

AGENDA of THE LAGUNA WOODS CITY COUNCIL

**Regular Meeting
January 18, 2012
2:00 P.M.**

**Council Chambers
Laguna Woods City Hall
24264 El Toro Road
Laguna Woods, CA 92637**

AGENDA DESCRIPTION: The Agenda descriptions are intended to give notice, to members of the public, of a general summary of items of business to be transacted or discussed. The listed Recommended Action represents staff or a particular Committee's recommendation. The City Council may take any action, which it deems to be appropriate on the agenda item and is not limited in any way by the recommended action. Any person wishing to address the City Council on any matter, whether or not it appears on this agenda, is requested to complete a "Request to Speak" form available at the door. The completed form is to be submitted to the City Clerk prior to an individual being heard by the City Council. Whenever possible, lengthy testimony should be presented to the City Council in writing (8 copies) and only pertinent points presented orally. Requests to speak to items on the agenda shall be heard at the appropriate point on the agenda; requests to speak about subjects not on the agenda will be heard during the Public Comment section of the meeting.

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

COUNCILMEMBERS: Hack Rhodes Robbins
 Ring, Mayor Pro Tem Conners, Mayor

IV. PRESENTATIONS

- 4.1 Orange County Human Relations Commission Annual Report:
Commissioner Kenneth Inouye

V. CITY COMMENDATIONS AND PROCLAMATIONS

VI. CONSENT CALENDAR

All matters listed under the Consent Calendar are considered routine and will be enacted by one vote. There will be no separate discussion of these items unless Members of the City Council, the public, or staff request specific items be removed from the Consent Calendar for separate action.

- 6.1 City Council Minutes

RECOMMENDED ACTION: Approve the minutes from the December 7, 2011 regular meeting.

- 6.2 Approve the reading by title of all ordinances and resolutions. Said ordinances and resolutions that appear on the public agenda shall be determined to have been read by title only and further reading waived.

RECOMMENDED ACTION: Waive reading of ordinances and resolutions.

- 6.3 Treasurer's Report

RECOMMENDED ACTION: Receive and File the November and December 2011 monthly Treasurer's Reports.

- 6.4 Warrant Register

RECOMMENDED ACTION: Approve the January 18, 2012 Warrant Register in the amount of \$755,470.44.

- 6.5 Amendment No. 1 to OCTA Agreement No. C-0-1692 (Traffic Light Synchronization on El Toro Road)

RECOMMENDED ACTION: Approve Amendment No. 1 to Agreement No. C-0-1692, an agreement between the Orange County Transportation Authority and City of Laguna Woods for coordination of traffic signals on El Toro Road, and authorize the City Manager to execute the amendment, subject to approval as to form by the City Attorney.

6.6 City Hall HVAC Project

RECOMMENDED ACTION: Reject bids received, reconfigure project specifications and rebid.

6.7 Government Accounting Standards

RECOMMENDED ACTION: Approve a resolution confirming the City's compliance with Governmental Accounting Standards Board Statement No. 54, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, APPROVING THE COMMITMENT OF FUND BALANCES IN ACCORDANCE WITH GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENT NO. 54

6.8 Criminal History Information

RECOMMENDED ACTION: Approve a resolution authorizing the City to access summary criminal history information for employment, licensing and certification, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AUTHORIZING ACCESS TO STATE AND FEDERAL LEVEL SUMMARY CRIMINAL HISTORY INFORMATION FOR CERTAIN EMPLOYMENT AND LICENSING PURPOSES

6.9 Disaster Related Debris Management Services

RECOMMENDED ACTION: Approve an agreement with Ashbritt, Inc. for disaster-related debris services; and authorize the City Manager to execute

the agreement, subject to approval as to form by the City Attorney.

VII. PUBLIC HEARINGS

7.1 Fire Hazard Severity Zones

- A. Receive Staff Report
- B. Open Public Hearing
- C. Receive Public Comment
- D. Close Public Hearing
- E. Adopt an ordinance establishing establishing a very high fire hazard severity zone map, entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS,
CALIFORNIA, ADDING CHAPTER 10.13, FIRE HAZARD
SEVERITY ZONES, TO THE LAGUNA WOODS
MUNICIPAL CODE

- F. Approve introduction and first reading of an ordinance establishing high and moderate fire hazard severity zone maps and materials and methods standards for new construction and building modifications in fire hazard severity zones, entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS,
CALIFORNIA, AMENDING CHAPTERS 10.08, 10.13 AND
10.22 OF THE LAGUNA WOODS MUNICIPAL CODE
PERTAINING TO MATERIALS AND CONSTRUCTION
METHODS FOR EXTERIOR WILDFIRE EXPOSURE

7.2 Community Development Block Grant (CDBG)

RECOMMENDED ACTION:

- A. Receive Staff Report

- B. Open Public Hearing
- C. Receive Public Comment
- D. Close Public Hearing
- E. Prioritize project proposals and authorize staff to submit applications to the County of Orange for funding consideration under the federal Community Development Block Grant (CDBG) Program.

1. Rehabilitation Projects:

First Priority: Energy Efficiency Improvements Project (\$150,000) to continue providing low income seniors with dual pane low-e glass windows, heat pumps, ceiling fans and other related energy efficient improvements.

2. Public Facilities and Improvements Projects:

First Priority: Phase II of the Flood Study (\$200,000) will develop cost benefit analysis for potential mitigation projects and identify government funding sources.

Second Priority: Phase V of the City Hall/Library Site Improvements for the design and installation of an 18” storm drain (\$125,000) to mitigate flooding on the City Hall/Library site.

VIII. CITY COUNCIL

8.1 Advisory Committee Appointments

RECOMMENDED ACTION: Approve proposed appointments to citizen advisory committees.

IX. CITY MANAGER

9.1 Phase I Flood Study (Community Development Block Grant Flood Study Project)

RECOMMENDED ACTION:

- A. Award a contract to Tetra Tech in the amount of \$57,504, plus authorized change orders not to exceed 8% of the base amount; and authorize the City Manager to execute the contract and approve change orders, subject to approval as to form by the City Attorney.
- B. Authorize staff to request that the County transfer \$62,000 in Community Development Block Grant (CDBG) funds allocated to the Laguna Woods Phase I Flood Study to the Laguna Woods City Hall Accessibility Project.

9.2 Midyear Budget Review

RECOMMENDED ACTION: Review and approve midyear budget adjustments.

X. COMMITTEE REPORTS

- 10.1 Transportation Corridor Agencies (Councilmember Hack)
- 10.2 Orange County Library Board (Councilmember Robbins)
- 10.3 Orange County Fire Authority (Councilmember Rhodes)
- 10.4 Southern California Water Committee (Councilmember Hack)
- 10.5 Coastal Greenbelt Authority (Mayor Connors)
- 10.6 Laguna Canyon Foundation (Councilmember Rhodes)
- 10.7 Vector Control District Board (Councilmember Robbins)

XI. PUBLIC COMMENTS

XII. CITY COUNCIL COMMENTS AND ANNOUNCEMENTS

- 12.1 Reports on Meetings Attended per Government Code §53232.3

State law requires Councilmembers to provide a report on all meetings or events they attend for which the City pays fees, travel or other expenses. These are informational reports and no action is taken on the item.

