

# CITY of LAGUNA WOODS CITY COUNCIL AGENDA

Regular Meeting  
Wednesday, February 21, 2024  
2:00 p.m.

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

Noel Hatch  
Mayor

Shari L. Horne  
Mayor Pro Tem

Cynthia Conners  
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/Testimony: The City accepts public comments/testimony in-person and in writing. For more information, please refer to page three of this agenda.

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.

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AGENDA POSTING AND AVAILABILITY

Regular and Adjourned Regular Meetings: Pursuant to California Government Code Section 54954.2 of the Ralph M. Brown Act, the City of Laguna Woods posts agendas at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, California 92637; on the City’s website ([www.cityoflagunawoods.org](http://www.cityoflagunawoods.org)); and, at other locations designated by Resolution No. 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](mailto:cityhall@cityoflagunawoods.org), or 24264 El Toro Road, Laguna Woods, California 92637.

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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](http://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

2/16/24  
Date

## **OPTIONS FOR PUBLIC COMMENTS/TESTIMONY**

### **1. In-Person**

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 by submitting a speaker card to City staff or proceeding to the podium, one-by-one, at the time an item is considered.

Members of the public wishing to address the City Council on items *not* appearing on this agenda may do so during Item V.

Each speaker will have the opportunity to speak for up to three minutes once per agenda item, unless otherwise allowed by the City Council.

Speakers are requested, but not required, to identify themselves, both on speaker cards and in comments/testimony. Speakers are advised that their names and any information submitted on speaker cards or otherwise provided in writing to the City may be disclosed or become a matter of public record. No speaker should expect privacy of such information.

### **2. In Writing**

Written public comments/testimony may be delivered to Laguna Woods City Hall (24264 El Toro Road, Laguna Woods, CA 92637) or sent via email ([cityhall@cityoflagunawoods.org](mailto:cityhall@cityoflagunawoods.org)) provided that they are received by the City prior to 2:00 p.m. on the day of this meeting.

Written public comments/testimony will be provided to the City Council and included in the City Clerk's written record of this meeting.

Parties submitting written public comments/testimony are requested, but not required, to identify themselves. Parties are advised that their names, email addresses, and any information submitted in writing to the City may be disclosed or become a matter of public record. No party should expect privacy of such information.

## **STREAM THIS MEETING ONLINE**

This meeting will be live streamed on Zoom (audio and/or video).

- Visit [www.zoom.us](http://www.zoom.us)
- Click on "Join" toward the top right of the webpage
- Enter the following meeting ID: 834 9394 8946
- Open the Zoom application following the on-screen prompts
- Enter the following meeting password: 454789
- Enter a name and email address as required by Zoom

Please note that information you enter into Zoom may be publicly visible and/or visible to the City. No party should expect privacy of such information.

## **I. CALL TO ORDER**

### Introductory Notes:

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## **II. ROLL CALL**

## **III. PLEDGE OF ALLEGIANCE**

## **IV. PRESENTATIONS AND CEREMONIAL MATTERS**

- 4.1 Presentation Regarding Driver Safety – Captain Cruz Alday, Chief of Police Services, Orange County Sheriff’s Department  
(agendized by Councilmember Connors)

*Recommendation:* Receive and file.

- 4.2 Presentation Regarding City of Hope Orange County – Rachel Mashburn, Director of Pharmacy, City of Hope Orange County

*Recommendation:* Receive and file.

- 4.3 Presentation Regarding Southern California Edison’s Income-Graduated Fixed Charge Proposal Submitted for Consideration as part of the California Public Utilities Commission’s Proceedings to Implement California Assembly Bill 205 (Committee on Budget,



Chapter 61, Statutes of 2022) – Kelley Lee, Government Relations Manager, Southern California Edison

*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. Pursuant to state law, the City Council is unable to take action on such items, but may ask clarifying questions of the speaker, engage in brief discussion, refer items to City staff, and/or schedule items for consideration at future meetings.

## **VI. CITY TREASURER’S REPORT**

### 6.1 City Treasurer’s Report

*Recommendation:* Receive and file the City Treasurer’s Report for the month of January 2024.

## **VII. 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 or City staff requests that specific items be removed from the Consent Calendar for separate discussion and consideration of action. Members of the public may address the City Council on items appearing on the Consent Calendar regardless of whether an item is removed for separate discussion and consideration of action.

### 7.1 City Council Minutes

*Recommendation:* Approve the City Council meeting minutes for the regular meeting on January 17, 2024.

### 7.2 Warrant Register

*Recommendation:* Approve the warrant register dated February 21, 2024 in the amount of \$1,049,397.07.

### 7.3 Drugs and Alcohol in the Workplace Policy

*Recommendation:* Adopt a resolution titled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ADOPTING AMENDMENTS TO ADMINISTRATIVE POLICY 4.12 PERTAINING TO DRUGS AND ALCOHOL IN THE WORKPLACE

7.4 Harassment, Discrimination, and Retaliation Policy

*Recommendation:* Adopt a resolution titled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ADOPTING AMENDMENTS TO ADMINISTRATIVE POLICY 4.7 PERTAINING TO HARASSMENT, DISCRIMINATION, AND RETALIATION

**VIII. PUBLIC HEARINGS – None**

**IX. CITY COUNCIL BUSINESS**

9.1 El Toro Road and Moulton Parkway Water Quality Treatment Project

*Recommendation:*

1. Approve the “El Toro Road and Moulton Parkway Water Quality Treatment Project: Phase 1” design plans and specifications as prepared by the project engineer.

AND

2. Approve a notice of exemption for the “El Toro Road and Moulton Parkway Water Quality Treatment Project: Phase 1” 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 2023-25 BUDGET AND WORK PLAN FOR FISCAL YEAR 2023-24 COMMENCING JULY 1, 2023 AND ENDING JUNE 30, 2024, AND FISCAL YEAR 2024-25 COMMENCING JULY 1, 2024 AND ENDING JUNE 30, 2025, RELATED TO ALLOCATION OF EXISTING FEDERAL GRANTS FUND (AMERICAN RESCUE PLAN ACT (CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS)) APPROPRIATIONS TO THE EL TORO ROAD AND MOULTON PARKWAY WATER QUALITY TREATMENT PROJECT

AND

4. Award a contract agreement to Leonida Builders, Inc. for the construction of the “El Toro Road and Moulton Parkway Water Quality Treatment Project: Phase 1”, in the amount of \$311,547.00, plus authorized change orders not to exceed 10% 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.

## 9.2 Fiscal Years 2023-25 Budget Adjustments

*Recommendation:*

1. Adopt a resolution titled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING AND ADOPTING THE FISCAL YEARS 2023-25 BUDGET AND WORK PLAN FOR FISCAL YEAR 2023-24 COMMENCING JULY 1, 2023 AND ENDING JUNE 30, 2024, AND FISCAL

YEAR 2024-25 COMMENCING JULY 1, 2024 AND ENDING JUNE 30, 2025, RELATED TO ALLOCATION OF EXISTING FEDERAL GRANTS FUND (AMERICAN RESCUE PLAN ACT (CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS)) APPROPRIATIONS TO THE CITY-MAINTAINED CATCH BASINS FULL CAPTURE SYSTEMS RETROFIT PROJECT, CITY HALL/PUBLIC LIBRARY PROJECT, AND RIDGE ROUTE DRIVE LANDSCAPE PROJECT

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 2023-25 BUDGET AND WORK PLAN FOR FISCAL YEAR 2023-24 COMMENCING JULY 1, 2023 AND ENDING JUNE 30, 2024, AND FISCAL YEAR 2024-25 COMMENCING JULY 1, 2024 AND ENDING JUNE 30, 2025, RELATED TO AN INCREASE IN STATE OF CALIFORNIA GRANTS FUND APPROPRIATIONS FOR AN AWARD FROM THE STATE OF CALIFORNIA HOUSEHOLD HAZARDOUS WASTE GRANT PROGRAM CYCLE 41 (HD41) FISCAL YEAR 2023-24 SMALL PROJECTS CYCLE (GRANT NUMBER HD41-23-0039)

## **X. 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.

### **10.1 Coastal Greenbelt Authority**

Councilmember McCary, First Alternate: Mayor Pro Tem Horne, Second Alternate: Councilmember Conners

- 10.2 Orange County Fire Authority  
Mayor Hatch
- 10.3 Orange County Library Advisory Board  
Councilmember Moore; Alternate: Councilmember McCary
- 10.4 Orange County Mosquito and Vector Control District  
Mayor Pro Tem Horne
- 10.5 San Joaquin Hills Transportation Corridor Agency  
Councilmember Conners; Alternate: Mayor Hatch
- 10.6 South Orange County Watershed Management Area  
Councilmember Moore; Alternate: Mayor Pro Tem Horne
- 10.7 Liaisons to Community Bridge Builders  
Mayor Pro Tem Horne and Councilmember McCary
- 10.8 Other Comments and Reports

**XI. CLOSED SESSION**

Closed Session Note: While members of the public are not permitted to attend closed session, prior to convening in closed session, the City Council will accept public comments on items appearing on the closed session agenda.

**XII. CLOSED SESSION REPORT**

**XIII. ADJOURNMENT**

Next Regular Meeting:                      Wednesday, March 20, 2024 at 2 p.m.  
Laguna Woods City Hall  
24264 El Toro Road, Laguna Woods, California 92637

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**4.1**

**PRESENTATION REGARDING DRIVER SAFETY –  
CAPTAIN CRUZ ALDAY,  
CHIEF OF POLICE SERVICES, ORANGE  
COUNTY SHERIFF’S DEPARTMENT  
(AGENDIZED BY COUNCILMEMBER  
CONNERS)  
*(NO REPORT)***

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**4.2**

**PRESENTATION REGARDING CITY OF HOPE  
ORANGE COUNTY – RACHEL MASHBURN,  
DIRECTOR OF PHARMACY,  
CITY OF HOPE ORANGE COUNTY**

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## Rachel Mashburn, PharmD, MPH

*Director of Pharmacy*

*City of Hope Orange County*



- Rachel has been the director of pharmacy at City of Hope Orange County for the past two years
- Prior to accepting her job at City of Hope Orange County Rachel Mashburn worked as the Director of Pharmacy Operations for Cedars-Sinai for 13 years
- Rachel currently sits on the board of directors on the Orange County Hispanic Chamber of Commerce
- She earned her Pharm.D. from USC and received her Master's in Public Health from UCLA



## OUR MISSION

*Transform the future of health.  
Turn science into practical benefit.  
Turn hope into reality.*

*Focused on eliminating cancer and  
diabetes.*

“City of Hope gave  
me my life back.”

Donna McNutt,  
Grateful Patient

**City of Hope | ORANGE COUNTY**

**A NATIONAL CANCER CARE SYSTEM**

Los Angeles, CA

Orange County, CA

Phoenix, AZ

Chicago, IL

Atlanta, GA

**City of Hope | ORANGE COUNTY**

City of Hope is delivering highly specialized cancer care, Phase 1-3 clinical trials, precision medicine and early detection to the nation's sixth most populous county.

**Cancer Treatment Centers of America**  
part of City of Hope

The strategic acquisition of Cancer Treatment Centers of America advances the missions of both organizations, building a national, integrated cancer research and treatment system to transform the future of cancer care.

**tgen**  
AN AFFILIATE OF City of Hope

**access hope**

City of Hope's affiliated family of organizations include Translational Genomics Research Institute (TGen), a leading biomedical research institute, and Access Hope™, which offers access to oncology expertise through employers.



# HOPE makes cancer discoveries that are impacting 100 million lives HERE



City of  
Hope<sup>®</sup>

ORANGE  
COUNTY

NCCN

National  
Comprehensive  
Cancer  
Network<sup>®</sup>



## POINTS OF DISTINCTION

### Clinical Cancer Network

- Unique academic/community model
- 1 of 53 NCI-designated comprehensive cancer centers in the nation
- 37 clinical network locations
- More than 600 physicians and 1000 researchers and scientists solely focused on ending cancer
- Magnet recognition for nursing

### National Philanthropy

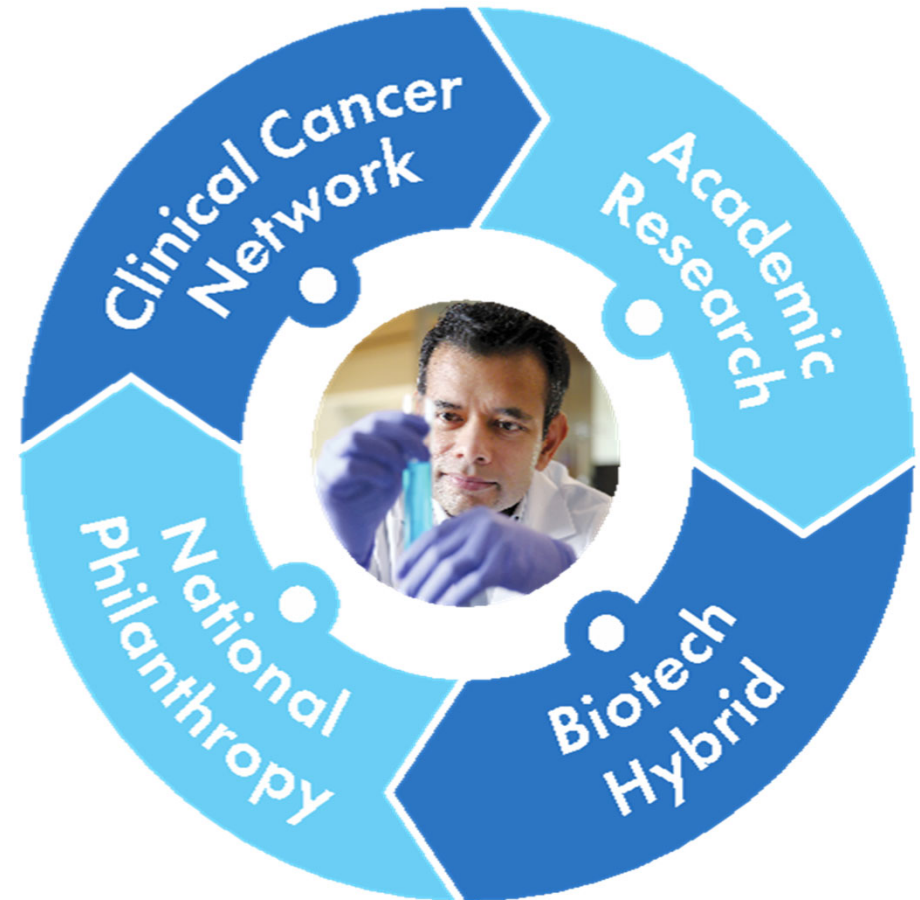
- \$224+ million in FY22
- Top 100 charity nationally for dollars raised
- 15,000 supporters in Orange County

### Pioneering Research

- Our discoveries impact more than 100 million lives each year.
- Founding member of National Comprehensive Cancer Network
- 800+ clinical trials
- 1 in 4 patients enrolled in a clinical trial
- Trailblazer in CAR T cell therapy

### Biotech Hybrid

- Birthplace of biotech
- 95 IND applications
- 300 patents
- 3 good manufacturing practice (cGMP) facilities
- Developed the technology behind four of the most widely used cancer drugs







# Expanded access for MediCal patients through a contract with CalOptima



# WHY OC? RESPONDING TO THE NEEDS OF THE COMMUNITY

City of Hope Orange County's presence answers a critical need for the nation's sixth most populous county.

Despite their reputation for healthy living, Orange County residents have not beaten the

**1 IN 3**

national statistic for **cancer incidence**

Orange County is aging **FASTER** than the national average and cancer risk increases with age

The cancer incidence rate in Orange County is expected to **increase by 18 percent** over the next decade

**18%**

Nearly **4,000** Orange County patients travel long distances to City of Hope locations

**20%**

Nearly 20% of cancer patients **leave Orange County** for advanced cancer care, with many traveling to our Duarte campus

**2+ HOURS**

This commute can last up to **two hours each way**, which creates unnecessary hardship for our patients and their families



“As I walked in, I was full of fear; when I walked out, I was full of hope.”

Grateful Patient Todd Kennedy and wife Diane Kennedy, Residents of Coto De Caza and Supporters of City of Hope

# CITY OF HOPE ORANGE COUNTY LENNAR FOUNDATION CANCER CENTER

OPENED AUGUST 22, 2022

- NCI-designated cancer treatment center, connected to the county's only specialty cancer hospital slated to open in 2025
- Four football fields worth of cancer research and treatment
- Medical, surgical and radiation oncology
- Clinical research unit providing access to Phase 1–3 clinical trials
- Infusion center
- Supportive care and family resource center
- Cancer prevention, genomics and precision medicine
- Screenings, diagnostic imaging and interventional radiology
- Outpatient surgery center
- Pharmacy and lab





## **CANCER SPECIALTY HOSPITAL OPENING IN 2025**

- Three more football fields worth of cancer research and treatment
- 122,000 square feet
- 70+ beds both ICU and Medical Surgical
- Inpatient surgery



# REGIONAL CANCER RESEARCH AND CLINICAL NETWORK

## OUR KEY DIFFERENTIATORS



**Clinical Cancer Experts:** 1,000+ physicians and scientists



**Innovation:** Pioneers in bone marrow and stem cell transplants and the latest treatments



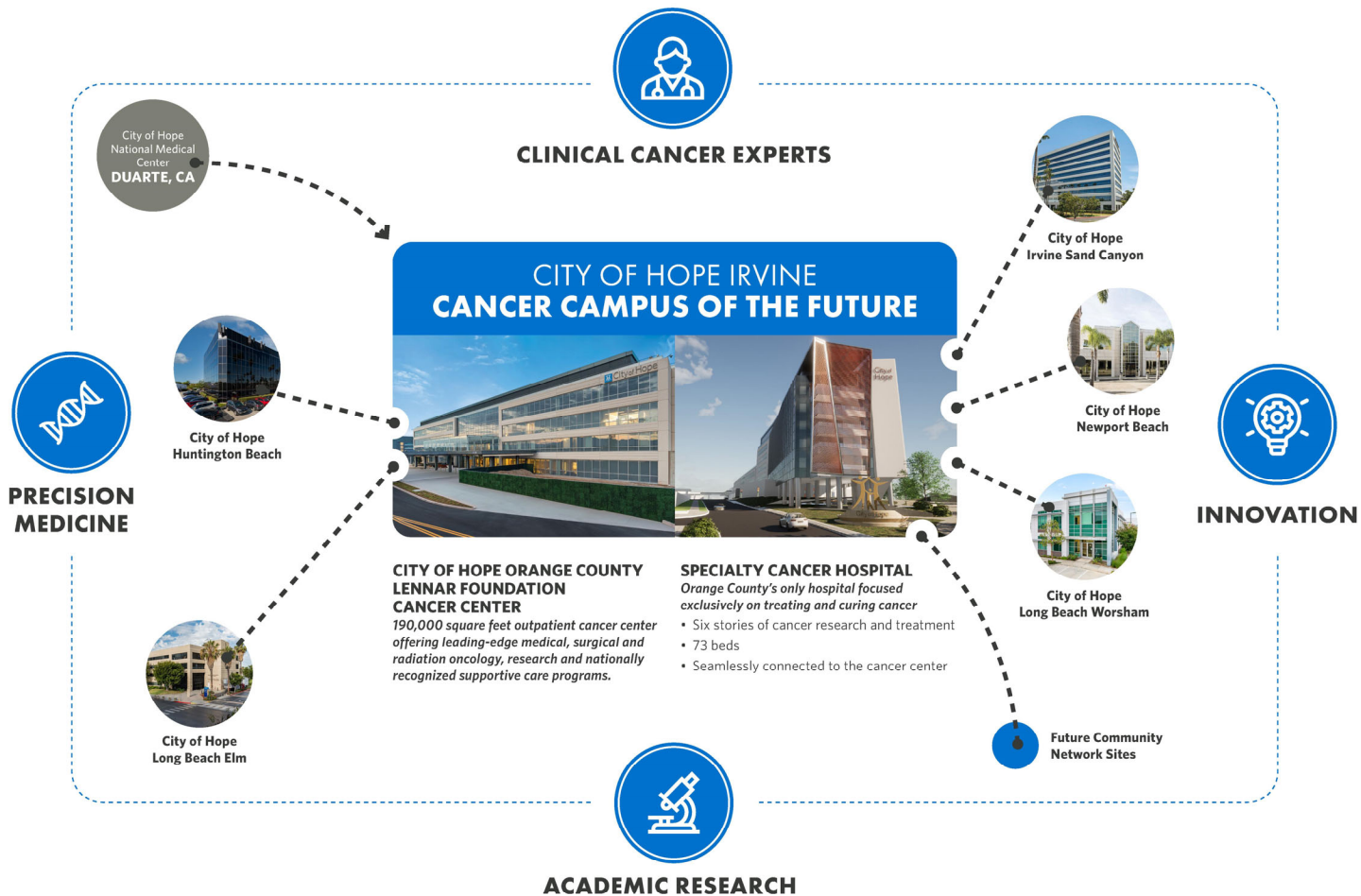
**Academic Research:** 500+ clinical trials speed discoveries from the bench to the bedside



**Birthplace of Biotech:** Developed technology behind 4 of most widely used cancer drugs, 1st synthetic human insulin, etc.



**Precision Medicine:** Preventive diagnostics and therapies that improve outcomes by sequencing the genome of each cancer type at the molecular level



## 3 THINGS TO REMEMBER

- **Your first shot is your best shot when fighting cancer**

Get a second opinion with experts in your specific cancer at City of Hope Orange County and ensure you're getting the right treatment from the start.

- **Know your health risks**

Cancer affects us all. 1-in-3 Americans will be diagnosed at some point in their lifetime. Stay on top of your screenings. You can schedule them with us.

- **The best way to fight cancer is to prevent it in the first place**

One of the best ways to stop cancer is to adopt healthy habits and work with wellness and genetic counselors. We offer a wide range of programs from cancer prevention and on through survivorship.

