

**CITY OF LAGUNA WOODS CALIFORNIA
CITY COUNCIL MINUTES
REGULAR MEETING
July 19, 2023
2:00 P.M.
Laguna Woods City Hall
24264 El Toro Road
Laguna Woods, California 92637**

I. CALL TO ORDER

1.1 Call to Order

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

1.2 Emergency Circumstances and Just Cause Teleconferencing – N/A

II. ROLL CALL

COUNCILMEMBER: PRESENT: Horne, McCary, Moore, Hatch, Connors
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

Councilmember Moore led the pledge of allegiance.

IV. PRESENTATIONS AND CEREMONIAL MATTERS

4.1 City Hall/Public Library Project Update

City Manager Macon provided an update.

Councilmember Moore requested a more comprehensive report on the timing of the project, including information on change orders.

V. PUBLIC COMMENTS ON NON-AGENDA ITEMS

Fred Smoller, President and CEO, Orange County Sustainability Decathlon, commented on

climate issues and requested the City Council’s support of the Sustainability Decathlon. Mr. Smoller provided the City Council with a flyer containing sponsorship opportunities for the Sustainability Decathlon.

VI. CONSENT CALENDAR

Moved by Councilmember Horne, seconded by Mayor Pro Tem Hatch, 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 adjourned regular meeting on May 31, 2023, the special meeting on June 14, 2023, the regular meeting on June 21, 2023, and the adjourned regular meeting on June 28 2023.

6.2 City Treasurer’s Report

Received and filed the City Treasurer’s Report for the month of June 2023.

6.3 Warrant Register

Approved the warrant register dated July 19, 2023 in the amount of \$758,053.58.

6.4 Fiscal Years 2023-25 Budget Adjustments

Adopted a resolution titled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ADJUSTING THE ASSIGNED RESERVE BALANCES FOR THE PAID LEAVE CONTINGENCY RESERVE AND THE GENERAL FUND CONTINGENCY RESERVE FOR FISCAL YEAR 2023-24

6.5 Fiscal Years 2023-34 Capital Improvement Program

Adopted a resolution titled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ADOPTING A STATEMENT OF THE TRANSPORTATION-RELATED PROJECTS AND MEASURE M2 (OC GO) BUDGETS INCLUDED IN THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEARS 2023-24 THROUGH 2029-30, IN CONFORMANCE WITH MEASURE M2 (OC GO) REQUIREMENTS

6.6 Americans with Disabilities Act (ADA) Pedestrian Accessibility Improvement Project: Phase 6 and 6(B)

1. Approved the “Americans with Disabilities Act (ADA) Pedestrian Accessibility Improvement Project: Phase 6 and 6(B)” design plans and specifications as prepared by the project engineer.

AND

2. Approved a notice of exemption for the “Americans with Disabilities Act (ADA) Pedestrian Accessibility Improvement Project: Phase 6 and 6(B)” 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 Kalban, Inc. for the construction of the “Americans with Disabilities Act (ADA) Pedestrian Accessibility Improvement Project: Phase 6 6(B)”, in the amount of \$241,100.00, plus authorized change orders not to exceed 10% of the base amount; and authorized the City Manager to execute a contract agreement and approved change orders, subject to approval of the contract agreement as to form by the City Attorney.

6.7 City Hall Electric Vehicle Charging Infrastructure Project

1. Approved final record plans and specifications reflecting completion of the “City Hall Electric Vehicle Charging Infrastructure Project” as prepared by the project engineer.

AND

2. Approved project completion of the contract agreement with Smart City Electric Group for the “City Hall Electric Vehicle Charging Infrastructure Project”.

AND

3. Release contract retention in the amount of \$1,585.00 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

7.1 Cannabis Retail Sales Business Regulations

Mayor Conners made comments.

City Manager Macon made a presentation.

Mayor Conners opened the public hearing. The following public testimony was received:

- Maureen Mehler, resident, spoke in support of allowing cannabis storefront retailers in Laguna Woods.
- Robert Lindner, resident, expressed concern regarding the enforcement of cannabis-related laws.

Councilmembers briefly responded to Mr. Lindner's testimony and discussed the item.

- Lonnie Painter, resident, spoke in support of allowing cannabis storefront retailers in Laguna Woods.
- Suzanne Myers, resident, spoke in support of allowing cannabis storefront retailers in Laguna Woods.
- David Myers, resident, spoke in support of allowing cannabis storefront retailers in Laguna Woods.
- Mary Wall, resident, spoke in opposition of allowing cannabis storefront retailers in Laguna Woods.
- Kandice Hawes, Orange County NORML, spoke in support of a merit-based process and conditional use permit process for permitting cannabis storefront retailers, as well as expressed concern regarding the high rate of the proposed cannabis business tax.
- Chad Wanke, member of the public and part of the Committee to Support Measure T, spoke in support of a non-merit-based process for permitting cannabis storefront retailers and asked that the proposed application fee be defined.

Mr. Wanke responded to question from Councilmember Moore.

City Manager Macon responded to a question from Mayor Conners.

- José Hernandez, Catalyst, commented on the lack of security necessary for cannabis storefront retailers to operate, expressed concern regarding the high rate of the proposed cannabis business tax, and spoke in support of a merit-based process for permitting cannabis storefront retailers and multiple licenses.
- Pat Micone, resident, spoke in support of the City Council looking into this item further and not approving an ordinance at this time. She also expressed concerns regarding traffic, security, and costs to the City.