None

12.2 Other Meetings, Comments and Announcements

XIII. CLOSED SESSION

XIV. ADJOURNMENT

The meeting will be adjourned to a meeting of the City Council at 2:00 p.m. on Wednesday, February 15, 2012 at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

AMERICANS WITH DISABILITIES ACT: In compliance with Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the City Clerk at (949) 639-0500 (Voice) or, TDD (949) 639-0535 or the California Relay Service at (800) 735-2929 if you have a TDD or (800) 735-2922 if you do not have a TDD. Notification 48 hours prior to the meeting should enable the City to make reasonable arrangements to assure accessibility to the meeting.

AGENDA: The City Council agenda and agenda back-up materials are available from the Office of the City Clerk, after 4:30 p.m., on the Friday prior to the City Council meeting. The office of the City Clerk is located at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637. Copies of the agenda are provided at no cost. Agenda back-up materials are available at City Hall for inspection and copies are available at no charge prior to the meeting. A per page copy cost does apply after the meeting. If you wish to be added to the e-mail or regular mail list to receive a copy of the agenda, a request must be made to the City Clerk in writing. Copies of the agenda are mailed only if stamped, self-addressed envelopes are provided. The City of Laguna Woods mailing address is 24264 El Toro Road, Laguna Woods, CA 92637. Phone: (949) 639-0500, FAX (949) 639-0591.

6.1-6.9
CONSENT CALENDAR SUMMARY

City of Laguna Woods Agenda Report

FOR: January 18, 2012 City Council Meeting

TO: Honorable Mayor and Councilmembers

FROM: Leslie A. Keane, City Manager 

Agenda Item: Consent Calendar

Recommendation:

Approve all proposed actions on the January 18, 2012 Consent Calendar by single motion and Council action.

Discussion:

In general, the Consent Calendar contains routine matters or matters that have already been discussed by Council. It is adopted in total with a single motion and Council action. However, if any councilmember or member of the public has questions or wishes to discuss an item further, it may be removed from the Consent Calendar and placed later in the agenda for discussion and action. The way to remove an item from the Consent Calendar is to request its removal, by agenda item number, immediately prior to the adoption of the Consent Calendar. Members of the public may fill out a request to speak on the item they wish removed and the City Clerk will note the item. No reason need be given with the request. Items pulled from the Consent Calendar are not discussed at the time they are pulled; they are scheduled for discussion immediately after action on the balance of the Consent Calendar.

The January 18th Consent Calendar contains the following nine items:

- 6.1 Approval of the minutes from the December 7, 2011 regular City Council meeting, as submitted.

- 6.2 Approval of a motion to allow reading proposed ordinances and resolutions by title only – this is a standard practice in cities. If this motion is not approved, all ordinances and resolutions must be read out loud in their entirety during the Council Meeting.
- 6.3 Approval of a motion to receive and file the November and December 2011 monthly Treasurer's Reports. These reports identify the City's current liquid assets and their location. At the end of December, the City had approximately \$6.6 million in cash on hand and in other liquid assets. The November report was not provided at the December 7th meeting because interest rates and bank statements were not yet available.
- 6.4 Approval of the January 18, 2012 Warrant Register, as submitted, in the total amount of \$ 755,470.44. This warrant register contains approximately \$161,000 in capital project payments in addition to regular personnel and supplies and services expenditures. A list of all warrants is included in the agenda packet; detailed information about individual warrants is available in the Finance Manager's office.
- 6.5 Approval of Amendment No. 1 to Agreement No. C-0-1692, an agreement between the Orange County Transportation Authority (OCTA) and City of Laguna Woods for coordination of traffic signals on El Toro Road. This agreement would extend the term of the agreement from December 31, 2011 to December 31, 2012 and is required to continue the City's partnership in the OCTA's traffic signal synchronization project on El Toro Road. Traffic signal synchronization is required for the receipt of Measure M2 turnback funds, which are used to maintain City streets.
- 6.6 Rejection of bids received for the City Hall HVAC replacement project and authorization to rebid the project. The City Hall HVAC energy efficiency improvements project is funded with a grant from the California Energy Commission (CEC) under the Energy Efficiency and Conservation Block Grant program. The energy efficiency improvements for the City Hall HVAC system were developed by an energy consultant hired by the CEC staff. The project cost was estimated to be approximately \$5,100. Two bids were received, the lowest of which was \$15,265. The staff recommendation is to work with CEC to redesign the project and then rebid it.

- 6.7 Approval of a resolution establishing a policy that would implement Governmental Accounting Standards Board (GASB) Statement No. 54. This GASB standard addresses issues related to how fund balances are reported in governmental financial statements. The intent of the Statement is to bring greater transparency and consistency to fund balance reporting in the governmental sector. The new standard does not change the total amount of a given fund balance, but it substantially alters the categories and terminology used to describe the components of a fund balance. The new categories and terminology reflect an approach that focuses, not on financial resources available for appropriation within a fund, but on the extent to which the City is bound to honor constraints on the use of the funds. In the past, fund balances have been classified into three separate components: Reserved, Designated, and Undesignated. There are almost always limitations on the purpose for which all or a portion of the resources can be used; however, the force of these limitations can vary significantly depending on their source. The various components of the new fund balance reporting standard are designed to indicate the extent to which the City is bound by the limitations placed upon its resources. The proposed policy explains the five components of fund balance and formally delegates to the City Manager or Finance Manager, as required by GASB Statement No. 54, the authority to assign fund balances for specific purposes for inclusion in the annual financial reports. The City's independent auditor, Gruber & Associates, LLP, has reviewed the draft Policy and concurs with its recommendations.
- 6.8 Approval of a resolution authorizing the City to transport fingerprint information and access state and federal level summary criminal history information for certain employment and licensing purposes. This resolution is a Penal Code requirement in order to conduct state and federal criminal background checks for employees, contract employees, volunteers, and as required by the Municipal Code for adult entertainment establishments, commercial fortunetellers, medical marijuana dispensaries, and remote calling bingo games.
- 6.9 Approval of an agreement with Ashbritt, Inc. for disaster-related debris management and recovery service. This agreement would extend the terms of an existing agreement between the County of Orange and Ashbritt, Inc. to the City. In the event of a substantial emergency, Ashbritt would provide debris removal and enhance the City's ability to secure personnel and

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equipment effectively. The company has an established management team and network of resources throughout the country.

The above matters are routine and/or have been reviewed by the Council on other occasions. Staff recommends that they be approved as part of the January 18, 2012 Consent Calendar.

If you have questions about any of the above items, feel free to call me prior to the meeting so that I may provide additional information.

6.1
MINUTES

**CITY OF LAGUNA WOODS, CALIFORNIA
CITY COUNCIL MINUTES
REGULAR MEETING
December 7, 2011
2:00 P.M.**

I. CALL TO ORDER

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

II. FLAG SALUTE

Councilmember Robbins led the flag salute. He asked the audience to remember those who served and lost their life during the attack at Pearl Harbor.

