAL YEARS 2021-23 BUDGET AND WORK PLAN FOR FISCAL YEAR 2021-22 COMMENCING JULY 1, 2021 AND ENDING JUNE 30, 2022, AND FISCAL YEAR 2022-23 COMMENCING JULY 1, 2022 AND ENDING JUNE 30, 2023, RELATED TO ALLOCATION OF EXISTING FEDERAL GRANTS FUND (AMERICAN RESCUE PLAN ACT (CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS)) APPROPRIATIONS TO THE RIDGE ROUTE DRIVE LANDSCAPE PROJECT

AND

4. Award a contract agreement to Marina Landscape, Inc. for the construction of the “Ridge Route Drive Landscape Project”, in the amount of \$177,670.36, plus authorized change orders not to exceed 15% of the base amount; and authorize 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.

This vote was conducted by roll call.

6.2 2021-2022 Orange County Grand Jury Report, “How is Orange County Addressing Homelessness?”

City Manager Macon made a presentation.

Councilmembers discussed the item and staff answered related questions.

Moved by Mayor Pro Tem Conners, seconded by Councilmember Horne, and carried on a 4-1 vote with Mayor Moore opposed, to approve a response to the 2021-2022 Orange County Grand Jury Report, “How is Orange County Addressing Homelessness?,” authorize the Mayor to execute the response, and direct the City Manager to submit the response as required by applicable law. This vote was conducted by roll call. [A copy of the approved response, which includes modifications to the proposed response that was included in the agenda packet, is available at or from the City Clerk’s Office.]

6.3 2021-2022 Orange County Grand Jury Report, “Where Have All the CRVs Gone?”

City Manager Macon made a presentation

Councilmembers discussed the item and staff answered related questions.

Moved by Councilmember Hatch, seconded by Mayor Pro Tem Conners, and carried unanimously on a 5-0 vote, to approve a response to the 2021-2022 Orange County Grand Jury Report, “Where Have All the CRVs Gone?,” authorize the Mayor to execute the response, and direct the City Manager to submit the response as required by applicable law. This vote was conducted by roll call. [A copy of the approved response, which includes modifications to the proposed response that was included in the agenda packet, is available at or from the City Clerk’s Office.]

Councilmember Hatch made brief comments on the Orange County Fire Authority.

VII. CLOSED SESSION

Prior to convening in closed session, an opportunity was provided for public comments on items appearing on the closed session agenda. No such public comments were received.

7.1 The City Council met in closed session under the authority of California Government Code sections 54956.9(d)(2) and (e)(1) to discuss significant exposure to litigation in two cases.

7.2 The City Council met in closed session under the authority of California Government Code Section 54957(b)(1) to consider the following: Public Employee Performance Evaluation – City Manager.

VIII. CLOSED SESSION REPORT

The City Council reconvened in open session at 4:36 p.m. City Attorney Patterson stated that there was no reportable action.

IX. ADJOURNMENT

The meeting was adjourned at 4:37 p.m. The next regular meeting will be at 2:00 p.m. on Wednesday, September 21, 2022 at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

YOLIE TRIPPY, CMC, City Clerk

Approved: January 18, 2023

CYNTHIA CONNERS, Mayor

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**CITY OF LAGUNA WOODS CALIFORNIA
CITY COUNCIL MINUTES
REGULAR MEETING
November 16, 2022
2:00 P.M.
Laguna Woods City Hall
24264 El Toro Road
Laguna Woods, California 92637**

I. CALL TO ORDER

Mayor Moore called the Regular Meeting of the City Council of the City of Laguna Woods to order at 2:06 p.m.

II. ROLL CALL

COUNCILMEMBER: PRESENT: Hatch, Horne, Tao, Conners, Moore
 ABSENT: -

All councilmembers participated in-person at the meeting location.

STAFF PRESENT: City Manager Macon, City Attorney Patterson

All staff participated in-person at the meeting location.

III. PLEDGE OF ALLEGIANCE

Mayor Moore led the pledge of allegiance.

IV. PRESENTATIONS AND CEREMONIAL MATTERS

- 4.1 Presentation Regarding Orange County Local Agency Formation Commission (OC LAFCO) Services & Municipal Service Review and Sphere of Influence Reviews – Carolyn Emery, Executive Officer, OC LAFCO (agendized by Mayor Moore)

Mayor Moore introduced the item.

Carolyn Emery, Executive Officer of the Orange County Local Agency Formation Commission, made a presentation.

Councilmembers made comments.

- 4.2 Presentation Regarding Orange County Assessor Department Services & Process for Obtaining Intergenerational Exclusions and Base Year Value Transfers – Maria Melchor

and Maricela Gonzalez, Orange County Assessor Department
(agendized by Mayor Moore)

Mayor Moore introduced the item.

Maria Melchor, Orange County Assessor, made a presentation.

Councilmembers made comments and Ms. Melchor answered related questions.

4.3 City Hall/Public Library Project Update

City Manager Macon provided an update and answered related questions.

Councilmembers made comments.

V. PUBLIC COMMENTS ON NON-AGENDA ITEMS – None

VI. CONSENT CALENDAR

Moved by Councilmember Hatch, seconded by Mayor Pro Tem 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 21, 2022.

6.2 City Treasurer’s Report

Received and filed the City Treasurer’s Report for the month of October 2022.

6.3 Warrant Register

Approved the warrant register dated November 16, 2022 in the amount of \$520,325.01.

6.4 Teleconferencing for Meetings

Adopted a resolution titled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ALLOWING FOR THE CONTINUED USE OF TELECONFERENCING FOR MEETINGS DURING THE COVID-19 STATE OF EMERGENCY, PURSUANT TO CALIFORNIA ASSEMBLY BILL 361 (2021-2022)

6.5 City Hall/Public Library Project Architectural Services

ITEM 6.1 – Attachment B

1. Waived the provisions set forth in Laguna Woods Municipal Code Section 3.06.080(c) related to competitive bidding.

AND

2. Approved an extension of the agreement with obrARCHITECTURE, Inc. for City Hall/Public Library Project architectural services and authorized the City Manager to execute the extension, subject to approval as to form by the City Attorney.

6.6 Pavement Management Plan Project (Northbound Moulton Parkway between Calle Cortez and Via Campo Verde)

1. Approved the “Pavement Management Plan Project (Northbound Moulton Parkway between Calle Cortez and Via Campo Verde)” design plans and specifications as prepared by the project engineer.

AND

2. Approved a notice of exemption for the “Pavement Management Plan Project (Northbound Moulton Parkway between Calle Cortez and Via Campo Verde)” finding that the project is categorically exempt from the California Environmental Quality Act (CEQA) and authorized the City Manager to cause the notice of exemption to be filed pursuant to applicable law.

AND

3. Awarded a contract agreement to Hardy & Harper, Inc. for the construction of the “Pavement Management Plan Project (Northbound Moulton Parkway between Calle Cortez and Via Campo Verde)”, in the amount of \$257,000, 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 to form by the City Attorney.

6.7 Rejection of Claim

Rejected the following claim against the City:

Evelyn Kay Melchior vs. City of Laguna Woods,
Claimant: Evelyn Kay Melchior

VII. PUBLIC HEARINGS

Mayor Moore requested that Item 7.3 be moved to next on the agenda. There were no objections.

7.3 2022 California Building Standards Code and Local Amendments

City Manager Macon made a presentation.

Mayor Moore opened the public hearing that was continued from the regular City Council meeting on October 19, 2022.

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

Moved by Mayor Pro Tem Conners, seconded by Councilmember Hatch, and carried unanimously on a 5-0 vote, to approve second reading and adopt an ordinance – read by title with further reading waived – titled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING TITLE 10 OF THE LAGUNA WOODS MUNICIPAL CODE (BUILDINGS AND CONSTRUCTION) AND ADOPTING BY REFERENCE THE 2022 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE (CALIFORNIA CODE OF REGULATIONS, TITLE 24), CONSISTING OF THE 2022 CALIFORNIA ADMINISTRATIVE CODE; THE 2022 CALIFORNIA BUILDING CODE; THE 2022 CALIFORNIA RESIDENTIAL CODE; THE 2022 CALIFORNIA ELECTRICAL CODE; THE 2022 CALIFORNIA MECHNICAL CODE; THE 2022 CALIFORNIA PLUMBING CODE; THE 2022 CALIFORNIA ENERGY CODE; THE 2022 CALIFORNIA HISTORICAL BUILDING CODE; THE 2022 CALIFORNIA EXISTING BUILDING CODE; THE 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE; AND, THE 2022 CALIFORNIA REFERENCED STANDARDS CODE

AND

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING CHAPTER 10.12 (CALIFORNIA FIRE CODE) OF TITLE 10 (BUILDINGS AND CONSTRUCTION) OF THE LAGUNA WOODS MUNICIPAL CODE AND ADOPTING BY REFERENCE THE 2022 EDITION OF THE CALIFORNIA FIRE CODE (CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 9) WITH CERTAIN AMENDMENTS, ADDITIONS, AND DELETIONS THERETO

AND

Determine and certify that the preceding two ordinances are exempt from the California Environmental Quality Act.

- 7.1 Site Development Permit SDP-2022-0001 to allow for (a) establishment of a fast/fast casual food establishment, including physical modifications of an existing 2,626 square foot building and existing drive-through, queuing lane, parking, and landscape areas, and (b) construction of accessory (appurtenant) facilities and structures, at 23562 Moulton Parkway, Laguna Woods, CA 92637

City Manager Macon made a presentation.

Mayor Moore opened the public hearing that was continued from the regular City Council meeting on October 19, 2022.

Shawna Schaffner, CAA Planning, on behalf of the applicant, stated that they support the staff recommendation and answered questions from councilmembers.

Councilmembers discussed the item and staff answered related questions.

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

Moved by Councilmember Hatch, seconded by Councilmember Horne, and carried unanimously on a 5-0 vote, to adopt a resolution titled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, APPROVING SITE DEVELOPMENT PERMIT SDP-2022-0001 TO ALLOW FOR (A) ESTABLISHMENT OF A FAST/FAST CASUAL FOOD ESTABLISHMENT, INCLUDING PHYSICAL MODIFICATIONS OF AN EXISTING 2,626 SQUARE FOOT BUILDING AND EXISTING DRIVE-THROUGH, QUEUING LANE, PARKING, AND LANDSCAPE AREAS, AND (B) CONSTRUCTION OF ACCESSORY (APPURTENANT) FACILITIES AND STRUCTURES AT 23562 MOULTON PARKWAY, LAGUNA WOODS, CA 92637, AND DETERMINING AND CERTIFYING THAT THE SITE DEVELOPMENT PERMIT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTIONS 15301 AND 15303 OF TITLE 14 OF THE CALIFORNIA CODE OF REGULATIONS

- 7.2 Sign Program Amendment SP-2022-0001 to amend Sign Program SP-1193 (as previously amended by Sign Program Amendment SP-1253), which allows for various signage at 24281 Moulton Parkway, Laguna Woods, CA 92637

City Manager Macon made a presentation.

Mayor Moore opened the public hearing.

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

Moved by Councilmember Hatch, seconded by Councilmember Horne, and carried unanimously on a 5-0 vote, to adopt a resolution titled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, APPROVING SIGN PROGRAM AMENDMENT SP-2022-0001 TO AMEND SIGN PROGRAM SP-1193 (AS PREVIOUSLY AMENDED BY SIGN PROGRAM AMENDMENT SP-1253), WHICH ALLOWS FOR VARIOUS SIGNAGE AT 24281 MOLUTON PARKWAY, LAGUNA WOODS, CA 92637, AND DETERMINING AND CERTIFYING THAT THE SIGN PROGRAM AMENDMENT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15311 OF TITLE 14 OF THE CALIFORNIA CODE OF REGULATIONS

7.4 Zoning Code Amendments

City Manager Macon made a presentation.

Mayor Moore opened the public hearing.

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

Councilmembers discussed the item.

Moved by Mayor Pro Tem Conners, seconded by Councilmember Horne, 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 – titled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING CHAPTER 13.14 AND SECTIONS 13.04.020, 13.08.010, 13.13.020, 13.15.011, 13.15.015, 13.15.016, 13.15.017, 13.15.020, 13.23.030, 13.26.010, AND 13.26.070 OF TITLE 13 (ZONING) OF THE LAGUNA WOODS MUNICIPAL CODE, AND DETERMINING AND CERTIFYING THAT THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

VIII. CITY COUNCIL BUSINESS

8.1 Employee Compensation and Benefits

City Manager Macon made a presentation.

Moved by Councilmember Horne, seconded by Mayor Pro Tem Conners, and carried unanimously on a 5-0 vote, to adopt a resolution titled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, REPEALING RESOLUTION NO. 22-37, AND ESTABLISHING A COMPENSATION SCHEDULE AND BENEFITS FOR CITY EMPLOYEES

IX. CITY COUNCIL REPORTS AND COMMENTS

9.1 Coastal Greenbelt Authority

Mayor Pro Tem Conners provided a report.

9.2 Orange County Fire Authority

Councilmember Hatch provided a report and introduced Division Chief Baryic Hunter.

Division Chief Hunter made comments.

Councilmember Hatch and Mayor Conners made comments.

9.3 Orange County Library Advisory Board

Mayor Moore stated that Councilmember Tao had attended a meeting.

Councilmember Tao stated that he would provide a report at the end of the meeting.

9.4 Orange County Mosquito and Vector Control District

Councilmember Horne provided a report.

9.5 San Joaquin Hills Transportation Corridor Agency

Mayor Pro Tem Conners provided a report and responded to a question from Councilmember Horne.

9.6 South Orange County Watershed Management Area

Mayor Moore stated that a meeting was coming up.

9.7 Other Comments and Reports

Councilmember Horne reported on the California Senior Legislature.

Councilmember Tao made comments as an outgoing member of the City Council.

City Manager Macon responded to a question from Councilmember Tao.

Councilmembers made comments and thanked Councilmember Tao for his service.

X. CLOSED SESSION – None

XI. CLOSED SESSION REPORT – None

XII. ADJOURNMENT

The meeting was adjourned at 4:08 p.m. The next regular meeting will be at 2:00 p.m. on Wednesday, December 21, 2022 at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

YOLIE TRIPPY, CMC, City Clerk

Approved: January 18, 2023

CYNTHIA CONNERS, Mayor

**CITY OF LAGUNA WOODS CALIFORNIA
CITY COUNCIL MINUTES
SPECIAL MEETING
December 12, 2022
2:00 P.M.
Laguna Woods City Hall
24264 El Toro Road
Laguna Woods, California 92637**

I. CALL TO ORDER

Mayor Moore called the Special Meeting of the City Council of the City of Laguna Woods to order at 2:07 p.m.