866-437-1746 | [CityofHope.org/OC](https://www.cityofhope.org/OC)

# THANK YOU

**STAY UP TO DATE  
WITH CITY OF HOPE OC  
NEWS**



**@CityofHopeOC**

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**4.3**

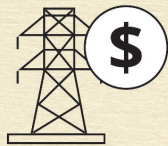
**PRESENTATION REGARDING SOUTHERN CALIFORNIA EDISON'S INCOME-GRADUATED FIXED CHARGE PROPOSAL SUBMITTED FOR CONSIDERATION AS PART OF THE CALIFORNIA PUBLIC UTILITIES COMMISSION'S PROCEEDINGS TO IMPLEMENT CALIFORNIA ASSEMBLY BILL 205 (COMMITTEE ON BUDGET, CHAPTER 61, STATUTES OF 2022) – KELLEY LEE, GOVERNMENT RELATIONS MANAGER, SOUTHERN CALIFORNIA EDISON**

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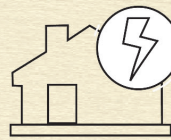


# WHAT TO KNOW ABOUT **FIXED CHARGE** ON ELECTRICITY BILLS

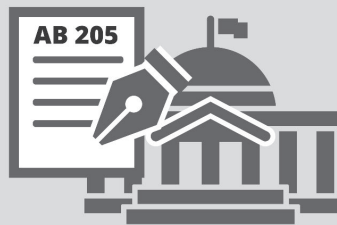
TODAY, SOUTHERN CALIFORNIA EDISON CUSTOMER BILLS ARE MADE UP OF SEVERAL PARTS:



**FIXED COSTS** of safely building, maintaining and operating the electric grid and of providing customer support.



**AMOUNT OF ELECTRICITY** that customers use; these costs are passed to customers without any markup.



## WHAT DOES THE NEW STATE LAW REQUIRE?

**CERTAIN COSTS** on electricity bills to be separated into a monthly fixed charge as a line item

**VARIABLE CHARGE** based on the electricity the residential customer uses during their billing period

## WHAT IS IN **SCE'S PROPOSAL** (AS OF JULY 31, 2023)

- A **STANDARD FIXED CHARGE** for all residential customers and discounted fixed charges for lower-income customers enrolled in CARE or FERA programs.
- **NO INCOME VERIFICATION** is needed in this proposal.

## BENEFITS FOR CUSTOMERS



LOWER ELECTRICITY RATES (¢/KWH) FOR ALL RESIDENTIAL CUSTOMERS



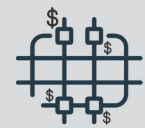
DISCOUNTS FOR LOWER-INCOME CUSTOMERS



MORE TRANSPARENCY AND PREDICTABILITY IN ELECTRIC BILLS



SUPPORTS THE TRANSITION TO A CLEAN ENERGY FUTURE BY MAKING ELECTRICITY USE LESS COSTLY



ENSURES THAT EVERYONE WHO USES THE ELECTRIC GRID HELPS TO PAY FOR ITS OPERATION AND UPKEEP

*Timeline: CPUC decision in 2024, implementation in 2025 (at the earliest)*

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**6.1**  
**CITY TREASURER'S REPORT**

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# City Treasurer's Report Monthly Financial Snapshot

## Financial Assets IN THE BANK as of January 31, 2024

### BY FUND

**General Fund** **\$10,770,750**

*This is the City of Laguna Woods' primary operating fund and is used to account for the proceeds of revenue sources that are not legally restricted or committed to expenditures for specified purposes.*

*Reserves for paid leave, self-insurance, and general contingencies (collectively totaling \$3,667,800) are also included in this fund.*

**Special Revenue Funds** **\$3,467,031**

*These funds are used to account for the proceeds of revenue sources that are legally restricted or committed to expenditures for specified purposes.*

*Most of these funds are legally restricted for public street purposes.*

**Total (All Funds)** **\$14,237,781**

### BY INVESTMENT TYPE

**Cash and Cash Equivalents** **\$803,990**  
5.65% of portfolio

**Pooled Money Investment Accounts** **\$8,058,812**  
56.60% of portfolio

*This includes investments in state and county (local) government investment pools.*

**Investments - Earning** **\$5,374,979**  
37.75% of portfolio

*This includes certificates of deposit.*

**Total (All Funds)** **\$14,237,781**

## Financial Assets HELD IN TRUST FUNDS as of January 31, 2024

**California Employers' Pension Prefunding Trust Fund (CEPPT)** **\$0**

• **New Contributions** **\$0**

• **Gain/Loss from Month Prior** **N/A**

*The CEPPT is used to prefund employee pension obligations.*

**California Employers' Retiree Benefit Trust Fund (CERBT)** **\$135,389**

• **New Contributions** **\$0**

• **Gain/Loss from Month Prior** **(\$1,082.35)**

*The CERBT is used to prefund statutorily required retiree medical benefits.*

**Notes:** The City of Laguna Woods uses a modified accrual basis of accounting, which generally means that revenues are recognized when a transaction occurs, and expenditures are recognized when obligations are created. As such, this monthly financial snapshot reflects only revenue known and expenditures paid for the month referenced as of the date prepared. In some cases, financial statements from financial dealers, depositories, and institutions may not have been received as of the date prepared and, therefore, some revenue and expenditures may not be reflected. Certificates of deposit may also have accrued interest that is not reflected because it is not yet vested. For more information on the specific information included in this monthly financial snapshot, please refer to the full City Treasurer's Report.

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**City of Laguna Woods**  
**City Treasurer's Report**  
**For the Month Ended January 31, 2024**

ITEM 6.1

**CASH AND INVESTMENTS**

	<b>Beginning Balances As of 12/31/23</b>	<b>Earnings &amp; Receipts</b>	<b>Disbursements</b>	<b>Purchases, Transfers &amp; Other Adjustments</b>	<b>Ending Balances As of 1/31/24</b>	<b>% of Total Cash &amp; Investment Balances</b>	<b>Maximum % Allowed per Investment Policy</b>
<b>Cash and Cash Equivalents</b>							
Analyzed Checking Account (Note 1)	\$ 696,134	\$ 2,020,279	\$ (1,995,007)	\$ 394	\$ 721,800	5.07%	
Cash Balances, Multi-Bank Securities (MBS) Account (Note 2 and 4)	\$ 9,875	\$ 14,195	\$ (13,121)	\$ -	\$ 10,948	0.08%	
Earned Interest in Transit and Accrued Interest, MBS Account (Note 4)	\$ 17,096	\$ 21,044	\$ (14,195)	\$ -	\$ 23,945	0.17%	
Petty Cash	\$ 800	\$ 228	\$ (228)	\$ -	\$ 800	0.01%	
Laguna Woods Civic Support Fund Checking Account	\$ 46,496	\$ 0.19	\$ -	\$ -	\$ 46,496	0.33%	
Total Cash and Cash Equivalents	\$ 770,401	\$ 2,055,746	\$ (2,022,551)	\$ 394	\$ 803,990	5.65%	100.00%
<b>Pooled Money Investment Accounts</b>							
Local Agency Investment Fund (LAIF - fair value) (Notes 2 and 3)	\$ 795,901	\$ 8,192	\$ -	\$ -	\$ 804,092	5.65%	
Orange County Investment Pool (OCIP - fair value) (Notes 2 and 3)	\$ 6,529,717	\$ 25,285	\$ (282)	\$ 700,000	\$ 7,254,720	50.95%	
Total Pooled Money Investment Accounts	\$ 7,325,617	\$ 33,477	\$ (282)	\$ 700,000	\$ 8,058,812	56.60%	90.00%
<b>Investments - Interest and Income Bearing</b>							
Certificates of Deposit - non-negotiable (fair value) (Note 2)	\$ 5,083,992	\$ -	\$ -	\$ 290,987	\$ 5,374,979	37.75%	
Total Investments - Interest and Income Bearing	\$ 5,083,992	\$ -	\$ -	\$ 290,987	\$ 5,374,979	37.75%	90.00%
<b>TOTAL</b>	<b>\$ 13,180,010</b>	<b>\$ 2,089,222</b>	<b>\$ (2,022,833)</b>	<b>\$ 991,381</b>	<b>\$ 14,237,781</b>	<b>100.00%</b>	

**Summary of Total Cash, Cash Equivalents, and Investments:**

	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Totals</b>
Analyzed Checking Account	\$ (2,698,735)	\$ 3,420,535	\$ 721,800
Cash Balances, MBS Account	\$ 10,948	\$ -	\$ 10,948
Earned Interest in Transit and Accrued Interest, MBS Account	\$ 23,945	\$ -	\$ 23,945
Petty Cash	\$ 800	\$ -	\$ 800
LAIF	\$ 804,092	\$ -	\$ 804,092
OCIP	\$ 7,254,720	\$ -	\$ 7,254,720
Certificates of Deposit	\$ 5,374,979	\$ -	\$ 5,374,979
Laguna Woods Civic Support Fund Checking Account	\$ -	\$ 46,496	\$ 46,496
<b>Totals</b>	<b>\$ 10,770,750</b>	<b>\$ 3,467,031</b>	<b>\$ 14,237,781</b>

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



**City of Laguna Woods**  
**City Treasurer's Report**  
**For the Month Ended January 31, 2024**

**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
<b>Money Funds and Certificate of Deposits (CDs, Federal Deposit Insurance Corporation [FDIC] Insured)</b>														
91334AAM5	2023-3	UNITED HERITAGE CR	12 months	03/07/23	03/21/23	200,000	200,002	200,000	5.200	Monthly	03/31/23	Green***	5.200	03/21/24
949763ZA7	2019-1	WELLS FARGO BK N A	60 months	04/09/19	04/10/19	245,000	243,902	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	243,177	245,000	2.900	Semi-Annual	12/01/22	Green*	2.900	06/03/24
89841MAV9	2023-11	TRUSTONE FINL CR UN	12 months	12/05/23	12/13/23	245,000	245,902	245,000	5.350	Monthly	01/13/24	Green***	5.350	12/12/24
98138MBA7	2022-8	WORKERS FED CR UN	24 months	12/09/22	12/16/22	245,000	245,127	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	237,425	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	96,630	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	239,921	245,000	3.100	Semi-Annual	11/25/22	Green*	3.100	05/27/25
75102EAP3	2023-6	RAIZ FED CR UN	24 months	05/17/23	05/24/23	245,000	245,997	245,000	5.050	Monthly	06/24/23	Yellow**	5.050	05/27/25
37424PAG9	2023-9	GESA CR UN	24 months	07/19/23	07/31/23	245,000	247,972	245,000	5.500	Monthly	08/31/23	Green***	5.500	07/31/25
130162BJ8	2023-12	CALIFORNIA CR UN	24 months	12/06/23	12/15/23	245,000	247,570	245,000	5.150	Semi-Annual	06/15/24	Green***	5.150	12/15/25
00782JAD4	2023-13	ADVIA CR UN	24 months	12/22/23	12/29/23	245,000	246,134	245,000	4.800	Semi-Annual	06/29/24	Green***	4.800	12/29/25
59524LAA4	2023-1	MID CAROLINA CR UN	36 months	03/07/23	03/13/23	200,000	202,150	200,000	4.850	Monthly	04/13/23	Green***	4.850	03/13/26
23204HNV6	2023-4	CUSTOMERS BK	36 months	03/30/23	03/31/23	245,000	247,712	245,000	5.000	Semi-Annual	09/30/23	Green**	5.000	03/31/26
87868YAQ6	2023-7	TECHNOLOGY CR UN	36 months	05/19/23	05/30/23	245,000	248,352	245,000	5.000	Monthly	07/01/23	Green***	5.000	05/29/26
32022RRG4	2022-4	1ST FINL BK USA	48 months	06/15/22	06/24/22	245,000	238,260	245,000	3.150	Monthly	07/24/22	Green*	3.150	06/24/26
2546733P9	2023-5	DISCOVER BK	48 months	03/30/23	04/05/23	245,000	249,684	245,000	4.800	Semi-Annual	10/05/23	Green***	4.800	04/05/27
50625LBN2	2022-3	LAFAYETTE FED CR	60 months	05/24/22	06/15/22	245,000	238,258	245,000	3.250	Monthly	07/15/22	Green***	3.250	06/15/27
14042RUX7	2022-5	CAPITAL ONE NATL ASSN	60 months	10/06/22	10/13/22	245,000	248,251	245,000	4.500	Semi-Annual	04/13/23	Green*	4.500	10/13/27
22282XAB6	2024-1	COVANTAGE CR UN	48 months	01/12/24	01/24/24	245,000	244,735	245,000	4.050	Quarterly	04/24/24	Green***	4.050	01/24/28
90355GCE4	2023-2	UBS BANK USA	60 months	03/07/23	03/08/23	200,000	203,998	200,000	4.600	Monthly	04/08/23	Green*	4.600	03/08/28
89854LAD5	2023-8	TTCU FED CR UN	60 months	07/19/23	07/26/23	245,000	254,624	245,000	5.000	Monthly	08/26/23	Green***	5.000	07/26/28
01882MAH5	2023-10	ALLIANT CR UN	60 months	11/07/23	11/15/23	245,000	259,195	245,000	5.350	Monthly	12/15/23	Green***	5.350	11/15/28
Accrued Interest - Month End							23,945							
<b>Total CDs</b>						<b>5,355,000</b>	<b>5,398,924</b>	<b>5,355,000</b>						

(\*) 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. The table 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.

Veribanc Rating System	
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	823,761	804,092	823,761	Note 3	Quarterly	N/A	N/A	N/A	N/A
N/A	N/A	Orange County Investment Pool (OCIP)	N/A	Various	Various	7,331,599	7,254,720	7,331,599	Note 3	Monthly	N/A	N/A	N/A	N/A
<b>Total PMIA</b>						<b>8,155,360</b>	<b>8,058,812</b>	<b>8,155,360</b>						

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



**City of Laguna Woods**  
**City Treasurer's Report**  
**For the Month Ended January 31, 2024**

ITEM 6.1

**CASH AND INVESTMENTS**

	<b>Beginning Balances As of 12/31/23</b>	<b>Contributions / (Withdrawals)</b>	<b>Administrative Fees &amp; Investment Expense</b>	<b>Unrealized Gain / (Loss)</b>	<b>Ending Balances As of 1/31/24</b>
<b>Other Post-Employment Benefits (OPEB) Trust</b>					
CalPERS California Employers' Retiree Benefit Trust (CERBT) (Note 2) <small>(CERBT holds all assets and administers the OPEB Trust)</small>	\$ 136,472	\$ -	\$ (10)	\$ (1,073)	\$ 135,389
<b>Employer Pension Contributions Trust</b>					
CalPERS California Employers' Pension Prefunding Trust (CEPPT) (Note 2) <small>(CEPPT holds all assets and administers the Employer Pension Contributions Trust)</small>	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Other Funds - Held in Trust</b>	<u>\$ 136,472</u>	<u>\$ -</u>	<u>\$ (10)</u>	<u>\$ (1,073)</u>	<u>\$ 135,389</u>

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



**City of Laguna Woods**  
**City Treasurer's Report**  
**For the Month Ended January 31, 2024**

**CASH AND INVESTMENTS**

**Notes:**

Note 1 - Analyzed Checking Account / Monthly activity reported does not reflect January 2024 vendor invoicing processed after the date of this report.

Note 2 - During January 2024, 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 (\$19,668.21) to reflect the fair market value of the investment at June 30, 2023.

OCIP / The City transferred \$700,000 to OCIP from the checking account and made no withdrawals from the OCIP account. The balance includes an adjustment in the amount of (\$76,879.24) to reflect the fair market value of the investment at June 30, 2023.

Investments / There were no maturities of investments. The City invested \$245,000 cash balance in one Certificates of Deposit, \$245,000 in a CoVantage Credit Union Certificate of Deposit for a 48 month term at a 4.050% yield rate. Investments were adjusted in the amount of \$45,987.20 to report balances at fair market value as of January 31, 2023.

OPEB Trust / The City made no contributions to or withdrawals from the OPEB Trust. The OPEB Trust experienced a net loss of (\$1,082.35) in January 2024.

Employer Pension Contributions Trust / In April 2021, the City elected to participate in the CEPPT. The City made contributions to the CEPPT in February 2024 which will be reflected in the February 2024 City Treasurer's Report.

Note 3 - Investment earnings on pooled money investment accounts deposited and reported in January 2024 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	\$8,191.74	October 1, 2023 thru December 31, 2023	See Notes	April 2024	Total pool interest yield for January 2024 was 4.012% and the City's yield will be slightly lower based on allocation ratios and administrative fees to be deducted.
OCIP	Monthly	\$25,284.77	October 2023	See Notes	April 2024	Interest is posted three months in arrears and fees are posted monthly. Accrued interest pending payment at January 31, 2024 was \$74,635.33. January 31, 2024 interest rate was 4.326% and fees were 0.050%, for a net yield of 4.276%.

Note 4 - CDs / The stated earnings rate for CDs is a fixed rate for the full term. The City earned interest of \$14,194.68 and transferred out \$13,121.18 in cash balances to the City's checking account in January 2024. Cash balances to be invested or paid out are classified separately on page 1 of 4. The City's portfolio also has \$23,945.39 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: 2024.02.16  
 14:13:12 -08'00'

Elizabeth Torres, City Treasurer

**7.0**  
**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:** February 21, 2024 Regular Meeting

**SUBJECT:** Consent Calendar Summary

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### **Recommendation**

Approve all proposed actions on the February 21, 2024 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 February 21, 2024 Consent Calendar contains the following items:

- 7.1 Approval of the City Council meeting minutes for the regular meeting on January 17, 2024.
- 7.2 Approval of the warrant register dated February 21, 2024 in the amount of \$1,049,397.07. A list of warrants is included in the agenda packet; detailed information about individual warrants is available at or from City Hall.
- 7.3 Adoption of a resolution adopting amendments to Administrative Policy 4.12 pertaining to drugs and alcohol in the workplace (Attachment A).

Administrative Policy 4.12 was last updated by the City Council on December 7, 2020. The proposed amendments are generally based on an updated model policy provided by the California Joint Powers Insurance Authority. A redline version of the proposed amendments is included as Attachment B.

- 7.4 Adoption of a resolution adopting amendments to Administrative Policy 4.7 pertaining to harassment, discrimination, and retaliation (Attachment A). Administrative Policy 4.7 was last updated by the City Council on August 19, 2020. The proposed amendments are generally based on an updated model policy provided by the California Joint Powers Insurance Authority. A redline version of the proposed amendments is included as Attachment B.



**7.1**  
**CITY COUNCIL MINUTES**

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**For additional information on this item,  
please refer to Item 7.0 (Consent Calendar Summary).**

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**CITY OF LAGUNA WOODS CALIFORNIA  
CITY COUNCIL MINUTES  
REGULAR MEETING  
January 17, 2024  
2:00 P.M.  
Laguna Woods City Hall  
24264 El Toro Road  
Laguna Woods, California 92637**

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**I. CALL TO ORDER**

Mayor Hatch called the Regular Meeting of the City Council of the City of Laguna Woods to order at 2:00 p.m. and made comments regarding his goals as Mayor. He distributed a written document describing his goals, which included in the public record for this meeting

**II. ROLL CALL**

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

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

City Attorney Patterson participated in the meeting via Zoom.

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

**III. PLEDGE OF ALLEGIANCE**

Councilmember McCary led the pledge of allegiance.

**IV. PRESENTATIONS AND CEREMONIAL MATTERS**

4.1 Presentation Regarding the Irradiation Sterile Insect Technique Project and Other Mosquito and Vector Issues – Orange County Mosquito and Vector Control District (agendized by Mayor Pro Tem Horne)

At Mayor Hatch’s request, Mayor Pro Tem Horne introduced the item.

Laura Young, District Manager, Orange County Mosquito and Vector Control District, made a presentation and answered related questions.

Councilmembers discussed the presentation and Ms. Young answered related questions.

**V. PUBLIC COMMENT ON NON-AGENDA ITEMS**

Bill Kaufman, member of the public, commented on the City’s cannabis storefront retailer ordinance and a cannabis health center proposal.

Herman Janssen, member of the public, commented on the City’s cannabis storefront retailer ordinance and a cannabis health center proposal.

Mayor Hatch advised Mr. Kaufman and Mr. Janssen that they could contact the City Manager for additional information.

James Tung, resident, commented on the Senior Mobility Program, the City Hall/Public Library Project, the status of the Laguna Hills Mall, and communication regarding City activities.

Mayor Hatch stated that he would like a presentation on the status of the Laguna Hills Mall.

Councilmember Conners briefly responded to Mr. Tung’s comments.

**VI. CITY TREASURER’S REPORT**

**6.1 City Treasurer Report**

City Manager Macon introduced the item.

Administrative Services Director/City Treasurer Torres made a presentation.

Kathryn Freshley, resident, expressed her appreciation for the presentation.

Councilmembers discussed the item and staff answered related questions.

Ms. Freshley made additional public comments.

Moved by Councilmember Conners, seconded by Councilmember McCary, and carried unanimously on a 5-0 vote, to receive and file the City Treasurer’s Report for the month of December 2023.

**VII. CONSENT CALENDAR**

Moved by Mayor Pro Tem Horne, seconded by Councilmember Conners, and carried unanimously on a 5-0 vote, to approve Consent Calendar items 7.1 – 7.4.

**7.1 City Council Minutes**

Approved the City Council meeting minutes for the adjourned regular meeting on December 14, 2023 and the regular meeting on December 20, 2023.

7.2 Warrant Register

Approved the warrant register dated January 17, 2024 in the amount of \$740,294.40.

7.3 Employee Compensation and Benefits

Adopted a resolution titled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, REPEALING RESOLUTION NO. 23-38 AND ESTABLISHING A COMPENSATION SCHEDULE AND BENEFITS FOR CITY EMPLOYEES

7.4 City Hall/Public Library Project

Approved final record plans and specifications reflecting completion of the “City Hall/Public Library Project” as prepared by the project architect.

**VIII. PUBLIC HEARINGS**

8.1 Sidewalk Vending Regulations

City Manager Macon made a presentation.

Mayor Hatch opened the public hearing.

Kathryn Freshley, resident, asked for clarification regarding whether easements are considered public property for the purpose of the proposed ordinance, and expressed concerns regarding enforcement of the proposed ordinance.

City Manager Macon briefly responded to Ms. Freshley’s comments.

Ms. Freshley made additional public comments.

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

Councilmembers discussed the item and staff answered related questions.

Moved by Councilmember Conners, seconded by Councilmember McCary, and carried on a 4-1 vote, with Mayor Pro Tem Horne 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, ADDING CHAPTER 6.44 TO TITLE 6 (BUSINESSES) OF THE LAGUNA WOODS MUNICIPAL CODE TO REGULATE SIDEWALK VENDORS IN COMPLIANCE

WITH CALIFORNIA GOVERNMENT CODE SECTION 51038 INCLUDING, BUT NOT LIMITED TO, BY ESTABLISHING RESTRICTIONS AND REQUIREMENTS DIRECTLY RELATED TO OBJECTIVE HEALTH, SAFETY, OR WELFARE CONCERNS, AS WELL AS BY ESTABLISHING A PROHIBITION ON STATIONARY SIDEWALK VENDORS IN AREAS THAT ARE ZONED EXCLUSIVELY RESIDENTIAL AND DETERMINING AND CERTIFYING THAT THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

8.2 Street Racing and Excessive Vehicle Noise Regulations

City Manager Macon made a presentation.

Councilmember Conners left the meeting at 3:33 p.m.

Mayor Hatch opened the public hearing.

City Manager Macon noted that William O’Dowd submitted written public comments dated January 16, 2024. Mr. O’Dowd’s letter is included in the public record for this meeting.