III. ROLL CALL

COUNCILMEMBERS: PRESENT: Rhodes, Ring, Robbins, Conners, Hack
 ABSENT: None

STAFF PRESENT: City Manager Keane; Assistant City Manager Reilly; Public Safety
 Director Macon; Deputy City Clerk Trippy; City Attorney Cosgrove

IV. PRESENTATIONS

4.1 Orange County Grand Jury Member Recruitment – Helen Alberts

Ms. Alberts provided leaflets and discussed the benefits of volunteering for the Orange County Grand Jury.

Mayor Pro Tem Conners asked the length of term.

Ms. Alberts stated that a term is for one year.

City Manager Keane announced that the information will be included on the City's website.

Councilmember Ring stated that as a former member of the grand jury, he highly encouraged residents to serve as a volunteer for a great learning experience.

V. CITY PROCLAMATIONS – None

VI. CONSENT CALENDAR

Moved by Councilmember Robbins, seconded by Councilmember Ring, and carried unanimously to approve Consent Calendar Items 6.1 – 6.12.

6.1 City Council Minutes

Approved the minutes from the November 16, 2011 regular meeting.

6.2 Approved the reading by title of all ordinances and resolutions. Said ordinances and resolutions that appear on the public agenda shall be determined to have been read by title only and further reading waived.

6.3 Warrant Register

Approved the December 7, 2011 Warrant Register in the amount of \$298,916.73.

6.4 Special Events and Temporary Use Regulations

Adopted **Ordinance No. 11-07** modifying special event and temporary ordinance regulations, entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING CHAPTERS 13.06 AND 13.26 OF THE LAGUNA WOODS MUNICIPAL CODE PERTAINING TO TEMPORARY USES AND SPECIAL EVENTS AND ADDING CHAPTER 7.20 TO THE LAGUNA WOODS MUNICIPAL CODE PERTAINING TO SPECIAL EVENTS

6.5 Emergency Management

Adopted **Ordinance No. 11-08** modifying Disaster Council membership and emergency management powers, entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING CHAPTER 7.04 OF THE LAGUNA WOODS MUNICIPAL CODE PERTAINING TO EMERGENCY MANAGEMENT

6.6 Moulton Parkway and Ridge Route Landscape

Awarded a contract to STL Landscape, Inc. on the amount of \$221,376, plus authorized change order not to exceed 15% of the base amount; and authorized the City Manager to execute the contract and approve change orders, subject to approval of the contract as to form by the City Attorney.

6.7 Energy Efficient Traffic Safety Street Lights

Awarded a contract to Traffic Development Services in the amount of \$25,836, plus authorized change orders not to exceed 10% of the base amount; and authorized the City Manager to execute the contract and approve change orders, subject to approval of the contract as to form by the City Attorney.

6.8 City Centre Park

Accepted project completion of a contract with Atom, Inc. for the City Centre Park and authorized release of contract retention in the amount of \$33,995.83, thirty-five days following recordation of Notice of Completion with the County of Orange.

6.9 Development Impact Fees Annual Report

Received and Filed.

6.10 Investment Policy

Approved **Resolution No. 11-23** ratifying the City's 2011 Investment Policy, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ACKNOWLEDGING THE REVIEW, RECEIPT AND FILING OF THE ANNUAL STATEMENT OF INVESTMENT POLICY

6.11 Orange County Transportation Authority Cooperative Agreement

Approved Cooperative Agreement No. C-1-2628 between the Orange County Transportation Authority and City of Laguna Woods to allow use of federal transportation enhancement project funds for the El Toro Road/Aliso Creek Road Phase II Project; and authorized the Mayor to execute the agreement, subject to approval as to form by the City Attorney.

6.12 Measure M2 Expenditure Report

Approved **Resolution No. 11-24** adopting the City of Laguna Woods Measure M2 Expenditure Report, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, CONCERNING THE MEASURE M2 EXPENDITURE REPORT FOR THE CITY OF LAGUNA WOODS

VII. PUBLIC HEARING – None

VIII. CITY COUNCIL

8.1 Fuel Storage at San Onofre Nuclear Generating Station (SONGS)

Mayor Hack stated that at the request of Bertov Moldow, resident, the City Council scheduled a discussion to decide whether to send a letter to appropriate elected and appointed officials regarding storage of used fuel rods that could be stored off-site. Mayor Hack discussed various information he received while recently touring San Onofre. He reminded the audience that even if the plant was forced to shut down, removal of the casks cannot be done because the state of Nevada is not willing to

store them.

Mayor Pro Tem Connors stated that the topic of discussion is the storage of nuclear waste; however, the general issue is safety of the nuclear plant. She concurs with Mayor Hack that the visit was very informative. She discussed the maintenance process at SONGS and expressed confidence that all precautions have been taken into account. She made a reference to the City's recent action regarding coyotes and the difficulty in finding another City to accept dangerous transported animals. She noted that it is even more difficult to find off-site storage for nuclear waste and, therefore, she would not support writing a letter.

Councilmember Rhodes noted that public safety is a primary concern of his and suggested that a letter should be sent expressing the City's concerns. He suggested that an enrichment reprocess that would bring fuel to useable levels would be a progressive step and to shut down the plant would be a regressive change.

Mayor Pro Tem Connors addressed Councilmember Rhodes' comments regarding reprocessing of fuel and stated that the method produces large amounts of residue which is much more hazardous and that the government has established a policy against it.

Mayor Hack stated that the reprocessing of fuel had been discussed at the tour and that many other issues were also addressed extensively.

Galal Kernahan, resident, concurred with some of the issues mentioned by Mayor Hack; but he raised three issues 1) the seismic situation off shore; 2) the existing vertical wall versus the v-shaped built in Japan; and 3) human error. He stated that SONGS has the worst safety record and that residents are already paying to have the nuclear waste relocated, as evidenced by the nuclear decommission fee on monthly electric bills.

Mel Kernahan, resident, stated that she was informed that there is a surplus of electricity and, therefore, cannot understand why there is a need to continue to keep SONGS open. She suggested that money would be better used to develop ways to shut down the dangerous plant.

Mayor Hack clarified that the City has experienced brown-outs in the past as a result of shortage of electricity. Shutting down power plants would only increase the state's inability to cope with the current situation.

Bert Moldow, resident, asked if anyone would be willing to build their home at the top of a volcano and stated that a similar concept applies at SONGS.

Mayor Hack noted that most of the residents who live in the vicinity of SONGS were aware of its existence before they moved to the area and appear willing to accept the situation. He suggested that Mr. Moldow limit his comments to suggestions as to how to shut down the plant.

Mr. Moldow noted that closing down the plant could take years. He addressed various issues including retrofit costs associated with extending the life of the plant for an

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additional 20 years, possible terrorism issues, increased greenhouse gas emissions, and tide measures. He further stated that a greater emphasis on conservation can be achieved if SONGS is closed, and that job created from alternative energy production could replace jobs lost. He suggested that energy waste should be moved to a military site and that it is up to the public to make this happen.