II. ROLL CALL

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

All councilmembers participated in-person at the meeting location.

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

All staff participated in-person at the meeting location.

III. PLEDGE OF ALLEGIANCE

Annie McCary, resident and Councilmember-elect, led the pledge of allegiance.

IV. PUBLIC COMMENTS ON NON-AGENDA ITEMS – None

V. CITY COUNCIL BUSINESS

5.1 General Municipal Election

City Manager Macon made a presentation.

Moved by Councilmember Horne, seconded by Councilmember Hatch, and carried on a 3-0 vote with Mayor Pro Tem Conners absent, to adopt a resolution titled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, RECITING THE FACTS OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 8, 2022 AND

DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW

City Manager Macon continued his presentation.

City Clerk Trippy presented certificates of election to Annie McCary and Carol Moore.

Mayor Pro Tem Conners joined the meeting via teleconference at 2:12 p.m.

City Clerk Trippy administered oaths or affirmations of office for Annie McCary and Carol Moore.

VI. CONSENT CALENDAR

Moved by Councilmember Hatch, seconded by Councilmember Horne, and carried on a 4-0-1 vote with no vote from Mayor Pro Tem Conners, to approve Consent Calendar items 6.1 – 6.3. This vote was conducted by roll call.

6.1 Teleconferencing for Meetings

Adopted a resolution titled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ALLOWING FOR THE CONTINUED USE OF TELECONFERENCING FOR MEETINGS DURING THE COVID-19 STATE OF EMERGENCY, PURSUANT TO CALIFORNIA ASSEMBLY BILL 361 (2021-2022)

6.2 Measure M2 Expenditure Report

Adopted a resolution titled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ADOPTING AND CONCERNING THE MEASURE M2 EXPENDITURE REPORT FOR FISCAL YEAR 2021-22 COMMENCING JULY 1, 2021 AND ENDING JUNE 30, 2022

6.3 City Hall Refurbishment and Safety Project: Phase 3

Approved an increase of the City Manager’s authorization to approve change orders for the contract agreement with US Builders & Consultants for the construction of the “City Hall Refurbishment and Safety Project: Phase 3” to 41% of the \$113,400 base amount.

VII. CITY COUNCIL BUSINESS

7.1 Annual Comprehensive Financial Report

City Manager Macon introduced the item.

Eric Xin, Brown Armstrong Accountancy Corporation, made a presentation.

Councilmembers discussed the item and staff and Mr. Xin answered related questions.

Moved by Councilmember Hatch, seconded by Councilmember Horne and carried unanimously on a 5-0 vote, to receive and file the following documents, each dated November 23, 2022:

1. Annual Comprehensive Financial Report with Report on Audit by Independent Auditors for the Year Ended June 30, 2022 (Fiscal Year 2021-22)

AND

2. Independent Auditor’s Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards

AND

3. Independent Auditor’s Statements on Auditing Standards 114 Letter: The Auditor’s Communication with Those Charged with Governance

AND

4. Appropriations Limit Worksheet with Independent Accountant’s Report on Applying Agreed-Upon Procedures for the Fiscal Year Ended June 30, 2022

This vote was conducted by roll call.

Mayor Moore stated that a resident expressed a desire to speak on Item 5.1.

5.1 General Municipal Election

Juanita Skillman, resident, welcomed Councilmember McCary to the City Council, congratulated Mayor Moore on her reelection, thanked former Councilmember Tao for his service, and commented on the City Manager as related to Item 8.1.

7.2 Community Development Block Grant Coronavirus Aid, Relief, and Economic Security Act (CDBG-CV) Funding for Americans with Disabilities Act (ADA) Pedestrian Accessibility Improvement Project: Phase 6

City Manager Macon made a presentation.

Moved by Councilmember Horne, seconded by Councilmember Hatch, and carried on a

4-0-1 vote with no vote from Mayor Pro Tem Conners, to:

1. Approve Contract # 012-23010627-CV with the County of Orange for Coronavirus Aid, Relief, and Economic Securities (CARES) Act, H.R. 748, Community Development Block Grant, Public Facilities & Improvements, Americans with Disabilities Act (ADA) Pedestrian Accessibility Improvement Project: Phase 6 (B), and authorize the City Manager to execute the contract, subject to approval as to form by the City Attorney.

AND

2. Adopt a resolution titled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING AND ADOPTING THE FISCAL YEARS 2021-23 BUDGET AND WORK PLAN FOR FISCAL YEAR 2021-22 COMMENCING JULY 1, 2021 AND ENDING JUNE 30, 2022, AND FISCAL YEAR 2022-23 COMMENCING JULY 1, 2022 AND ENDING JUNE 30, 2023, RELATED TO ADJUSTMENTS OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUND APPROPRIATIONS TO REFLECT THE PLANNED EXPENDITURE OF COMMUNITY DEVELOPMENT BLOCK GRANT CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (CDBG-CV) FUNDS FOR THE “AMERICANS WITH DISABILITIES ACT (ADA) PEDESTRIAN ACCESSIBILITY IMPROVEMENT PROJECT: PHASE 6”

This vote was conducted by roll call.

- 7.3 League of California Cities’ New Mayors and Council Members Academy (angendized by Councilmember Horne)

Mayor Moore and Councilmember Horne made comments.

Moved by Councilmember Horne, seconded by Councilmember Hatch, and carried on a 4-0-1 vote with no vote from Mayor Pro Tem Conners, to authorize Councilmember McCary to participate in the League of California Cities’ New Mayors and Council Members Academy from February 1-3, 2023 in Universal City at the Sheraton Universal Hotel, including City-paid registration fees of \$1,625, hotel fees of \$199 per night (plus taxes and fees) for two nights, and hotel self-parking. This vote was conducted by roll call.

X. CLOSED SESSION

Prior to convening in closed session, an opportunity was provided for public comments on items appearing on the closed session agenda. No such public comments were received.

8.1 The City Council met in closed session under the authority of California Government Code Section 54957 to consider the appointment and employment of the City Manager.

XI. CLOSED SESSION REPORT

The City Council reconvened in open session at 3:07 p.m. City Attorney Patterson stated that there was no reportable action.

XII. ADJOURNMENT

The meeting was adjourned at 3:07 p.m. The next regular meeting will be at 2:00 p.m. on Wednesday, December 21, 2022 at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

YOLIE TRIPPY, CMC, City Clerk

Approved: January 18, 2023

CYNTHIA CONNERS, Mayor

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**CITY OF LAGUNA WOODS CALIFORNIA
CITY COUNCIL MINUTES
REGULAR MEETING
December 21, 2022
2:00 P.M.
Laguna Woods City Hall
24264 El Toro Road
Laguna Woods, California 92637**

I. CALL TO ORDER

Mayor Moore called the Regular Meeting of the City Council of the City of Laguna Woods to order at 2:04 p.m.

II. ROLL CALL

COUNCILMEMBER: PRESENT: Hatch, Horne, McCary, Conners, Moore
 ABSENT: -

All councilmembers participated in-person at the meeting location.

STAFF PRESENT: City Manager Macon, City Attorney Patterson, City Clerk Trippy

All staff participated in-person at the meeting location.

III. PLEDGE OF ALLEGIANCE

Phil O’Dowd, resident, led the pledge of allegiance.

IV. PRESENTATIONS AND CEREMONIAL MATTERS

4.1 City Hall/Public Library Project Update

City Manager Macon provided an update and answered related questions.

Councilmembers made comments.

V. PUBLIC COMMENT

Phil O’Dowd, resident, shared vehicle-related noise and speed concerns regarding El Toro Road. Mr. O’Dowd provided the City Council with written comments that are included in the public record.

Councilmembers briefly responded to Mr. O’Dowd’s comments.

VI. CONSENT CALENDAR

Mayor Moore pulled Item 6.5-Recommendation 2 for separate discussion.

Moved by Mayor Pro Tem Conners, seconded by Councilmember Horne, and carried unanimously on a 5-0 vote, to approve Consent Calendar items 6.1 – 6.5-Recommendation 1.

6.1 City Council Minutes

Approved the City Council meeting minutes for the regular meeting on October 19, 2022.

6.2 City Treasurer’s Report

Received and filed the City Treasurer’s Report for the month of November 2022.

6.3 Warrant Register

Approved the warrant register dated December 21, 2022 in the amount of \$884,033.01.

6.4 Teleconferencing for Meetings

Adopted a resolution titled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ALLOWING FOR THE CONTINUED USE OF TELECONFERENCING FOR MEETINGS DURING THE COVID-19 STATE OF EMERGENCY, PURSUANT TO CALIFORNIA ASSEMBLY BILL 361 (2021-2022)

6.5 Fiscal Years 2021-23 Budget Adjustments & City Hall/Public Library Project

1. Adopted a resolution titled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING AND ADOPTING THE FISCAL YEARS 2021-23 BUDGET AND WORK PLAN FOR FISCAL YEAR 2021-22 COMMENCING JULY 1, 2021 AND ENDING JUNE 30, 2022, AND FISCAL YEAR 2022-23 COMMENCING JULY 1, 2022 AND ENDING JUNE 30, 2023, RELATED TO ALLOCATION OF EXISTING FEDERAL GRANTS FUND (AMERICAN RESCUE PLAN ACT (CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS)) APPROPRIATIONS TO THE CITY HALL/PUBLIC LIBRARY PROJECT

6.5 Fiscal Years 2021-23 Budget Adjustments & City Hall/Public Library Project

City Manager Macon made a presentation.

Councilmembers discussed the item and staff answered related questions.

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

2. Approve an increase of the City Manager’s authorization to approve change orders for the contract agreement with iBuild Spectrum, Inc. for the construction of the “City Hall/Public Library Project” to 31% of the \$2,270,413.01 base amount.

VII. PUBLIC HEARINGS

7.1 Community Development Block Grant (CDBG) Public Facilities & Improvements Project Proposal

City Manager Macon made a presentation.

Mayor Moore opened the public hearing.

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

Councilmembers discussed the item and staff answered related questions.

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

1. Ratify the City Manager’s submittal of a proposal to the County of Orange requesting \$150,000 in Community Development Block Grant (CDBG) funds under the Fiscal Year 2023-24 Public Facilities & Improvements grant program (County of Orange RFP No. 012-23010523-NC) to support the “Americans with Disabilities Act (ADA) Pedestrian Accessibility Improvement Project: Phase 7”, which generally consists of driveway and sidewalk improvements on El Toro Road.

AND

2. Adopt a resolution titled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, RATIFYING THE SUBMITTAL OF A PROPOSAL TO THE COUNTY OF ORANGE FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS, PROSPECTIVELY ACCEPTING THE AWARD OF SUCH CDBG FUNDS, MAKING RELATED AUTHORIZATIONS RELATED TO THE FISCAL YEAR 2023-24 PUBLIC FACILITIES & IMPROVEMENTS GRANT PROGRAM (COUNTY OF ORANGE RFP NO. 012-23010523-

NC), AND DETERMINING AND CERTIFYING THAT THE SUBMITTAL OF A PROPOSAL AND ACCEPTANCE OF THE AWARD OF FUNDS IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

VIII. CITY COUNCIL BUSINESS

8.1 Procurement of Recovered Organic Waste Products

City Manager Macon made a presentation.

Councilmembers discussed the item and staff answered related questions.

Moved by Councilmember Horne, seconded by Mayor Pro Tem Conners, and carried unanimously on a 5-0 vote, to approve an agreement with the Golden Rain Foundation of Laguna Woods for procurement of mulch in connection with California Senate Bill 1383 and authorize the Mayor to execute the agreement, subject to approval as to form by the City Attorney.

IX. CITY COUNCIL REPORTS AND COMMENTS

Mayor Moore left the meeting at 3:24 p.m.

9.1 Coastal Greenbelt Authority

Mayor Pro Tem Conners provided a report.

Mayor Moore rejoined the meeting at 3:26 p.m.

9.2 Orange County Fire Authority

Councilmember Hatch provided a report.

9.3 Orange County Library Advisory Board

Mayor Moore stated that the next meeting is next month.

9.4 Orange County Mosquito and Vector Control District

Councilmember Horne provided a report and shared a PowerPoint presentation from the Orange County Mosquito and Vector Control District for Laguna Woods.

Mayor Pro Tem Conners left the meeting at 3:28 p.m.

Councilmember Horne responded to a question from Mayor Moore.

Mayor Moore moved Item 9.6 to next on the agenda.

9.6 South Orange County Watershed Management Area

Mayor Moore provided a report.

Kathryn Freshley, resident, briefly responded to a question from Mayor Moore regarding the El Toro Water District.

Mayor Pro Tem Conners rejoined the meeting at 3:37 p.m.

9.5 San Joaquin Hills Transportation Corridor Agency

Mayor Pro Tem Conners provided a report.

9.7 Other Comments and Reports

Councilmember Horne and Mayor Moore briefly discussed the placement of a report regarding Community Bridge Builders.

Councilmember Horne commented on the OC Power Authority.

Councilmember Hatch and Mayor Moore briefly responded to Councilmember Horne's comments.

Kathryn Freshley, resident, made comments regarding Councilmember Horne's comments.

Councilmember Horne briefly responded to Ms. Freshley's comments.

Mayor Moore briefly responded to the previous comments.

Mayor Moore called for a brief recess.

The City Council reconvened.

X. CITY COUNCIL BUSINESS

10.1 City Council Organization – Office of Mayor

Mayor Moore made comments.

Moved by Councilmember Hatch, seconded by Mayor Moore, and carried unanimously on a 5-0 vote, to appoint Cynthia Conners to serve as Mayor effective immediately through December 2023.

10.2 City Council Organization – Office of the Mayor Pro Tem

Moved by Mayor Connors, seconded by Councilmember Horne, and carried unanimously on a 5-0 vote, to appoint Noel Hatch to serve as Mayor Pro Tem effective immediately through December 2023.

10.3 City Council Public Official Appointments

Mayor Connors made comments.

Moved by Mayor Connors, seconded by Councilmember Horne, and carried unanimously on a 5-0 vote, to appoint Councilmember McCary as the director and Mayor Pro Tem Hatch as the alternate on the California Joint Powers Insurance Authority Board of Directors from January 1, 2023 through December 31, 2024.

Mayor Connors made comments.