William O’Dowd, resident, expressed his support for the proposed ordinance.

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

Moved by Councilmember Conners, seconded by Councilmember Moore, and carried unanimously on a 5-0 vote, to approve 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 8.06 OF TITLE 8 (TRAFFIC CONTROL) OF THE LAGUNA WOODS MUNICIPAL CODE RELATED TO VEHICLE GOLF CART, LOW-SPEED VEHICLE, AND MOTORCYCLE RACING AND NOISE, AND DETERMINING AND CERTIFYING THAT THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

**IX. CITY COUNCIL BUSINESS**

9.1 Objective Design Standards

City Manager Macon made a presentation.

Councilmembers commented on the item.

Moved by Councilmember Conners, seconded by Mayor Pro Tem Horne, 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 SECTIONS 11.10.010, 11.10.020, 11.10.030, 11.10.050, 11.10.060, 11.10.100, 11.10, 110, 11.10.120, AND 11.10.130 OF TITLE 11 (PLANNING AND DEVELOPMENT) OF THE LAGUNA WOODS MUNICIPAL CODE PERTAINING TO OBJECTIVE DESIGN STANDARDS FOR CERTAIN NEW DEVELOPMENT AND REDEVELOPMENT PROJECTS, AND DETERMINING AND CERTIFYING THAT THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

**X. CITY COUNCIL REPORTS AND COMMENTS**

10.1 Coastal Greenbelt Authority

Councilmember McCary provided a report.

Councilmember Conners briefly commented on the report.

10.2 Orange County Fire Authority

Mayor Hatch provided a report.

At Mayor Hatch’s request, Councilmember McCary made comments regarding a recent experience with the Orange County Fire Authority.

10.3 Orange County Library Advisory Board

Councilmember Moore provided a report.

City Clerk Trippy responded to a question from Councilmember Moore.

Councilmember Moore commented on a recent volunteer experience.

Councilmember McCary briefly commented.

10.4 Orange County Mosquito and Vector Control District

Mayor Pro Tem Horne noted the earlier presentation.

Mayor Hatch expressed appreciation for the earlier presentation.



10.5 San Joaquin Hills Transportation Corridor Agency

Councilmember Connors provided a report and responded to a question from Mayor Hatch.

10.6 South Orange County Watershed Management Area

Councilmember Moore provided a PowerPoint presentation regarding a Santa Ana-Delhi Channel Cleanup and answered related questions from councilmembers.

10.7 Liaisons to Community Bridge Builders

Councilmember McCary and Mayor Pro Tem Horne provided a report.

10.8 Other Comments and Reports – None

**X. CLOSED SESSION – None**

**XI. CLOSED SESSION REPORT – None**

**XII. ADJOURNMENT**

The meeting was adjourned at 4:06 p.m. The next adjourned regular meeting will be at 2:00 p.m. on Wednesday, January 31, 2024, at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

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YOLIE TRIPPY, CMC, City Clerk

Approved: February 21, 2024

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NOEL HATCH, Mayor

## **7.2 WARRANT REGISTER**

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**For additional information on this item,  
please refer to Item 7.0 (Consent Calendar Summary).**

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CITY OF LAGUNA WOODS

WARRANT REGISTER

February 21, 2024

ITEM 7.2

This Report Covers the Period 01/01/2024 through 01/31/2024

Date	Vendor Name	Description	Amount	
<b>Debit</b>				
<i>Automatic Bank Debits:</i>				
01/02/2024	GLOBAL PAYMENTS / OPEN EDGE	Credit Card Processing Fees / December 2023	1,801.64	
01/02/2024	AUTHORIZE.NET	Online Credit Card Processing Fees / December 2023	12.00	
01/03/2024	CALPERS - RETIREMENT	Retirement Contributions / Pay Period Ended 12/01/2023	2,778.01	
01/03/2024	CALPERS - RETIREMENT	Retirement Contributions / Pay Period Ended 12/01/2023	1,970.11	
01/02/2024	DELTA DENTAL OF CALIFORNIA	Employee Benefit Program / January 2024	472.44	
01/04/2024	NAVIA BENEFIT SOLUTIONS	Employee Benefit Program / December 2023	194.96	
01/04/2024	ADP TAX	Payroll Taxes / Pay Period Ended 12/29/2023	9,081.68	
01/04/2024	ADP WAGE PAY	Payroll Transfer / Pay Period Ended 12/29/2023	17,633.46	
01/05/2024	ADP PAYROLL SERVICES	Payroll Processing Fees / Pay Periods Ended 12/01/2023 & 12/15/2023	433.80	
01/05/2024	MISSION SQUARE RETIREMENT	Employee Benefit Program / Pay Period Ended 12/29/2023	2,420.00	
01/09/2024	NAVIA BENEFIT SOLUTIONS, INC	125 Cafeteria Plan Administration / December 2023	100.00	
01/11/2024	CALPERS - HEALTH	Employee Benefit Program / January 2024	8,895.33	
01/11/2024	NAVIA BENEFIT SOLUTIONS	Employee Benefit Program / January 2024	594.63	
01/12/2024	COUNTY OF ORANGE - SHERIFF	Law Enforcement Services / January 2024	253,453.70	
01/17/2024	CALPERS - RETIREMENT	Retirement Contributions / Pay Period Ended 12/15/2023	2,778.01	
01/17/2024	CALPERS - RETIREMENT	Retirement Contributions / Pay Period Ended 12/15/2023	1,909.67	
01/18/2024	ADP TAX	Payroll Taxes / Pay Period Ended 01/12/2024	9,194.67	
01/18/2024	ADP WAGE PAY	Payroll Transfer / Pay Period Ended 01/12/2024	18,777.73	
01/19/2024	MISSION SQUARE RETIREMENT	Employee Benefit Program / Pay Period Ended 01/12/2024	1,420.00	
01/25/2024	NAVIA BENEFIT SOLUTIONS	Employee Benefit Program / December 2023	116.90	
01/25/2024	NAVIA BENEFIT SOLUTIONS	Employee Benefit Program / January 2024	67.95	
01/30/2024	CALPERS - RETIREMENT	Retirement Contributions / Pay Period Ended 12/29/2023	2,778.01	
01/30/2024	CALPERS - RETIREMENT	Retirement Contributions / Pay Period Ended 12/29/2023	1,906.50	
01/31/2024	ADP TAX	Payroll Taxes / Pay Period Ended 01/26/2024	9,186.71	
01/31/2024	ADP WAGE PAY	Payroll Transfer / Pay Period Ended 01/26/2024	18,928.68	
<b>Check</b>				
<i>Warrants:</i>				
7212	01/05/2024	4LEAF, INC	Planning Services / August 2023	13,465.70
7213	01/05/2024	ACC BUSINESS	City Hall Internet Service / November 2023	608.66
7214	01/05/2024	ADT COMMERCIAL	Fire & Security Monitoring / January - March 2024	261.60
7215	01/05/2024	AT&T	Telephone / 458-3487 / December 2023	56.96
7216	01/05/2024	CALIFORNIA BLDG STANDARDS COMM	Building Permit Fee Assessment / October - December 2023	672.30
7217	01/05/2024	CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS	Elevator Inspection Fee	225.00
7218	01/05/2024	CAPTIONING UNLIMITED	Closed Captioning / December 2023	400.00
7219	01/05/2024	DEPARTMENT OF CONSERVATION	Strong Motion Instrumentation & Seismic Hazard Mapping Fee / October - December 2023	1,578.42
7220	01/05/2024	ECONOMIC & PLANNING SYSTEMS, INC.	Inclusionary Housing Market Study Services / August - October 2023	11,300.00
7221	01/05/2024	FIRST RESPONSE AIR CONDITIONING & HEATING INC.	City Hall Maintenance	1,760.00
7222	01/05/2024	HARDY & HARPER, INC	Pavement Management Project / Fiscal Year 2023-24	84,721.19
7223	01/05/2024	HINDERLITER DE LLAMAS & ASSOCIATES	Sales & Use Tax Consulting Services / October - December 2023	900.00
7224	01/05/2024	KIMLEY HORN & ASSOCIATES, INC	Traffic Engineering Services	5,775.00
7225	01/05/2024	ONE DIVERSIFIED, LLC	City Hall Maintenance	1,499.69
7226	01/05/2024	PARK CONSULTING GROUP, INC	Software Consulting Services / December 2023	787.50

**CITY OF LAGUNA WOODS**  
**WARRANT REGISTER**  
**February 21, 2024**

ITEM 7.2

This Report Covers the Period 01/01/2024 through 01/31/2024

Date	Vendor Name	Description	Amount
7227	01/05/2024 PSOMAS	Geographic Information Systems Services / September - November 2023	1,983.00
7228	01/05/2024 RECREATION BRANDING SERVICES	Graphic Design Services	671.40
7229	01/05/2024 RINGCENTRAL, INC.	Telephone Services / January 2024	800.25
7230	01/05/2024 SOUTHERN CALIFORNIA EDISON	Street Lighting - Residential / November 2023	3,171.06
7231	01/05/2024 SUN TAMERS WINDOW TINTING	City Hall Refurbishment & Safety Project: Phase 5	561.00
7232	01/05/2024 TYLER TECHNOLOGIES, INC.	Annual Maintenance / February 2024 - January 2025	106.00
7233	01/05/2024 VISION SERVICE PLAN OF AMERICA	Employee Benefits Program / January 2024	45.62
7234	01/05/2024 WILLDAN ENGINEERING	Code Enforcement Services / October - November 2023	13,440.00
7235	01/16/2024 4LEAF, INC	Planning Services / December 2023	11,732.50
7236	01/16/2024 ABOUND FOOD CARE	Edible Food Recovery Program Services / December 2023	380.92
7237	01/16/2024 AETNA BEHAVIORAL HEALTH, LLC	Employee Benefit Program / February 2024	19.14
7238	01/16/2024 AT&T	White Pages / January 2024	4.30
7239	01/16/2024 BRIGHTVIEW LANDSCAPE SERVICES, INC.	Landscape Maintenance / December 2023	16,512.49
7240	01/16/2024 CIVICPLUS, LLC	Codification Of Ordinances	2,315.46
7241	01/16/2024 COUNTY OF ORANGE	Automated Fingerprint ID System / January 2024	636.00
7242	01/16/2024 FHI CONSTRUCTION	Waste Diversion Deposit Refund	250.00
7243	01/16/2024 GEOSYNTEC CONSULTANTS, INC	Engineering Services	2,732.25
7244	01/16/2024 GOVERNMENT FINANCE OFFICERS	ACFR Award Program Application / Fiscal Year 2022-23	460.00
7245	01/16/2024 INTERWEST CONSULTING GROUP	Building Official, Permit Counter & Inspection Services / November 2023	75,288.00
7246	01/16/2024 IRWIN B BORNSTEIN, CPA	Financial Consulting Services / October - December 2023	575.00
7247	01/16/2024 KONE INC.	City Hall Elevator Maintenance / January 2024	232.31
7248	01/16/2024 MYKATON CONSTRUCTION	Waste Diversion Deposit Refund	250.00
7249	01/16/2024 ORANGE COUNTY REGISTER-NOTICES	Public Notices / November - December 2023	5,681.87
7250	01/16/2024 RICOH USA, INC.	Copier Usage / October - December 2023	842.17
7251	01/16/2024 SHARESQUARED, INC.	Document Tracking Project	3,145.00
7252	01/16/2024 SOUTHERN CALIFORNIA GAS COMPANY	Gas Service - City Hall / December 2023	97.52
7253	01/16/2024 SOUTHERN CALIFORNIA SHREDDING,	Shredding Services / December 2023	370.00
7254	01/16/2024 STAPLES	Office & Janitorial Supplies	504.82
7255	01/16/2024 SWEEPING CORPORATION OF AMERICA	Street Sweeping Services / December 2023	3,480.00
7256	01/16/2024 TRIPEPI, SMITH AND ASSOCIATES, INC.	Broadcasting Services / December 2023	1,662.50
7257	01/16/2024 U.S. BANK	Credit Card Charges (expenditures reported separately - see note 3)	2,281.67
7258	01/16/2024 WM CURBSIDE, LLC	HHW & Sharps Program / December 2023	3,644.66
7259	01/19/2024 ALPHA CARD SYSTEM, LLC	Senior Mobility Program Supplies	1,324.25
7260	01/19/2024 AT&T	Telephone / 583-1105 / December 2023	29.25
7261	01/19/2024 AT&T	Telephone / 581-9821 / December 2023	61.85
7262	01/19/2024 CITY OF LAGUNA BEACH	Animal Control & Shelter Services / November - December 2023	19,168.00
7263	01/19/2024 COUNTY OF ORANGE	800MHz Communication Charges / January - March 2024	1,400.00
7264	01/19/2024 CSMFO	CSMFO Conference	330.00
7265	01/19/2024 FINANCIAL CREDIT NETWORK	Collection Services	39.00
7266	01/19/2024 INTERPRETING SERVICES INTERNATIONAL, LLC	Translation Services	569.70
7267	01/19/2024 INTERWEST CONSULTING GROUP	Building Official, Permit Counter & Inspection Services / October 2023	79,200.00
7268	01/19/2024 MAJESTIC FOUNTAINS	City Hall/Public Library Project	11,437.20
7269	01/19/2024 MARC DONOHUE	Administrative Services / January 2024	250.00
7270	01/19/2024 MITCHELL GENERAL CONTRACTORS, INC,	Project Deposit Refund	1,049.70

## CITY OF LAGUNA WOODS

## WARRANT REGISTER

February 21, 2024

ITEM 7.2

This Report Covers the Period 01/01/2024 through 01/31/2024

Date	Vendor Name	Description	Amount	
7271	01/19/2024	RICOH USA, INC.	Copier Lease / February 2024	246.57
7272	01/19/2024	SOUTHERN CALIFORNIA EDISON	Electric Services / November - December 2023	7,265.66
7273	01/19/2024	VERIZON WIRELESS	Building iPads & Data Plans / December 2023	120.03
7274	01/19/2024	WILLDAN ENGINEERING	Code Enforcement Services / December 2023	9,835.00
7275	01/26/2024	BEAR ELECTRICAL SOLUTIONS, INC.	Traffic Signal Maintenance / December 2023	1,640.00
7276	01/26/2024	BRIGHTVIEW LANDSCAPE SERVICES, INC.	Landscape Maintenance / November 2023	16,512.49
7277	01/26/2024	BUREAU VERITAS NORTH AMERICA INC	Building Plan Review Services / September 2023	8,976.45
7278	01/26/2024	DAVID LOTTIE CONSTRUCTION	Replacement for Check #6105 dated September 23, 2022	-
7279	01/26/2024	ECONOMIC & PLANNING SYSTEMS, INC.	Planning Services / November - December 2023	14,150.00
7280	01/26/2024	EPIC IO TECHNOLOGIES, INC.	City Hall Internet Service / January 2024	449.39
7281	01/26/2024	FUSCOE ENGINEERING, INC.	Traffic Engineering / December 2023	2,180.66
7282	01/26/2024	ITERIS, INC	Traffic Engineering / December 2023	4,224.00
7283	01/26/2024	KATHLEEN BENNETT	Replacement for Check #6152 dated October 13, 2022	-
7284	01/26/2024	MACEACHERN COMPANY	Building Review Refund	215.00
7285	01/26/2024	MARIO RAMIREZ	Replacement for Check #6111 dated September 23, 2022	-
7286	01/26/2024	NV5, INC.	Engineering Services / December 2023	16,485.00
7287	01/26/2024	OMNI ENTERPRISE INC	Janitorial Services / December 2023	2,100.00
7288	01/26/2024	OSCAR S. BAEZ ROJAS	City Hall/Public Library Project	968.00
7289	01/26/2024	PV MAINTENANCE INC	Maintenance Services / December 2023	10,390.19
7290	01/26/2024	RON HARBIN	Waste Diversion Deposit Refund	250.00
7291	01/26/2024	SHELBY ELECTRIC INC.	City Hall Maintenance	365.00
7292	01/26/2024	SUNIL KADAM	Replacement for Check #6163 dated October 13, 2022	-
7293	01/26/2024	SWEEPING CORPORATION OF AMERICA	Street Sweeping Services / November 2023	3,480.00
7294	01/26/2024	TONY'S LOCKSMITH & SAFE SERV.	Locksmith Services	561.63
7295	01/26/2024	VERTEX CONSTRUCTION	Replacement for Check #5765 dated May 27, 2022	-
7296	01/26/2024	WILLIAM K. KIM	Replacement for Check #6166 dated October 13, 2022	-
7297	01/31/2024	4LEAF, INC	Planning Services / November 2023	9,747.50
7298	01/31/2024	ACC BUSINESS	City Hall Internet Service / December 2023	608.66
7299	01/31/2024	ADT COMMERCIAL	City Hall Maintenance	571.33
7300	01/31/2024	ARC DOCUMENT SOLUTIONS, LLC.	City Hall/Public Library	437.21
7301	01/31/2024	AT&T	Telephone / 458-3487 / January 2024	57.17
7302	01/31/2024	BALLIET, MICHAEL	Waste Management Consulting Services / September - December 2023	2,000.00
7303	01/31/2024	BON APPETIT MANAGEMENT COMPANY	City Hall/Public Library Project	1,497.73
7304	01/31/2024	CALIFORNIA YELLOW CAB	Senior Mobility Transportation Services / December 2023	32,736.40
7305	01/31/2024	EL TORO WATER DISTRICT	Water Service / November - December 2023	7,782.30
7306	01/31/2024	HARDY & HARPER, INC	ADA Pedestrian Accessibility Improvement Project: Phase 7	16,225.81
7306	01/31/2024	HARDY & HARPER, INC	Pavement Management Plan Project	11,057.00
7307	01/31/2024	INTERWEST CONSULTING GROUP	Building Official, Permit Counter & Inspection Services / December 2023	66,890.00
7308	01/31/2024	KIMLEY HORN & ASSOCIATES, INC	Traffic Engineering Services	525.00
7309	01/31/2024	MISSION SQUARE RETIREMENT	Quarterly Plan Fee / January - March 2024	125.00
7310	01/31/2024	PETTY CASH	Replenish Petty Cash / January 2024	-
7311	01/31/2024	ROBERT'S WASTE & RECYCLING	Administrative Citation Refund	1,800.00
7312	01/31/2024	RUTAN & TUCKER, LLP	Legal Services / December 2023	10,336.50
7313	01/31/2024	SMITH ARCHITECTS	Architectural Services	10,000.00

**CITY OF LAGUNA WOODS**  
**WARRANT REGISTER**  
**February 21, 2024**

ITEM 7.2

This Report Covers the Period 01/01/2024 through 01/31/2024

Date	Vendor Name	Description	Amount	
7314	01/31/2024	SOUTHERN CALIFORNIA EDISON	Street Lighting - Residential / December 2023	3,170.71
7315	01/31/2024	SUN TAMERS WINDOW TINTING	City Hall Refurbishment & Safety Project: Phase 4	8,037.00
7316	01/31/2024	U.S. BANK	Credit Card Charges (expenditures reported separately - see note 4)	5,448.22
7317	01/31/2024	VOID	VOID	-
7318	01/31/2024	VISION SERVICE PLAN OF AMERICA	Employee Benefit Program / February 2024	45.62
			<b>Total Bank Debits and Warrants:</b>	<b>\$ 1,049,168.70</b>

**Petty Cash Expenditures Paid Out** (See Note 2)

Home Depot	City Hall Maintenance		\$17.11
Dollar Tree	City Hall/Public Library Grand Opening		\$21.65
Michael's	City Hall/Public Library Grand Opening		\$31.52
Green Thumb	City Hall Maintenance		\$29.07
Home Depot	City Hall Maintenance		\$23.03
Trader Joe's	City Hall/Public Library Grand Opening		\$33.34
Target	City Hall/Public Library Grand Opening		\$36.62
Amazon	City Hall/Public Library Grand Opening		\$36.03
			<b>Total Petty Cash:</b>
			<b>\$228.37</b>

**TOTAL \$ 1,049,397.07**

**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 January 2024, the following Councilmembers received compensation in the amount of \$300: Conners, Hatch, Horne, and McCary.

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 #7257 to U.S. Bank totaling \$2,281.67

Microsoft	Office 365 Online Services		\$475.00
Microsoft	Office 365 Subscription		\$162.00
Zoom	Video Conferencing		\$31.98
Department of Justice	Charitable Trust Registration (Civic Support Fund)		\$25.58
Everlit Survival	Trauma Kits		\$407.04
Stamps.com	Postage		\$529.99
Home Depot	Office Supplies		\$13.99
Wal Mart	Staff Holiday Event		\$9.87
Smart & Final	City Credit Card Used in Error / Reimbursed to City		\$103.80
Land's End	Office Supplies		\$522.42
			<b>Total Credit Card Reimbursement:</b>
			<b>\$2,281.67</b>

Note 4 - The table below summarizes credit card expenditures paid via Check #7316 to U.S. Bank totaling \$5,448.22

Microsoft	Office 365 Online Services		\$475.00
Microsoft	Office 365 Subscription		\$162.00
Zoom	Video Conferencing		\$31.98
Stamps.com	Postage		\$29.99



**CITY OF LAGUNA WOODS  
WARRANT REGISTER  
February 21, 2024**

This Report Covers the Period 01/01/2024 through 01/31/2024

Date	Vendor Name	Description	Amount
	Sabrosada	Staff Holiday Event	\$226.28
	Elkay	Office Supplies	\$67.88
	J&M Trophies	Councilmember Name Badges	\$39.73
	US Flagstore.com	Office Supplies	\$215.44
	Home Depot	Office Supplies	\$61.72
	Smart & Final	City Hall/Public Library Grand Opening	\$36.60
	Stater Brothers	City Hall/Public Library Grand Opening	\$38.44
	GovernmentJobs.com	Job Posting	\$398.00
	American Planning Association	Job Posting	\$395.00
	Land's End	Office Supplies	\$854.99
	Amazon	Broadcasting Equipment	\$1,912.99
	WP Engine	Website Hosting Subscription	\$180.00
	Wirecast Telestream	Website Streaming Subscription	\$322.18
<b>Total Credit Card Reimbursement:</b>			<b>\$5,448.22</b>

**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.

\_\_\_\_\_  
Elizabeth Torres, Administrative Services Director/City Treasurer

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**7.3**

## **DRUGS AND ALCOHOL IN THE WORKPLACE**

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**For additional information on this item,  
please refer to Item 7.0 (Consent Calendar Summary).**

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**RESOLUTION NO. 24-XX**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ADOPTING AMENDMENTS TO ADMINISTRATIVE POLICY 4.12 PERTAINING TO DRUGS AND ALCOHOL IN THE WORKPLACE

**WHEREAS**, the City’s drugs and alcohol in the workplace policy is contained in Administrative Policy 4.12, which was last adopted by the City Council on December 7, 2020; and

**WHEREAS**, staff has prepared amendments to Administrative Policy 4.12 (incorporated into the administrative policy attached hereto as Exhibit A), which are generally based on a model policy provided by the California Joint Powers Insurance Authority.