Mayor Pro Tem Connors noted that SONGS had actually maintained one of the best safety ratings until three years ago. The Nuclear Regulatory Commission has reported that SONGS currently has average to top ratings in safety. She concurred with Mayor Hack that trying to enforce a policy aimed at zero chance of disaster would prove to be difficult.

Mayor Hack stated that although he requested this item be agendaized, he will not move the issue. He asked if any members of the Council wished to make a motion.

Councilmember Rhodes suggested that a letter should be sent to the federal government regarding moving used fuel casks away from the populated areas and possibly into Camp Pendleton.

There being no second to Councilmember Rhodes' motion, the motion failed.

IX. CITY MANAGER

9.1 Red Light Photo Enforcement Program

City Manager Keane introduced Public Safety Director Macon who summarized the agenda report and noted that the current contract is due to expire at the end of December 2011. The proposal to extend the contract includes modified conditions and reduced pricing.

Councilmember Rhodes asked about the annual cost for the City to maintain the program.

Public Safety Director Macon stated that it is difficult to pinpoint the total cost, but based on the proposed amendment the City would break even or may have some revenue in excess of costs.

Mayor Hack suggested that the cost depends on the Court's actions that require the contractor, staff, and the Sheriff's Deputy to appear before the court which adds to the cost.

Councilmember Ring asked for clarification if the Council has the ability to terminate with 45-days notice.

Public Safety Director Macon affirmed that Council has the ability effective July 1, 2012.

Councilmember Ring stated that the program continues to provide a value to the community, and as long as the cancellation policy is in place and the fees are below the initial \$50,000 monthly fee, he would like to proceed with the proposed amendment.

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City Manager Keane asked for clarification about the cancellation clause in the proposed amendment.

Public Safety Director Macon clarified that the City cannot terminate the contract during the first six months January 1, 2012 - June 30, 2012. A 45-day "no cause" termination notice is effective July 1, 2012.

City Attorney Cosgrove concurred with Mr. Macon.

Moved by Councilmember Ring, seconded by Councilmember Robbins, and carried unanimously to approve a third amendment to the agreement between the City of Laguna Woods and Redflex Traffic Systems, Inc. for automated red light photo enforcement systems; and authorized the City Manager to execute the amendment, subject to approval as to form by the City Attorney.

Mayor Hack noted an addendum pertaining to the San Onofre Nuclear Generating Station discussion and asked how an evacuation plan would be implemented in the event of a disaster.

Public Safety Director Macon noted that staff and a consultant are currently working on an evacuation plan as a part of the Hazard mitigation grant project.

9.2 Fire Hazard Severity Zones

City Manager Keane summarized the agenda report and stated that the state requires the City to adopt a very high fire hazard severity zone map which is in the general vicinity of Village Gates 9 and 10. A public hearing is scheduled for January 18, 2012 for discussion on the proposed ordinance as well as a proposal to establish high and moderate fire hazard severity zones. In addition, City and Orange County Fire Authority staff are recommending new construction and building modification standards for all three zones.

Councilmember Ring noted that three Councilmembers live near the area.

City Manager Keane noted that fire hazard severity zones do not affect the Councilmembers any differently than other residents in these areas.

Moved by Councilmember Robbins, seconded by Councilmember Ring, and carried unanimously to approve introduction and first reading of an ordinance establishing fire hazard severity zones in the City, entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS,
CALIFORNIA, ADDING CHAPTER 10.13, FIRE HAZARD SEVERITY
ZONES, TO THE LAGUNA WOODS MUNICIPAL CODE

Councilmember Rhodes asked if Building Official Gates has the proposed code readily available for reference.

City Manager Keane clarified that the very high fire severity hazard zone requirements

for new construction were adopted by the Council at the end of 2010.

X. COMMITTEE REPORTS

- 10.1 Transportation Corridor Agencies (Mayor Hack)
Mayor Hack reported that the Agency is acting as the administrative hearing authority on objections to the collection of Development Impact Fees used to pay off the bonding that built the roads. Six appeals are scheduled to be heard.
- 10.2 Orange County Library Board (Councilmember Robbins)
Mayor Robbins reported that there was no meeting.
- 10.3 Orange County Fire Authority (Councilmember Rhodes)
Councilmember Rhodes reported that he was unable to attend the November 17, 2011 meeting. He discussed the fire at 885-B Ronda Sevilla that sustained property damage estimated at \$140,000 and \$175,000 in contents. He urged residents to install proper and operational smoke alarms.
- 10.4 Southern California Water Committee (Mayor Hack)
Mayor Hack reported that he, Councilmember Ring, City Manager Keane, and Public Safety Director Macon attended the annual quarterly dinner and that retired Judge Wanger was the guest speaker.
- 10.5 Coastal Greenbelt Authority (Mayor Pro Tem Conners)
Mayor Pro Tem Conners stated that there was no meeting.
- 10.6 Laguna Canyon Foundation (Councilmember Rhodes)
Councilmember Rhodes reported that service and operations are running well under the direction of new Chief Executive Officer Barella. The education plan for under-served schools has been expanded, acquisition of 15 properties inside and outside of the park continues, and the Big Bend restoration area is in progress with the help of the conservation corps and volunteers.
- 10.7 Vector Control District Board (Councilmember Robbins)
Councilmember Robbins reported that a meeting is scheduled for December 15, 2011.

XI. PUBLIC COMMENTS – None

XII. CITY COUNCIL COMMENTS AND ANNOUNCEMENTS

12.1 Reports on Meetings Attended per Government Code §53232.3

Councilmember Ring reported on a meeting he attended at the League of California Cities that included a lecture from Carpi, Clay and Smith, a lobbying firm, who suggested minimal federal grant funding is to be expected, and that cities need to present a unified force when they present requests. County of Orange Budget Director Frank Kim discussed the County's budget problems and their recent action to reduce property tax receipts provided to schools.

City Manager Keane noted for the record that Councilmember Rhodes and Mayor Hack were unable to attend the meeting.

12.2 Other Meetings, Comments and Announcements

Councilmember Ring stated that there was no meeting held by LAFCO.

Mayor Hack reported on a meeting he attended with SCAG that included presenters from the state, local, business, and environmental agencies. SCAG represents planning for 17 million people within its region.

Councilmember Ring noted that Mayor Hack is considered to be one of most effective speaker, as the community's voice, at SCAG. He discussed the executive summary of the 2012 SCAG Regional Transportation Plan with an overall support to proceed.

Mayor Pro Tem Conners noted that there was no meeting held by the Waste Management Commission.

Councilmember Rhodes reported on a meeting he attended with the Orange County Transportation Authority where traffic congestion at 384 traffic light intersections was discussed. Congestion is primarily caused by traffic lights and buses. He reported that plans are underway to widen the 91 FWY to five lanes in each direction between the 55 FWY and 241 Tollroad. A survey was conducted for customer satisfaction of OCTA routes and services that resulted 82-95% negative comments.