Moved by Mayor Connors, seconded by Mayor Pro Tem Hatch, and carried unanimously on a 5-0 vote, to appoint Councilmember McCary as the director, Councilmember Moore as the first alternate, and Councilmember Horne as the second alternate, on the Coastal Greenbelt Authority Board of Directors from January 1, 2023 through December 31, 2024.

Mayor Connors made comments.

Moved by Mayor Connors, seconded by Councilmember Moore, and carried unanimously on a 5-0 vote, to appoint Mayor Pro Tem Hatch to serve as the director on the Orange County Fire Authority Board of Directors from January 1, 2023 through December 31, 2024 by adopting a resolution titled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, APPOINTING A DIRECTOR TO SERVE ON THE ORANGE COUNTY FIRE AUTHORITY BOARD OF DIRECTORS FROM JANUARY 1, 2023 THROUGH DECEMBER 31, 2024

Mayor Connors made comments.

Moved by Mayor Connors, seconded by Councilmember Horne, and carried unanimously on a 5-0 vote, to appoint Councilmember Moore to serve as a member and Councilmember McCary to serve as an alternate on the Orange County Library Advisory Board from January 1, 2023 through December 31, 2024.

Mayor Connors made comments.

Moved by Councilmember Moore, seconded by Mayor Pro Tem Hatch, and carried unanimously on a 5-0 vote, to appoint Councilmember Horne to serve as trustee on the Orange County Mosquito and Vector Control District Board of Trustees effective at Noon

on January 2, 2023 through 11:59 a.m. on January 6, 2025.

Mayor Connors made comments.

Moved by Councilmember Moore, seconded by Councilmember Horne, and carried unanimously on a 5-0 vote, to appoint Mayor Connors to serve as director and Mayor Pro Tem Hatch to serve as an alternate on the San Joaquin Hills Transportation Corridor Agency Board of Directors from January 1, 2023 through December 31, 2024.

Mayor Connors made comments.

Moved by Mayor Pro Tem Hatch, seconded by Mayor Connors, and carried unanimously on a 5-0 vote, to appoint Councilmember Moore to serve as a member and Councilmember Horne to serve as an alternate on the South Orange County Watershed Management Area Executive Committee from January 1, 2023 through December 31, 2024.

10.4 Investment Policy Review Committee Appointments

City Manager Macon introduced the item.

Moved by Councilmember Moore, seconded by Mayor Pro Tem Hatch, and carried unanimously on a 5-0 vote, to appoint Councilmembers Horne and McCary to serve on a standing Investment Policy Review Committee from January 1, 2023 through December 31, 2024, in accordance with Administrative Policy 2.2 (Investment of Financial Assets)

10.5 Laguna Woods Civic Support Fund Appointments

Mayor Pro Tem Hatch made comments and made a motion to table the appointments of the Laguna Woods Civic Support Fund.

Councilmembers discussed the item and staff answered related questions.

Moved by Mayor Pro Tem Hatch, seconded by Mayor Connors, and carried unanimously on a 5-0 vote, to table appointments to the Laguna Woods Civic Support Fund Board of Directors until such time as the City Council has had an opportunity to discuss the future structure and role of the Civic Support Fund, with the understanding that Councilmember Moore will continue in her role as a member of the Civic Support Fund Board of Directors in the interim.

10.6 Appointment of Liaisons to Community Bridge Builders (agendized by the Ad-Hoc Anti-Hate Advisory Council Committee comprised of Mayor Pro Tem Connors and Councilmember Horne) *[Subsequent to the posting of this agenda, Mayor Pro Tem Connors was appointed to the position of Mayor.]*

Mayor Connors introduced the item.

Rebeca Gilad, Community Bridge Builders, made comments and answered related questions.

Councilmembers discussed the item and staff answered related questions.

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

1. Appoint Councilmembers Horne and McCary to serve as liaisons to Community Bridge Builders (a community group combating bias and prejudice in Laguna Woods) to foster communication between the City and Community Bridge Builders related to their shared interest in promoting diversity, equity and inclusion in Laguna Woods, from December 21, 2022 through December 31, 2024.

AND

2. Dissolve the Ad Hoc Anti-Hate Advisory Council Committee.

10.7 City Council Meeting Schedule

City Manager Macon introduced the item.

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

1. Approve modifications to the City Council meeting schedule for Fiscal Year 2022-23.

AND

2. Approve a City Council meeting schedule for Fiscal Year 2023-24.

XI. CLOSED SESSION – None

XII. CLOSED SESSION REPORT – None

XIII. ADJOURNMENT

Mayor Connors wished everyone happy holidays.

The meeting was adjourned at 5:05 p.m. The next regular meeting will be at 2:00 p.m. on Wednesday, January 18, 2023 at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

YOLIE TRIPPY, CMC, City Clerk

Approved: January 18, 2023

CYNTHIA CONNERS, Mayor

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6.2
CITY TREASURER'S REPORT

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City of Laguna Woods
City Treasurer's Report
 For the Month Ended December 31, 2022

ITEM 6.2

CASH AND INVESTMENTS

	Beginning Balances As of 11/30/22	Earnings & Receipts	Disbursements	Purchases, Transfers & Other Adjustments	Ending Balances As of 12/31/22	% of Total Cash & Investment Balances	Maximum % Allowed per Investment Policy
Cash and Cash Equivalents							
Analyzed Checking Account (Note 1)	\$ 890,729	\$ 502,269	\$ (967,527)	\$ 515,000	\$ 940,470	7.18%	
Cash Balances, Multi-Bank Securities (MBS) Account (Note 2 and 4)	\$ 10,887	\$ 10,569	\$ (14,597)	\$ -	\$ 6,859	0.05%	
Earned Interest in Transit and Accrued Interest, MBS Account (Note 4)	\$ 12,316	\$ 7,987	\$ (10,569)	\$ -	\$ 9,733	0.07%	
Petty Cash	\$ 1,297	\$ 203	\$ (349)	\$ -	\$ 1,151	0.01%	
Total Cash and Cash Equivalents	\$ 915,228	\$ 521,028	\$ (993,043)	\$ 515,000	\$ 958,214	7.31%	100.00%
Pooled Money Investment Accounts							
Local Agency Investment Fund (LAIF) (Notes 2 and 3)	\$ 6,936,685	\$ -	\$ -	\$ -	\$ 6,936,685	52.94%	
Orange County Investment Pool (OCIP) (Notes 2 and 3)	\$ 3,236,735	\$ 9,866	\$ (267)	\$ (1,250,000)	\$ 1,996,333	15.24%	
Total Pooled Money Investment Accounts	\$ 10,173,420	\$ 9,866	\$ (267)	\$ (1,250,000)	\$ 8,933,018	68.17%	90.00%
Investments - Interest and Income Bearing							
Certificates of Deposit (fair value) (Note 2)	\$ 2,455,543	\$ -	\$ -	\$ 756,504	\$ 3,212,046	24.51%	
Total Investments - Interest and Income Bearing	\$ 2,455,543	\$ -	\$ -	\$ 756,504	\$ 3,212,046	24.51%	30.00%
TOTAL	\$ 13,544,191	\$ 530,894	\$ (993,310)	\$ 21,504	\$ 13,103,278	100.00%	

Summary of Total Cash, Cash Equivalents, and Investments:

	General Fund	Special Revenue Funds	Totals
Analyzed Checking Account	\$ (3,055,690)	\$ 3,996,161	\$ 940,470
Cash Balances, MBS Account	\$ 6,859	\$ -	\$ 6,859
Earned Interest in Transit and Accrued Interest, MBS Account	\$ 9,733	\$ -	\$ 9,733
Petty Cash	\$ 1,151	\$ -	\$ 1,151
LAIF	\$ 6,936,685	\$ -	\$ 6,936,685
OCIP	\$ 1,996,333	\$ -	\$ 1,996,333
Certificates of Deposit	\$ 3,212,046	\$ -	\$ 3,212,046
Totals	\$ 9,107,118	\$ 3,996,161	\$ 13,103,278

(See **NOTES** on Page 4 of 4)



City of Laguna Woods
City Treasurer's Report
For the Month Ended December 31, 2022

CASH AND INVESTMENTS

CUSIP	Investment #	Issuer	Term	Purchase Date	Settlement Date	Par Value	Market Value	Book Value	Stated Rate (Note 4)	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)														
61760ARV3	2018-7	MORGAN STANLEY PRIVATE BK NATL	60 months	11/06/18	11/15/18	245,000	242,812	245,000	3.550	Semi-Annual	05/15/19	Green***	3.550	11/15/23
02589AA28	2018-9	AMERICAN EXPRESS NATL	60 months	12/04/18	12/04/18	240,000	237,691	240,000	3.550	Semi-Annual	06/04/19	Green***	3.550	12/04/23
33715LCZ1	2018-10	FIRST TECHNOLOGY FED CU MTN VIEW	60 months	12/07/18	12/12/18	245,000	242,675	245,000	3.600	Monthly	01/12/19	Green***	3.600	12/12/23
052392CK1	2022-6	AUSTIN TELCO FED CR	12 months	12/09/22	12/16/22	245,000	246,103	245,000	5.100	Monthly	01/01/23	Green***	5.100	12/18/23
00833AAB6	2022-7	AFFINITY PLUS CR UN	12 months	12/15/22	12/27/22	245,000	246,110	245,000	5.100	Monthly	01/27/23	Green***	5.100	12/27/23
949763ZA7	2019-1	WELLS FARGO BK N A	60 months	04/09/19	04/10/19	245,000	239,600	245,000	2.850	Monthly	05/10/19	Green*	2.850	04/10/24
38150VBG3	2022-2	GOLDMAN SACHS BK USA	24 months	05/24/22	06/01/22	245,000	239,223	245,000	2.900	Semi-Annual	12/01/22	Green*	2.900	06/03/24
98138MBA7	2022-8	WORKERS FED CR UN	24 months	12/09/22	12/16/22	245,000	246,600	245,000	4.950	Monthly	01/16/23	Yellow**	4.950	12/16/24
75472RBB6	2020-1	RAYMOND JAMES BK NATL ASSN	60 months	02/06/20	02/14/20	245,000	231,011	245,000	1.750	Semi-Annual	08/14/20	Green***	1.750	02/14/25
59013KGJ9	2020-2	MERRICK BANK	60 months	03/24/20	03/31/20	100,000	94,025	100,000	1.800	Monthly	05/01/20	Green***	1.800	03/31/25
14042TGG6	2022-1	CAPITAL ONE BK USA NATL ASSN	36 months	05/24/22	05/25/22	245,000	236,751	245,000	3.100	Semi-Annual	11/25/22	Green*	3.100	05/27/25
32022RRG4	2022-4	1ST FINL BK USA	48 months	06/15/22	06/24/22	245,000	233,725	245,000	3.150	Monthly	07/24/22	Green*	3.150	06/24/26
50625LBN2	2022-3	LAFAYETTE FED CR	60 months	05/24/22	06/15/22	245,000	231,750	245,000	3.250	Monthly	07/15/22	Green***	3.250	06/15/27
14042RUX7	2022-5	CAPITAL ONE BK USA NATL ASSN	60 months	10/06/22	10/13/22	245,000	243,971	245,000	4.500	Semi-Annual	04/13/23	Green*	4.500	10/13/27
Accrued Interest - Month End							9,733							
Total CDs						3,280,000	3,221,780	3,280,000						

(*) At the time of purchase and until September 2017, CDs were rated or ranked using an IDC Financial Publishing, Inc. (IDC) 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 per Table 1. Post September 2017, CDs are ranked using the Veribanc Rating System, a two-part color code and star classification system which tests the present standing and future outlook by reviewing an institution's capital strength, asset quality, management ability, earnings sufficiency, liquidity, and sensitivity to market risk. Table 2 below summarizes the Veribanc color rankings. Veribanc star ratings of one to three, with three being best, are used to help review a possible future trend of an institutions health based on metrics from ten prior quarters. A rating of one, two, or three, are not necessarily an indicator of risk or an undesirable investment. The City reviews other rating systems and issuer financials before choosing any investment.

Table 1: CD Rankings (used prior to September 2017)

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

Table 2: Veribanc Color Rankings (used beginning in September 2017)

Veribanc Rank	Color Meaning
Green	Highest rating, exceeds qualifications in equity and income tests
Yellow	Merits attention, meets minimal qualifications in equity and income tests
Red	Merits close attention, does not meet minimal qualifications for equity and has incurred significant losses

Government Pooled Money Investment Accounts (PMIA) (Notes 2 and 3)

N/A	N/A	Local Agency Investment Fund (LAIF)	N/A	Various	Various	6,948,806	6,936,685	6,948,806	Note 3	Quarterly	N/A	N/A	N/A	N/A
N/A	N/A	Orange County Investment Pool (OCIP)	N/A	Various	Various	2,139,825	1,996,333	2,139,825	Note 3	Monthly	N/A	N/A	N/A	N/A
Total PMIA						9,088,630	8,933,018	9,088,630						

(See **NOTES** on Page 4 of 4)



City of Laguna Woods
City Treasurer's Report
 For the Month Ended December 31, 2022

ITEM 6.2

CASH AND INVESTMENTS

	Beginning Balances As of 11/30/22	Contributions / (Withdrawals)	Administrative Fees & Investment Expense	Unrealized Gain / (Loss)	Ending Balances As of 12/31/22
Other Post-Employment Benefits (OPEB) Trust					
CalPERS California Employers' Retiree Benefit Trust (CERBT) (Note 2) <small>(CERBT holds all assets and administers the OPEB Trust)</small>	\$ 127,019	\$ -	\$ (9)	\$ (2,653)	\$ 124,357
Employer Pension Contributions Trust					
CalPERS California Employers' Pension Prefunding Trust (CEPPT) (Note 2) <small>(CEPPT holds all assets and administers the Employer Pension Contributions Trust)</small>	\$ -	\$ -	\$ -	\$ -	\$ -
Total Other Funds - Held in Trust	<u>\$ 127,019</u>	<u>\$ -</u>	<u>\$ (9)</u>	<u>\$ (2,653)</u>	<u>\$ 124,357</u>

(See **NOTES** on Page 4 of 4)



**City of Laguna Woods
City Treasurer's Report
For the Month Ended December 31, 2022**

CASH AND INVESTMENTS

Notes:

Note 1 - Analyzed Checking Account / Monthly activity reported does not reflect December 2022 vendor invoicing processed after the date of this report.