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

**SECTION 1.** The administrative policy attached hereto as Exhibit A is adopted and is a statement of the City’s drugs and alcohol in the workplace policy. The administrative policy attached hereto as Exhibit A replaces and supersedes all previous versions of Administrative Policy 4.12.

**SECTION 2.** 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 2024.

\_\_\_\_\_  
NOEL HATCH, 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. 24-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 2024, by the following vote:

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

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YOLIE TRIPPY, CMC, City Clerk

**CITY OF LAGUNA WOODS  
ADMINISTRATIVE POLICY 4.12**

**DRUGS AND ALCOHOL IN THE WORKPLACE**

**4.12.01. Statement of Purpose.**

This Administrative Policy is intended to ensure that the City of Laguna Woods' workplace is free of illegal drugs and alcohol, as well as to discourage drug and alcohol abuse and impairment by employees. Inappropriate possession or use of drugs or alcohol is incompatible with the City's expectations for a healthy, safe, efficient, and successful workplace, in that they may result in dangerous conditions, property damage, substandard job performance, absenteeism, tardiness, increased workloads for other employees, delays in the completion of work, inferior service quality, and behavior that disrupts other employees or customer relations.

This Administrative Policy is also intended to promote the City's compliance with federal and state law including, but not limited to, the Drug Free Workplace Act of 1988 (Title 41 of the United States Code Section 8103) and the California Drug Free Workplace Act of 1990 (California Government Code Section 8355).

**4.12.02. Scope.**

This Administrative Policy applies to all City employees and governs all drugs and alcohol in the workplace.

This Administrative Policy shall not be construed as restricting the City's ability to use common sense, prudence, technology, or external resources to protect the safety of its employees, customers, and members of the public, unless prohibited by law.

Nothing in this Administrative Policy is intended to diminish the City's commitment to employ qualified disabled individuals or to provide reasonable accommodation to such individuals consistent with all federal, state, and local laws.

**4.12.03. Cannabis.**

The City recognizes that the State of California has legalized the use of cannabis for adult use and certain medical purposes. Consistent with state law, the City shall not take any disciplinary action against an employee solely because of lawful, off-duty use of cannabis. The City may take disciplinary action under this Administrative



Policy, and in a manner consistent with California Government Code Section 12954, when an employee is impaired by cannabis on duty or engages in other conduct involving cannabis that violates this Administrative Policy.

**4.12.04. Use of Legal Drugs.**

The City recognizes that it may be necessary for employees to use legal drugs and that employees may become impaired as a result of, or in connection with, such use of legal drugs. To accommodate employees who might be required to use legal drugs, and to help prevent adverse consequences in the workplace that could result from such use of legal drugs, employees are required to comply with the following:

1. *Duty to disclose.* Employees who operate or are responsible in any way for the operation, custody, or care of City property, vehicles, equipment, or supplies (“City property”), or for the safety of other employees or other persons, have a duty to fully disclose the nature of their job duties to the prescribing physician or pharmacist and/or to any physician or pharmacist contracted by the City, and to inquire of the physician(s) or pharmacist(s) whether use of the legal drugs prescribed might result in any adverse consequence that this Administrative Policy is intended to prevent.
2. *Duty to report and obtain consent in certain circumstances.* Employees who know or should know that their use of legal drugs might endanger their own health or safety or the health or safety of any other person, pose a risk of damage to property, or interfere with their job performance or the efficient or successful operation of the City’s business, have a duty to immediately report such use of legal drugs to the City Manager or Administrative Services Director/City Treasurer, and to obtain the City’s consent to work while using such legal drugs. Employees are not required to disclosure the names or purposes for which a legal drug is taken to City staff. The City reserves the right to have a physician contracted by the City or the employee’s own physician determine whether it is advisable for the employee to work while using such legal drugs.
3. *Duty to not work in certain circumstances.* Employees have a duty to not report for work or remain at work while impaired by legal drugs if such impairment might endanger their own health or safety or the health or safety of any other person, pose a risk of damage to City property or other property, or interfere with their job performance or the efficient or successful operation of the City’s business. Such duty exists irrespective of whether an employee has obtained the City’s consent to work while using such legal drugs. In refraining from working

or remaining at work, employees are required to comply with the City’s regular leave policies and procedures.

4. *Duty to comply with applicable restrictions.* The City reserves the right to restrict the work activities of employees who are using legal drugs if such use of legal drugs might endanger their own health or safety or the health or safety of any other person, pose a risk of damage to property, or interfere with their job performance or the efficient or successful operation of the City’s business. Such restrictions may include prohibiting employees from working entirely while using such legal drugs if reasonable accommodation cannot be provided. Employees have a duty to comply with City-mandated work restrictions.

#### **4.12.05. Prohibited Conduct.**

The prohibitions established by this section apply whenever the interests of the City may be adversely affected including, but not limited to, any time an employee is:

- (a) On City premises or in City uniform;
- (b) Conducting or performing City business, regardless of location;
- (c) Operating or responsible in any way for the operation, custody, or care of City property; or
- (d) Responsible in any way for the safety of other persons associated with the City including, but not limited to, elected or appointed boards, officials, officers, agents, employees, volunteers, vendors, customers, or visitors.

Employees are prohibited from engaging in any of the following conduct. Engaging in prohibited conduct may result in discipline up to and including termination.

- (i) Using, possessing, purchasing, manufacturing, transporting, distributing, selling, or dispensing any illegal drug or other controlled substance or drug paraphernalia in an unlawful manner.
- (ii) Having any illegal drug or other controlled substance in the body. As it relates to cannabis, only the presence of psychoactive cannabis metabolites in an employee’s body shall be considered a violation of this provision.
- (iii) Abusing any legal drug.

(iv) Using, possessing, purchasing, manufacturing, transporting, distributing, selling, or dispensing any legal drug in a manner inconsistent with law.

(v) Working while impaired by the use of any legal drug whenever such impairment might endanger their own health or safety or the health or safety of any other person, pose a risk of damage to property, or interfere with their job performance or the efficient or successful operation of the City's business in violation of Section 4.12.04.

(vi) Using, possessing, purchasing, manufacturing, transporting, distributing, selling, or dispensing alcohol in an unauthorized manner.

(vii) Being under the influence of alcohol as defined by applicable state law.

#### **4.12.06. Criminal Convictions.**

Employees are required to notify the City Manager or Administrative Services Director/City Treasurer of any conviction under a federal or state criminal drug or alcohol statute for a violation that occurred in the workplace, while conducting or performing City business regardless of location, or during any City-related activity or event, within five calendar days after any such conviction. For purposes of this Administrative Policy, a conviction includes a finding of guilt, a plea of no contest, and/or an imposition of sentence by any judicial tribunal or officer charged with determining violations of federal or state criminal drug or alcohol statutes.

#### **4.12.07. Testing.**

##### *Employees*

Employees may be required to undergo drug and/or alcohol testing if they:

(a) Report to work or, while conducting or performing City business regardless of location, are directly observed or reasonably suspected of being under the influence of drugs or alcohol or exhibiting abnormal behavior or performance difficulties reasonably associated with abuse of the same;

(b) Are involved in a work-related accident or injury that provides a reasonable basis to believe that the accident or injury was likely to have been caused in whole or in part by impairment from drugs or alcohol;

(c) Are subject to return to duty or follow-up testing under an alternative to discipline agreement entered into pursuant to Section 4.12.08; or

(d) Are subject to testing authorized or required by federal or state regulations.

No such test shall be administered without written approval of the City Manager or, in their absence, the Administrative Services Director/City Treasurer.

### *Job Applicants*

Individuals seeking employment in a safety-sensitive position with the City may be required to undergo drug and/or alcohol testing as a condition of employment. No such test shall be administered prior to the applicant receiving a conditional offer of employment and without written approval of the City Manager.

### **4.12.08. Effect of Violation.**

Violation of any provision contained within this Administrative Policy may result in discipline up to and including termination. At a minimum, disciplinary mandates for safety-sensitive positions, as required under federal and state law, will be followed for individuals holding safety-sensitive positions.

### *Alternative to Discipline Agreements*

At the City Manager's discretion, and as an alternative either in whole or in part to the discipline allowed for by this Administrative Policy, the City may enter into agreements with employees requiring their participation in drug or alcohol treatment programs, return to duty testing, and/or follow-up testing.

### *Effect of Testing Positive for Drugs or Alcohol*

If an employee's drug test is positive for drugs, the employee may be requested to provide, within one business day of receiving the test results, bona fide verification of a valid, current prescription in the employee's name for the drugs identified.

An employee who tests positive for drugs or alcohol will be in violation of this Administrative Policy and subject to discipline up to and including termination.

A job applicant who tests positive for drugs or alcohol may have their conditional offer of employment rescinded and may not be hired.

*Effect of Refusing to Test for Drugs or Alcohol*

An employee or job applicant who refuses to undergo a drug or alcohol test when required by the City, without a valid medical explanation, shall be treated as if a positive test result was received. For purposes of this Administrative Policy, refusal to undergo a drug or alcohol test includes, but is not limited to, any of the following:

- (a) Failing to appear at the test collection site in the time allotted.
- (b) Leaving the test collection site before the testing process is completed.
- (c) Failing to provide a urine, breath, body fluid, hair, or other specimen.
- (d) Failing to permit the observation or monitoring of specimen collection when it is required.
- (e) Failing to provide a sufficient amount of specimen without a valid medical explanation.
- (f) Providing a false specimen.
- (g) Adulterating, contaminating, diluting, or tampering with a specimen, or attempting to do so.
- (h) Failing or refusing to take a second or subsequent test when required.
- (i) Failing to fully cooperate with any part of the testing process (e.g., refusing to sign a testing form when required) in such a way that prevents conducting or completing the test.

**4.12.09. Treatment.**

Employees who suspect that they may have a drug or alcohol problem are encouraged to voluntarily seek diagnosis and to follow through with treatment as prescribed by qualified professionals. Employees who wish to voluntarily enter and participate in a drug or alcohol treatment program are encouraged to contact the City Manager or Administrative Services Director/City Treasurer to discuss whether the City is able to provide unpaid leave for the time necessary to complete the program. The City Manager may deny requests for unpaid leave in accordance with applicable law if granting such unpaid leave would constitute an undue hardship on the City.

Employees who elect to voluntarily seek diagnosis and receive treatment prescribed by qualified professionals shall not be subject to disciplinary action solely because of such pursuits; however, the City may take disciplinary action under this Administrative Policy when an employee is found to have engaged in conduct that violates this Administrative Policy.

#### **4.12.10. Privacy and Confidentiality.**

Employee privacy does not extend to the use of City property, whether communal or issued to a specific employee for the performance of their job duties. Employees do not have a reasonable expectation of privacy with respect to any City property, which may be searched at any time, with or without notice. Employees are advised that the terms of this Administrative Policy limit their privacy in the workplace.

Disclosures made by employees to the City Manager or Administrative Services Director/City Treasurer regarding their use of legal drugs or participation in drug or alcohol treatment programs will be treated with as much confidentiality as the City is permitted by law. Information related to such matters will generally be provided on a “need to know” basis in order to protect individual privacy rights and encourage the disclosure of such circumstances.

Employees are advised that failure to keep information related to a matter covered by this Administrative Policy confidential, except as expressly authorized by the City Manager or Administrative Services Director/City Treasurer, or permitted or required by law, such as in discussion with a legal representative, may result in discipline up to and including termination.

Test results and other documentation related to drug and alcohol testing will be filed in a confidential medical file separate from general personnel files.

#### **4.12.11. Administrative Policy Dissemination.**

All employees shall be provided with and acknowledge receipt of a copy of this Administrative Policy within 10 calendar days of the adoption of this Administrative Policy or as part of their initial orientation with the City, whichever occurs later.

#### **4.12.12. Attachments.**

The following attachments are incorporated by reference:

ITEM 7.3 – Exhibit A to Attachment A

Attachment A, “Glossary of Terms and Acronyms”

Attachment B, “Safety-Sensitive Positions”

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City Council Adoption: February XX, 2024

**Attachment A, “Glossary of Terms and Acronyms”**

*Please contact the City Manager or Administrative Services Director/City Treasurer if you have questions regarding these terms or acronyms, or if you are uncertain about the meaning of any portion of this Administrative Policy.*

**ABUSE OF ANY LEGAL DRUG:** The use of any legal drug (1) for any purpose other than the purpose for which it was prescribed or manufactured; or (2) in a quantity, frequency, or manner that is contrary to the instructions or recommendations of the prescribing physician or manufacturer.

**CONTROLLED SUBSTANCES:** Any drug or substance that is considered a controlled substance under the federal Controlled Substances Act. The schedules containing lists of all controlled substances are published annually in Title 21 of the Code of Federal Regulations sections 1308.11 through 1308.15.

**DRUG PARAPHERNALIA:** Any device or instrument used for injecting, smoking, consuming, or otherwise administering a legal drug, illegal drug, or controlled substance, which includes, but is not limited to, the items set forth in California Health and Safety Code Section 11364.

**ILLEGAL DRUGS OR OTHER CONTROLLED SUBSTANCES:** Any drug or substance that (1) is not legally obtainable under federal or state law; or (2) is legally obtainable but has not been legally obtained; or (3) has been legally obtained but is being sold or distributed unlawfully.

**IMPAIRED:** Diminished ability, capacity, mental acuity, or performance.

**LEGAL DRUGS:** Any drug, including prescription drugs and over the-counter drugs, that has been legally obtained under federal and state law and that is not unlawfully sold or distributed.

**POSSESSION:** An employee has the item on his/her/their person or otherwise under his/her/their control.

**REASONABLE SUSPICION:** A belief based on objective facts, evidence, or other indicators sufficient to lead a reasonably prudent person to suspect that an employee is under the influence of drugs or alcohol so that the employee’s ability to perform the functions or duties of their job is impaired or so that the employee’s ability to



perform their job is reduced. Conditions which, alone or in combination, may constitute reasonable suspicion include, but are not limited to, the following:

1. Slurred speech.
2. Alcohol odor on breath or person.
3. Cannabis odor on breath or person.
4. Unsteady walking or movement.
5. Physical impairment (e.g., glassy eyes, bloodshot eyes, eye dilation, shaking, or erratic movement).
6. An accident involving City property that provides a reasonable basis to believe that the accident was likely to have been caused by impairment from drugs or alcohol.
7. Physical altercation.
8. Verbal altercation.
9. Unusual behavior.
10. Job impairment.
11. Possession of drugs, alcohol, or drug paraphernalia.
12. Information obtained from a reliable source with personal knowledge.

**SAFETY-SENSITIVE POSITIONS:** Those positions with duties that present risk to self and others such that even a momentary lapse of attention can have disastrous consequences including, but not limited to, the following:

1. Positions in which employees are directly responsible for protecting children or have continuous interaction or supervision that puts them in a position of influence over children.
2. Positions that are subject to the federal Omnibus Transportation Employee Testing Act of 1991 are classified as “safety-sensitive” as

that term is defined in federal Department of Transportation regulations and federal law.

The City has analyzed its job classifications and determined that the positions listed in Attachment B are safety-sensitive for purposes of this Administrative Policy.

UNDER THE INFLUENCE: The use or misuse of any of the following in a manner and to a degree that impairs the employee's work performance or ability to use City property safely:

1. Any alcoholic beverage.
2. Any illegal drug or controlled substance.
3. Any legal drug.

**Attachment B, “Safety-Sensitive Positions”**

N/A

**CITY OF LAGUNA WOODS  
ADMINISTRATIVE POLICY 4.12**

**DRUGS AND ALCOHOL IN THE WORKPLACE**

**4.12.01. Statement of Purpose.**

This Administrative Policy is intended to ensure that the City of Laguna Woods' workplace is free of illegal drugs and alcohol, as well as to discourage drug and alcohol abuse and impairment by employees. Inappropriate possession or use of drugs or alcohol is incompatible with the City's expectations for a healthy, safe, efficient, and successful workplace, in that they may result in dangerous conditions, property damage, substandard job performance, absenteeism, tardiness, increased workloads for other employees, delays in the completion of work, inferior service quality, and behavior that disrupts other employees or customer relations.

This Administrative Policy is also intended to promote the City's compliance with federal and state law including, but not limited to, the Drug Free Workplace Act of 1988 (Title 41 of the United States Code Section 8103) and the California Drug Free Workplace Act of 1990 (California Government Code Section 8355).

**4.12.02. Scope.**

This Administrative Policy applies to all City employees and governs all drugs and alcohol in the workplace.

This Administrative Policy shall not be construed as restricting the City's ability to use common sense, prudence, technology, or external resources to protect the safety of its employees, customers, and members of the public, unless prohibited by law.

Nothing in this Administrative Policy is intended to diminish the City's commitment to employ qualified disabled individuals or to provide reasonable accommodation to such individuals consistent with all federal, state, and local laws.

**4.12.03. Cannabis.**

The City recognizes that the State of California has legalized the use of cannabis for adult use and certain medical purposes. Consistent with state law, the City shall not take any disciplinary action against an employee solely because of lawful, off-duty use of cannabis. The City may take disciplinary action under this Administrative

Policy, and in a manner consistent with California Government Code Section 12954, when an employee is impaired by cannabis on duty or engages in other conduct involving cannabis that violates this Administrative Policy.

#### **4.12.0304. Use of Legal Drugs.**

The City recognizes that it may be necessary for employees to use legal drugs and that employees may become impaired as a result of, or in connection with, such use of legal drugs. To accommodate employees who might be required to use legal drugs, and to help prevent adverse consequences in the workplace that could result from such use of legal drugs, employees are required to comply with the following:

1. *Duty to disclose.* Employees who operate or are responsible in any way for the operation, custody, or care of City property, vehicles, equipment, or supplies (“City property”), or for the safety of other employees or other persons, have a duty to fully disclose the nature of their job duties to the prescribing physician or pharmacist and/or to any physician or pharmacist contracted by the City, and to inquire of the physician(s) or pharmacist(s) whether use of the legal drugs prescribed might result in any adverse consequence that this Administrative Policy is intended to prevent.
2. *Duty to report and obtain consent in certain circumstances.* Employees who know or should know that their use of legal drugs might endanger their own health or safety or the health or safety of any other person, pose a risk of damage to property, or interfere with their job performance or the efficient or successful operation of the City’s business, have a duty to immediately report such use of legal drugs to the City Manager or Administrative Services Director/City Treasurer, and to obtain the City’s consent to work while using such legal drugs. Employees are not required to disclosure the names or purposes for which a legal drug is taken to City staff. The City reserves the right to have a physician contracted by the City or the employee’s own physician determine whether it is advisable for the employee to work while using such legal drugs.
3. *Duty to not work in certain circumstances.* Employees have a duty to not report for work or remain at work while impaired by legal drugs if such impairment might endanger their own health or safety or the health or safety of any other person, pose a risk of damage to City property or other property, or interfere with their job performance or the efficient or successful operation of the City’s business. Such duty exists irrespective of whether an employee has obtained the City’s consent to work while using such legal drugs. In refraining from working

or remaining at work, employees are required to comply with the City’s regular leave policies and procedures.

4. *Duty to comply with applicable restrictions.* The City reserves the right to restrict the work activities of employees who are using legal drugs if such use of legal drugs might endanger their own health or safety or the health or safety of any other person, pose a risk of damage to property, or interfere with their job performance or the efficient or successful operation of the City’s business. Such restrictions may include prohibiting employees from working entirely while using such legal drugs if reasonable accommodation cannot be provided. Employees have a duty to comply with City-mandated work restrictions.

#### **4.12.0405. Prohibited Conduct.**

The prohibitions established by this section apply whenever the interests of the City may be adversely affected including, but not limited to, any time an employee is:

- (a) On City premises or in City uniform;
- (b) Conducting or performing City business, regardless of location;
- (c) Operating or responsible in any way for the operation, custody, or care of City property; or
- (d) Responsible in any way for the safety of other persons associated with the City including, but not limited to, elected or appointed boards, officials, officers, agents, employees, volunteers, vendors, residentscustomers, or visitors.

Employees are prohibited from engaging in any of the following conduct. Engaging in prohibited conduct may result in discipline up to and including termination.

- (i) Using, possessing, purchasing, manufacturing, transporting, distributing, selling, or dispensing any illegal drug or other controlled substance or drug paraphernalia in an unlawful manner.
- (ii) Having any illegal drug or other controlled substance in the body. As it relates to cannabis, only the presence of psychoactive cannabis metabolites in an employee’s body shall be considered a violation of this provision.

(iii) Abusing any legal drug.

(iv) Using, possessing, purchasing, manufacturing, transporting, distributing, selling, or dispensing any legal drug in a manner inconsistent with law.

(v) Working while impaired by the use of any legal drug whenever such impairment might endanger their own health or safety or the health or safety of any other person, pose a risk of damage to property, or interfere with their job performance or the efficient or successful operation of the City's business in violation of Section 4.12.~~0304~~.

(vi) Using, possessing, purchasing, manufacturing, transporting, distributing, selling, or dispensing alcohol in an unauthorized manner.

(vii) Being under the influence of alcohol as defined by applicable state law.

**4.12.~~0506~~. Criminal Convictions.**

Employees are required to notify the City Manager or Administrative Services Director/City Treasurer of any conviction under a federal or state criminal drug or alcohol statute for a violation that occurred in the workplace, while conducting or performing City business regardless of location, or during any City-related activity or event, within five calendar days after any such conviction. For purposes of this Administrative Policy, a conviction includes a finding of guilt, a plea of no contest, and/or an imposition of sentence by any judicial tribunal or officer charged with determining violations of federal or state criminal drug or alcohol statutes.

**4.12.~~0607~~. Testing.**

*Employees*

Employees may be required to undergo drug and/or alcohol testing if they:

(a) Report to work or, while conducting or performing City business regardless of location, are directly observed or reasonably suspected of being under the influence of drugs or alcohol or exhibiting abnormal behavior or performance difficulties reasonably associated with abuse of the same;

- (b) Are involved in a work-related accident or injury that provides a reasonable basis to believe that the accident or injury was likely to have been caused in whole or in part by impairment from drugs or alcohol;
- (c) Are subject to return to duty or follow-up testing under an alternative to discipline agreement entered into pursuant to Section 4.12.0708; or
- (d) Are subject to testing authorized or required by federal or state regulations.

No such test shall be administered without written approval of the City Manager or, in their absence, the Administrative Services Director/City Treasurer.

#### *Job Applicants*

Individuals seeking employment in a safety-sensitive position with the City may be required to undergo drug and/or alcohol testing as a condition of employment. No such test shall be administered prior to the applicant receiving a conditional offer of employment and without written approval of the City Manager.