Mayor Pro Tem Conners announced that Laguna Woods Village is providing pine cuttings at Via Campo Verde for the holiday season. She discussed the golf cart charger thefts which have occurred recently in the basements at the three-story buildings in the Village and asked residents to take caution and be alert. She reminded residents the need for fire insurance and asked that there be support for local businesses during the time of gift-giving.

Mayor Hack stated that traffic on El Toro Road has continued to back up near Gates 1 and 5.

City Manager Keane replied that emergency response vehicles trigger the pre-emption equipment that may cause the lights have short green cycles.

Mayor Hack stated that he observed ongoing traffic congestion within a two-hour period.

Councilmember Rhodes stated that he has experienced similar congestion at the same intersection.

City Manager Keane indicated that a power outage earlier in the week triggered the battery back-up system, causing the signals at this intersection to flash red and that this resulted in heavy traffic congestion. City Manager Keane noted that staff will have the City's traffic engineer review the timing to see if needs to be modified. The traffic light

near Clubhouse 7 will be reviewed as well due to frequent traffic back-ups.

Councilmember Rhodes stated that the traffic light at eastbound Gate 8 does not flash. He asked if it is caused by a faulty battery back-up because the westbound light works fine.

City Manager Keane stated that staff will look into this. She encouraged residents to report any problems observed immediately to staff so that the issue can be addressed.

XIII. CITY COUNCIL REORGANIZATION

13.1 City Council Reorganization – Office of Mayor

Outgoing Mayor Hack thanked the Council for its cooperation in achieving many City accomplishments during the past year. He noted successful meetings with Orange County Supervisors and the Orange County Transportation Authority for potential plans for funding allocation that otherwise would have been lost.

Moved by Councilmember Ring, and voted by acclamation to appoint Mayor Pro Tem Conners as Mayor to serve for the period December 2011 to December 2012.

Mayor Conners thanked the Council and former Mayor Hack for his leadership on behalf of the residents as well as taking on regional issues. She stated that her focus will include “green issues”, increasing residents’ involvement in local government, and that she will participate in meeting with residents.

13.2 City Council Reorganization – Office of Mayor Pro Tem

Nominated by Councilmember Robbins, and voted by acclamation to appoint Councilmember Ring as Mayor Pr Tem for the period December 2011 to December 2012.

XIV. CLOSED SESSION

14.1 The City Council met in closed session to confer with legal counsel regarding one matter of pending litigation: City of Laguna Woods vs. Raintree Realty LLC. Case No. 05 CC 09350 pursuant to the provisions of Government Code Section 54956.9(a).

The City Council reconvened in open session at 4:43 p.m. City Attorney Cosgrove advised that there was no reportable action.

XV. ADJOURNMENT

The meeting was adjourned at 4:43 p.m. The next regular meeting will be at 2:00 p.m. on Wednesday, January 18, 2012 at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

YOLIE TRIPPY, Deputy City Clerk

Adopted: January 18, 2012

CYNTHIA S. CONNERS, Mayor

6.2
WAIVE READING OF ORDINANCES AND
RESOLUTIONS
(No Report)

6.3
TREASURER'S REPORTS

City of Laguna Woods
Monthly Treasurer's Report
November 30, 2011

CASH ON HAND1. Investments/General Fund

Local Agency Investment Fund	\$	5,963,618
Subtotal	\$	5,963,618

2. Investments/Transportation Fund

Local Agency Investment Fund	\$	228,836
Subtotal	\$	228,836

3. Other Interest & Non-Interest Bearing/General & Transportation

Petty Cash Funds	\$	668
Analyzed Checking Account	\$	495,699
Subtotal	\$	496,367
TOTAL	\$	6,688,821

Note: LAIF reports interest earnings quarterly.

City of Laguna Woods
Monthly Treasurer's Report
December 31, 2011

CASH ON HAND1. Investments/General Fund

Local Agency Investment Fund	\$	5,963,618
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Subtotal	\$	5,963,618
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2. Investments/Transportation Fund

Local Agency Investment Fund	\$	228,836
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Subtotal	\$	228,836
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3. Other Interest & Non-Interest Bearing/General & Transportation

Petty Cash Funds	\$	626
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Analyzed Checking Account	\$	418,219
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Subtotal	\$	418,845
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TOTAL	\$	6,611,299
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Note: LAIF reports interest earnings quarterly.

6.4
WARRANT REGISTER

CITY OF LAGUNA WOODS
 WARRANT REGISTER
 1/18/2012

Check Number	Check Date	Vendor Name	Check Description	Amount
PREPAID WARRANTS:				
<i>Automatic Bank Debits</i>				
Debit	12/08/2011	ADP PAYROLL SERVICES	PPE 12/02/11	30,059.25
Debit	12/08/2011	ICMA RETIREMENT CORPORATION	PPE 12/02/11	1,594.03
Debit	12/08/2011	ADP PAYROLL SERVICES	Processing Charges/Payroll 12/02/11	119.05
Debit	12/20/2011	ADP PAYROLL SERVICES	PPE 12/16/11	31,508.95
Debit	12/20/2011	ICMA RETIREMENT CORPORATION	PPE 12/16/11	1,594.03
Debit	12/20/2011	ADP PAYROLL SERVICES	Processing Charges/Payroll 12/16/11	119.05
Debit	01/05/2012	ADP PAYROLL SERVICES	PPE 12/30/11	32,302.85
Debit	01/05/2012	ICMA RETIREMENT CORPORATION	PPE 12/30/11	1,594.05
Debit	01/05/2012	ADP PAYROLL SERVICES	Processing Charges/Payroll 12/30/11	119.05
Other				
111210	11/29/2011	CALPERS - RETIREMENT	Retirement Contributions Period Ending 11/4/11	5,031.38
111211	11/29/2011	CALPERS - RETIREMENT	Retirement Contributions Period Ending 11/18/11	5,031.38
111212	11/29/2011	JONES, ERNESTINE	Employee Benefit Program/November 2011	359.62
111213	11/29/2011	REILLY, DOUGLAS C.	Employee Reimbursement	465.86
111214	11/29/2011	VANTAGEPOINT TRANSFER AGT-457	457 Plan Contributions/November 2011	1,150.00
111215	12/07/2011	ALLRIGHT ELECTRIC	Building Permit Refund	10.00
111216	12/07/2011	AT&T	Telephone/452-0600/November 2011	265.39
111217	12/07/2011	AT&T	Telephone/639-0500/November 2011	179.68
111218	12/07/2011	AT&T	Telephone/770-9359/November 2011	15.69
111219	12/07/2011	CAA	Water Quality Consulting/October 2011	311.00
111220	12/07/2011	CACEO	2012 CACEO Membership/Training	140.00
111221	12/07/2011	COASTAL TRAFFIC SYSTEMS, INC.	CARITS/Traffic Signal Signage	2,834.40
111222	12/07/2011	COPYFORCE	Printing Services	233.82
111223	12/07/2011	DATA TICKET, INC.	Citation Processing/October 2010	7.63
111224	12/07/2011	DATA TICKET, INC.	Citation Deposit Refund	200.00
111225	12/07/2011	EL TORO WATER DISTRICT	Landscape Irrigation/November 2011	3,344.17