Note 2 - During December 2022, transaction activity in pooled money investment accounts, investment accounts and fiduciary trusts included:

LAIF / The City made no deposits to or withdrawals from the LAIF account. The balance includes an adjustment in the amount of (\$12,120.51) to reflect the fair market value of the investment at June 30, 2022.

OCIP / The City made no deposits to the OCIP account and withdrew \$1,250,000, which was deposited in the City's checking account for cash flow and investment purposes. The balance includes an adjustment in the amount of (\$143,491.10) to reflect the fair market value of the investment at June 30, 2022.

Investments / There were no maturities of investments. The City invested \$735,000 cash balance in three Certificates of Deposit: \$245,000 in a Austin Telco Certificate of Deposit for a 12 month term at a 5.100% yield rate, \$245,000 in a Workers Federal Credit Union Certificate of Deposit for a 24 month term at a 4.950% yield rate, and \$245,000 in an Affinity Plus Certificate of Deposit for a 12 month term at a 5.100% yield rate. Investments were adjusted in the amount of \$21,503.65 to report balances at fair market value as of December 31, 2022.

OPEB Trust / The City made no contributions to or withdrawals from the OPEB Trust. The OPEB Trust experienced a net loss of (\$2,661.96) in December 2022.

Employer Pension Contributions Trust / In April 2021, the City elected to participate in the CEPPT. The City has not yet made contributions to the CEPPT.

Note 3 - Investment earnings on pooled money investment accounts deposited and reported in December 2022 net of related fees were:

Pool	Earnings Post	Prior Period Earnings Deposited	Deposit for Period Ended	Current Month / Quarter Gross Yield	Current Month / Quarter Earnings Will Post	Notes
LAIF	Quarterly	\$0.00	See Notes	See Notes	January 2023	Total pool interest yield for December 2022 was 2.173% and the City's yield will be slightly lower based on allocation ratios and administrative fees to be deducted.
OCIP	Monthly	\$9,866	September 2022	See Notes	See Notes	Interest is posted three months in arrears and fees are posted monthly. Accrued interest pending payment at December 31, 2022 was \$32,428.05. December 2022 interest rate was 2.821% and fees were 0.055%, for a net yield of 2.766%.

Note 4 - CDs / The stated earnings rate for CDs is a fixed rate for the full term. The City earned interest of \$10,569.45 and transferred out \$14,597.24 in cash balances to the City's checking account in December 2022. Cash balances to be invested or paid out are classified separately on page 1 of 4. The City's portfolio also has \$9,733.10 in accrued interest, not yet vested.

City Treasurer's Certification

I, Elizabeth Torres, 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.

Digitally signed by
Elizabeth Torres
Date: 2023.01.12
18:49:14 -08'00'

Elizabeth Torres, City Treasurer

6.3
WARRANT REGISTER

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CITY OF LAGUNA WOODS

WARRANT REGISTER

January 18, 2023

ITEM 6.3

This Report Covers the Period 12/01/2022 through 12/31/2022

Date	Vendor Name	Description	Amount	
Debit	Automatic Bank Debits:			
Debit 12/01/2022	NAVIA BENEFIT SOLUTIONS	Employee Benefit Program / November 2022	963.62	
Debit 12/01/2022	CALPERS - RETIREMENT	Unfunded Accrued Liability / November 2022	230.33	
Debit 12/01/2022	CALPERS - RETIREMENT	Unfunded Accrued Liability / November 2022	116.67	
Debit 12/02/2022	GLOBAL PAYMENTS / OPEN EDGE	Credit Card Processing Fees / November 2022	1,472.08	
Debit 12/02/2022	AUTHORIZE.NET	Online Credit Card Processing Fees / November 2022	12.00	
Debit 12/02/2022	DELTA DENTAL OF CALIFORNIA	Employee Benefit Program / December 2022	497.29	
Debit 12/06/2022	CALPERS - RETIREMENT	Retirement Contributions / Pay Period Ended 11/04/2022	3,157.93	
Debit 12/06/2022	CALPERS - RETIREMENT	Retirement Contributions / Pay Period Ended 11/04/2022	1,710.25	
Debit 12/07/2022	ADP TAX	Payroll Taxes / Pay Period Ended 12/02/2022	8,768.23	
Debit 12/07/2022	ADP WAGE PAY	Payroll Transfer / Pay Period Ended 12/02/2022	21,710.31	
Debit 12/08/2022	NAVIA BENEFIT SOLUTIONS	Employee Benefit Program / December 2022	130.80	
Debit 12/08/2022	NAVIA BENEFIT SOLUTIONS	125 Cafeteria Plan Administration / November 2022	100.00	
Debit 12/09/2022	MISSION SQUARE RETIREMENT	Employee Benefit Program / Pay Period Ended 12/02/2022	1,520.00	
Debit 12/09/2022	ADP PAYROLL SERVICES	Payroll Processing Fees / Pay Periods Ended 11/04/2022 & 11/18/2022	429.12	
Debit 12/12/2022	CALPERS - HEALTH	Employee Benefit Program / December 2022	7,387.03	
Debit 12/15/2022	NAVIA BENEFIT SOLUTIONS	Employee Benefit Program / December 2022	25.74	
Debit 12/16/2022	COUNTY OF ORANGE - SHERIFF	Law Enforcement Services / December 2022	261,943.67	
Debit 12/20/2022	CALPERS - RETIREMENT	Retirement Contributions / Pay Period Ended 11/18/2022	3,157.93	
Debit 12/20/2022	CALPERS - RETIREMENT	Retirement Contributions / Pay Period Ended 11/18/2022	1,751.54	
Debit 12/21/2022	ADP TAX	Payroll Taxes / Pay Period Ended 12/16/2022	8,462.68	
Debit 12/21/2022	ADP WAGE PAY	Payroll Transfer / Pay Period Ended 12/16/2022	20,885.33	
Debit 12/21/2022	MISSION SQUARE RETIREMENT	Employee Benefit Program / Pay Period Ended 12/16/2022	1,520.00	
Debit 12/22/2022	NAVIA BENEFIT SOLUTIONS	Employee Benefit Program / December 2022	475.77	
Debit 12/29/2022	NAVIA BENEFIT SOLUTIONS	Employee Benefit Program / December 2022	869.29	
Check Number	Warrants:			
6271	12/02/2022	ACC BUSINESS	City Hall Internet Service / October 2022	608.66
6272	12/02/2022	ALISO CREEK MINUTEMAN PRESS	Printing Services	299.54
6273	12/02/2022	AT&T	Telephone / 888-932-6735 / October 2022	181.57
6274	12/02/2022	CALIFORNIA YELLOW CAB	NEMT Taxi Voucher Services / October 2022	628.00
6275	12/02/2022	CAPTIONING UNLIMITED	Closed Captioning / November 2022	200.00
6276	12/02/2022	CITY OF LAGUNA BEACH	Animal Control & Shelter Services / October 2022	9,426.75
6277	12/02/2022	DC PLUMBING, HEATING AND AIR CONDITIONING	City Hall Maintenance	470.00
6278	12/02/2022	EMPIRE PRIVATE SECURITY INC.	City Hall/Public Library Project	675.00
6279	12/02/2022	IBUILD SPECTRUM INC.	City Hall/Public Library Project	179,286.43
6280	12/02/2022	INTERPRETING SERVICES INTERNATIONAL, LLC	Translation Services	200.00
6281	12/02/2022	INTERWEST CONSULTING GROUP	Building Official, Permit Counter & Inspection Services / October 2022	55,520.00
6282	12/02/2022	JOHN L. HUNTER & ASSOCIATES, INC	NPDES Inspection Services / October 2022	1,347.50
6283	12/02/2022	LSA ASSOCIATES, INC.	Planning Services / October 2022	30,611.25
6284	12/02/2022	MANAGED HEALTH NETWORK	Employee Benefit Program / December 2022	16.72
6285	12/02/2022	MICHAEL BAKER INTERNATIONAL	Planning Services / October 2022	1,242.50
6286	12/02/2022	NADIA COOK	Document Recording Fee Reimbursement	286.00

CITY OF LAGUNA WOODS
WARRANT REGISTER
January 18, 2023

ITEM 6.3

This Report Covers the Period 12/01/2022 through 12/31/2022

Date	Vendor Name	Description	Amount	
6287	12/02/2022	PROTELESIS	Telephone System Maintenance	325.00
6288	12/02/2022	RESCUE SQUAD CPR	First Aid / CPR / AED Training	765.00
6289	12/02/2022	SOUTHERN CALIFORNIA EDISON	Street Lighting - Residential / October 2022	2,439.19
6290	12/02/2022	U.S. BANK	Credit Card Charges (expenditures reported separately - see note 3)	710.19
6291	12/02/2022	VERIZON WIRELESS	Building iPads Data Plans / October 2022	120.03
6292	12/02/2022	VISION SERVICE PLAN OF AMERICA	Employee Benefit Program / December 2022	120.18
6293	12/02/2022	A & B HOME REMODELING & DESIGN	Building Plan Review Refund	293.75
6294	12/02/2022	ACM CONSTRUCTION, BUILDER GROUP	Building Plan Review Refund	148.00
6295	12/02/2022	AMIR E. SOUMEEH	Building Plan Review Refund	74.00
6296	12/02/2022	CALEB CONSTRUCTION	Building Plan Review Refund	36.25
6297	12/02/2022	DAVID LOTTIE CONSTRUCTION	Building Plan Review Refund	148.00
6298	12/02/2022	DUANE CHAPMAN	Building Plan Review Refund	222.00
6299	12/02/2022	ELEGANT HOME IMPROVEMENT	Building Plan Review Refund	74.00
6300	12/02/2022	ELEGANTE CONSTRUCTION & DESIGN	Building Plan Review Refund	74.00
6301	12/02/2022	FARHAD FASHAMI	Building Plan Review Refund	74.00
6302	12/02/2022	FHI CONSTRUCTION	Building Plan Review Refund	188.00
6303	12/02/2022	HOME LIFE CONCEPTS	Building Plan Review Refund	37.00
6304	12/02/2022	J. LIN REMODELING SERVICES, INC	Building Plan Review Refund	74.00
6305	12/02/2022	KARGER CORPORATION	Building Plan Review Refund	74.00
6306	12/02/2022	LAGUNA GENERAL CONSTRUCTION, INC.	Building Plan Review Refund	72.50
6307	12/02/2022	MIGUEL HERNANDEZ	Building Plan Review Refund	74.00
6308	12/02/2022	MYKATON CONSTRUCTION	Building Plan Review Refund	518.00
6309	12/02/2022	ONE WAY CONSTRUCTION	Building Plan Review Refund	222.00
6310	12/02/2022	RICHARD CONNELL	Building Plan Review Refund	74.00
6311	12/02/2022	RON HARBIN	Building Plan Review Refund	74.00
6312	12/02/2022	SAMUEL ARIAS	Building Plan Review Refund	72.50
6313	12/02/2022	SCOTT REESE	Building Plan Review Refund	148.00
6314	12/02/2022	SDB ENTERPRISE INC.	Building Plan Review Refund	148.00
6315	12/02/2022	SOUTH COAST RESTORATION	Building Plan Review Refund	74.00
6316	12/02/2022	SUBI DESIGN BUILD INC.	Building Plan Review Refund	222.00
6317	12/02/2022	WEST COAST REMODEL	Building Plan Review Refund	74.00
6318	12/02/2022	WL MCFADDEN CONSTRUCTION, INC	Building Plan Review Refund	329.25
6319	12/09/2022	360CIVIC	Website Hosting / November 2022	200.00
6320	12/09/2022	ABOUND FOOD CARE	Edible Food Recovery Program Services / November 2022	317.00
6321	12/09/2022	AT&T	Telephone / 639-0500 / November 2022	228.14
6322	12/09/2022	AT&T	Telephone / 452-0600 / November 2022	2,610.81
6323	12/09/2022	AT&T	Telephone / 458-3487 / November 2022	45.70
6324	12/09/2022	BRIGHTVIEW LANDSCAPE SERVICES, INC.	Landscape Maintenance / November 2022	2,725.79
6325	12/09/2022	EPIC IO TECHNOLOGIES, INC.	City Hall Internet Service / December 2022	171.45
6326	12/09/2022	KONE INC.	City Hall Elevator Maintenance / December 2022	225.00
6327	12/09/2022	OMNI ENTERPRISE INC	Janitorial Services / September - October 2022	4,800.00
6328	12/09/2022	PETTY CASH	Replenish Petty Cash / November 2022	-
6329	12/09/2022	PV MAINTENANCE INC	Street, City Hall & Park Maintenance / November 2022	10,179.71
6330	12/09/2022	SMITH ARCHITECTS	City Hall Refurbishment & Safety: Phase 3	1,250.00