#### **4.12.0708. Effect of Violation.**

Violation of any provision contained within this Administrative Policy may result in discipline up to and including termination. At a minimum, disciplinary mandates for safety-sensitive positions, as required under federal and state law, will be followed for individuals holding safety-sensitive positions.

#### *Alternative to Discipline Agreements*

At the City Manager's discretion, and as an alternative either in whole or in part to the discipline allowed for by this Administrative Policy, the City may enter into agreements with employees requiring their participation in drug or alcohol treatment programs, return to duty testing, and/or follow-up testing.

#### *Effect of Testing Positive for Drugs or Alcohol*

If an employee's drug test is positive for drugs, the employee may be requested to provide, within one business day of receiving the test results, bona fide verification of a valid, current prescription in the employee's name for the drugs identified.



An employee who tests positive for drugs or alcohol will be in violation of this Administrative Policy and subject to discipline up to and including termination.

A job applicant who tests positive for drugs or alcohol may have their conditional offer of employment rescinded and may not be hired.

*Effect of Refusing to Test for Drugs or Alcohol*

An employee or job applicant who refuses to undergo a drug or alcohol test when required by the City, without a valid medical explanation, shall be treated as if a positive test result was received. For purposes of this Administrative Policy, refusal to undergo a drug or alcohol test includes, but is not limited to, any of the following:

- (a) Failing to appear at the test collection site in the time allotted.
- (b) Leaving the test collection site before the testing process is completed.
- (c) Failing to provide a urine, breath, saliva~~body fluid~~, hair, or other specimen.
- (d) Failing to permit the observation or monitoring of specimen collection when it is required.
- (e) Failing to provide a sufficient amount of specimen without a valid medical explanation.
- (f) Providing a false specimen.
- (g) Adulterating, contaminating, ~~or diluting~~, or tampering with a specimen, or attempting to do so.
- (h) Failing or refusing to take a second or subsequent test when required.
- (i) Failing to fully cooperate with any part of the testing process (e.g., refusing to sign a testing form when required) in such a way that prevents conducting or completing the test.

**4.12.0809. Treatment.**

Employees who suspect that they may have a drug or alcohol problem are encouraged to voluntarily seek diagnosis and to follow through with treatment as prescribed by

qualified professionals. Employees who wish to voluntarily enter and participate in a drug or alcohol treatment program are encouraged to contact the City Manager or Administrative Services Director/City Treasurer to discuss whether the City is able to provide unpaid leave for the time necessary to complete the program. The City Manager may deny requests for unpaid leave in accordance with applicable law if granting such unpaid leave would constitute an undue hardship on the City. Employees who elect to voluntarily seek diagnosis and receive treatment prescribed by qualified professionals shall not be subject to disciplinary action solely because of such pursuits; however, the City may take disciplinary action under this Administrative Policy when an employee is found to have engaged in conduct that violates this Administrative Policy.

#### **4.12.0910. Privacy and Confidentiality.**

Employee privacy does not extend to the use of City property, whether communal or issued to a specific employee for the performance of their job duties. Employees do not have a reasonable expectation of privacy with respect to any City property, which may be searched at any time, with or without notice. Employees are advised that the terms of this Administrative Policy limit their privacy in the workplace.

Disclosures made by employees to the City Manager or Administrative Services Director/City Treasurer regarding their use of legal drugs or participation in drug or alcohol treatment programs will be treated with as much confidentiality as the City is permitted by law. Information related to such matters will generally be provided on a “need to know” basis in order to protect individual privacy rights and encourage the disclosure of such circumstances.

Employees are advised that failure to keep information related to a matter covered by this Administrative Policy confidential, except as expressly authorized by the City Manager or Administrative Services Director/City Treasurer, or permitted or required by law, such as in discussion with a legal representative, may result in discipline up to and including termination.

Test results and other documentation related to drug and alcohol testing will be filed in a confidential medical file separate from general personnel files.

#### **4.12.1011. Administrative Policy Dissemination.**

All employees shall be provided with and acknowledge receipt of a copy of this Administrative Policy within 10 calendar days of the adoption of this Administrative Policy or as part of their initial orientation with the City, whichever occurs later.

**4.12.112. Attachments.**

The following attachments are incorporated by reference:

Attachment A, “Glossary of Terms and Acronyms”

Attachment B, “Safety-Sensitive Positions”

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City Council Adoption: ~~December 7, 2020~~February XX, 2024

REDLINE

**Attachment A, “Glossary of Terms and Acronyms”**

*Please contact the City Manager or Administrative Services Director/City Treasurer if you have questions regarding these terms or acronyms, or if you are uncertain about the meaning of any portion of this Administrative Policy.*

**ABUSE OF ANY LEGAL DRUG:** The use of any legal drug (1) for any purpose other than the purpose for which it was prescribed or manufactured; or (2) in a quantity, frequency, or manner that is contrary to the instructions or recommendations of the prescribing physician or manufacturer.

**CONTROLLED SUBSTANCES:** Any drug or substance that is considered a controlled substance under the federal Controlled Substances Act. The schedules containing lists of all controlled substances are published annually in Title 21 of the Code of Federal Regulations sections 1308.11 through 1308.15.

**DRUG PARAPHERNALIA:** Any device or instrument used for injecting, smoking, consuming, or otherwise administering a legal drug, illegal drug, or controlled substance, which includes, but is not limited to, the items set forth in California Health and Safety Code Section 11364.

**ILLEGAL DRUGS OR OTHER CONTROLLED SUBSTANCES:** Any drug or substance that (1) is not legally obtainable under federal or state law; or (2) is legally obtainable but has not been legally obtained; or (3) has been legally obtained but is being sold or distributed unlawfully.

**IMPAIRED: Diminished ability, capacity, mental acuity, or performance.**

**LEGAL DRUGS:** Any drug, including prescription drugs and over the-counter drugs, that has been legally obtained under federal and state law and that is not unlawfully sold or distributed.

POSSESSION: An employee has the item on his/her/their person or otherwise under his/her/their control.

REASONABLE SUSPICION: A belief based on objective facts, evidence, or other indicators sufficient to lead a reasonably prudent person to suspect that an employee is under the influence of drugs or alcohol so that the employee's ability to perform the functions or duties of their job is impaired or so that the employee's ability to perform their job is reduced. Conditions which, alone or in combination, may constitute reasonable suspicion include, but are not limited to, the following:

1. Slurred speech.
2. Alcohol odor on breath or person.
3. Cannabis odor on breath or person.
4. Unsteady walking or movement.
5. Physical impairment (e.g., glassy eyes, bloodshot eyes, eye dilation, shaking, or erratic movement).
6. An accident involving City property that provides a reasonable basis to believe that the accident was likely to have been caused by impairment from drugs or alcohol.
7. Physical altercation.
8. Verbal altercation.
9. Erratic-Unusual behavior.
10. Job impairment.
11. Possession of drugs, ~~or~~ alcohol, or drug paraphernalia.
12. Physically-observed information obtained from a reliable source with personal knowledge.

SAFETY-SENSITIVE POSITIONS: Those positions with duties that ~~are fraught with such risks to~~ present risk to self and others such that even a momentary lapse of

attention can have disastrous consequences including, but not limited to, the following:

1. Positions in which employees are directly responsible for protecting children or have continuous interaction or supervision that puts them in a position of influence over children.
2. Positions that are subject to the federal Omnibus Transportation Employee Testing Act of 1991 are classified as “safety-sensitive” as that term is defined in federal Department of Transportation regulations and federal law.

The City has analyzed its job classifications and determined that the positions listed in Attachment B are safety-sensitive for purposes of this Administrative Policy.

UNDER THE INFLUENCE: ~~The condition of having drugs and/or alcohol in an employee’s system as evidenced by applicable testing procedures, and/or exhibiting conduct or behavior demonstrating that an employee is impaired by drugs or alcohol including, but not limited to, legal drugs use or misuse of any of the following in a manner and to a degree that impairs the employee’s work performance or ability to use City property safely:~~

1. Any alcoholic beverage.
2. Any illegal drug or controlled substance.
3. Any legal drug.

**Attachment B, “Safety-Sensitive Positions”**

N/A

REDLINE

## **7.4 HARASSMENT, DISCRIMINATION, AND RETALIATION POLICY**

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**For additional information on this item,  
please refer to Item 7.0 (Consent Calendar Summary).**



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**RESOLUTION NO. 24-XX**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ADOPTING AMENDMENTS TO ADMINISTRATIVE POLICY 4.7 PERTAINING TO HARASSMENT, DISCRIMINATION, AND RETALIATION

**WHEREAS**, the City’s harassment, discrimination, and retaliation policy is contained in Administrative Policy 4.7, which was last adopted by the City Council on August 19, 2020; and

**WHEREAS**, staff has prepared amendments to Administrative Policy 4.7 (incorporated into the administrative policy attached hereto as Exhibit A), which are generally based on a model policy provided by the California Joint Powers Insurance Authority.

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

**SECTION 1.** That the administrative policy attached hereto as Exhibit A is adopted and is a statement of the City’s harassment, discrimination, and retaliation policy. The administrative policy attached hereto as Exhibit A replaces and supersedes all previous versions of Administrative Policy 4.7.

**SECTION 2.** 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 2024.

\_\_\_\_\_  
NOEL HATCH, 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. 24-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 2024, by the following vote:

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

---

YOLIE TRIPPY, CMC, City Clerk

**CITY OF LAGUNA WOODS  
ADMINISTRATIVE POLICY 4.7**

**HARASSMENT, DISCRIMINATION, AND RETALIATION**

**4.7.01. Statement of Purpose.**

This Administrative Policy is intended to (1) define and explicitly prohibit harassing, discriminatory, or retaliatory conduct within the City of Laguna Woods’ work environment, (2) explicitly prohibit the condoning or perpetuation of such conduct, and (3) establish a standardized and efficient process for reporting and responding to complaints of such conduct.

**4.7.02. Statement of Overarching Policy.**

The City expressly prohibits harassment or discrimination of employees, officials, officers, agents, volunteers, interns, consultants, contractors, vendors, visitors, or members of the public (“individuals”) based on any one or more legally protected category [race (including, but not limited to, traits historically associated with race such as hair texture and protective hairstyles), color, religion (including, but not limited to, religious dress and grooming practices), sex/gender (including, but not limited to, pregnancy, childbirth, breastfeeding, and related medical conditions), gender identity, gender expression, sexual orientation, marital status, medical condition (including, but not limited to, genetic characteristics and cancer or a record or history of cancer), military or veteran status, national origin (including, but not limited to, language use and possession of a driver’s license issued to persons unable to provide their presence in the United States is authorized under federal law), ancestry, disability (including, but not limited to, mental and physical disabilities such as cancer, genetic characteristics, and human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS)), genetic information, age over 40 years, or any other basis protected by applicable federal, state, or local law, including association with individuals with one or more of these protected characteristics or perception that an individual has one or more of these protected characteristics].

The City expressly prohibits retaliation against individuals for good faith opposition to, or reporting of, harassment, discrimination, or retaliation.

The City considers harassment, discrimination, and retaliation to be serious offenses and is firmly committed to the philosophy that every employee has the right to work in an environment free from such conduct. Employees are expected to adhere to a

standard of conduct that is respectful to all persons within the work environment and compliant with this Administrative Policy and all applicable federal, state, and local laws and regulations governing workplace conduct.

#### **4.7.03. Reporting Harassment, Discrimination, or Retaliation.**

The City strongly encourages the reporting of all actual or perceived incidents of harassment, discrimination, or retaliation.

If an employee believes the conduct of an individual to be harassing, discriminatory, retaliatory, or otherwise contrary to this Administrative Policy, they are encouraged, but not required, to inform the individual of the conduct that they find offensive and request that the individual cease such behavior. If they do not wish to confront the individual, or if their attempts to do so have failed, they should file a complaint with the City. A decision not to confront the individual does not prevent an employee from filing a complaint, nor does it in any way exonerate the accused individual or imply that the City condones the complained-of behavior.

The City's management team is readily available and receptive to responding to complaints of harassment, discrimination, or retaliation. If an employee feels that they or another employee are being harassed by, discriminated against, or retaliated against, by another individual (regardless of whether that person is an employee or non-employee), they should immediately report the facts of the incident to their immediate supervisor, or to any other supervisor who they feel comfortable speaking with. If the employee does not feel that the matter can be discussed with their immediate supervisor or another supervisor, they should contact the City Manager and arrange for a meeting to discuss their complaint. In the event that the complaint concerns the City Manager, the employee may report the matter to the City Attorney.

Complaints should be made as soon as possible following the incident, and should include the following information:

1. The employee's name and position title;
2. The name(s) of the individual(s) committing the harassment, discrimination, or retaliation, as well as position title(s), if known;
3. The specific nature of the harassment, discrimination, or retaliation, how long it has occurred, and any employment action(s) such as demotion, failure to promote, dismissal, refusal to hire, or transfer taken against the victim as a result

of the harassment, discrimination, or retaliation, or any threats made against the victim as a result of the alleged harassment, discrimination, or retaliation;

4. The name(s) of witness(es) to the harassment, discrimination, or retaliation, if any; and
5. Whether the victim has previously made a complaint regarding the harassment, discrimination, or retaliation, and, if so, when and to whom.

All employees are advised that timely reporting to the City, in a manner consistent with the complaint process set forth in this Administrative Policy, is essential. The City cannot respond to harassment, discrimination, or retaliation complaints unless it knows about them. It is the employee's responsibility to bring complaints to the attention of the City so that prompt and appropriate action can be taken.

Employees will not be retaliated against for good faith opposition to, or reporting of, incidents of alleged harassment, discrimination, or retaliation. It is unlawful for an employer to retaliate against employees who oppose or report practices prohibited by federal or state law; file complaints; or, otherwise participate in an investigation, proceeding, or hearing conducted by the federal Equal Employment Opportunity Commission or the California Civil Rights Department. It is the City's policy to strictly comply with such laws and regulations.

The City will not tolerate interference with, or obstruction of, the complaint process. All employees are advised that interference with, or obstruction of, the complaint process may result in discipline up to and potentially including termination.

All employees are advised that failure to follow the complaint process set forth in this Administrative Policy may have an adverse effect on any legal claim under this Administrative Policy if such claims are litigated.

#### **4.7.04. Supervisor Reporting Obligations.**

Any supervisor who (1) receives a complaint of harassment, discrimination, or retaliation, (2) witnesses harassment, discrimination, or retaliation, or (3) has any reason to believe that harassment, discrimination, or retaliation may have occurred, or is presently occurring, in the work environment, is required to immediately report the conduct to their immediate supervisor. If the supervisor does not feel that the report can be made to their immediate supervisor, they are required to make the report to the Administrative Services Director/City Treasurer or City Manager. In

the event that the report concerns the City Manager, the supervisor may make the report to the City Attorney. In any case, the report must be made immediately.

All supervisors are advised that failure to fulfill the reporting obligations set forth in this Administrative Policy will result in discipline up to and potentially including termination, if the harassing, discriminatory, or retaliatory conduct was known or should have been known in the normal course and scope of their supervisory duties.

#### **4.7.05. Anonymous Complaints.**

The City discourages anonymous complaints as anonymity in the complaint process may compromise the City's ability to complete a full investigation; however, any employee may make a complaint of harassment, discrimination, or retaliation without disclosing his/her/their identity by following the process set forth in Section 4.7.03 of this Administrative Policy, but filing the complaint anonymously with the Administrative Service Director/City Treasurer or City Manager. In the event that the complaint concerns the City Manager, the complaint may be filed anonymously with the City Attorney.

All employees are advised that should the City learn of the identity of an anonymous complaining party, the City cannot guarantee that his/her/their identity will remain confidential, if the City determines in its discretion that disclosure is necessary to complete a full investigation or for any other lawful reason.

#### **4.7.06. City Response to Complaints.**

##### *Investigation of Complaints*

After a complaint of harassment, discrimination, or retaliation is received, the City will immediately undertake or direct an effective, thorough, impartial, and objective investigation. The investigation will include, but not necessarily be limited to, obtaining information from the complaining and accused parties, as well as anyone who may have been a witness to the alleged incident.

The City will document complaints and investigations to ensure reasonable progress, timely closure, and reasonable findings based on the evidence collected. No party is entitled to view or receive copies of any confidential notes or other written materials related to complaints or investigations.

At any point during an investigation, the City Council or the City Manager may place

the involved employee(s) on paid administrative leave.

### *Confidentiality*

Any investigation related to a complaint under this Administrative Policy will be conducted with as much confidentiality as the City determines is possible and with respect for the rights of all individuals involved, and except as disclosure may be otherwise required by law. Information related to the investigation will generally be provided on a “need to know” basis. The confidential nature of the complaint and investigation is vital in protecting the privacy rights of all individuals involved and encouraging the reporting of harassment, discrimination, or retaliation.

All employees are advised that failure to keep information related to an investigation confidential, except as expressly authorized by the City Manager or City Attorney, or permitted or required by law, such as in discussion with a legal representative, or conducting an independent investigation at any time on their own initiative, may result in discipline up to and potentially including termination.

### *Cooperation with Investigation*

All employees who are involved in an investigation related to a complaint under this Administrative Policy are required to fully and truthfully cooperate therewith. The City will not tolerate interference with, or obstruction of, an investigation.

All employees are advised that failure to fully and truthfully cooperate with an investigation may result in discipline up to and potentially including termination. Likewise, any interference with, or obstruction of, an investigation may result in discipline up to and potentially including termination.

### *City Determination and Corrective Action*

Following an investigation related to a complaint under this Administrative Policy, the City will make its determination and communicate that determination to the complaining and accused parties. Parties are not entitled to view or receive copies of any confidential notes or other written materials related to the investigation.

If the City determines that the accused party has violated this Administrative Policy, appropriate corrective action will be taken including, but not necessarily limited to, discipline up to and potentially including termination. As a part of the City’s attempt to remedy the complaining party’s concerns, the City’s determination notice to the



complaining party may also generally advise that corrective action has been taken against the accused party.

The definitions and information set forth in this Administrative Policy are based on the legal definitions of harassment, discrimination, and retaliation. In light of the City's duty to prevent the unlawful conduct defined in this Administrative Policy, and in light of the City's desire to maintain a respectful work environment, the City reserves the right to take appropriate corrective action when an employee engages in inappropriate conduct that does not fully rise to the legal standards set forth herein (e.g., the City may take appropriate corrective action for inappropriate conduct, even if such conduct was not subjectively unwelcome or offensive, or if it does not meet the legal threshold of severe or pervasive, or creating or materially contributing to a hostile work environment).

#### *Bad Faith and Intentionally False Complaints*

While the City vigorously defends its employees' right to work in an environment that is free of harassment, discrimination, or retaliation, it also recognizes that false accusations of the same can have serious consequences.

All employees are advised that deliberately reporting a complaint made in bad faith, or deliberately reporting a complaint that is known to be false, may result in discipline up to and potentially including termination.

#### **4.7.07. Additional Enforcement Information.**

Employees who believe that they have been harassed, discriminated, or retaliated against may, at any time, subject to statutory limitations, also file a complaint of discrimination with the federal Equal Employment Opportunity Commission and/or the California Civil Rights Department. Each agency may investigate and process the complaint. Any finding of a violation may subject the violator to penalties and remedial measures that may include, but not necessarily be limited to, sanctions, fines, injunctions, reinstatement, back pay, and damages.

Contact information for the federal Equal Employment Opportunity Commission, as of the date of this Administrative Policy's adoption is:

Website: <https://www.eeoc.gov/>

Email: [info@eeoc.gov](mailto:info@eeoc.gov)

Telephone: (800) 669-4000  
(800) 669-6820 (TTY for deaf/hard of hearing callers only)  
(844) 234-5122 (ASL video phone for deaf/hard of hearing callers only)

Contact information for the California Civil Rights Department, as of the date of this Administrative Policy's adoption is:

Website: <https://calcivilrights.ca.gov/>

Email: [contact.center@calcivilrights.ca.gov](mailto:contact.center@calcivilrights.ca.gov)

Telephone: (800) 884-1684  
(800) 700-2320 (TTY)  
California's Relay Service at 711

The City trusts that employees will act responsibly to further a work environment free of harassment, discrimination, or retaliation. The City encourages employees to ask questions regarding harassment, discrimination, or retaliation of their immediate supervisor or any other supervisor who they feel comfortable speaking with.

#### **4.7.08. Training.**

In accordance with California Government Code Section 12950.1, the City requires supervisory employees to be trained on preventing sexual harassment and abusive conduct in the workplace every two years for at least two hours. All individuals appointed or promoted to supervisory positions shall be trained within six months of the appointment or promotion, if the individual is a new hire or was appointed or promoted from a non-supervisory position.

The City also requires non-supervisory employees to be trained on preventing sexual harassment in the workplace every two years for at least one hour. All individuals in non-supervisory positions shall be trained within six months of their hire date.

In accordance with California Government Code Section 12950.1, the City requires seasonal, temporary, and other employees that are hired to work for less than six months, to complete the training required under this section within 30 calendar days after their hire date or within 100 hours worked, whichever occurs first.

In accordance with California Government Code Section 53237.1, the City requires members of the City Council and other local City officials to be trained on

preventing sexual harassment within six months of taking office, and every two years thereafter, for at least two hours. Local City officials who serve on more than one local agency for which state law requires training on preventing sexual harassment may satisfy the training requirements once every two years, without regard to the number of local agencies they serve.

**4.7.09. Administrative Policy Dissemination.**

All employees, members of the City Council, and other local City officials shall be provided with and acknowledge receipt of a copy of this Administrative Policy as part of their initial orientation with the City and in conjunction with any training that they attend pursuant to Section 4.7.08 of this Administrative Policy.

**4.7.10. Relationship to Federal and State Laws.**

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

**4.7.11. Attachments.**

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

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City Council Adoption: February XX, 2024

**Attachment A, “Glossary of Terms and Acronyms”**

*Please contact your immediate supervisor, the Administrative Services Director/City Treasurer, the City Manager, or another supervisory employee if you have questions regarding these terms or acronyms, or if you are uncertain about what constitutes harassment, discrimination, retaliation, or other prohibited conduct under this Administrative Policy.*

**CALIFORNIA CIVIL RIGHTS DEPARTMENT**: The state agency responsible for enforcing California’s civil rights laws.

**DISCRIMINATION**: Adverse action or conduct by which an employee is treated differently or less favorably than other similarly situated employees for the sole reason that he/ she/they is a member of a legally protected category, associates with individual(s) in a legally protected category, or is perceived as being in a legally protected category.

**EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC)**: The federal agency responsible for enforcing federal employment discrimination laws.

**HARASSMENT**: Verbal, visual, or physical conduct based on an employee’s membership or perceived membership in a legally protected category or association with an individual in a legally protected category that is sufficiently severe or pervasive to affect an employee’s work performance negatively or alter the conditions of employment so that a reasonable person would find the conduct so altered working conditions as to make it more difficult to perform work. For the purpose of this Administrative Policy, “harassment” includes “sexual harassment.”