CITY OF LAGUNA WOODS
 WARRANT REGISTER
 1/18/2012

Check Number	Check Date	Vendor Name	Check Description	Amount
111226	12/07/2011	FLEX ONE	Program Fees/November 2011	50.00
111227	12/07/2011	GARY GATES	Employee Benefit Program/November 2011	603.72
111228	12/07/2011	GREAT CLEANING SERVICE	Janitorial Service/November 2011	700.39
111229	12/07/2011	KUHLMAN CUSTOM CONSTRUCTION	Waste Diversion Deposit Refund	1,500.00
111230	12/07/2011	NIEVES LANDSCAPE, INC.	Landscape Maintenance/December 2011	10,605.41
111231	12/07/2011	OFFICEMAX INC	Office Supplies	223.55
111232	12/07/2011	PASCO DOORS	Energy Efficiency Block Grant	6,070.18
111233	12/07/2011	REDFLEX TRAFFIC SYSTEMS	Redlight Camera/November 2011	20,000.00
111234	12/07/2011	SOUTHERN CALIFORNIA EDISON	Residential Streetlights/United/November 2011	1,855.22
111235	12/07/2011	SOUTHERN CALIFORNIA EDISON	Traffic Signal Controllers/November 2011	862.27
111236	12/07/2011	STANDARD TEL	Telephone System Maintenance	62.50
111237	12/07/2011	STEVE PITTS MAINTENANCE	Roof Repair	1,355.00
111238	12/07/2011	WARE DISPOSAL	Building Maintenance/Roof Repair/Bees	75.00
111239	12/07/2011	WLC ARCHITECTS	City Hall Library Site	5,325.00
111240	12/09/2011	DENNIS D. NELSON, PE	Partial Reimbursement for Credit	31,344.75
111241	12/09/2011	YOLIE TRIPPY	Employee Benefit Program	937.09
111242	12/14/2011	AFLAC	Employee Benefit Program/January 2012	310.80
111243	12/14/2011	AT&T	Telephone/581-3974/December 2011	76.78
111244	12/14/2011	AT&T	Telephone/583-1105/December 2011	15.61
111245	12/14/2011	AT&T	White Pages/December 2011	3.78
111246	12/14/2011	BALLIET, MICHAEL	Waste Consulting/November 2011	5,036.25
111247	12/14/2011	BANK OF AMERICA - CC	Credit Card Charges/November 2011	605.73
111248	12/14/2011	CALIFORNIA YELLOW CAB	NEMT/November 2011	5,525.00
111249	12/14/2011	CNA	Employee Benefit Program/January-March 2012	518.16
111250	12/14/2011	CNA	Employee Benefit Program/January-March 2012	410.36
111251	12/14/2011	FLAGTIME, U.S.A.	California/United States Flags for City Hall	171.60
111252	12/14/2011	KONE INC.	Elevator Maintenance/December 2011	217.00
111253	12/14/2011	VOID		-
111254	12/14/2011	ADEL MARTINEZ	Taxi Voucher Refund	40.00
111255	12/14/2011	TERESE S OLIVER	Redlight Camera Attorney/September 2011	6,030.00

CITY OF LAGUNA WOODS
WARRANT REGISTER
1/18/2012

Check Number	Check Date	Vendor Name	Check Description	Amount
111256	12/14/2011	ORKIN	Pest Control/December 2011	84.49
111257	12/14/2011	P. F. PETTIBONE & CO.	Minute Books for 2012	271.85
111258	12/14/2011	PRACTICAL DATA SOLUTIONS	Computer Monitor	1,230.12
111259	12/14/2011	REILLY, DOUGLAS C.	Employee Benefit Program	190.48
111260	12/14/2011	RUTAN & TUCKER, LLP	City Attorney/November 2011	1,677.00
111261	12/14/2011	SONITROL	Alarm Monitoring/January 2012	57.19
111262	12/14/2011	SOUTHERN CALIFORNIA EDISON	Right of Way/November 2011	2,107.42
111263	12/14/2011	SOUTHERN CALIFORNIA EDISON	Safety Lights Over Traffic Signals/November 2011	385.37
111264	12/14/2011	SOUTHERN CALIFORNIA EDISON	Residential Streetlights/Third/November 2011	4,342.56
111265	12/14/2011	WM CURBSIDE, LLC	Waste Collection/November 2011	4,050.53
111266	12/14/2011	LAKE FOREST FLORAL DESIGN	Veteran's Day Floral Arrangement	183.18
111267	12/21/2011	BRAILLE INSTITUTE	Community Services Grant/1st Quarter 2012	3,750.00
111268	12/21/2011	ROBERT BURNETT	Mileage/Cell Phone Reimbursement	158.76
111269	12/21/2011	CAA	Water Quality Consulting/November 2011	1,184.50
111270	12/21/2011	CALIFORNIA YELLOW CAB	Taxi Voucher Services/November 2011	19,731.00
111271	12/21/2011	CAPTIONING UNLIMITED	Closed Caption for Council Meeting/December 2011	300.00
111272	12/21/2011	DAVID EVANS & ASSOCIATES INC.	Traffic Mitigation/Moulton	342.30
111273	12/21/2011	DAYLE MCINTOSH CENTER	Community Services Grant/1st Quarter 2012	1,000.00
111274	12/21/2011	DICKSONS, INC.	CDBG Energy Improve Program	1,536.00
111275	12/21/2011	EL TORO WATER DISTRICT	Ridge Route Park/December 2011	156.59
111276	12/21/2011	EL TORO WATER DISTRICT	Dog Park Irrigation/December 2011	21.25
111277	12/21/2011	EL TORO WATER DISTRICT	City Hall Utilities/December 2011	28.00
111278	12/21/2011	EL TORO WATER DISTRICT	City Hall Utilities/December 2011	99.09
111279	12/21/2011	ALLEN KALLER	Taxi Voucher Refund	33.00
111280	12/21/2011	ERMA KERRIGAN	Taxi Voucher Refund	50.00
111281	12/21/2011	LOS ANGELES TIMES	Newspaper Delivery/December 2011	51.20
111282	12/21/2011	MANAGED HEALTH NETWORK	Employee Benefit Program/January 2012	22.23
111283	12/21/2011	NIEVES LANDSCAPE, INC.	City Centre Park	3,679.20
111284	12/21/2011	ORANGE COUNTY REGISTER-NOTICES	Public Notices/November 2011	1,056.36
111285	12/21/2011	PEAK LIGHTING & ELECTRIC, INC	Streetlight Maintenance/December 2011	769.52