CITY OF LAGUNA WOODS

WARRANT REGISTER

January 18, 2023

This Report Covers the Period 12/01/2022 through 12/31/2022

Date	Vendor Name	Description	Amount	
6331	12/09/2022	SOUTHERN CALIFORNIA EDISON	Electric Services / October - November 2022	6,549.99
6332	12/09/2022	STAPLES	Office & Janitorial Supplies	1,183.61
6333	12/09/2022	STATE WATER RESOURCES	Annual Permit Fee / July 2022 - June 2023	10,602.00
6334	12/09/2022	US BUILDERS AND CONSULTANTS	City Hall Refurbishment & Safety Project: Phase 3	54,391.08
6335	12/09/2022	YUNEX LLC	Traffic Signal Maintenance / October 2022	2,830.50
6336	12/16/2022	ADVANCED PERMIT SERVICES	Cancelled Permit Refund	67.00
6337	12/16/2022	AT&T	Telephone / 581-9821 / November 2022	187.65
6338	12/16/2022	AT&T	White Pages / December 2022	4.62
6339	12/16/2022	BOUTWELL FAY LLP	Legal Services / November 2022	85.00
6340	12/16/2022	BROWN ARMSTRONG ACCOUNTANCY CORPORATION	Audit Services / Fiscal Year 2021-22	3,500.00
6341	12/16/2022	CITY OF LAGUNA BEACH	Animal Control & Shelter Services / November 2022	9,426.75
6342	12/16/2022	COUNTY OF ORANGE	Automated Fingerprint ID System / December 2022	613.00
6343	12/16/2022	CSMFO	Membership Dues / Calendar Year 2023	125.00
6344	12/16/2022	EL TORO WATER DISTRICT	Water Service / September - October 2022	11,373.01
6345	12/16/2022	FOREST PRINTING & COPYING INC	Printing Services	835.06
6346	12/16/2022	HINDERLITER DE LLAMAS & ASSOCIATES	Sales & Use Tax Consulting Services / 2nd Quarter Fiscal Year 2022-23	750.00
6347	12/16/2022	IBUILD SPECTRUM INC.	City Hall/Public Library Project	170,674.68
6348	12/16/2022	MICHAEL BAKER INTERNATIONAL	Planning Services / November 2022	866.50
6349	12/16/2022	MONARCH ENVIRONMENTAL COMPANIES, INC.	Arborist Services / November 2022	1,050.00
6350	12/16/2022	ORANGE COUNTY REGISTER-NOTICES	Public Notices / November 2022	3,082.48
6351	12/16/2022	RUTAN & TUCKER, LLP	Legal Services / November 2022	5,892.88
6352	12/16/2022	SOUTHERN CALIFORNIA GAS COMPANY	Gas Service - City Hall / November 2022	214.00
6353	12/16/2022	SOUTHERN CALIFORNIA SHREDDING,	Shredding Services / November 2022	400.00
6354	12/16/2022	SWEEPING CORPORATION OF AMERICA	Street Sweeping Services / November 2022	4,350.00
6355	12/16/2022	THALES CONSULTING INC.	Annual Street Report / Fiscal Year 2021-22	650.00
6356	12/16/2022	VERIZON WIRELESS	Building iPads Data Plans / November 2022	120.03
6357	12/16/2022	WM CURBSIDE, LLC	HHW, Medicine & Sharps Program / November 2022	5,573.17
6358	12/16/2022	YUNEX LLC	Traffic Signal Maintenance / November 2022	2,474.50
6359	12/22/2022	ADT COMMERCIAL	Fire & Security Monitoring / January - March 2023	261.60
6360	12/22/2022	BRIGHTVIEW LANDSCAPE SERVICES, INC.	Landscape Maintenance / November 2022	1,786.92
6361	12/22/2022	CALIFORNIA YELLOW CAB	Taxi Voucher Services / November 2022	488.00
6361	12/22/2022	CALIFORNIA YELLOW CAB	NEMT Taxi Voucher Services / November 2022	439.00
6362	12/22/2022	COVER YOUR BRASS LLC	City Hall Maintenance	3,707.50
6363	12/22/2022	J&M TROPHIES	Plaque	23.71
6364	12/22/2022	OMNI ENTERPRISE INC	Janitorial Services / November 2022	2,480.00
6365	12/22/2022	RICOH USA, INC.	Copier Lease / January 2023	246.57
6366	12/22/2022	SCOTT A MOMMER CONSULTING	Deposit Permit Balance Refund	138.40
6367	12/22/2022	VIDIFLO, LLC	Audio Visual Services	600.00
6368	12/22/2022	VISION SERVICE PLAN OF AMERICA	Employee Benefit Program / January 2023	129.57
			Total Bank Debits and Warrants:	\$ 967,323.75

**CITY OF LAGUNA WOODS
WARRANT REGISTER
January 18, 2023**

This Report Covers the Period 12/01/2022 through 12/31/2022

Date	Vendor Name	Description	Amount
Petty Cash Expenditures Paid Out (See Note 2)			
	Staples	Office Supplies	\$55.46
	Albertson's	Office Supplies	\$18.48
	Aldi's	Office Supplies	\$7.98
	Acoustimac	Office Supplies	\$8.15
	Home Depot	City Hall Maintenance	\$189.12
		Total Petty Cash:	\$279.19
		TOTAL	\$ 967,602.94

NOTES:

Note 1 - City Councilmembers are eligible to receive either a salary or vehicle reimbursement allowance in the amount of \$300 per month (\$3,600 per year). Such compensation is included in the City's regular payroll (see "ADP Payroll Services" under "Automatic Bank Debits"), unless waived by the Councilmember. For the month of December 2022, the following Councilmembers received compensation in the amount of \$300: Conners, Hatch, Horne, McCrary and Tao.

Note 2 - Petty cash is reported as cash is paid out, not when the fund is replenished.

Note 3 - The table below summarizes credit card expenditures paid via Check #6290 to U.S. Bank totaling \$710.19:

Adobe	Computer Software	\$84.95
Zoom	Video Conferencing	\$69.98
USPS	Postage	\$7.85
ESRI	GIS Software License	\$500.00
J&M Trophies	Plaques	\$47.41
	Total Credit Card Reimbursement:	\$710.19

Administrative Services Director/City Treasurer's Certification

I, Elizabeth Torres, Administrative Services Director / City Treasurer, do hereby certify:

- In accordance with California Government Code Section 37202, I hereby certify to the accuracy of the demands on cash summarized within;
- That the City is able to meet all cash flow needs which might reasonably be anticipated for the next 12 months; and
- That the City is in compliance with California Government Code Section 27108.

Digitally signed by
Elizabeth Torres
Date: 2023.01.12
18:48:17 -08'00'

Elizabeth Torres, Administrative Services Director/City Treasurer

6.4 TELECONFERENCING FOR MEETINGS

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RESOLUTION NO. 22-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ALLOWING FOR THE CONTINUED USE OF TELECONFERENCING FOR MEETINGS DURING THE COVID-19 STATE OF EMERGENCY, PURSUANT TO CALIFORNIA ASSEMBLY BILL 361 (2021-2022)

WHEREAS, on February 26, 2020, the County of Orange Health Officer declared a Local Health Emergency and the Chairwoman of the Board of Supervisors, acting as the Chair of Emergency Management Council, proclaimed a Local Emergency finding that the imminent and proximate threat to public health from the introduction of COVID-19 created conditions of extreme peril to the safety of persons and property within the territorial limits of Orange County; and

WHEREAS, on March 2, 2020, the Orange County Board of Supervisors adopted resolutions No. 20-011 and 20-012 ratifying the Local Health Emergency and Local Emergency, referenced above; and

WHEREAS, on March 4, 2020, the Governor of the State of California proclaimed a State of Emergency in response to COVID-19, pursuant to Section 8625 of the California Emergency Services Act (Article 1 [commencing with Section 8550] of Chapter 7 of Division 1 of Title 2); and

WHEREAS, on March 11, 2020 the World Health Organization publicly characterized COVID-19 as a pandemic; and

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency due to the spread and the effects of COVID-19; and

WHEREAS, the State of California (California Department of Industrial Relation's Division of Occupational Safety and Health's Revised COVID-19 Prevention Emergency Temporary Standards effective May 6, 2022) and County of Orange Health Officer (Orders and Strong Recommendations revised September 23, 2022) continue to impose or recommend measures to promote social distancing; and

WHEREAS, on March 17, 2020, the Governor of the State of California issued Executive Order N-29-20 that, in an effort to confront and contain COVID-19, suspended certain provisions of the Ralph M. Brown Act providing local

agencies with greater flexibility to hold meetings via teleconferencing; and

WHEREAS, on September 16, 2021, the Governor of the State of California signed Assembly Bill 361 (2020-2022) (“AB 361”) amending the Ralph M. Brown Act providing local agencies with greater flexibility to hold meetings via teleconferencing during a proclaimed state of emergency when: (1) state or local officials have imposed or recommended measures to promote social distancing and/or (2) the legislative body of the local agency has determined, by majority vote, that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees (California Government Code Section 54953(e)(1)); and

WHEREAS, AB 361 was chaptered into law as an urgency statute with its effectiveness waived until October 1, 2021, subject to the Governor of the State of California’s Executive Order N-15-21 dated September 20, 2021; and

WHEREAS, in order to continue holding meetings via teleconferencing, AB 361 requires the legislative body of a local agency to periodically make the findings set forth in California Government Code Section 54953(e)(3).

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

SECTION 1. The above recitals are true and correct.

SECTION 2. The City Council does hereby find the following:

(A) A state of emergency has been proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 [commencing with Section 8550] of Chapter 7 of Division 1 of Title 2); and

(B) The City Council has reconsidered the circumstances of the state of emergency; and

(C) The state of emergency continues to directly impact the ability of the members of the City Council to meet safely in person; and

(D) State and local officials continue to impose or recommend measures to promote social distancing.

SECTION 3. The Mayor shall sign this resolution and the City Clerk shall attest and certify to the passage and adoption thereof.

PASSED, APPROVED AND ADOPTED on this XX day of XX 2022.

CYNTHIA CONNERS, Mayor

ATTEST:

YOLIE TRIPPY, CMC, City Clerk

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

I, YOLIE TRIPPY, City Clerk of the City of Laguna Woods, do HEREBY CERTIFY that the foregoing **Resolution No. 22-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 2022, by the following vote:

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

YOLIE TRIPPY, CMC, City Clerk

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6.5
NEWPORT BAY WATERSHED TOTAL MAXIMUM
DAILY LOAD PROGRAMS

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COOPERATIVE AGREEMENT TO FUND TOTAL MAXIMUM DAILY LOAD PROGRAMS AND
RELATED ACTIVITIES IN THE NEWPORT BAY WATERSHED

THIS AGREEMENT, for purposes of identification numbered MA-080-23010376, referred to hereinafter as "Agreement", is made and entered into this ____ day of _____, 2023, by and between the County of Orange ("County"), the Orange County Flood Control District, the City of Costa Mesa, the City of Irvine, the City of Laguna Hills, the City of Laguna Woods, the City of Lake Forest, the City of Newport Beach, the City of Orange, the City of Santa Ana, the City of Tustin, Irvine Ranch Water District, and the Irvine Company. These entities are hereinafter sometimes jointly referred to as "Parties" and individually as "Party." City entities are hereinafter sometimes jointly referred to as "Cities." The Cities, County, and the Orange County Flood Control District are hereinafter sometimes jointly referred to as the "Municipal Parties."

RECITALS

WHEREAS, the California Regional Water Quality Control Board, Santa Ana Region ("Regional Board") adopted Resolution No. 98-9, as amended by Resolution No. 98-100, amending the Water Quality Control Plan for the Santa Ana River Basin ("Basin Plan") to incorporate a Nutrient Total Maximum Daily Load ("TMDL") for the Newport Bay/San Diego Creek Watershed on April 17, 1998, and Resolution 99-10 amending the Basin Plan to incorporate a TMDL for Fecal Coliform in Newport Bay on April 9, 1999, pursuant to the provisions of Section 303(d) of the Clean Water Act, and Resolution 2018-0041 amending the Basin Plan to incorporate a TMDL for Selenium in freshwater in Newport Bay Watershed on September 20, 2018; and,

WHEREAS, the United States Environmental Protection Agency established technical TMDLs for toxic pollutants ("Toxics TMDLs") for San Diego Creek and Newport Bay, California, on June 14, 2002, and the Regional Board has been in the process of developing implementation plans or updating these Toxics TMDLs through separate Basin Plan processes, and Basin Plan amendments for Diazinon and Chlorpyrifos TMDLs, the Organochlorines TMDLs, and the Selenium TMDL have been adopted, and Basin Plan amendments for metals are in development; and,

WHEREAS, the Newport Bay Nutrient, Fecal Coliform, and Toxics TMDLs (collectively referred to as “Newport Bay TMDLs”) contain requirements for studies, monitoring, and the development of programs to attain TMDL targets over a multi-year period; and,

WHEREAS, the Newport Bay TMDLs are included in the National Pollutant Discharge Elimination System Municipal Stormwater Permit (“NPDES Permit”), Order No. R8-2009-0030, issued to the Municipal Parties by the Regional Board, which encourages a cooperative watershed program approach, and, as of the end of 2022, NPDES Permit, Order No. R8-2022-0008 is in development; and,

WHEREAS, the Parties entered into Agreement No. D99-128 on September 18, 2003 and subsequent amendments on July 5, 2006, March 29, 2008, and July 8, 2010, to provide funding for the studies and implementation activities related to the Newport Bay TMDLs; and,

WHEREAS, the Parties subsequently entered into Agreement No. D11-066 on June 26, 2012 as a successor to Agreement No. D99-128, with a further amendment on October 20, 2015; and,

WHEREAS, the Parties subsequently entered into Agreement No. MA-080-18011416 on August 14, 2018 as a successor to Agreement No. D11-066; and,

WHEREAS, the Parties intend this Agreement as a successor to Agreement MA-080-18011416, to provide for the performance of: additional studies, research, monitoring, reporting, development and/or revision of programs related to the Newport Bay TMDLs; assessment and development of programs related to current and future Clean Water Act §303(d) listings and/or NPDES Permit requirements for watershed management plans; actions in response to threats of administrative enforcement and citizen suits; and planning, permitting, design, construction, and maintenance of TMDL pilot projects; and,

WHEREAS, the Parties have reached agreement on funding shares which are shown in Exhibit A; and,

WHEREAS, the Parties share a common interest in the regulatory compliance gained through the activities to be funded and performed pursuant to this Agreement, and the Parties further acknowledge that: each Party is entering into this Agreement for such purpose; there are common issues/questions of

law and fact among the Parties; it is the understanding of each Party that, in the performance of this Agreement, as with preceding agreements to which this Agreement is successor, confidential communications protected by the attorney-client privilege and attorney work product doctrine may be disclosed among the Parties through their counsel. Based on the foregoing, the Parties now wish to enter into a common interest agreement to memorialize their mutual understanding that confidential communications are to be kept confidential and protected from disclosure to the fullest extent allowed by law; and

WHEREAS, it is recognized that additional compliance efforts may be necessary and the Parties may choose to fund projects under separate agreements.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing, the Parties agree as follows:

Section 1. PURPOSE. This Agreement is entered into for the purpose of funding and performing program activities related to the Newport Bay TMDLs, NPDES Permit requirements specific to the Newport Bay watershed, current and future Clean Water Act §303(d) listings in the Newport Bay watershed, and other related matters which may affect NPDES Permit compliance and/or enforcement within the Newport Bay watershed.

Section 2. TERM. The term of this Agreement shall commence upon approval and execution of this Agreement by all Parties, or on July 1, 2023, whichever is later, and shall continue until June 30, 2028.

Section 3. PROGRAM WORK PLAN. The County shall work in concert with all Parties to develop a work plan for the following fiscal year and will provide longer term financial forecasts. The work plan for the upcoming fiscal years shall be submitted to each of the Parties by February 15 of each year. The work plan may designate a Party as a lead other than the County for a work plan task(s), provided that the County obtains the prior written consent of such other Party.