- Kathryn Freshley, resident, expressed concerns related to security and traffic, as well as a lack of communication with Laguna Woods Village boards. She also expressed concerns regarding the potential establishment of a cannabis storefront retailer at the property currently occupied by the Helm Center, including impacts on the adjacent mortuary and traffic. She further expressed that the City does not need the money that would be generated by the proposed cannabis business tax.
- Jonathan Adler, resident and representative of the Laguna Woods Democratic Club, spoke in support of allowing cannabis storefront retailers in Laguna Woods.
- Aaron Herzberg, Puzzle Group Law Firm, spoke in support of allowing cannabis storefront retailers in Laguna Woods.
- Vincette Wilson, resident, commented on a letter she separately submitted to the City Council with background information on hemp and cannabis.
- Virginia Rettig, resident, spoke in support of allowing cannabis storefront retailers in Laguna Woods.
- Mark Nesbaum, resident, spoke in support of allowing cannabis storefront retailers in Laguna Woods.
- Steven Chow, Stiizy, expressed concerns that the proposed ordinance gerrymandered property and was rigged in favor of one business interest. He encouraged the City Council to reexamine the proposed ordinance and also spoke in support of a merit-based process for permitting cannabis storefront retailers.
- Sarah Armstrong, Americans for Safe Access, spoke in support of allowing cannabis storefront retailers in Laguna Woods and expressed concern regarding the high rate of the proposed cannabis business tax.

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

Mayor Connors made comments.

A member of the public who had attempted to provide testimony during the public hearing resolved his technical difficulties that had prevented him from providing testimony earlier. Mayor Connors reopened the public hearing to allow the additional testimony.

- John <last name unknown>, member of the public and owner of the Helm Center property, responded to Mr. Chow's testimony and stated that he has no affiliation with any cannabis business.

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

Councilmembers discussed the item and staff answered related questions.

Mr. Painter responded to a question from Councilmember Moore.

Juanita Skillman, resident, commented on the Laguna Woods Village boards' awareness of the item.

Councilmembers discussed the item.

Moved by Councilmember Horne, seconded by Councilmember McCary, and carried on a 3-2 vote, with Mayor Pro Tem Hatch and Councilmember Moore voting no, 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 SECTIONS 13.06.010, 13.08.010, 13.10.020, 13.12.020, 13.13.020, 13.18.070, AND 13.26.025 OF TITLE 13 (ZONING) OF THE LAGUNA WOODS MUNICIPAL CODE TO ESTABLISH A REGULATORY FRAMEWORK FOR CANNABIS STOREFRONT RETAILERS, SET THE CANNABIS BUSINESS TAX RATE FOR CANNABIS STOREFRONT RETAILERS, AND CLARIFY THE NATURE OF PROHIBITED CANNABIS BUSINESSES AND EXISTING REGULATIONS PERTAINING TO TOBACCO AND TOBACCO CIGARETTE SALES; AND DETERMINING AND CERTIFYING THAT THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Mayor Conners called for a brief recess.

The meeting was called back to order at 4:23 p.m.

7.2 Zoning Code Amendments

City Manager Macon made a presentation.

Mayor Conners opened the public hearing.

Juanita Skillman, resident, expressed concerns regarding a state law related to room rentals.

Councilmembers and City Manager Macon briefly responded to Ms. Skillman's testimony.

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

Moved by Councilmember Horne, seconded by Councilmember McCary, 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 CAPTER 13.14 AND SETIONS 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, 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 – None

IX. CITY COUNCIL REPORTS AND COMMENTS

9.1 Coastal Greenbelt Authority

Councilmember McCary provided an update.

9.2 Orange County Fire Authority

Mayor Pro Tem Hatch provided an update and responded to a question from Councilmember Moore.

9.3 Orange County Library Advisory Board

Councilmember Moore stated there had been no meeting since the last meeting.

9.4 Orange County Mosquito and Vector Control District

Councilmember Horne provided a report.

9.5 San Joaquin Hills Transportation Corridor Agency

Mayor Connors provided a report.

9.6 South Orange County Watershed Management Area

Councilmember Moore stated there had been no meeting since the last meeting.

9.7 Liaisons to Community Bridge Builders

Councilmember McCary stated that she will provide a report at the next meeting.

9.8 Other Comments and Reports – None

X. CLOSED SESSION

City Attorney Patterson noted that prior to convening in closed session, the City Council will hear public comments on items appearing on the closed session agenda.

No such public comments were received.

10.1 The City Council met in closed session under the authority of California Government Code Section 54956.9(d)(4) and (e)(1) to confer with and receive advice from its legal counsel regarding the potential initiation of litigation in one case.


10.2 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.

XI. CLOSED SESSION REPORT

The City Council reconvened in open session at 5:37 p.m. City Attorney Patterson stated that for Item 10.1, the City Council voted to approve the initiation of litigation. City Attorney Patterson stated that there was no reportable action for Item 10.2.

XII. ADJOURNMENT

The meeting was adjourned at 5:38 p.m. The next regular meeting will be at 2:00 p.m. on Wednesday, August 16, 2023, at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.



YOLIE TRIPPY, CMC, City Clerk

Approved: August 16, 2023



CYNTHIA S. CONNERS, Mayor