Harassing conduct can take many forms and includes, but is not limited to, slurs, jokes, statements, gestures, pictures, or computer images regarding an employee’s legally protected category. Harassment on the job is prohibited whether it involves co-worker harassment, harassment by a supervisor or manager, harassment by a local City official, harassment by a subordinate, or harassment by third parties doing business with or for the City.

**LEGALLY PROTECTED CATEGORY**: Race (including, but not limited to, traits historically associated with race such as hair texture and protective hairstyles), color, religion (including, but not limited to, religious dress and grooming practices), sex/gender (including, but not limited to, pregnancy, childbirth, breastfeeding, and related medical conditions), gender identity, gender expression, sexual orientation,

marital status, medical condition (including, but not limited to, genetic characteristics and cancer or a record or history of cancer), military or veteran status, national origin (including, but not limited to, language use and possession of a driver's license issued to persons unable to provide their presence in the United States is authorized under federal law), ancestry, disability (including, but not limited to, mental and physical disabilities such as cancer, genetic characteristics, and human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS)), genetic information, age over 40 years, or any other basis protected by applicable federal, state, or local law, including association with individuals with one or more of these protected characteristics or perception that an individual has one or more of these protected characteristics.

LOCAL CITY OFFICIAL: Any member of the Laguna Woods City Council and any elected local agency official.

RETALIATION: Taking adverse employment action against an employee because of (1) the employee's good faith opposition to, or reporting of, a practice that the employee believes to constitute employment discrimination, harassment, and/or retaliation, or (2) the employee's participation in an employment discrimination, harassment, and/or retaliation investigation, proceeding, or hearing (for the purpose of this definition, collectively, "protected activity").

Examples of conduct that can constitute protected activity include, but are not limited to, the following:

- i. Protected good faith opposition to, or reporting of, perceived or actual discrimination, harassment, and/or retaliation, or refusing to tolerate or engage in prohibited conduct, or threatening to file a complaint with any federal, state, or administrative city or court. Protected opposition also includes a complaint or protest made on behalf of another employee or made by the employee's representative. Complaints or oppositions that are intentionally false and/or not made in good faith are not protected.
- ii. Protected participation such as filing a charge, testifying, assisting, or participating in an internal or administrative investigation, proceeding, or hearing, and/or litigation under federal or state statutes.

Examples of conduct that can constitute an adverse employment action include, but are not limited to, the following:

## ITEM 7.4 – Exhibit A to Attachment A

1. Adverse employment actions such as disciplinary actions, unwarranted negative performance evaluations, undesirable transfers, negative comments, unwarranted criticism, unwarranted exclusion from meetings or events, or undesirable change in work duties, unwarranted discipline, or any action that is taken because of the employee's good faith opposition to, or reporting of, harassment or discrimination, or because of the employee's participation in an employment discrimination or harassment investigation, proceeding, or hearing.

**SEXUAL HARASSMENT:** Conduct that constitutes an unwelcome sexual advance, proposition, or request for sexual favors or dating, or any verbal, visual, or physical conduct of a sexual nature. Sexual harassment occurs where:

- i. Submission to such conduct is made a term or condition of employment or relates to the conditional receipt of employment benefits, such as hiring, compensation, or advancement;
- ii. Submission to or rejection of such conduct is used as basis for making employment decisions affecting the individual; or
- iii. Such conduct is severe and pervasive to the extent that it has the purpose or effect of unreasonably interfering with an employee's work performance or creates an intimidating, hostile, or offensive working environment.

Sexual harassment can occur between members of the same or opposite sex and need not be motivated by sexual desire. Sexual harassment on the job is prohibited whether it involves co-worker harassment, harassment by a supervisor or manager, harassment by a local City official, harassment by a subordinate, or harassment by third parties doing business with or for the City.

Examples of conduct that can constitute unlawful harassment or sexual harassment include, but are not limited to, the following:

1. Verbal harassment: Verbal sexual advances or propositions, jokes, epithets, derogatory comments or slurs, graphic commentaries about an individual's body or physical appearance, or other suggestive or offensive comments made on the basis of a legally protected category.
2. Physical harassment: Assault, unwanted touching, impeding or

## ITEM 7.4 – Exhibit A to Attachment A

blocking movement, failure to respect reasonable norms of personal space, interference with normal work movement, massages, sitting on laps, or physical behavior of any type based on a legally protected category.

3. Visual harassment: Leering, derogatory gestures, inappropriate or offensive posters, notices, bulletins, cartoons, drawings, e-mails, content displayed from a computer or cellular telephone, or other depictions related to a legally protected category.
4. Sexual conduct: Unwelcome sexual advances or propositions, requests for sexual favors, requests for dates, verbal abuse of a sexual nature, verbal commentary about an individual's body, dress or appearance, sexually explicit jokes, sexually degrading language, suggestive or obscene communications, and other verbal, visual or physical conduct of a sexual nature.

SUPERVISOR: An employee with the authority to direct employees, address or respond to grievances, hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees, or make such recommendations, if, in connection with the foregoing, the exercise of that authority is not merely of a routine or clerical nature, but requires the use of independent judgment.

**CITY OF LAGUNA WOODS  
ADMINISTRATIVE POLICY 4.7**

**HARASSMENT, DISCRIMINATION, AND RETALIATION**

**4.7.01. Statement of Purpose.**

This Administrative Policy is intended to (1) define and explicitly prohibit harassing, discriminatory, or retaliatory conduct within the City of Laguna Woods’ work environment, (2) explicitly prohibit the condoning or perpetuation of such conduct, and (3) establish a standardized and efficient process for reporting and responding to complaints of such conduct.

**4.7.02. Statement of Overarching Policy.**

The City expressly prohibits harassment or discrimination of employees, officials, officers, agents, volunteers, interns, consultants, contractors, vendors, visitors, or members of the public (“individuals”) based ~~upon~~ on any one or more legally protected category ~~(race, religion, creed, color, national origin, ancestry, physical or mental disability, medical condition, pregnancy, childbirth or related medical conditions, veteran status, sexual orientation, gender identity or expression, genetic information, marital status, military or veteran status, sex, age over 40 years, or any other basis protected by applicable federal, state, or local law, including association with individuals with one or more of these protected characteristics or perception that an individual has one or more of these protected characteristics).~~ [race (including, but not limited to, traits historically associated with race such as hair texture and protective hairstyles), color, religion (including, but not limited to, religious dress and grooming practices), sex/gender (including, but not limited to, pregnancy, childbirth, breastfeeding, and related medical conditions), gender identity, gender expression, sexual orientation, marital status, medical condition (including, but not limited to, genetic characteristics and cancer or a record or history of cancer), military or veteran status, national origin (including, but not limited to, language use and possession of a driver’s license issued to persons unable to provide their presence in the United States is authorized under federal law), ancestry, disability (including, but not limited to, mental and physical disabilities such as cancer, genetic characteristics, and human immunodeficiency virus (HIV)/ acquired immunodeficiency syndrome (AIDS)), genetic information, age over 40 years, or any other basis protected by applicable federal, state, or local law, including association with individuals with one or more of these protected characteristics or perception that an individual has one or more of these protected characteristics].



The City expressly prohibits retaliation against individuals for good faith opposition to, or reporting of, harassment, discrimination, or retaliation.

The City considers harassment, discrimination, and retaliation to be serious offenses and is firmly committed to the philosophy that every employee has the right to work in an environment free from such conduct. Employees are expected to adhere to a standard of conduct that is respectful to all persons within the work environment and compliant with this Administrative Policy and all applicable federal, state, and local laws and regulations governing workplace conduct.

#### **4.7.03. Reporting Harassment, Discrimination, or Retaliation.**

The City strongly encourages the reporting of all actual or perceived incidents of harassment, discrimination, or retaliation.

If an employee believes the conduct of an individual to be harassing, discriminatory, retaliatory, or otherwise contrary to this Administrative Policy, they are encouraged, but not required, to inform the individual of the conduct that they find offensive and request that the individual cease such behavior. If they do not wish to confront the individual, or if their attempts to do so have failed, they should file a complaint with the City. A decision not to confront the individual does not prevent an employee from filing a complaint, nor does it in any way exonerate the accused individual or imply that the City condones the complained-of behavior.

The City's management team is readily available and receptive to responding to complaints of harassment, discrimination, or retaliation. If an employee feels that they or another employee are being harassed by, discriminated against, or retaliated against, by another individual (regardless of whether that person is an employee or non-employee), they should immediately report the facts of the incident to their immediate supervisor, or to any other supervisor who they feel comfortable speaking with. If the employee does not feel that the matter can be discussed with their immediate supervisor or another supervisor, they should contact the City Manager and arrange for a meeting to discuss their complaint. In the event that the complaint concerns the City Manager, the employee may report the matter to the City Attorney.

Complaints should be made as soon as possible following the incident, and should include the following information:

1. The employee's name and position title;
2. The name(s) of the individual(s) committing the harassment, discrimination, or retaliation, as well as position title(s), if known;
3. The specific nature of the harassment, discrimination, or retaliation, how long it has occurred, and any employment action(s) such as demotion, failure to promote, dismissal, refusal to hire, or transfer taken against the victim as a result of the harassment, discrimination, or retaliation, or any threats made against the victim as a result of the alleged harassment, discrimination, or retaliation;
4. The name(s) of witness(es) to the harassment, discrimination, or retaliation, if any; and
5. Whether the victim has previously made a complaint regarding the harassment, discrimination, or retaliation, and, if so, when and to whom.

All employees are advised that timely reporting to the City, in a manner consistent with the complaint process set forth in this Administrative Policy, is essential. The City cannot respond to harassment, discrimination, or retaliation complaints unless it knows about them. It is the employee's responsibility to bring complaints to the attention of the City so that prompt and appropriate action can be taken.

Employees will not be retaliated against for good faith opposition to, or reporting of, incidents of alleged harassment, discrimination, or retaliation. It is unlawful for an employer to retaliate against employees who oppose or report practices prohibited by federal or state law; file complaints; or, otherwise participate in an investigation, proceeding, or hearing conducted by the federal Equal Employment Opportunity Commission or the California ~~Department of Fair Employment and Housing~~ Civil Rights Department. It is the City's policy to strictly comply with such laws and regulations.

The City will not tolerate interference with, or obstruction of, the complaint process. All employees are advised that interference with, or obstruction of, the complaint process may result in discipline up to and potentially including termination.

All employees are advised that failure to follow the complaint process set forth in this Administrative Policy may have an adverse effect on any legal claim under this Administrative Policy if such claims are litigated.

#### **4.7.04. Supervisor Reporting Obligations.**

Any supervisor who (1) receives a complaint of harassment, discrimination, or retaliation, (2) witnesses harassment, discrimination, or retaliation, or (3) has any reason to believe that harassment, discrimination, or retaliation may have occurred, or is presently occurring, in the work environment, is required to immediately report the conduct to their immediate supervisor. If the supervisor does not feel that the report can be made to their immediate supervisor, they are required to make the report to the Administrative Services Director/City Treasurer or City Manager. In the event that the report concerns the City Manager, the supervisor may make the report to the City Attorney. In any case, the report must be made immediately.

All supervisors are advised that failure to fulfill the reporting obligations set forth in this Administrative Policy will result in discipline up to and potentially including termination, if the harassing, discriminatory, or retaliatory conduct was known or should have been known in the normal course and scope of their supervisory duties.

#### **4.7.05. Anonymous Complaints.**

The City discourages anonymous complaints as anonymity in the complaint process may compromise the City's ability to complete a full investigation; however, any employee may make a complaint of harassment, discrimination, or retaliation without disclosing his/her/their identity by following the process set forth in Section 4.7.03 of this Administrative Policy, but filing the complaint anonymously with the Administrative Service Director/City Treasurer or City Manager. In the event that the complaint concerns the City Manager, the complaint may be filed anonymously with the City Attorney.

All employees are advised that should the City learn of the identity of an anonymous complaining party, the City cannot guarantee that his/her/their identity will remain confidential, if the City determines in its discretion that disclosure is necessary to complete a full investigation or for any other lawful reason.

#### **4.7.06. City Response to Complaints.**

##### *Investigation of Complaints*

After a complaint of harassment, discrimination, or retaliation is received, the City will immediately undertake or direct an effective, thorough, impartial, and objective

investigation. The investigation will include, but not necessarily be limited to, obtaining information from the complaining and accused parties, as well as anyone who may have been a witness to the alleged incident.

The City will document complaints and investigations to ensure reasonable progress, timely closure, and reasonable findings based on the evidence collected. No party is entitled to view or receive copies of any confidential notes or other written materials related to complaints or investigations.

At any point during an investigation, the City Council or the City Manager may place the involved employee(s) on paid administrative leave.

### *Confidentiality*

Any investigation related to a complaint under this Administrative Policy will be conducted with as much confidentiality as the City determines is possible and with respect for the rights of all individuals involved, and except as disclosure may be otherwise required by law. Information related to the investigation will generally be provided on a “need to know” basis. The confidential nature of the complaint and investigation is vital in protecting the privacy rights of all individuals involved and encouraging the reporting of harassment, discrimination, or retaliation.

All employees are advised that failure to keep information related to an investigation confidential, except as expressly authorized by the City Manager or City Attorney, or permitted or required by law, such as in discussion with a legal representative, or conducting an independent investigation at any time on their own initiative, may result in discipline up to and potentially including termination.

### *Cooperation with Investigation*

All employees who are involved in an investigation related to a complaint under this Administrative Policy are required to fully and truthfully cooperate therewith. The City will not tolerate interference with, or obstruction of, an investigation.

All employees are advised that failure to fully and truthfully cooperate with an investigation may result in discipline up to and potentially including termination. Likewise, any interference with, or obstruction of, an investigation may result in discipline up to and potentially including termination.

### *City Determination and Corrective Action*

Following an investigation related to a complaint under this Administrative Policy, the City will make its determination and communicate that determination to the complaining and accused parties. Parties are not entitled to view or receive copies of any confidential notes or other written materials related to the investigation.

If the City determines that the accused party has violated this Administrative Policy, appropriate corrective action will be taken including, but not necessarily limited to, discipline up to and potentially including termination. As a part of the City's attempt to remedy the complaining party's concerns, the City's determination notice to the complaining party may also generally advise that corrective action has been taken against the accused party.

The definitions and information set forth in this Administrative Policy are based on the legal definitions of harassment, discrimination, and retaliation. In light of the City's duty to prevent the unlawful conduct defined in this Administrative Policy, and in light of the City's desire to maintain a respectful work environment, the City reserves the right to take appropriate corrective action when an employee engages in inappropriate conduct that does not fully rise to the legal standards set forth herein (e.g., the City may take appropriate corrective action for inappropriate conduct, even if such conduct was not subjectively unwelcome or offensive, or if it does not meet the legal threshold of severe or pervasive, or creating or materially contributing to a hostile work environment).

#### *Bad Faith and Intentionally False Complaints*

While the City vigorously defends its employees' right to work in an environment that is free of harassment, discrimination, or retaliation, it also recognizes that false accusations of the same can have serious consequences.

All employees are advised that deliberately reporting a complaint made in bad faith, or deliberately reporting a complaint that is known to be false, may result in discipline up to and potentially including termination.

#### **4.7.07. Additional Enforcement Information.**

Employees who believe that they have been harassed, discriminated, or retaliated against may, at any time, ~~within one year of the incidents~~ subject to statutory limitations, also file a complaint of discrimination with the federal Equal Employment Opportunity Commission and/or the California ~~Department of Fair~~

~~Employment and Housing~~Civil Rights Department. Each agency may investigate and process the complaint. Any finding of a violation may subject the violator to penalties and remedial measures that may include, but not necessarily be limited to, sanctions, fines, injunctions, reinstatement, back pay, and damages.

Contact information for the federal Equal Employment Opportunity Commission, as of the date of this Administrative Policy’s adoption is:

Website: <https://www.eeoc.gov/>

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California’s Relay Service at 711

The City trusts that employees will act responsibly to further a work environment free of harassment, discrimination, or retaliation. The City encourages employees to ask questions regarding harassment, discrimination, or retaliation of their immediate supervisor or any other supervisor who they feel comfortable speaking with.

#### **4.7.08. Training.**

In accordance with ~~Assembly Bill 1825 (Sexual harassment: training and education) and Assembly Bill 2053 (Employment discrimination or harassment: education and training: abusive conduct)~~ California Government Code Section 12950.1, the City requires supervisory employees to be trained on preventing sexual harassment and abusive conduct in the workplace every two years for at least two hours. All individuals appointed or promoted to supervisory positions shall be trained within



six months of the appointment or promotion, if the individual is a new hire or was appointed or promoted from a non-supervisory position.

The City also requires non-supervisory employees to be trained on preventing sexual harassment in the workplace every two years for at least one hour. All individuals in non-supervisory positions shall be trained within six months of their hire date.

In accordance with ~~Senate Bill 1343 and Senate Bill 778 (both titled *Employers: sexual harassment training: requirements*)~~ California Government Code Section 12950.1, the City requires ~~seasonal and temporary employees, and any employees who are hired to work for less than six months~~ seasonal, temporary, and other employees that are hired to work for less than six months, to complete the training required under this section within 30 calendar days after their hire date or within 100 hours worked, whichever occurs first.

In accordance with ~~Assembly Bill 1661 (*Local government: sexual harassment prevention training and education*)~~ California Government Code Section 53237.1, the City requires members of the City Council and other local City officials to be trained on preventing sexual harassment within six months of taking office, and every two years thereafter, for at least two hours. Local City officials who serve on more than one local agency for which state law requires training on preventing sexual harassment may satisfy the training requirements once every two years, without regard to the number of local agencies they serve.

#### **4.7.09. Administrative Policy Dissemination.**

All employees, members of the City Council, and other local City officials shall be provided with and acknowledge receipt of a copy of this Administrative Policy as part of their initial orientation with the City and in conjunction with any training that they attend pursuant to Section 4.7.08 of this Administrative Policy.

#### **4.7.10. Relationship to Federal and State Laws.**

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

#### **4.7.11. Attachments.**

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

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City Council Adoption: ~~August 19, 2020~~February XX, 2024

REDLINE



## Attachment A, “Glossary of Terms and Acronyms”

*Please contact your immediate supervisor, the Administrative Services Director/City Treasurer, the City Manager, or another supervisory employee if you have questions regarding these terms or acronyms, or if you are uncertain about what constitutes harassment, discrimination, retaliation, or other prohibited conduct under this Administrative Policy.*

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING (CDFEH) CIVIL RIGHTS DEPARTMENT: The state agency responsible for enforcing California’s civil rights laws.

DISCRIMINATION: Adverse Action or conduct by which an employee is treated differently or less favorably than other similarly situated employees for the sole reason that he/ she/they is a member of a legally protected category, associates with individual(s) in a legally protected category, or is perceived as being in a legally protected category.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC): The federal agency responsible for enforcing federal employment discrimination laws.

HARASSMENT: Verbal, visual, or physical conduct based on an employee’s membership or perceived membership in a legally protected category or association with an individual in a legally protected category that is sufficiently severe or pervasive to affect an employee’s work performance negatively or alter the conditions of employment and create an intimidating, hostile, or otherwise offensive working environment so that a reasonable person would find the conduct so altered working conditions as to make it more difficult to perform work. For the purpose of this Administrative Policy, “harassment” includes “sexual harassment.”

Harassing conduct can take many forms and includes, but is not limited to, slurs, jokes, statements, gestures, pictures, or computer images regarding an employee’s legally protected category. Harassment on the job is prohibited whether it involves co-worker harassment, harassment by a supervisor or manager, harassment by a local City official, harassment by a subordinate, or harassment by third parties doing business with or for the City.

LEGALLY PROTECTED CATEGORY: ~~Race, religion, creed, color, national origin, ancestry, physical or mental disability, medical condition, pregnancy, childbirth or related medical conditions, veteran status, sexual orientation, gender~~

~~identity or expression, genetic information, marital status, military or veteran status, sex, age over 40 years, or any other basis protected by applicable federal, state, or local law, including association with individuals with one or more of these protected characteristics or perception that an individual has one or more of these protected characteristics. Race (including, but not limited to, traits historically associated with race such as hair texture and protective hairstyles), color, religion (including, but not limited to, religious dress and grooming practices), sex/gender (including, but not limited to, pregnancy, childbirth, breastfeeding, and related medical conditions), gender identity, gender expression, sexual orientation, marital status, medical condition (including, but not limited to, genetic characteristics and cancer or a record or history of cancer), military or veteran status, national origin (including, but not limited to, language use and possession of a driver’s license issued to persons unable to provide their presence in the United States is authorized under federal law), ancestry, disability (including, but not limited to, mental and physical disabilities such as cancer, genetic characteristics, and human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS)), genetic information, age over 40 years, or any other basis protected by applicable federal, state, or local law, including association with individuals with one or more of these protected characteristics or perception that an individual has one or more of these protected characteristics.~~

**LOCAL CITY OFFICIAL:** Any member of the Laguna Woods City Council and any elected local agency official.

**RETALIATION:** Taking adverse employment action against an employee because of (1) the employee’s good faith opposition to, or reporting of, a practice that the employee believes to constitute employment discrimination, harassment, and/or retaliation, or (2) the employee’s participation in an employment discrimination, harassment, and/or retaliation investigation, proceeding, or hearing (for the purpose of this definition, collectively, “protected activity”).

Examples of conduct that can constitute protected activity include, but are not limited to, the following:

- i. Protected good faith opposition to, or reporting of, perceived or actual discrimination, harassment, and/or retaliation, or refusing to tolerate or engage in prohibited conduct, or threatening to file a complaint with any federal, state, or administrative city or court. Protected opposition also includes a complaint or protest made on behalf of another employee or made by the employee’s representative. Complaints or

oppositions that are intentionally false and/or not made in good faith are not protected.

- ii. Protected participation such as filing a charge, testifying, assisting, or participating in an internal or administrative investigation, proceeding, or hearing, and/or litigation under federal or state statutes.

Examples of conduct that can constitute an adverse employment action include, but are not limited to, the following:

1. Adverse employment actions such as disciplinary actions, unwarranted negative performance evaluations, undesirable transfers, negative comments, unwarranted criticism, unwarranted exclusion from meetings or events, or undesirable change in work duties, unwarranted discipline, or any action that is taken because of the employee's good faith opposition to, or reporting of, harassment or discrimination, or because of the employee's participation in an employment discrimination or harassment investigation, proceeding, or hearing.

SEXUAL HARASSMENT: Conduct that constitutes an unwelcome sexual advance, proposition, or request for sexual favors or dating, or any verbal, visual, or physical conduct of a sexual nature. Sexual harassment occurs where:

- i. Submission to such conduct is made a term or condition of employment or relates to the conditional receipt of employment benefits, such as hiring, compensation, or advancement;
- ii. Submission to or rejection of such conduct is used as basis for making employment decisions affecting the individual; or
- iii. Such conduct is severe and pervasive to the extent that it has the purpose or effect of unreasonably interfering with an employee's work performance or creates an intimidating, hostile, or offensive working environment.