Section 4. BUDGET AND COSTS. The budget for the 2023–24 fiscal year, subject to appropriations, is \$1,308,854 and is shown in Exhibit A. The County shall work in concert with all the Parties to develop a budget for the following fiscal years. Budgeted amounts for pilot project(s) shall not

exceed \$200,000 for all pilot projects in any one fiscal year. For the following fiscal year and thereafter, a budget shall be submitted to each of the Parties by February 15 of each year. The budget shall contain an explanation of any recommended program changes, an estimate of all planned expenditures and an estimate of the payment required from each Party for the following fiscal year.

The County shall be entitled to charge to the program all costs for direct labor, materials, equipment, and outside contract services for costs associated with carrying out the approved scope of work. Recoverable costs will also include an overhead charge.

Section 5. WORK PLAN TASK LEAD REIMBURSEMENT. With a Party's prior written consent, the County may designate a Party as a task lead with respect to specific tasks on the operative work plan. If a Party is designated as a task lead, upon prior written authorization from County, the Party shall invoice the County for authorized expenses up to the approved budget amount for the work plan task.

Section 6. APPROVALS AND ADJUSTMENTS. The Parties shall be permitted to review and approve the budget and program work plan for the forthcoming year, review work products, and provide direction for performance of the work plan. The Parties shall be notified of the intent to issue contracts to perform the program work plan, shall be permitted to participate in the preparation and review of the scope of work for such contracts, and to serve on the committee evaluating consultant qualifications/proposals subject to the requirements of the County of Orange Contract Policy Manual. Criteria for approval of the work plan and budget shall be affirmative responses from Parties representing ninety percent (90%) of the funding shares in Exhibit A and 12 of the 13 Parties. The County and Orange County Flood Control District will constitute one approving Party. Any Party not providing a response by July 15 of each year shall be considered as rendering an affirmative response.

Criteria for approval of adjustments to scopes of work shall be the same as for the approval of the work plan and budget.

Section 7. FUNDING SHARE PERCENTAGES. Exhibit A, which is attached to this Agreement and by this reference is made a part hereof, presents the funding share percentages for the Parties for the term of the Agreement and the costs for the Parties for fiscal year 2023-24.

Section 8. PAYMENTS. For the initial year of the Agreement, the County shall invoice each Party for its deposit either at the beginning of the fiscal year or thirty (30) days after approval of the Agreement, whichever is later. In following years, the County shall invoice each Party for its annual deposit at the beginning of each fiscal year. Each Party shall pay the deposit within 45 calendar days of the date of the invoice. Each Party's deposit shall be based on its prorated share of the approved annual budget, reduced by the sum of (a) its prorated share of any surplus identified in the prior fiscal year end accounting, and (b) its prorated share of any funding provided for programs in the approved budget from entities not party to this Agreement.

Interest earned on the Parties' deposits will not be paid to the Parties, but will be credited against the Parties' share of the program costs.

The County shall notify each of the Parties if it appears that costs may exceed the budget approved by the Parties in any fiscal year. The County shall prepare a fiscal year end accounting within 60 calendar days of the end of the fiscal year. If the fiscal year end accounting results in costs (net of interest earnings) exceeding the sum of the deposits, and the County has notified and obtained approval from the Parties of potential cost overruns, the County shall seek approval of the excess cost from the Parties in the form of a revised budget and, upon approval, shall invoice each Party for its prorated share of the excess cost up to the amount of the revised approved budget. Each Party shall pay the billing within 45 calendar days of the date of the invoice. If the fiscal year end accounting results in the sum of the deposits exceeding costs (net of interest earnings), the excess deposits will carry forward to reduce the billings for the following year. The fiscal year end accounting results and associated invoices for each Party will take into consideration any outside funding provided for programs in the approved budget from entities not party to this Agreement.

Upon termination of the program, a final accounting shall be performed by the County. If costs from approved budgets remaining after the deduction of interest costs exceed the sum of the deposits, the County shall invoice each Party for its prorated share of the deficit. Each Party shall pay the invoice within 45 calendar days of the date of the invoice. If the sum of the deposits, including interest, exceeds

the costs from approved budgets, the County shall reimburse to each Party its prorated share of the excess, within 45 calendar days of the final accounting.

Section 9: CONFIDENTIAL COMMUNICATIONS

- a. The term "Confidential Communications" shall mean all communications, regardless of form, including documents and oral or written communications, whether prepared by the Parties or by consultants or experts retained by any Party, exchanged by or among the Parties, their non-employee consultants or experts, and/or their counsel, that are: (i) related to the purpose and/or performance of this Agreement; and (ii) privileged or protected from disclosure to adverse or other persons by reason of the attorney-client privilege, the attorney work product doctrine, or the common interest and/or joint defense privilege. The term Confidential Communications does not include any publicly available information.
- b. The Parties agree that the disclosure of Confidential Communications between or among the Parties or their counsel will not diminish the confidentiality of such materials or constitute waiver of any applicable privilege or protection from disclosure. The Parties intend that all Confidential Communications shall be protected from disclosure and discovery, to the fullest extent allowed by law, including under the common interest and/or joint defense privileges. Inadvertent disclosure of Confidential Communications to third parties shall not constitute waiver of any applicable privilege, and shall be entitled to the fullest protection under the law, including the triggering of ethical obligations for the recipient(s) to return such inadvertently disclosed Confidential Communications.
- c. The Party providing or disclosing any Confidential Communications to another party to this Agreement, pursuant to this Agreement, shall mark it as: "PRIVILEGED AND CONFIDENTIAL PURSUANT TO AGREEMENT NO. MA-080-23010376." Confidential Communications must be exchanged between the Parties' counsel, although non-attorney staff may be copied on the transmittal. Communications marked in this or substantially similar manner and transmitted in this manner shall be Confidential Communications. The failure to so mark such communications, however, will not diminish

the confidentiality of such communications or constitute waiver of any applicable privilege or protection from disclosure.

d. Confidential Communications shall be held in confidence by the Parties, unless disclosure is required by law or court order. Each Party shall take reasonable and appropriate measures to prevent inadvertent disclosures of Confidential Communications to third parties. In the event any Party receives a third-party request or demand for Confidential Communications marked "PRIVILEGED AND CONFIDENTIAL PURSUANT TO AGREEMENT NO. MA-080-23010376," per section 9.c., or bearing the name of one or more attorneys for any Party, prior to the release of any such Confidential Communications, the receiving Party shall notify all other Parties that such a request or demand has been received, so that the other Parties have the opportunity to seek a protective order or other relief. In the event any Party receives a third-party request or demand for Confidential Communications that are not marked per section 9.c. and do not bear the name of any attorney for any Party, prior to the release of such Confidential Communications, the receiving Party shall endeavor to notify all other Parties, so that the other Parties have the opportunity to seek a protective order or other relief.

e. To the extent allowed by law, the obligations of the Parties under this Section 9 shall survive the termination of this Agreement and shall remain in full force and effect.

f. Neither this Agreement nor the actions of any Party or counsel to a Party shall create any attorney-client relationship between any counsel and any Party that have not otherwise entered into an attorney-client relationship.

Section 10. ADDITIONAL PARTIES. It is recognized that there may be other parties who wish to participate in and provide funding for the activities described in this Agreement. Nothing in this Agreement is intended to preclude additional participants being added by written amendment as parties to this Agreement pursuant to Section 11. Exhibit A will be revised to add funding share percentage(s) for the additional party(ies) and proportionately reduced percentage shares for the Parties.

Section 11. AMENDMENT. This Agreement may be amended in writing only with the unanimous written approval of the Parties.

Section 12. LIABILITY. It is mutually understood and agreed that, merely by the virtue of entering into this Agreement, each Party neither relinquishes any rights nor assumes any liabilities for its own actions or the actions of other Parties. It is the intent of the Parties that the rights and liabilities of each Party shall remain the same, while this Agreement is in force, as it was before this Agreement was made, except as otherwise specifically provided in this Agreement.

Section 13. TERMINATION. Any Party wishing to terminate its participation in this Agreement shall so notify all other Parties in writing by March 1 of any year. Such termination shall be effective the following June 30. The terminating Party shall be responsible for financial obligations hereunder to the extent incurred in accordance with this Agreement by the Party prior to the effective date of termination. The balance of the Parties may continue in the performance of the terms and conditions of this Agreement with a proportionate reallocation of the terminating Party's cost share in Exhibit A among the remaining Parties.

Section 14. AVAILABILITY OF FUNDS. The obligation of each Party is subject to the availability of funds appropriated for this purpose, and nothing herein shall be construed as obligating the Parties to expend or as involving the Parties in any contract or other obligation for the future payment of money in excess of appropriations authorized by law.

Section 15. NO THIRD-PARTY BENEFICIARIES. Nothing expressed or mentioned in this Agreement is intended or shall be construed to give any person (except the Parties hereto and any entity in which a Party has a legal interest (such as, but not limited to, a limited liability membership interest or a partnership interest), and any permitted successors or assigns of a Party) any legal or equitable right, remedy or claim under or in respect of this Agreement or any provisions herein contained. This Agreement and any conditions and provisions hereof is intended to be and is for the sole and exclusive benefit of the Parties and the entities in which they have a legal interest and their successors or assigns and for the benefit of no other person, agency or entity.

Section 16. REFERENCE TO CALENDAR DAYS. Any reference to the word "day" or "days" herein shall mean calendar day or calendar days, respectively, unless otherwise expressly provided.

Section 17. ATTORNEY'S FEES. In any action or proceeding brought to enforce or interpret any provision of this Agreement, or where any provision hereof is asserted as a defense, each Party shall bear its own attorney's fees and costs.

Section 18. ENTIRE AGREEMENT. This Agreement is intended by the Parties as a final expression of their agreement and intended to be a complete and exclusive statement of the agreement and understanding of the Parties in respect of the subject matter contained herein. There are no restrictions, promises, warranties or undertakings, other than those set forth or referred to herein. This Agreement supersedes all prior agreements and understandings between the Parties with respect to such matter.

Section 19. SEVERABILITY. If any part of this Agreement is held, determined or adjudicated to be illegal, void, or unenforceable by a court of competent jurisdiction, the remainder of this Agreement shall be given effect to the fullest extent reasonably possible.

Section 20. SUCCESSORS AND ASSIGNS. The terms and provisions of this Agreement shall be binding upon and inure to the benefit of the Parties hereto and their successors and assigns.

Section 21. NOTICES. All notices required or desired to be given under this Agreement shall be in writing and (a) delivered personally, or (b) sent by certified mail, return receipt requested or (c) sent by electronic mail followed by a mailed copy as required, to the addresses specified below, provided each Party may change the address for notices by giving the other Parties at least ten (10) days written notice of the new address. Notices shall be deemed received when actually received in the office of the addressee or when delivery is refused, as shown on the receipt of the U.S. Postal service, or other person making the delivery, except that notices sent by electronic mail shall be deemed received on the first business day following transmission.

Director of Public Services
City of Costa Mesa
77 Fair Drive, P.O. Box 1200
Costa Mesa, CA 92626-1200

Director of Community Development
City of Irvine
1 Civic Center Plaza, P.O. Box 19578
Irvine, CA 92623-9578

Director of Public Services
City of Laguna Hills
24035 El Toro Road
Laguna Hills, CA 92653

City Manager
City of Laguna Woods
24264 El Toro Road
Laguna Woods CA 92637

Environmental Manager and Director of Public Works
City of Lake Forest
100 Civic Center Drive
Lake Forest, CA 92630

Director of Public Works
City of Newport Beach
100 Civic Center Drive
Newport Beach, CA 92660

Director of Public Works
City of Orange
300 E. Chapman Ave, P.O. Box 449
Orange, CA 92866

Executive Director, Public Works Agency
City of Santa Ana
20 Civic Center Plaza (M21)
Santa Ana, CA 92702

Director of Public Works
City of Tustin
300 Centennial Way
Tustin, CA 92780

Director, OC Public Works
County of Orange
601 N. Ross Street
Santa Ana, CA 92701

Director of Water Quality & Regulatory Compliance
Irvine Ranch Water District
15600 Sand Canyon Avenue
Irvine, CA 92618

Vice President of Environmental Affairs
The Irvine Company
550 Newport Center
Newport Beach, CA 92658-8904

Section 23. EXECUTION OF AGREEMENT. This Agreement may be executed in counterparts and the signed counterparts shall constitute a single instrument.

Section 24. GOVERNING LAW AND VENUE. This Agreement has been negotiated and executed in the State of California and shall be governed by and construed under the laws of the State of California. In the event of any legal action to enforce or interpret this Agreement, the sole and exclusive venue shall be a court of competent jurisdiction located in Orange County, California, and the Parties hereto agree to and do hereby submit to the jurisdiction of such court, notwithstanding Code of Civil Procedure section 394. Furthermore, the Parties have specifically agreed, as part of the consideration given and received for entering into this Agreement, to waive any and all rights to request that an action be transferred for trial to another county under Code of Civil Procedure Section 394 or any other provision of law.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement the day and year first
above written:

COUNTY OF ORANGE,
a political subdivision of the State of California

Date: _____

By: _____
Chairman of the Board of Supervisors

ORANGE COUNTY FLOOD CONTROL DISTRICT
a body corporate and politic

By: _____
Chairman of the Board of Supervisors

SIGNED AND CERTIFIED THAT A COPY OF THIS
AGREEMENT HAS BEEN DELIVERED TO THE
CHAIR OF THE BOARD.