CITY OF LAGUNA WOODS
 WARRANT REGISTER
 1/18/2012

Check Number	Check Date	Vendor Name	Check Description	Amount
111286	12/21/2011	REILLY, DOUGLAS C.	Mileage Reimbursement/October-December 2011	284.24
111287	12/21/2011	REPUBLIC ITS	Traffic Signal Repair	965.15
111288	12/21/2011	SADDLEBACK MEMORIAL FOUNDATION	Community Services Grant/1st Quarter 2012	1,875.00
111289	12/21/2011	SIERRA INSTALLATIONS, INC	Banner Change-Out	1,845.00
111290	12/21/2011	SIGNS BY CREATIONS UNLIMITED	Lettering for City Hall Front Door	272.79
111291	12/21/2011	SOUTH COUNTY OUTREACH	Community Services Grant/1st Quarter 2012	3,750.00
111292	12/21/2011	THE FOUNDATION OF LAGUNA WOODS	Community Services Grant/1st Quarter 2012	2,500.00
111293	12/21/2011	TRAUMA INTERVENTION PROGRAM	Community Services Grant/1st Quarter 2012	875.00
111294	12/21/2011	VERRALL, SANDRA	Cell Phone Reimbursement/November 2011	25.00
111295	12/22/2011	ASSOCIATION OF PUBLIC TREASURERS	2012 Membership Dues/Jones	180.00
111296	12/22/2011	CA SOC. OF MUNI FINANCE OFFICERS	Annual Membership/Jones	110.00
111297	12/22/2011	CALPERS - RETIREMENT	Retirement Contributions Period Ending 12/2/11	5,031.38
111298	12/22/2011	CALPERS - RETIREMENT	Retirement Contributions Period Ending 12/16/11	5,031.38
111299	12/22/2011	CITISTREET	CalPers 457 Plan/December 2011	1,180.54
111300	12/22/2011	CIVIL SOURCE	Inspection Services/November 2011	4,907.50
111301	12/22/2011	JONES, ERNESTINE	Employee Benefit Program/Mileage/December 2011	453.20
111302	12/22/2011	SOUTHERN CALIFORNIA EDISON	Irrigation Controllers/December 2011	96.76
111303	12/22/2011	YOLIE TRIPPY	Mileage Reimbursement/July-December 2011	366.50
111304	12/22/2011	VANTAGEPOINT TRANSFER AGT-457	457 Contributions/December 2011	1,760.25
111305	12/23/2011	ALL AMERICAN ASPHALT	Retention Payment/Santa Maria Rehab	60,794.70
111306	12/23/2011	AGE WELL SENIOR SERVICES	Community Services Grant/1st Quarter 2012	18,750.00
111307	12/23/2011	GASS CONSTRUCTION CO, INC.	Retention Payment	30,800.77
111308	01/05/2012	AT&T	Telephone/458-3487/December 2011	31.59
111309	01/05/2012	AT&T	Telephone/452-0600/December 2011	254.54
111310	01/05/2012	GERALD BLACKBURN	Taxi Voucher Refund	161.50
111311	01/05/2012	ROBERT BURNETT	Employee Reimbursement/December 2011	227.02
111312	01/05/2012	CALIFORNIA CHAMBER OF COMMERCE	HR Supplies/Employee Pamphlets	111.83
111313	01/05/2012	CALPERS - HEALTH	Employee Benefit Program/January 2012	3,312.35
111314	01/05/2012	CIT TECHNOLOGY FINANCING SERVICE	Copier Lease/January 2012	641.12
111315	01/05/2012	DELTA DENTAL PLAN OF CA	Employee Benefit Program/January 2012	591.77

CITY OF LAGUNA WOODS
 WARRANT REGISTER
 1/18/2012

Check Number	Check Date	Vendor Name	Check Description	Amount
111316	01/05/2012	VOID		-
111317	01/05/2012	VOID		-
111318	01/05/2012	DENNIS D. NELSON, PE	Professional Services/October-November 2011	80,971.97
111319	01/05/2012	EL TORO WATER DISTRICT	Landscape Irrigation/December 2011	2,219.21
111320	01/05/2012	FLEX ONE	Program Fees/December 2011	50.00
111321	01/05/2012	KEANE, LESLIE A.	January 2012 Auto Allowance	450.00
111322	01/05/2012	OFFICE DEPOT	Office Supplies	100.53
111323	01/05/2012	PRINCIPAL FINANCIAL GROUP	Employee Benefit Program/January 2012	457.10
111324	01/05/2012	SCOTT FAZEKAS & ASSOCIATES	Plan Check Services/November 2011	850.00
111325	01/05/2012	SKYLIGHT SPECIALIST	CDBG Energy Efficient Improvement Program	675.00
111326	01/05/2012	SOUTHERN CALIFORNIA EDISON	Residential Streetlights/United/December 2011	1,858.08
111327	01/05/2012	SOUTHERN CALIFORNIA EDISON	Traffic Signal Controllers/December 2011	874.56
111328	01/05/2012	SOUTHERN CALIFORNIA EDISON	Ridge Route Park/December 2011	21.99
111329	01/05/2012	SOUTHERN CALIFORNIA EDISON	City Hall Utilities/December 2011	891.50
111330	01/05/2012	SOUTHERN CALIFORNIA EDISON	City Centre Park/December 2011	21.99
111331	01/05/2012	STANDARD TEL	Telephone System Maintenance	210.00
111332	01/05/2012	THE BEE MAN	Street Maintenance	175.00
111333	01/05/2012	THE GAS COMPANY	City Hall Utilities/December 2011	212.10
111334	01/05/2012	VISION SERVICE PLAN OF AMERICA	Employee Benefit Program/January 2012	199.14
111335	01/11/2012	AT&T	Telephone/639-0500/December 2011	179.68
111336	01/11/2012	AT&T	White Pages/January 2012	3.78
111337	01/11/2012	DENNIS D. NELSON, PE	Professional Services/November 2011	690.00
111338	01/11/2012	FOLEY, PATRICK	Employee Benefit Program/December 2011	273.00
111339	01/11/2012	GARY GATES	Employee Benefit Program/December 2011	879.40
111340	01/11/2012	CARLOS GUSTILO	Waste Diversion Deposit Refund	750.00
111341	01/11/2012	HOGLE-IRELAND	Staffing Services/October 2011	8,592.50
111342	01/11/2012	O.C. CITY MANAGERS ASSOCIATION	January 2012 Meeting/Keane/Reilly	70.00
111343	01/11/2012	REILLY, DOUGLAS C.	Employee Benefit Program/January 2012	130.50
111344	01/11/2012	RUTAN & TUCKER, LLP	Attorney Services/City Hall Acquisition/Nov. 2011	756.83
111345	01/11/2012	SOUTHERN CALIFORNIA EDISON	Safety Lights Over Traffic Signals/December 2011	385.37