Sexual harassment can occur between members of the same or opposite sex and need not be motivated by sexual desire. Sexual harassment on the job is prohibited whether it involves co-worker harassment, harassment by a supervisor or manager, harassment by a local City official, harassment by a subordinate, or harassment by third parties doing business with or for the City.

Examples of conduct that can constitute unlawful harassment or sexual harassment include, but are not limited to, the following:

1. Verbal harassment: Verbal sexual advances or propositions, jokes, epithets, derogatory comments or slurs, graphic commentaries about an individual's body or physical appearance, or other suggestive or offensive comments made on the basis of a legally protected category.
2. Physical harassment: Assault, unwanted touching, impeding or blocking movement, failure to respect reasonable norms of personal space, interference with normal work movement, massages, sitting on laps, or physical behavior of any type based on a legally protected category.
3. Visual harassment: Leering, derogatory gestures, inappropriate or offensive posters, notices, bulletins, cartoons, drawings, e-mails, content displayed from a computer or cellular telephone, or other depictions related to a legally protected category.
4. Sexual conduct: Unwelcome sexual advances or propositions, requests for sexual favors, requests for dates, verbal abuse of a sexual nature, verbal commentary about an individual's body, dress or appearance, sexually explicit jokes, sexually degrading language, suggestive or obscene communications, and other verbal, visual or physical conduct of a sexual nature.

**SUPERVISOR:** An employee with the authority to direct employees, address or respond to grievances, hire, transfer, suspend, layoff, recall, promote, discharge, assign, ~~regard~~reward, or discipline other employees, or make such recommendations, if, in connection with the foregoing, the exercise of that authority is not merely of a routine or clerical nature, but requires the use of independent judgment.

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**9.1**

**EL TORO ROAD AND MOULTON PARKWAY  
WATER QUALITY TREATMENT PROJECT**

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# City of Laguna Woods

## Agenda Report

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Christopher Macon, City Manager

**FOR:** February 21, 2024 Regular Meeting

**SUBJECT:** El Toro Road and Moulton Parkway Water Quality Treatment Project

---

### **Recommendation**

1. Approve the “El Toro Road and Moulton Parkway Water Quality Treatment Project: Phase 1” design plans and specifications as prepared by the project engineer.

AND

2. Approve a notice of exemption for the “El Toro Road and Moulton Parkway Water Quality Treatment Project: Phase 1” 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 2023-25 BUDGET AND WORK PLAN FOR FISCAL YEAR 2023-24 COMMENCING JULY 1, 2023 AND ENDING JUNE 30, 2024, AND FISCAL YEAR 2024-25 COMMENCING JULY 1, 2024 AND ENDING JUNE 30, 2025, RELATED TO ALLOCATION OF EXISTING



FEDERAL GRANTS FUND (AMERICAN RESCUE PLAN ACT  
(CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS))  
APPROPRIATIONS TO THE EL TORO ROAD AND MOULTON  
PARKWAY WATER QUALITY TREATMENT PROJECT

AND

4. Award a contract agreement to Leonida Builders, Inc. for the construction of the “El Toro Road and Moulton Parkway Water Quality Treatment Project: Phase 1”, in the amount of \$311,547.00, plus authorized change orders not to exceed 10% 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.

**Background**

The El Toro Road and Moulton Parkway Water Quality Treatment Project (“project”) is included in the Fiscal Years 2023-34 Capital Improvement Program and involves the construction of a modular wetland system unit on westbound El Toro Road east of Aliso Creek Road near Woods End Wilderness Preserve, and a vegetated swale on southbound Moulton Parkway between City Centre Park and El Toro Road. Work specifically consists of, but is not limited to, constructing a vegetated swale with landscaping, a retaining wall, gabion structures, sidewalk culverts, and area drains; and a modular wetland system, including relocation of an impacted electrical conduit and sidewalk removal and replacement.

**Discussion**

Today’s meeting is an opportunity for City Council action, as well as public input, on the El Toro Road and Moulton Parkway Water Quality Treatment Project. After three rounds of unsuccessful bid solicitation, the project was separated into two phases – Phase 1, encompassing the vegetated swale work on Moulton Parkway, and Phase 2, encompassing the modular wetland system work on El Toro Road.

A conceptual planting plan and rendering of Phase 1 is included as Attachment A.

The major drainage area to the vegetated swale is shown on Attachment B.

Staff recommends that the City Council take the following four actions to allow

construction of Phase 1 to proceed:

### Recommendation 1

Approval of the Phase 1 project design plans and specifications as prepared by the project engineer (Fusco Engineering, Inc). The design plans and specifications are available for review at or from the City Clerk's Office, Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637. Telephone: (949) 639-0500. Email: [cityhall@cityoflagunawoods.org](mailto:cityhall@cityoflagunawoods.org).

### Recommendation 2

Approval of a notice of exemption for Phase 1 of the project (Attachment C) finding that Phase 1 of the project is categorically exempt from the California Environmental Quality Act ("CEQA") and authorization for the City Manager to cause the notice of exemption to be filed pursuant to applicable law.

### Recommendation 3

Approval of a resolution amending and adopting the Fiscal Years 2023-25 Budget and Work Plan for Fiscal Year 2023-24 commencing July 1, 2023 and ending June 30, 2024, and Fiscal Year 2024-25 commencing July 1, 2024 and ending June 30, 2025, related to allocation of existing Federal Grants Fund (American Rescue Plan Act (Coronavirus Local Fiscal Recovery Funds)) appropriations to the project (Attachment D).

The project is currently funded in the amount of \$186,500 using American Rescue Plan Act (Coronavirus Local Fiscal Recovery Funds). In order to construct Phase 1 of the project, the proposed resolution would increase existing American Rescue Plan Act (Coronavirus Local Fiscal Recovery Funds) appropriations for the project by \$228,092 for a total of \$414,592.

Sufficient American Rescue Plan Act (Coronavirus Local Fiscal Recovery Funds) to support the recommendation are included in the City's budget. \$447,732 of the overall \$3,791,657 allocation has yet to be allocated to specific projects.

### Recommendation 4

Award of a contract agreement to Leonida Builders, Inc. for the construction of the

project, in the amount of \$311,547.00, plus authorized change orders not to exceed 10% of the base amount; and authorization for 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.

Bids to construct the project were solicited from January 18, 2024 through February 8, 2024. Two bids were received (see Table 1). After review, Leonida Builders, Inc. is the lowest cost responsive bidder.

*Table 1: Bids Received*

<b>Bidder</b>	<b>Bid Amount</b>
GCI Construction, Inc.	\$467,996.70
Leonida Builders, Inc.	\$311,547.00

It is anticipated that construction would be complete within 30 calendar days of the date the City issues a Notice to Proceed to the selected contractor. The City would issue the Notice to Proceed no later than March 18, 2024.

### **Environmental Review**

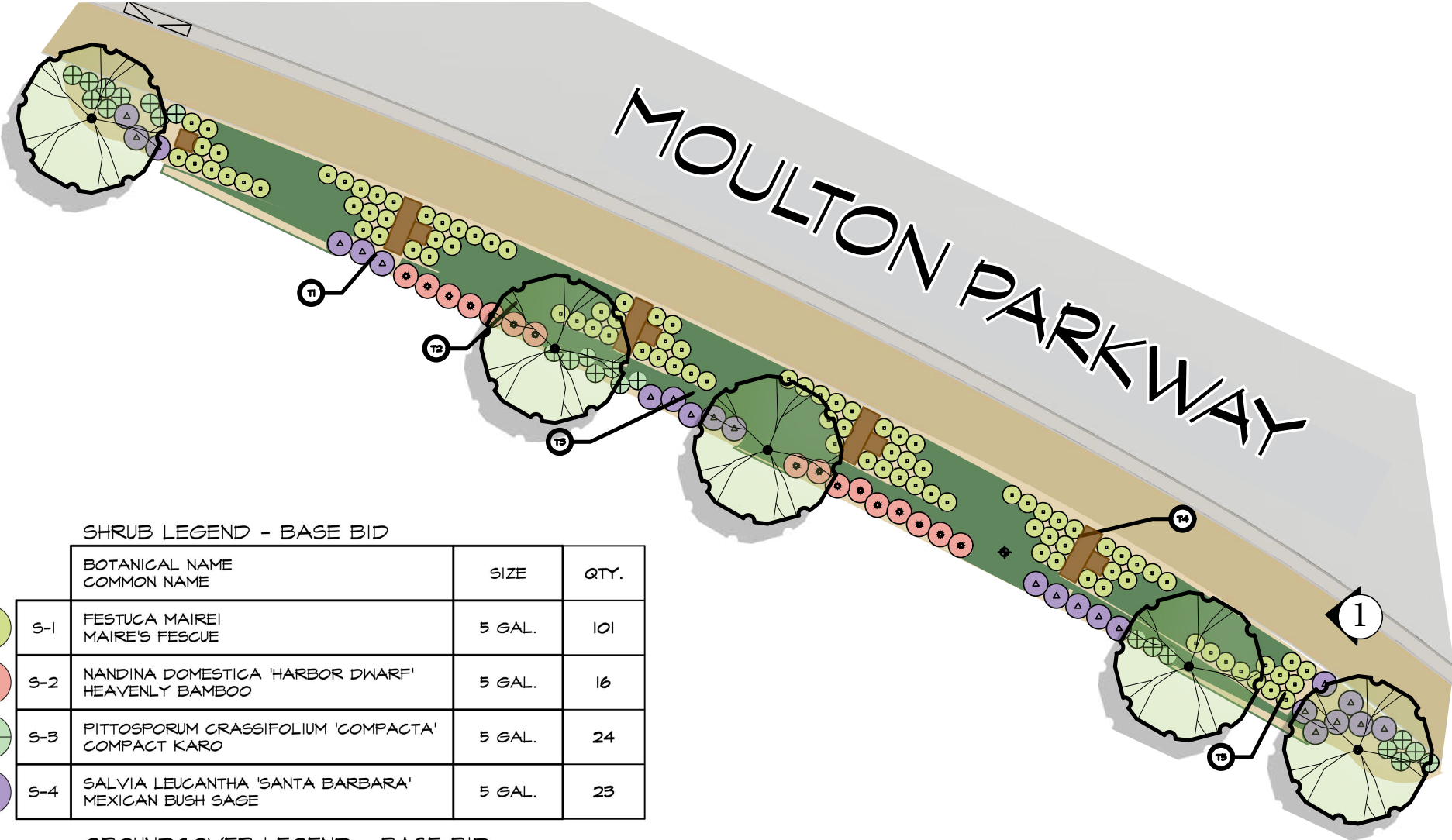
The project is categorically exempt from CEQA pursuant to California Code of Regulations, Title 14, Sections 15301 and 15304. For additional information, refer to the proposed notice of exemption (Attachment B).

### **Fiscal Impact**

Please refer to the preceding discussion regarding Recommendation 3.

Report Prepared With: April Baumgarten, Public Works Administrator

Attachments: A – Conceptual Planting Plan and Rendering (Phase 1)  
 B – Major Drainage Area (Phase 1)  
 C – Proposed Notice of Exemption (Phase 1)  
 D – Proposed Resolution



SHRUB LEGEND - BASE BID

	BOTANICAL NAME COMMON NAME	SIZE	QTY.
	S-1 FESTUCA MAIREI MAIRE'S FESCUE	5 GAL.	101
	S-2 NANDINA DOMESTICA 'HARBOR DWARF' HEAVENLY BAMBOO	5 GAL.	16
	S-3 PITTOSPORUM CRASSIFOLIUM 'COMPACTA' COMPACT KARO	5 GAL.	24
	S-4 SALVIA LEUCANTHA 'SANTA BARBARA' MEXICAN BUSH SAGE	5 GAL.	23

GROUNDCOVER LEGEND - BASE BID

	BOTANICAL NAME COMMON NAME	SIZE	QTY.
	GC-1 CAREX DIVULSA BERKELEY SEDGE	1 GAL. @2'-6" O.C.	241 (1,337SF)



09/22/2023

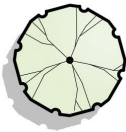


MOULTON PKWY - PLAN  
**WATER QUALITY TREATMENT PROJECT**  
 CITY OF LAGUNA WOODS, CALIFORNIA

EXISTING TREE REMOVALS - MOULTON PKWY.

TREES TO BE REMOVED:	CURRENT DIAMETER BREAST HEIGHT (DBH) AT REMOVAL:
T1 TREE #1: GEIJERA PARVIFLORA AUSTRALIAN WILLOW	6"
T2 TREE #2: GEIJERA PARVIFLORA AUSTRALIAN WILLOW	7"
T3 TREE #3: GEIJERA PARVIFLORA AUSTRALIAN WILLOW	7"
T4 TREE #4: SCHINUS MOLLE CALIFORNIA PEPPER TREE	8"
T5 TREE #5: GEIJERA PARVIFLORA AUSTRALIAN WILLOW	7"

TREE LEGEND - BASE BID



	BOTANICAL NAME COMMON NAME	SIZE	QTY.
T-1	GEIJERA PARVIFLORA AUSTRALIAN WILLOW	24" BOX	5

PROPOSED TREE INSTALLATIONS - MOULTON PKWY.

TREES TO BE INSTALLED:	DIAMETER BREAST HEIGHT (DBH) AT MATURITY:
TREE #1: GEIJERA PARVIFLORA AUSTRALIAN WILLOW	12"
TREE #2: GEIJERA PARVIFLORA AUSTRALIAN WILLOW	12"
TREE #3: GEIJERA PARVIFLORA AUSTRALIAN WILLOW	12"
TREE #4: GEIJERA PARVIFLORA AUSTRALIAN WILLOW	12"
TREE #5: GEIJERA PARVIFLORA AUSTRALIAN WILLOW	12"



09/22/2023

MOULTON PKWY - TREES

WATER QUALITY TREATMENT PROJECT  
CITY OF LAGUNA WOODS, CALIFORNIA





SOUTHBOUND MOULTON PARKWAY PERSPECTIVE LOOKING NORTH

MOULTON PKWY - EXISTING CONDITION

**WATER QUALITY TREATMENT PROJECT**  
 CITY OF LAGUNA WOODS, CALIFORNIA



09/22/2023

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SOUTHBOUND MOULTON PARKWAY PERSPECTIVE LOOKING NORTH



09/22/2023

MOULTON PKWY - RENDERING

**WATER QUALITY TREATMENT PROJECT**  
 CITY OF LAGUNA WOODS, CALIFORNIA

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09/22/2023 MOULTON PKWY - SHRUBS & GROUND COVER IMAGE BOARD

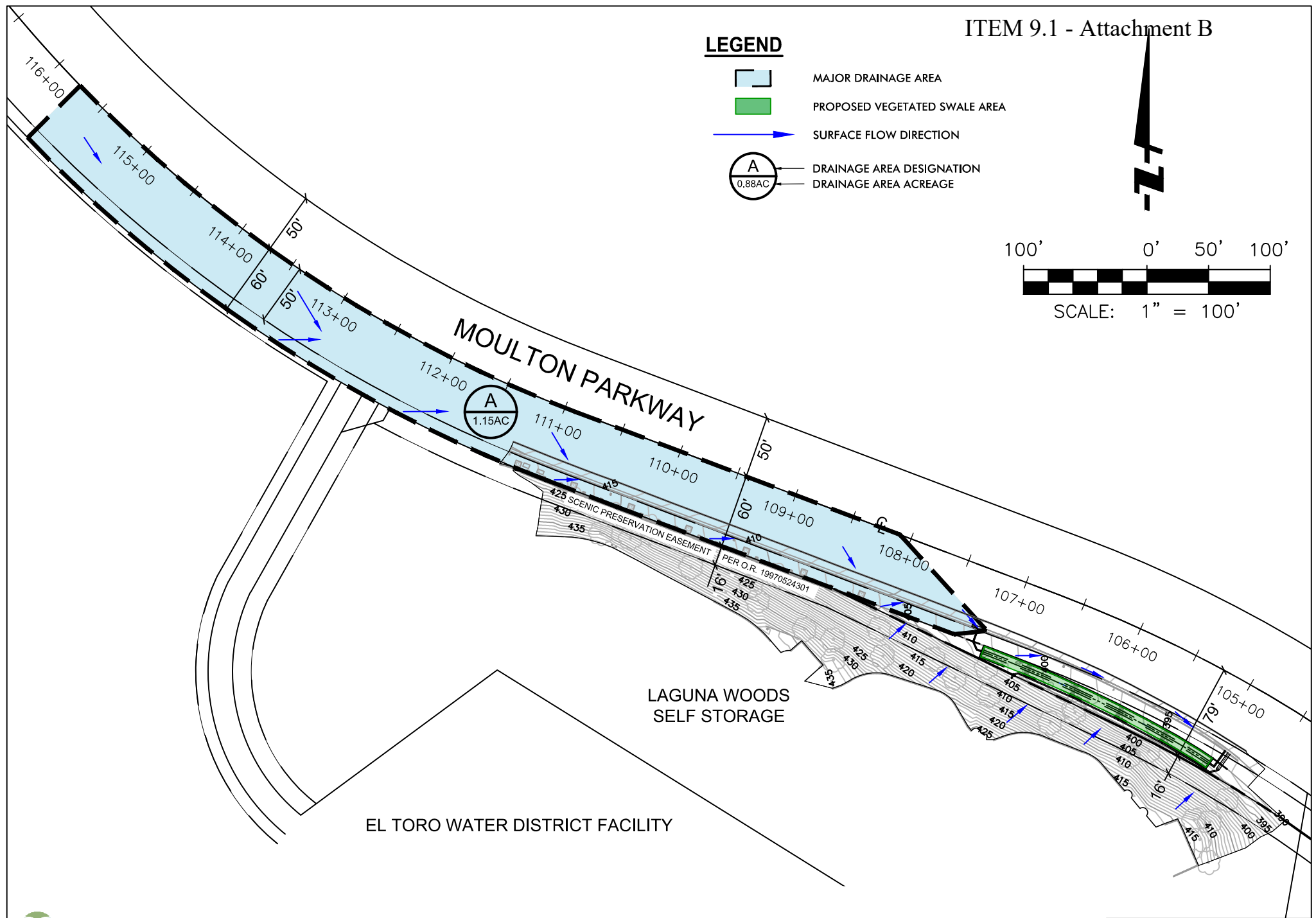
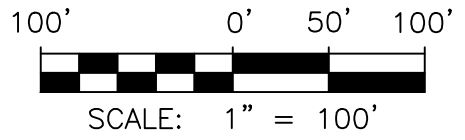
**WATER QUALITY TREATMENT PROJECT**  
CITY OF LAGUNA WOODS, CALIFORNIA



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**LEGEND**

-  MAJOR DRAINAGE AREA
-  PROPOSED VEGETATED SWALE AREA
-  SURFACE FLOW DIRECTION
-  DRAINAGE AREA DESIGNATION  
DRAINAGE AREA ACREAGE



PROJECT: 041101 | DRAWING: 001 - 01 | SCALE: PROPOSED | DATE: 02-12-2024 | 5:41 PM | BY: [Redacted]

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Recording requested by City of Laguna Woods  
When recorded, mail to City of Laguna Woods,  
24264 El Toro Road, Laguna Woods, CA 92637.  
(949) 639-0500

Exemption Code 6103



**NOTICE OF EXEMPTION**

<b>To:</b> County of Orange Orange County Clerk-Recorder P.O. Box 238 Santa Ana, CA 92701	<b>From:</b> City of Laguna Woods 24264 El Toro Road Laguna Woods, CA 92637 (949) 639-0500
--	---

**Project Title:** El Toro Road and Moulton Parkway Water Quality Treatment Project: Phase 1

**Project Applicant:** City of Laguna Woods  
24264 El Toro Road  
Laguna Woods, CA 92637  
(949) 639-0500

**Project Location – Specific:** The project is located within the City of Laguna Woods’ public right-of-way on, and west of, southbound Moulton Parkway between the signalized intersections at Laguna Woods Village Gate 16 and El Toro Road.

**Project Location – City:** Laguna Woods, California **Project Location – County:** Orange

**Description of Nature, Purpose, and Beneficiaries of Project:** The project consists of, but is not limited to, construction of a vegetated swale with landscaping, a retaining wall, gabion structures, sidewalk culverts, and area drains.

This project is intended to help achieve compliance with applicable National Pollutant Discharge Elimination System (“NPDES”) requirements for the Moulton Widening Project, Segment 3 Phase II from 400’ North of El Toro Road to 50’ North of Santa Maria Avenue (“Moulton Project”). The Moulton Project was managed by the County of Orange and was to have included several structural Best Management Practices (“BMPs”) to treat stormwater runoff that were ultimately not constructed. The BMPs included in this project will treat a portion of an area equivalent in size as those unconstructed BMPs.

By furthering compliance with NPDES requirements, this project will reduce water pollution and improve downstream water quality, thus providing environmental and public health benefits.

**Name of Public Agency Approving Project:** City of Laguna Woods

**Name of Person or Agency Carrying Out Project:** City of Laguna Woods

**NOTICE OF EXEMPTION  
EL TORO ROAD AND MOULTON PARKWAY WATER QUALITY TREATMENT  
PROJECT: PHASE 1  
CITY OF LAGUNA WOODS**

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**Exempt Status:**

X	Categorical Exemption (Sec. 15301, Sec 15304)
	Declared Emergency (Sec. 21080(b)(3); 15269(a))
	Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
	Ministerial (Sec. 21080(b)(1); 15268)
	Statutory Exemption
	Not Subject to CEQA (Sec. 15061(b)(3))

**Reasons Why Project is Exempt:**

CLASS 1

The project is categorically exempt from the California Environmental Quality Act (“CEQA”) pursuant to California Code of Regulations, Title 14 (the State CEQA Guidelines) Section 15301 (Class 1, Existing Facilities). Section 15301 exempts from environmental review the “the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.”

Subsection (c) of Section 15301 provides the following as non-exclusive examples of types of “existing facilities”: “Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety, and other alterations such as the addition of bicycle facilities, including but not limited to bicycle parking, bicycle-share facilities and bicycle lanes, transit improvements such as bus lanes, pedestrian crossings, street trees, and other similar alterations that do not create additional automobile lanes).”

Subsection (f) of Section 15301 provides the following as non-exclusive examples of types of “existing facilities”: “Addition of safety or health protection devices for use during construction of or in conjunction with existing structures, facilities, or mechanical equipment, or topographical features including navigational devices.”

The project consists only of minor alteration work within the City of Laguna Woods’ public right-of-way for an existing public street and arterial highway (Moulton Parkway). The project does not expand the existing or former use of Moulton Parkway; it only adds a vegetated swale and related structures within existing right-of-way to treat stormwater runoff already generated by Moulton Parkway. New trees are also planted to replace trees removed to accommodate construction.