Date: _____

By _____
Robin Stieler
Clerk of the Board of Supervisors of

Orange County, California

APPROVED AS TO FORM
COUNTY COUNSEL

By _____
Deputy

Date: _____

CITY OF COSTA MESA

Date: _____

By: _____
Mayor

APPROVED AS TO FORM:

ATTEST:

City Clerk

City Attorney of Costa Mesa

CITY OF IRVINE

Date: _____

By: _____
Mayor

APPROVED AS TO FORM:

ATTEST:

City Clerk

City Attorney of Irvine

CITY OF LAGUNA HILLS

Date: _____

By: _____
Mayor

APPROVED AS TO FORM:

ATTEST:

City Clerk

City Attorney of Laguna Hills

CITY OF LAGUNA WOODS

Date: _____

By: _____
Mayor

APPROVED AS TO FORM:

ATTEST:

Yolie Trippy, City Clerk

Alisha Patterson, City Attorney of Laguna Woods

CITY OF LAKE FOREST

Date: _____

By: _____
Mayor

APPROVED AS TO FORM:

ATTEST:

City Clerk

City Attorney of Lake Forest

CITY OF NEWPORT BEACH

Date: _____

By: _____
Mayor

APPROVED AS TO FORM:

ATTEST:

City Clerk

City Attorney of Newport Beach

CITY OF ORANGE

Date: _____

By: _____
Mayor

APPROVED AS TO FORM:

ATTEST:

City Clerk

City Attorney of Orange

ATTEST:

CITY OF SANTA ANA

City Clerk

City Manager

APPROVED AS TO FORM:

City Attorney

By: _____
Assistant City Attorney

CITY OF TUSTIN

Date: _____

By: _____
Mayor

APPROVED AS TO FORM:

ATTEST:

City Clerk

City Attorney of Tustin

THE IRVINE RANCH WATER DISTRICT

Date: _____

By: _____
Paul Cook, General Manager

Approved as to Form

Date: _____

By: _____
Claire H. Collins, General Counsel

THE IRVINE COMPANY

Date: _____

By: _____

Name: _____

Title: _____

Date: _____

By: _____

Name: _____

Title: _____

EXHIBIT A - FUNDING SHARES*

PARTIES	FUNDING SHARE PERCENTAGES	FISCAL YEAR 2023-24 BUDGET
Costa Mesa	4.317	\$56,503
County of Orange	9.296	\$121,671
Irvine	31.177	\$408,061
Laguna Hills	1.000	\$13,089
Laguna Woods	1.000	\$13,089
Lake Forest	6.402	\$83,793
Newport Beach	9.452	\$123,713
Orange	1.000	\$13,089
Santa Ana	9.898	\$129,550
Tustin	6.458	\$84,526
Orange County Flood Control District	10.000	\$130,885
Irvine Ranch Water District	5.000	\$65,443
Irvine Company	5.000	\$65,443
Total	100	\$1,308,855

*Funding shares are based on a consideration of land area and population, an equal split for some compliance responsibilities, and a minimum share of one percent.

6.6

**PAVEMENT MANAGEMENT PLAN PROJECT
(NORTHBOUND MOULTON PARKWAY
BETWEEN CALLE CORTEZ AND VIA CAMPO
VERDE)
*(NO REPORT)***

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8.1

**LAGUNA WOODS CIVIC SUPPORT FUND
(AGENDIZED BY MAYOR PRO TEM HATCH)**

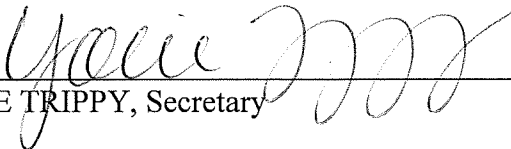
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**BYLAWS OF
LAGUNA WOODS CIVIC SUPPORT FUND**

Certificate of Secretary

I, Yolie Trippy, certify that I am the duly appointed and acting Secretary of the Laguna Woods Civic Support Fund, a California Nonprofit Public Benefit Corporation, that the Bylaws attached hereto, consisting of fourteen (14) pages, are the bylaws of this Corporation as adopted by the Board of Directors on March 6, 2018 and ratified by the City Council of the City on March 21, 2018, and that they have not been amended or modified since such adoption and ratification.

Executed on March 21, 2018 at Laguna Woods, California.



YOLIE TRIPPY, Secretary

**BYLAWS OF
LAGUNA WOODS CIVIC SUPPORT FUND**

A CALIFORNIA NONPROFIT PUBLIC BENEFIT CORPORATION

This corporation is a nonprofit public benefit corporation and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporation Law for charitable purposes.

ADOPTED ON MARCH 6, 2018

1. Name of Corporation

1.1. The name of this Corporation shall be “Laguna Woods Civic Support Fund.”

1.2. The business of this Corporation may be done under business names other than that which is set forth in Section 1.1. of these Bylaws; provided, however, that both the decision to conduct business under other business names and the selection of any such other business names shall be subject to a two-thirds majority vote of the Board of Directors at a duly noticed public meeting thereof and ratification by the City Council of the City of Laguna Woods (“City”) at a duly noticed public meeting thereof.

2. Principal Office of Corporation

2.1. The principal office for the transaction of the activities and affairs of this Corporation shall be located at such location within the City of Laguna Woods as the Board of Directors may designate by resolution. Initially, and until such time as otherwise designated by resolution, the principal office of this Corporation shall be 24264 El Toro Road, Laguna Woods, California 92637. Any change of the principal office shall be noted on these Bylaws opposite this Section 2 or, alternatively, these Bylaws may be amended to state the new principal location.

3. Purpose of Corporation

3.1. The specific and primary purpose of this Corporation shall be to raise and distribute funds to support programs, projects, and services of the City, as well as to function as a “friends of the library” group in support of the Laguna Woods branch of the County of Orange’s public library system. The act of distributing funds shall be interpreted broadly and shall include making donations to the City, County of Orange, or other organizations, as well as contracting for or otherwise providing services to third parties consistent with the purpose set forth in this Section 3.

3.2. Programs, projects, and services for which this Corporation may raise and distribute funds shall include, but not be limited to, those pertaining to public art, cultural affairs, human relations, social services, recreation, transportation, public parks, public infrastructure, public safety, and economic development (*e.g.*, business attraction, retention, and promotion) in the City, as well as library services provided at the Laguna Woods branch of the County of Orange's public library system.

3.3. All programs, projects, and services for which this Corporation raises or distributes funds shall be available to or benefit residents of the City, irrespective of which residential community they reside in.

3.4. This Corporation must receive prior written authorization from the City Council of the City for each program, project, or service for which this Corporation raises or distributes funds.

3.5. The general purposes of this Corporation are the following:

- a) To receive, hold, and disburse gifts, bequests, devises, grants, and other funds to accomplish its specific and primary purpose;
- b) To enter into, make, and perform, and carry out contracts which are deemed necessary to accomplish its specific and primary purpose; and
- c) To own, lease, and maintain real and personal property which is deemed necessary to accomplish its specific and primary purpose.

3.6. This Corporation shall not, except to an insubstantial degree in conformance with applicable laws, engage in any activities or exercise any powers that are not in furtherance of its purpose as set forth in this Section 3.

4. Limitations on Corporate Activities

4.1. This Corporation shall be organized and operated exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, as may be amended from time to time ("Code"). This Corporation shall not carry on any activities not permitted to be carried on by a corporation exempt from federal income tax under Section 501(c)(3) of the Code or by a corporation whose contributions are deductible under Section 170(c)(2) of the Code.

4.2. This Corporation shall be organized and operated as a nonprofit public benefit corporation within the meaning of California Nonprofit Public Benefit Corporation

Law (set forth at California Corporation Code Section 5110 *et seq.*), as may be amended from time to time or replaced by a successor statute. Corporate activities shall conform to the requirements thereof.

4.3. This Corporation is expressly prohibited from each of the following:

- a) Activities to raise or distribute funds for programs, projects, or services that are not offered or provided by the City or supportive of the Laguna Woods branch of the County of Orange's public library system.
- b) Activities to raise or distribute funds for programs, projects, or services for which the City Council of the City has not specifically authorized support from this Corporation. Such authorizations shall be made in writing.
- c) Activities to raise or distribute funds for programs, projects, or services that certain City residents may be precluded from based on which residential community they reside in (*e.g.*, programs, projects, and services that are only available to residents of a particular residential community).
- d) Activities to participate in, intervene in, or attempt to influence any political campaign on behalf of or in opposition to any candidate for public or private elected or appointed office, legislation, ballot measure, initiative, or similar voted matter (*e.g.*, publication or dissemination of materials with the purpose of attempting to influence legislation). This Corporation shall be nonprofit and nonpartisan.
- e) Activities to raise or distribute funds for religious organizations or religious purposes.

5. City Support of Corporation

5.1. To the extent provided for by the City Council of the City and these Bylaws, and to the extent allowable by law, the City, members of the City Council of the City, and City staff may support this Corporation in all manners except making direct fundraising appeals of or to third-parties. Members of the City Council of the City and City staff may participate in the design, development, and administration of fundraising campaigns and events, but shall not make direct fundraising appeals of or to third-parties. For the purpose of this Section 5, "fundraising" shall include any activity in which support is sought from any person or entity of either a monetary, service, or in-kind nature, exclusive of services for which this Corporation contracts. For the purpose of this Section 5, fundraising appeals made as a part of special event,

meeting, or public speaking engagements, or content displayed on the City's website or made available for public distribution at City facilities, or similar activities, shall not be considered "direct fundraising appeals of or to third-parties."

5.2. The Board of Directors shall reasonably, fully, and timely cooperate with the City and its agents and contractors to allow for the performance of their duties.

5.3. The City may audit or inspect, or cause to be audited or inspected, the financial statements or any other aspect of this Corporation's activities, at any time, without limitation or restriction. In such instances, the Board of Directors shall reasonably, fully, and timely cooperate with the City and its agents and contractors.

5.4. The City may solicit legal advice or counsel in connection with its support of this Corporation. In such instances, the Board of Directors shall reasonably, fully, and timely cooperate with the City and its agents and contractors, and acknowledges the City's right to follow and act in accordance with advice and counsel received, including to the extent that it may differ from directives of the Board of Directors.

5.5. The City reserves the right to terminate its involvement with this Corporation, either fully or in part, and with or without cause, with 30 calendar days written notice to the Board of Directors. In such instances, all officer positions held by City staff shall become vacant and the City's responsibilities pursuant to these Bylaws shall end, to the extent specified in termination notice, upon its effective date. Unless the termination notice provides otherwise, Sections 3.4, 4.3(b), and 21.1 of these Bylaws (requiring authorization from the City Council of the City to raise or distribute funds for programs, projects, or services, or amend these Bylaws) shall automatically terminate upon the effective date that the City terminates its involvement with this Corporation. The City shall not be liable for incomplete or unfinished work.

6. Members of the Board of Directors of Corporation

6.1. Subject to these Bylaws and federal and state law, all corporate powers shall be exercised by or under the authority of, and the business and affairs of this Corporation shall be controlled and conducted by, the Board of Directors.

6.2. The authorized number of members of the Board of Directors of this Corporation ("Directors") shall be not less than three and not more than seven. The Board of Directors may include the following for terms established by the City Council of the City:

- a) Up to two members of the City Council of the City, appointed by a majority vote of the City Council at a duly noticed public meeting thereof; and
- b) Up to three residents of the City, appointed by a majority vote of the City Council at a duly noticed public meeting thereof; and
- c) Up to two persons representing businesses or organizations with a physical location in the City or that provide regular and ongoing services to residents of the City, appointed by a majority vote of the City Council of the City at a duly noticed public meeting thereof.

6.3. No person serving on the Board of Directors shall at any time be an interested person. An interested person is (i) any person being compensated by this Corporation for services rendered to it within the previous twelve (12) months, whether as a full-time or part-time employee, independent contractor, or otherwise, excluding any reimbursement paid to a Director for reasonable and necessary expenses incurred on behalf of this Corporation or (ii) any brother, sister, mother, father, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, or father-in-law of any such person. Violations of the provisions of this Section 6.3 shall not affect the validity or enforceability of any transaction entered into by this Corporation.

6.4. A vacancy on the Board of Directors shall occur in the event of:

- a) The expiration of a Director's term (if applicable); or
- b) The resignation of a Director, when made in writing to the Board of Directors, Chair of the Board, Chief Executive Officer, or Secretary; or
- c) The cessation of a Director to meet the minimum residency or occupational standards set forth in Section 6.2 of these Bylaws; or
- d) The death of a Director; or
- e) The declaration by resolution, approved by a majority vote of the Board of Directors at a duly noticed public meeting thereof, of a vacancy in the office of a Director who has been (i) convicted of a felony, (ii) declared of unsound mind by a court order, or (iii) found by final order or judgment of any court to have breached a duty under federal or state law including, but not limited to, the California Nonprofit Public Benefit Corporation Law; or

- f) The removal of a Director, with or without cause, by a two-thirds majority vote of the City Council of City at a duly noticed public meeting thereof.

6.5. A vacancy on the Board of Directors shall be filled in the manner prescribed in Section 6.2 of these Bylaws for regular appointment of such Director, provided that such vacancies shall be filled as they occur. No reduction in the number of Directors shall have the effect of removing any Director prior to the expiration of his or her term of office.

7. Actions of the Board of Directors of Corporation

7.1. The Board of Directors shall meet a minimum of once a year at the principal office of this Corporation or at such other location within the City selected by the Board of Directors in accordance with Section 2.1 of these Bylaws.

7.2. All meetings of the Board of Directors and standing committees thereof shall comply with the noticing and other requirements of the Ralph M. Brown Act.

7.3. A majority of Directors shall constitute a quorum to conduct business, except to adjourn. The majority of the quorum present at a duly noticed public meeting may take action and such action shall be an act of the Board of Directors, subject to the more stringent provisions of this Corporation's articles of incorporation and the California Nonprofit Corporation Law, including, without limitation, those provisions relating to (i) approval of contracts or transactions in which a Director has a direct or indirect material financial interest, (ii) appointment of committees, and (iii) indemnification of Directors. A meeting at which a quorum is initially present may continue to transact business, despite the withdrawal of one or more Directors from the meeting, provided that actions are approved by at least a majority or two-third majority of the required quorum for that meeting, as may be required by these Bylaws. A majority of the Directors present, whether or not constituting a quorum, may adjourn any meeting to another time and place. Notice of the time and place of holding an adjourned meeting shall be given in accordance with the Ralph M. Brown Act.

7.4. This Corporation shall not compensate Directors for their services, but may reimburse Directors for their reasonable and necessary expenses incurred on behalf of this Corporation, in accordance with such rules, standards, and procedures as may be established by a majority vote of the Board of Directors at a duly noticed public meeting.

7.5. Subject to the provisions of the California Nonprofit Corporation Law and any limitations in the articles of incorporation and these Bylaws, the business and affairs of this Corporation shall be managed, and all corporate powers shall be exercised, by or under the direction of the Board of Directors; provided, however, that in order to preserve the nonprofit status of this Corporation, neither the Board of Directors nor any member thereof shall do any act, or authorize or suffer the doing of any act by an officer of this Corporation, on behalf of this Corporation, which is inconsistent with the articles of incorporation, these Bylaws or the purpose of this Corporation. Any such act or acts shall be null and void.

8. Officers of Corporation

8.1. The officers of this Corporation shall be a Chair of the Board, Vice Chair of the Board, Chief Executive Officer, Chief Financial Officer, and Secretary. The offices of Chair of the Board and Vice Chair of the Board shall be filled by Directors. The Board of Directors may create other offices by resolution, with such other titles and such other duties as it determines and deems advisable. Any number of offices may be held by the same person, except that no person serving as the Secretary or the Chief Financial Officer may serve concurrently as the Chair of the Board.

8.2. The Chair of the Board shall be appointed by a majority vote of the Board of Directors at a duly noticed public meeting. The Chair of the Board shall preside over Board of Directors meetings, attest to the Board of Directors' approval of meeting minutes, and have such other powers and perform such other duties as the Board of Directors or these Bylaws may require.

8.3. The Vice Chair of the Board shall be appointed by a majority vote of the Board of Directors at a duly noticed public meeting. The Vice Chair of the Board shall serve as the Chair of the Board in his or her absence and have such other powers and perform such other duties as the Board of Directors or these Bylaws may require.

8.4. The Chief Executive Officer shall be the City Manager of the City or his or her designee. The Chief Executive Officer shall serve as the general manager of this Corporation and shall supervise and direct all administrative activities and affairs, in accordance with policies established and direction provided by a majority vote of the Board of Directors at a duly noticed public meeting. The Chief Executive Officer may support this Corporation in all manners except making direct fundraising appeals of or to third-parties.

8.5. The Chief Financial Officer shall be the City Treasurer of the City or his or her designee. The Chief Financial Officer shall supervise and direct all financial

activities and affairs of this Corporation, in accordance with policies established and direction provided by a majority vote of the Board of Directors at a duly noticed public meeting. The Chief Financial Officer shall report to the Chief Executive Officer and may support this Corporation in all manners except making direct fundraising appeals of or to third-parties.

- a) The Chief Financial Officer shall keep and maintain, or cause to be kept and maintained, adequate and correct books and accounts of this Corporation. The books of account shall be open to inspection by any Director at all reasonable times.
- b) The Chief Financial Officer shall prepare and file, or cause to be prepared and filed, such financial statements and reports as are required by law, by these Bylaws, or by the Board of Directors. The Chief Financial Officer shall send or cause to be given to the Directors such financial statements and reports as are required to be given by law, by these Bylaws, or by the Board of Directors.
 - 1) An annual report shall be prepared in conformity with the requirements of Sections 6321 and 6322 of the California Nonprofit Corporation Law, or any successor statutes. The annual report shall be sent to each Director of this Corporation, and such other persons as are designated by the Board of Directors, no later than 120 days after the close of the fiscal year.
- c) The Chief Financial Officer shall deposit, or cause to be deposited, all money and other valuables in the name and to the credit of this Corporation with such depositories as the Board of Directors may designate.
- d) The Chief Financial Officer shall disburse and invest, or cause to be disbursed or invested, this Corporation's funds as the Board of Directors may order.
- e) The Chief Financial Officer render to the Board of Directors or any officer of this Corporation, or cause to be rendered, when requested, a timely account of all transactions as Chief Financial Officer and of the financial condition of this Corporation
- f) The Chief Financial Officer shall have such other powers and perform such other duties as the Board of Directors or these Bylaws may require.

8.6. The Secretary shall be the City Clerk of the City or his or her designee. The Secretary shall be responsible for certain corporate functions. The Secretary shall

report to the Chief Executive Officer and may support this Corporation in all manners except making direct fundraising appeals of or to third-parties.

- a) The Secretary shall keep, or cause to be kept, at the principal office of this Corporation for public inspection (i) a book of all minutes of meetings and resolutions of the Board of Directors and standing committees of the Board of Directors, (ii) a copy of this Corporation's articles of incorporation, (iii) a copy of these Bylaws, (iv) this Corporation's annual state and federal financial statements and reports, and (v) the seal of this Corporation, if any.
- b) The Secretary shall give, or cause to be given, notice of all meetings of the Board of Directors and of standing committees of the Board of Directors that the Ralph M. Brown Act or these Bylaws requires to be given.
- c) The Secretary shall have such other powers and perform such other duties as the Board of Directors or these Bylaws may require.

8.7. Any officer shall have the ability to call a meeting of the Board of Directors, subject to noticing and other requirements set forth in the Ralph M. Brown Act.

8.8. A vacancy in the office of Chair of the Board or Vice Chair of the Board shall occur in the event of:

- a) The expiration of an officer's term (if applicable); or
- b) The resignation of an officer, when made in writing to the Board of Directors, Chair of the Board (Vice Chair of the Board only), Chief Executive Officer, or Secretary; or
- c) The death of an officer; or
- d) The declaration by resolution, approved by a majority vote of the Board of Directors at a duly noticed public meeting thereof, of a vacancy in an office of this Corporation for an officer who has been (i) convicted of a felony, (ii) declared of unsound mind by a court order, or (iii) found by final order or judgment of any court to have breached a duty under federal or state law including, but not limited to, the California Nonprofit Public Benefit Corporation Law; or
- e) The removal of an officer, with or without cause, by a majority vote of the Board of Directors at a duly noticed public meeting thereof.

8.9. A vacancy in the office of Chair of the Board or Vice Chair of the Board shall be filled in the manner prescribed in these Bylaws for regular appointment of such office, provided that such vacancies shall be filled as they occur.

9. Members of Corporation

9.1. This Corporation shall have no “members” as that term is defined by Section 5056 of the California Corporation Code and shall be governed solely by its Board of Directors. In accordance with Section 5310(b) of the California Corporation Code, any action that would otherwise require approval by a majority of all members shall only require approval of the Board of Directors. There shall be no meetings of members as such. The persons constituting the Board of Directors may, at any given time and from time to time, act in their capacity as members pursuant to this Section 9.1, at meetings of the Board of Directors.

9.2. This Corporation may refer to individuals or entities associated with it as “members” even though those individuals or entities are not voting members. No such reference to “members” shall constitute any individual or entity a member within the meaning of Section 5056 of the California Corporation Code.

10. Fiscal Year

10.1. The fiscal year of this Corporation shall commence on July 1 and conclude on the immediately following June 30.

11. Budgets

11.1. Prior to the commencement of each fiscal year, the Board of Directors shall adopt a budget setting forth the estimated operating, capital, and other expenditures required in connection with, and the estimated receipts from, the activities of this Corporation for such fiscal year; provided, however, that during its first fiscal year, the Board of Directors shall adopt a budget for that initial year within four months of the first meeting of the Board of Directors. Budgets shall require approval of either a majority of the Board of Directors, inclusive of all members of the City Council of City serving thereon, or a two-third majority of the Board of Directors, at a duly noticed public meeting thereof.

11.2. No expenditure may be made or obligation incurred which, when added to any other expenditure for the fiscal year of this Corporation, exceeds the adopted budget for that fiscal year by more than \$5,000.00 or any line item specified in the adopted budget by more than five percent (5%), without the prior approval of a

majority of the Board of Directors, inclusive of all members of the City Council of City serving thereon, or a two-third majority of the Board of Directors, at a duly noticed public meeting thereof.

12. Deposits

12.1. All funds of this Corporation shall be deposited from time-to-time to the credit of this Corporation in such banks, trust companies, or other depositories as the Board of Directors may select.

13. Payments and Instruments

13.1. Except as otherwise provided by law, these Bylaws or a resolution, written policy, or minute order of the Board of Directors, checks, drafts, promissory notes, orders for the payment of money, and any other evidence of indebtedness of this Corporation shall be signed by the Chair of the Board (or Vice Chair of the Board in absence of the Chair of the Board) and countersigned by the Chief Executive Officer or Chief Financial Officer.

13.2. Except as otherwise provided by law or these Bylaws, the Board of Directors may authorize any officer or agent of this Corporation to enter into any contract or execute and deliver any instrument in the name of and on behalf of this Corporation. Such authority shall be made in writing and may be general or confined to specific instances. Unless authorized, no Director, officer, agent, or other person shall have any power or authority to bind this Corporation by any contract or engagement or to pledge its credit or render it liable monetarily for any purpose or in any amount.

14. Dedication of Assets

14.1. The property of this Corporation is irrevocably dedicated to public and charitable purposes and no part of the net income or assets of this Corporation shall ever inure to the benefit of any Director, officer, or member thereof, or to the benefit of any private person, provided however that this Corporation is authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Section 3 of these Bylaws. Upon the dissolution or “winding up” of this Corporation, its assets (other than trust funds) remaining after payment, or provision for payment, of all debts and liabilities of this Corporation shall be distributed to (i) the City, provided that it is then an organization described in Section 170(c)(1) of the Code or the corresponding provision of any future United States internal revenue law, to be used for public purposes, and/or (ii) one or more nonprofit corporations organized and

operated for the benefit of the residents of the City, such corporation or corporations to be selected by the Board of Directors, subject to approval of the City Council of the City. Such nonprofit corporation(s) must be exempt from federal income tax under Section 501(c)(3) of the Code or the corresponding provision of any future United States internal revenue law, and be organized and operate exclusively for charitable, scientific, literary, and/or educational purposes.

15. Use of City Logo and City Titles

15.1. The City's logo shall not be used in fundraising materials or collateral without prior written authorization of the City Council of the City or the City Manager of the City. The City titles of any member of the City Council of the City or the City titles of any member of City staff shall not be used in fundraising materials or collateral.

16. Non-Discrimination

16.1. Neither this Corporation, nor any Director or officer in the performance of his or her duties, shall discriminate, in any way, against any person on the basis of race, color, religious creed, national origin, ancestry, sex, age, physical handicap, medical condition, sexual orientation or marital status.

17. Application of Conflict of Interest Laws

17.1. Notwithstanding any other provision of these Bylaws, this Corporation shall comply with the Political Reform Act of 1976, California Government Code Section 81000, *et seq.* This Corporation shall operate as if it is an "agency" and each Director and officer shall operate as if he or she is a "designated employee" as defined in the Political Reform Act. Each Director and officer shall comply with the conflict of interest reporting and disqualification requirements of the Political Reform Act. The Board of Directors shall adopt, periodically review, and if necessary, amend, a "conflict of interest code" as such term is defined in the Political Reform Act.

17.2. Directors who are also members of the City Council of City shall comply with the provisions of California Government Code Section 1090, *et seq.* and this Corporation shall operate as if it is a "body" of which the applicable Director is a member. No Director shall be financially interested in any contract made by him or her in his or her official capacity as a Director or made by this Corporation. Nor shall any Director be a purchaser at any sale or vendors at any purchase made by him or her in his or her official capacity as a Director or made by the Board of Directors. The prohibitions in this Section 17.2 shall be interpreted in the same manner as the prohibitions contained in California Government Code Section 1090, *et seq.* Every

contract made in violation of this Section 17.2 by a Director may be avoided at the instance of any party except the Director interested therein.

18. Compliance with California Public Records Act

18.1. This Corporation shall comply with the provisions of the California Public Records Act, California Government Code Section 6250 *et seq.* This Corporation shall operate as if it is a “Local Agency” as that term is used in the California Public Records Act, and as such, shall be subject to all obligations and exemptions under the California Public Records Act.

19. Indemnification of Directors, Officers, Employees, and Agents

19.1. To the fullest extent permitted by law, this Corporation shall indemnify any present or former Director, officer, employee, or other “agent” of this Corporation, as that term is defined in Section 5238 of the California Nonprofit Corporation Law, against all expenses, judgments, fines, settlements, and other amounts actually and reasonably incurred by them in connection with any “proceeding,” as that term is used in Section 5238 of the California Nonprofit Corporation Law, and including an action by or in the right of this Corporation, by reason of the fact that the person is or was a person described in that section. “Expenses,” as used in these Bylaws, shall have the same meaning as in Section 5238(a) of the California Nonprofit Corporation Law.

19.2. On written request to the Board of Directors by any person seeking indemnification under Section 5238(b) or Section 5238(c) of the California Nonprofit Corporation Law, the Board of Directors shall promptly determine under Section 5238(e) of the California Nonprofit Corporation Law whether the applicable standard of conduct set forth in Section 5238(b) or Section 5238(c) has been met and, if so, the Board of Directors shall authorize indemnification. If the Board of Directors cannot authorize indemnification because the number of Directors who are parties to the proceeding with respect to which indemnification is sought prevents the formation of a quorum of Directors who are not parties to that proceeding, application shall be made by this Corporation or the agent or the attorney or other person rendering a defense to the agent to the court in which the proceeding is or was pending for a determination, whether or not the application by the agent, attorney, or other person is opposed by this Corporation.

19.3. To the fullest extent permitted by law and except as otherwise determined by the Board of Directors in a specific instance, expenses incurred by a person seeking indemnification under Sections 19.1 and 19.2 of these Bylaws in defending any

proceeding covered by those sections shall be advanced by this Corporation before final disposition of the proceeding, on receipt by this Corporation of an undertaking by or on behalf of that person that the advance will be repaid unless it is ultimately determined that the person is entitled to be indemnified by this Corporation for those expenses.

19.4. The Board of Directors shall have the power, but not the obligation, to purchase and maintain insurance in accordance with Section 5238(i) of the California Nonprofit Corporation Law and to the full extent permitted by law on behalf of its Directors, officers, employees, or other “agent” of this Corporation, as that term is defined in Section 5238 of the California Nonprofit Corporation Law, against any liability asserted against or incurred by any Director, officer, employee, or agent in such capacity or arising out of the Director’s, officer’s, employee’s, or agent’s status as such.

20. Construction and Definition of Bylaws

20.1. Unless the context requires otherwise, the general provisions, rules of construction, and definitions set forth in the California Nonprofit Public Benefit Corporation Law shall govern the construction of these Bylaws. Without limiting the generality of the preceding sentence, the masculine gender includes the feminine and neuter, the singular includes the plural, and the term “person” includes both a legal entity and a natural person, and vice versa for all references.

21. Amendment of Bylaws

21.1. No amendment of these Bylaws shall be valid unless adopted by a two-thirds majority vote of the Board of Directors at a duly noticed public meeting thereof and then ratified by the City Council of the City at a duly noticed public meeting thereof.

22. Certificate of Secretary

22.1. A certificate of the Secretary shall be affixed to the original, or most recent amended version of the Bylaws, such Certificate to be in the following form:

I, *[Secretary’s Name]*, certify that I am the duly appointed and acting Secretary of the Laguna Woods Civic Support Fund, a California Nonprofit Public Benefit Corporation, that the Bylaws attached hereto, consisting of *[Number of Pages]* pages, are the bylaws of this Corporation as adopted by the Board of Directors on *[Date]* and ratified by the City Council of the City on *[Date]*, and that they have not been amended or modified since such adoption and ratification.

Executed on *[Date]* at Laguna Woods, California.

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8.2

**CANNABIS RETAIL SALES BUSINESS
REGULATIONS**

(AGENDIZED BY COUNCILMEMBER HORNE)

(NO REPORT)