Based on the scope of work, the project meets the criteria for Class 1 categorical exemption.

CLASS 4

The project is also categorically exempt from the California Environmental Quality Act (“CEQA”) pursuant to California Code of Regulations, Title 14 (the State CEQA Guidelines) Section 15304 (Class 4, Minor Alterations to Land). Section 15304 exempts from environmental review “minor

**NOTICE OF EXEMPTION  
EL TORO ROAD AND MOULTON PARKWAY WATER QUALITY TREATMENT  
PROJECT: PHASE 1  
CITY OF LAGUNA WOODS**

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public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes.”

Subsection (a) of Section 15304 provides the following as non-exclusive examples of types of “minor alterations to land”: “Grading on land with a slope of less than 10 percent, except that grading shall not be exempt in a waterway, in any wetland, in an officially designated (by federal, state, or local government action) scenic area, or in officially mapped areas of severe geologic hazard such as an Alquist-Priolo Earthquake Fault Zone or within an official Seismic Hazard Zone, as delineated by the State Geologist.”

Subsection (b) of Section 15304 provides the following as non-exclusive examples of types of “minor alterations to land”: “New gardening or landscaping, including the replacement of existing conventional landscaping with water efficient or fire resistant landscaping.”

The project consists only of minor alteration work, including grading on land with a slope of less than 10 percent, within the City of Laguna Woods’ public right-of-way for an existing public street and arterial highway (Moulton Parkway). The project does not include the removal of any “healthy, mature, scenic trees.” Though the project includes the removal of five existing Austrian Willow (Geijera Parviflora) trees, all are below maturity (current diameter breast heights range from 6-8 inches, as compared to a 12 inch diameter breast height at maturity). The minor alterations included in the project are primarily landscaping and related structures to treat stormwater runoff already generated by Moulton Parkway. New trees are also planted to replace trees removed to accommodate construction. The new landscaping is designed to comply with the City of Laguna Woods’ Water Efficient Landscape Ordinance (Laguna Woods Municipal Code Chapter 10.03), which the Laguna Woods City Council adopted to be at least as effective as the Model Water Efficient Landscape Ordinance included in Title 23, Division 2, Chapter 2.7, of the California Code of Regulations.

**Lead Agency Contact Person:**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Christopher Macon  
City Manager  
City of Laguna Woods

Date Received for Filing at OPR: \_\_\_\_\_

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

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**RESOLUTION NO. 24-XX**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING AND ADOPTING THE FISCAL YEARS 2023-25 BUDGET AND WORK PLAN FOR FISCAL YEAR 2023-24 COMMENCING JULY 1, 2023 AND ENDING JUNE 30, 2024, AND FISCAL YEAR 2024-25 COMMENCING JULY 1, 2024 AND ENDING JUNE 30, 2025, RELATED TO ALLOCATION OF EXISTING FEDERAL GRANTS FUND (AMERICAN RESCUE PLAN ACT (CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS)) APPROPRIATIONS TO THE EL TORO ROAD AND MOULTON PARKWAY WATER QUALITY TREATMENT PROJECT

**WHEREAS**, the Fiscal Years 2023-25 Budget (“Budget”) was adopted by the City Council on June 28, 2023; and

**WHEREAS**, the “El Toro Road and Moulton Parkway Water Quality Treatment Project” is included in the Capital Improvement Program; and

**WHEREAS**, the El Toro Road and Moulton Parkway Water Quality Treatment Project has been separated into two phases – Phase 1, encompassing the vegetated swale work on Moulton Parkway, and Phase 2, encompassing the modular wetland system work on El Toro Road; and

**WHEREAS**, design documents, construction drawings, and competitive bidding for the El Toro Road and Moulton Parkway Water Quality Treatment Project: Phase 1 are now complete; and

**WHEREAS**, additional appropriations are required to construct the El Toro Road and Moulton Parkway Water Quality Treatment Project: Phase 1; and

**WHEREAS**, the City Council wishes to allocate existing Federal Grants Fund (American Rescue Plan Act (Coronavirus Local Fiscal Recovery Funds)) appropriations in the amount of \$228,092 to construct the El Toro Road and Moulton Parkway Water Quality Treatment Project: Phase 1; and

**WHEREAS**, there are sufficient unallocated Federal Grants Fund (American Rescue Plan Act (Coronavirus Local Fiscal Recovery Funds)) appropriations to accommodate the desired allocation; and



**WHEREAS**, with the proposed allocation of existing appropriations, the total El Toro Road and Moulton Parkway Water Quality Treatment Project budget would be \$414,592 (\$414,592 Federal Grants Fund).

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

**SECTION 1.** The following allocations are made from the American Rescue Plan Act (Coronavirus Local Fiscal Recovery Funds) funds budgeted in the Federal Grants Fund. Appropriations not allocated to a specific use total \$219,640.

<i>City Council Action</i>	<i>Use</i>	<i>Allocation</i>
10/29/21	City Hall/Public Library Project	\$1,552,044
6/15/22	El Toro Road and Moulton Parkway Water Quality Treatment Project	\$186,500
6/15/22	City Hall/Public Library Project	\$157,371
6/15/22	City-maintained Catch Basins Full Capture Systems Retrofit Project	\$84,896
6/15/22	Woods End Wilderness Preserve Trail Drainage and Improvement Project	\$37,500
9/15/22	Ridge Route Drive Landscape Project	\$211,300
12/21/22	City Hall/Public Library Project	\$178,557
6/28/23	City Hall Complex Parking Lot Improvement Project	\$300,000
6/28/23	City Hall/Public Library Project	\$118,525
6/28/23	El Toro Road Medians Improvement Project (Westbound El Toro Road between Moulton Parkway to Calle Sonora)	\$27,370
6/28/23	Ridge Route Drive Drainage Repair Project	\$273,250
6/28/23	Transit Shelter and Street Furniture Replacement Project	\$75,000
12/15/23	El Toro Road Medians Improvement Project (Westbound El Toro Road between Moulton Parkway to Calle Sonora)	\$141,612
2/21/24	El Toro Road and Moulton Parkway Water Quality Treatment Project	\$228,092
TOTAL		\$3,572,017

**SECTION 2.** The Mayor shall sign this resolution and the City Clerk shall attest and certify to the passage and adoption thereof.

[SIGNATURES ON NEXT PAGE]

PASSED, APPROVED AND ADOPTED on this XX day of XX 2024.

\_\_\_\_\_  
NOEL HATCH, 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. 24-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 2024, by the following vote:

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

\_\_\_\_\_  
YOLIE TRIPPY, CMC, City Clerk

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**9.2**  
**FISCAL YEARS 2023-25 BUDGET**  
**ADJUSTMENTS**

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# City of Laguna Woods

## Agenda Report

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Christopher Macon, City Manager

**FOR:** February 21, 2024 Regular Meeting

**SUBJECT:** Fiscal Years 2023-25 Budget Adjustments

---

### **Recommendation**

1. Adopt a resolution titled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING AND ADOPTING THE FISCAL YEARS 2023-25 BUDGET AND WORK PLAN FOR FISCAL YEAR 2023-24 COMMENCING JULY 1, 2023 AND ENDING JUNE 30, 2024, AND FISCAL YEAR 2024-25 COMMENCING JULY 1, 2024 AND ENDING JUNE 30, 2025, RELATED TO ALLOCATION OF EXISTING FEDERAL GRANTS FUND (AMERICAN RESCUE PLAN ACT (CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS)) APPROPRIATIONS TO THE CITY-MAINTAINED CATCH BASINS FULL CAPTURE SYSTEMS RETROFIT PROJECT, CITY HALL/PUBLIC LIBRARY PROJECT, AND RIDGE ROUTE DRIVE LANDSCAPE PROJECT

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 2023-25 BUDGET AND WORK PLAN FOR FISCAL YEAR 2023-24 COMMENCING JULY 1, 2023 AND ENDING JUNE 30, 2024,

AND FISCAL YEAR 2024-25 COMMENCING JULY 1, 2024 AND ENDING JUNE 30, 2025, RELATED TO AN INCREASE IN STATE OF CALIFORNIA GRANTS FUND APPROPRIATIONS FOR AN AWARD FROM THE STATE OF CALIFORNIA HOUSEHOLD HAZARDOUS WASTE GRANT PROGRAM CYCLE 41 (HD41) FISCAL YEAR 2023-24 SMALL PROJECTS CYCLE (GRANT NUMBER HD41-23-0039)

### **Overview**

The first proposed resolution (Attachment A) includes the following amendments of existing Federal Grants Fund (American Rescue Plan Act (Coronavirus Local Fiscal Recovery Funds)) appropriations:

- Reallocate \$84,896 from the City-maintained Catch Basins Full Capture Systems Retrofit Project to the City Hall/Public Library Project. The City-maintained Catch Basins Full Capture Systems Retrofit Project was removed from the Capital Improvement Program effective July 1, 2023. The proposed reallocation would provide sufficient funds to close-out the City Hall/Public Library Project, including to accommodate expenses associated with the contractor's retention payment, grand opening event, purchase of furnishings for the outdoor activity room, purchase of planter pots and installation of landscaping on the plaza, and work that has been identified as necessary following occupancy by OC Public Libraries (e.g., modified restroom signage, an additional window shade, and adjustments of retractable door hardware). Any balance remaining after the City Hall/Public Library Project is closed out would be available for reallocation to other projects.
- Return \$33,629.64 to the unallocated Federal Grants Fund (American Rescue Plan Act (Coronavirus Local Fiscal Recovery Funds)) balance. This amount is the unspent balance after completion of the Ridge Route Drive Landscape Project. Inclusive of this amount (and provided the City Council takes the recommended action in Item 9.1), existing Federal Grants Fund (American Rescue Plan Act (Coronavirus Local Fiscal Recovery Funds)) appropriations not allocated to a specific use would total \$253,269.64. Staff anticipates that the amount available for reallocation to other projects will increase after the City Hall/Public Library Project and El Toro Road Medians Improvement Project are closed in the coming months.

The second proposed resolution (Attachment B) includes the following increase in

State of California Grants Fund appropriations:

- Increase appropriations by \$25,580 to enable the use of a State of California Household Hazardous Waste Grant Program Cycle 41 (HD41) Fiscal Year 2023-24 Small Projects Cycle award. The grant award will be used to fund the City's Household Battery Disposal Program between February 5, 2024 and February 26, 2027, on a reimbursement basis.

Report Prepared With: Liz Torres, Administrative Services Director/City Treasurer

Attachments: A – Proposed Resolution (Federal Grants Fund)  
B – Proposed Resolution (State of California Grants Fund)



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**RESOLUTION NO. 24-XX**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING AND ADOPTING THE FISCAL YEARS 2023-25 BUDGET AND WORK PLAN FOR FISCAL YEAR 2023-24 COMMENCING JULY 1, 2023 AND ENDING JUNE 30, 2024, AND FISCAL YEAR 2024-25 COMMENCING JULY 1, 2024 AND ENDING JUNE 30, 2025, RELATED TO ALLOCATION OF EXISTING FEDERAL GRANTS FUND (AMERICAN RESCUE PLAN ACT (CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS)) APPROPRIATIONS TO THE CITY-MAINTAINED CATCH BASINS FULL CAPTURE SYSTEMS RETROFIT PROJECT, CITY HALL/PUBLIC LIBRARY PROJECT, AND RIDGE ROUTE DRIVE LANDSCAPE PROJECT

**WHEREAS**, the Fiscal Years 2023-25 Budget (“Budget”) was adopted by the City Council on June 28, 2023; and

**WHEREAS**, the “City-maintained Catch Basins Full Capture Systems Retrofit Project” was formerly, but is no longer, included in the Capital Improvement Program; and

**WHEREAS**, as the City-maintained Catch Basins Full Capture Systems Retrofit Project was formerly, but is no longer, funded using Federal Grants Fund (American Rescue Plan Act (Coronavirus Local Fiscal Recovery Funds)) appropriations, those appropriations can be reallocated; and

**WHEREAS**, the City Council wishes to reallocate \$84,896 in existing Federal Grants Fund (American Rescue Plan Act (Coronavirus Local Fiscal Recovery Funds)) appropriations from the City-maintained Catch Basins Full Capture Systems Retrofit Project to the City Hall/Public Library Project; and

**WHEREAS**, with the proposed reallocation of existing appropriations, total Federal Grants Fund (American Rescue Plan Act (Coronavirus Local Fiscal Recovery Funds)) appropriations for the City Hall/Public Library Project would be \$2,091,393; and

**WHEREAS**, the “Ridge Route Drive Landscape Project” was funded using Federal Grants Fund (American Rescue Plan Act (Coronavirus Local Fiscal Recovery Funds)) appropriations; and

**WHEREAS**, the Ridge Route Drive Landscape Project is now complete and its remaining appropriations can be returned to the unallocated Federal Grants Fund (American Rescue Plan Act (Coronavirus Local Fiscal Recovery Funds)) balance.

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

**SECTION 1.** The following allocations are made from the American Rescue Plan Act (Coronavirus Local Fiscal Recovery Funds) funds budgeted in the Federal Grants Fund. Appropriations not allocated to a specific use total \$253,269.64.

<i>City Council Action</i>	<i>Use</i>	<i>Allocation</i>
10/29/21	City Hall/Public Library Project	\$1,552,044
6/15/22	El Toro Road and Moulton Parkway Water Quality Treatment Project	\$186,500
6/15/22	City Hall/Public Library Project	\$157,371
6/15/22	City-maintained Catch Basins Full Capture Systems Retrofit Project	\$84,896
6/15/22	Woods End Wilderness Preserve Trail Drainage and Improvement Project	\$37,500
9/15/22	Ridge Route Drive Landscape Project	\$211,300
12/21/22	City Hall/Public Library Project	\$178,557
6/28/23	City Hall Complex Parking Lot Improvement Project	\$300,000
6/28/23	City Hall/Public Library Project	\$118,525
6/28/23	El Toro Road Medians Improvement Project (Westbound El Toro Road between Moulton Parkway to Calle Sonora)	\$27,370
6/28/23	Ridge Route Drive Drainage Repair Project	\$273,250
6/28/23	Transit Shelter and Street Furniture Replacement Project	\$75,000
12/15/23	El Toro Road Medians Improvement Project (Westbound El Toro Road between Moulton Parkway to Calle Sonora)	\$141,612
2/21/24	El Toro Road and Moulton Parkway Water Quality Treatment Project	\$228,092
2/21/24	City-maintained Catch Basins Full Capture Systems Retrofit Project	(\$84,896)
2/21/24	City Hall/Public Library Project	\$84,896
2/21/24	Ridge Route Drive Landscape Project	(\$33,629.64)
<b>TOTAL</b>		<b>\$3,538,387.36</b>

**SECTION 2.** 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 2024.

\_\_\_\_\_  
NOEL HATCH, 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. 24-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 2024, by the following vote:

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

\_\_\_\_\_  
YOLIE TRIPPY, CMC, City Clerk

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**RESOLUTION NO. 24-XX**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING AND ADOPTING THE FISCAL YEARS 2023-25 BUDGET AND WORK PLAN FOR FISCAL YEAR 2023-24 COMMENCING JULY 1, 2023 AND ENDING JUNE 30, 2024, AND FISCAL YEAR 2024-25 COMMENCING JULY 1, 2024 AND ENDING JUNE 30, 2025, RELATED TO AN INCREASE IN STATE OF CALIFORNIA GRANTS FUND APPROPRIATIONS FOR AN AWARD FROM THE STATE OF CALIFORNIA HOUSEHOLD HAZARDOUS WASTE GRANT PROGRAM CYCLE 41 (HD41) FISCAL YEAR 2023-24 SMALL PROJECTS CYCLE (GRANT NUMBER HD41-23-0039)

**WHEREAS**, the Fiscal Years 2023-25 Budget (“Budget”) was adopted by the City Council on June 28, 2023; and

**WHEREAS**, subsequent to the adoption of the Budget, the City applied for and was awarded \$25,580 from the State of California Household Hazardous Waste Grant Program Cycle 41 (HD41) Fiscal Year 2023-24 Small Projects Cycle (Grant Number HD41-23-0039) (“State HHW Grant”); and

**WHEREAS**, the funds awarded to the City from the State HHW Grant are to be used to fund the City’s Household Battery Disposal Program between February 5, 2024 and February 26, 2027; and

**WHEREAS**, it is necessary for the City Council to increase Fiscal Year 2023-24 appropriations for the State of California Grants Fund in the amount of \$25,580, with the appropriations drawn from revenues to be received from the State HHW Grant, to enable the use of such funds; and

**WHEREAS**, revenues from the State HHW Grant will be received on a reimbursement basis, meaning that the City is required to make expenditures in advance of receiving the offsetting revenue, and such expenditures will be made in accordance with City Administrative Policy 2.9.

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

**SECTION 1.** Section 2 of Resolution No. 23-16, as previously amended by

Resolution Nos. 23-25, 23-33, and 24-02, is hereby amended, in its entirety, to read as follows:

The budget revenue projections are:

	<i>Fiscal Year 2023-24</i>	<i>Fiscal Year 2024-25</i>
<b>General Fund</b>		
Property Tax	\$3,297,700	\$3,405,200
Property Transfer Tax	\$112,000	\$114,900
Sales Tax	\$1,196,000	\$1,233,000
Franchise Fees	\$751,800	\$753,100
Transient Occupancy Tax	\$604,000	\$620,000
Developing Processing Fees	\$814,400	\$827,400
Interest	\$352,000	\$340,000
Miscellaneous	\$207,700	\$213,800
<b>SUBTOTAL</b>	<b>\$7,335,600</b>	<b>\$7,507,400</b>
<b>Capital Projects Fund</b>		
Intergovernmental	\$0	\$0
Interest	\$0	\$0
<b>SUBTOTAL</b>	<b>\$0</b>	<b>\$0</b>
Fuel Tax	\$492,800	\$503,700
Road Maintenance & Rehabilitation Program	\$435,300	\$465,600
Measure M2 (OC Go)	\$336,000	\$348,600
Service Authority for Abandoned Vehicles	\$0	\$0
Supplemental Law Enforcement Services	\$167,800	\$169,600
Mobile Source Reduction	\$72,000	\$22,000
PEG/Cable Television	\$18,400	\$18,800
Senior Mobility	\$140,700	\$145,700
Community Development Block Grant (CDBG)	\$500,000	\$150,000
Federal Grants	\$1,618,278	\$782,869
State of California Grants	\$239,800	\$0
Miscellaneous Special Revenue	\$0	\$0
Laguna Woods Civic Support Fund	\$0	\$0

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The budget appropriations authorized, on a fund level, are:

	<i>Fiscal Year 2023-24 Adopted Budget</i>	<i>Fiscal Year 2023-24 Carryover Appropriations</i>	<i>Fiscal Year 2023-24 Budget Amendments</i>	<i>Fiscal Year 2023-24 Amended Budget</i>
General Fund	\$7,730,079 <sup>A</sup> (includes transfers to Capital Projects Fund of \$608,250)	\$8,544	\$470,480 <sup>A,B</sup>	\$8,209,103 (includes transfers to Capital Projects Fund of \$608,250)
Capital Projects Fund	\$608,250	\$130,535	-	\$738,785
Fuel Tax	\$395,000	-	-	\$395,000
Road Maintenance & Rehabilitation Program	\$325,821	-	-	\$325,821
Measure M2 (OC Go)	\$285,700	-	-	\$285,700
Service Authority for Abandoned Vehicles	\$0	-	-	\$0
Supplemental Law Enforcement Services	\$176,100	-	-	\$176,100
Mobile Source Reduction	\$0	\$12,811	-	\$12,811
PEG/Cable Television	\$15,000	-	-	\$15,000
Senior Mobility	\$207,000	-	-	\$207,000
Community Development Block Grant (CDBG)	\$150,000	\$307,528	-	\$457,528
Federal Grants	\$719,145	\$1,006,869	-	\$1,726,014
State of California Grants	\$0	\$221,898	\$25,580 <sup>C</sup>	\$247,478
Miscellaneous Special Revenue	\$0	-	-	\$0
Laguna Woods Civic Support Fund	\$48,810	-	-	\$48,810
<b>TOTAL</b>	<b>\$10,052,655</b>	<b>\$1,688,185</b>	<b>\$496,060</b>	<b>\$12,236,900</b>

<sup>A</sup> Fund Budget Adjustment CC-23/24-01: CalPERS Lump Sum Payments, +\$306,925 (R 23-33)

<sup>B</sup> Fund Budget Adjustment CC-23/24-02: CEPPT Contribution, +\$163,555 (R 24-02)

<sup>C</sup> Fund Budget Adjustment CC-23/24-03: State HHW Grant, +\$25,580 (R 24-XX)

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	<i>Fiscal Year 2024-25 Adopted Budget</i>	<i>Fiscal Year 2024-25 Carryover Appropriations</i>	<i>Fiscal Year 2024-25 Budget Amendments</i>	<i>Fiscal Year 2024-25 Amended Budget</i>
General Fund	\$7,287,511 (includes transfers to Capital Projects Fund of \$0)	-	-	\$7,287,511 (includes transfers to Capital Projects Fund of \$0)
Capital Projects Fund	\$0	-	-	\$0
Fuel Tax	\$425,000	-	-	\$425,000
Road Maintenance & Rehabilitation Program	\$195,795	-	-	\$195,795
Measure M2 (OC Go)	\$290,700	-	-	\$290,700
Service Authority for Abandoned Vehicles	\$0	-	-	\$0
Supplemental Law Enforcement Services	\$176,100	-	-	\$176,100
Mobile Source Reduction	\$0	-	-	\$0
PEG/Cable Television	\$15,000	-	-	\$15,000
Senior Mobility	\$227,000	-	-	\$227,000
Community Development Block Grant (CDBG)	\$150,000	-	-	\$150,000
Federal Grants	\$782,869	-	-	\$782,869
State of California Grants	\$0	-	-	\$0
Miscellaneous Special Revenue	\$0	-	-	\$0
Laguna Woods Civic Support Fund	\$300	-	-	\$300
<b>TOTAL</b>	<b>\$9,550,275</b>	<b>-</b>	<b>-</b>	<b>\$9,550,275</b>

The budget appropriations authorized by this section reflect the Fiscal Years 2023-25 adopted budgets, plus authorized budget adjustments approved between July 1, 2023 and the date of this amendment. The budget appropriations authorized by this section also include carryovers of approved, but unspent, budget appropriations from prior fiscal years. Such carryovers were approved by the City Council with the adoption of the current budget and/or pursuant to Administrative Policy 2.9.

**SECTION 2.** 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 2024.

\_\_\_\_\_  
NOEL HATCH, 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. 24-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 2024, by the following vote:

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

\_\_\_\_\_  
YOLIE TRIPPY, CMC, City Clerk