CITY OF LAGUNA WOODS
 WARRANT REGISTER
 1/18/2012

Check Number	Check Date	Vendor Name	Check Description	Amount
111346	01/11/2012	SOUTHERN CALIFORNIA WATER	1st Quarter 2012 Meeting/Hack	70.00
111347	01/11/2012	VERRALL, SANDRA	Cell Phone Reimbursement/December 2011	25.00
			Total Prepaid Warrants	<u>517,901.78</u>
REGULAR WARRANTS:				
111348	01/11/2012	ALISO CREEK PRINTING	Printing Services/Signature Stamp, Business Cards	97.28
111349	01/11/2012	APPRECIATION PRODUCTS	Nameplates/City Council/2012	23.71
111350	01/11/2012	AT&T	Telephone/770-9359/December 2011	15.69
111351	01/11/2012	BALLIET, MICHAEL	Waste Consulting/December 2011	2,932.50
111352	01/11/2012	CALIFORNIA YELLOW CAB	NEMT Services/December 2011	4,416.00
111353	01/11/2012	CITY OF LAGUNA BEACH	Animal Services/2nd Quarter 2011-12	20,665.00
111354	01/11/2012	CIVIL SOURCE	Inspection Services/December 2011	1,690.00
111355	01/11/2012	COMMPRO	Website Hosting/January 2012	295.00
111356	01/11/2012	CYNTHIA CONNERS	January 2012 Compensation	300.00
111357	01/11/2012	COUNTY OF ORANGE - WATER QUALITY	NPDES-Cost Share/Fiscal Year 2011-12	22,670.50
111358	01/11/2012	DATA TICKET, INC.	Citation Processing/November 2011	4.17
111359	01/11/2012	MANIJEH ESMAEILI	Taxi Voucher Refund	27.50
111360	01/11/2012	GREAT CLEANING SERVICE	Janitorial Services/December 2011	767.89
111361	01/11/2012	HACK, BERT	January 2012 Compensation	300.00
111362	01/11/2012	KONICA MINOLTA BUSINESS	Copier Charges/2Q Fiscal Year 2011-12	298.20
111363	01/11/2012	LEAGUE OF CALIFORNIA CITIES	Membership Dues/Calendar Year 2012	6,342.00
111364	01/11/2012	LYNN CAPOUYA	Ridge Route Linear Park/December 2011	844.00
111365	01/11/2012	VOID		-
111366	01/11/2012	NIEVES LANDSCAPE, INC.	Landscape Maintenance/January 2012	17,131.56
111367	01/11/2012	OFFICEMAX INC	Office Supplies	17.31
111368	01/11/2012	TERESE S OLIVER	Redlight Camera Attorney/December 2011	1,745.00
111369	01/11/2012	ORANGE COUNTY REGISTER-NOTICES	Public Notices/December 2011	502.50
111370	01/11/2012	ORANGE COUNTY TREASURER/STREET	Street Maintenance/October-November 2011	26,348.32
111371	01/11/2012	ORANGE COUNTY TREASURER-SHERIFF	Sheriff Services/December 2011	110,320.92
111372	01/11/2012	ORKIN	Pest Control/January 2012	84.49

CITY OF LAGUNA WOODS
 WARRANT REGISTER
 1/18/2012

Check Number	Check Date	Vendor Name	Check Description	Amount
111373	01/11/2012	MARTIN RHODES	January 2012 Compensation	300.00
111374	01/11/2012	RING, ROBERT	January 2012 Compensation	300.00
111375	01/11/2012	ROBBINS, MILTON	January 2012 Compensation	300.00
111376	01/11/2012	SIERRA INSTALLATIONS, INC	Banner Change-Out/Peace Banner	1,920.00
111377	01/11/2012	SOUTHERN CALIFORNIA EDISON	Residential Streetlights/Third/December 2011	4,342.64
111378	01/11/2012	SOUTHERN CALIFORNIA EDISON	Right of Way/December 2011	2,107.47
111379	01/11/2012	THE CALIFORNIA CHANNEL	PEG Channel/Annual Fee	3,056.64
111380	01/11/2012	WLC ARCHITECTS	CDBG/City Hall Library/November 2011	2,130.00
111381	01/11/2012	WM CURBSIDE, LLC	Waste Collection/December 2011	5,272.37
			Total Regular Warrants	<u>237,568.66</u>
			Total Register	755,470.44

6.5

**AMENDMENT No. 1 OCTA AGREEMENT
No. C-0-1692 (TRAFFIC LIGHT
SYNCHRONIZATION ON EL TORO ROAD)**

AMENDMENT NO. 1 TO
AGREEMENT NO. C-0-1692

BY AND BETWEEN

ORANGE COUNTY TRANSPORTATION AUTHORITY

AND THE CITIES OF

ALISO VIEJO, LAGUNA BEACH, LAGUNA HILLS, LAGUNA WOODS, LAKE FOREST,
MISSION VIEJO, THE COUNTY OF ORANGE,

AND

THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

FOR EL TORO ROAD TRAFFIC LIGHT SYNCHRONIZATION PROGRAM PROJECT

THIS AMENDMENT NO. 1 is made and entered into this _____ day of _____,

20____, by and between the Orange County Transportation Authority ("AUTHORITY"), and the City of Aliso Viejo, the City of Laguna Beach, the City of Laguna Hills, the City of Laguna Woods, the City of Lake Forest, the City of Mission Viejo, the County of Orange, and the State of California Department of Transportation (Caltrans) hereinafter jointly referred to as the ("AGENCIES").

WITNESSETH:

WHEREAS, by Agreement No. C-0-1692 dated March 14, 2011, AUTHORITY and AGENCIES entered into an agreement for the implementation of the El Toro Road Traffic Light Synchronization (TLSP) Project (hereinafter, "PROJECT"); and

WHEREAS, AUTHORITY and AGENCIES agree to extend the term of the agreement twelve (12) months to December 31, 2012 to allow for the project completion; and

NOW, THEREFORE, it is mutually understood and agreed that Agreement No. C-0-1692 is hereby amended in the following particulars only:

/

/

/

ITEM 6.5
AMENDMENT NO. 1 TO
AGREEMENT C-0-1692
EL TORO ROAD
TRAFFIC LIGHT SYNCHRONIZATION PROGRAM

1 1. Amend ARTICLE 4. MUTUAL RESPONSIBILITIES OF OCTA AND AGENCIES,
2 page 7 of 15, line 2, to delete "December 31, 2011", as the expiration date of Agreement and in lieu
3 thereof, insert "December 31, 2012".

4 The balance of Agreement No. C-0-1692 remains unchanged.

5 This Amendment shall be made effective upon execution by all parties.

6 **IN WITNESS WHEREOF**, the parties hereto have caused this Amendment No. 1 to
7 Agreement No. C-0-1692 to be executed on the date first above written.

8
9 **CITY OF ALISO VIEJO**

ORANGE COUNTY TRANSPORTATION AUTHORITY

10 By: _____
11 Mark Pulone
12 City Manager

By: _____
Meena Katakia
Manager, Capital Projects

13 **ATTEST:**

APPROVED AS TO FORM:

14 By: _____
15 Susan Ramos
16 City Clerk

By: 
Kennard R. Smart, Jr.
General Counsel

17 **APPROVED AS TO FORM:**

18 By: _____
19 Scott Smith
20 City Attorney

ITEM 6.5
AMENDMENT NO. 1 TO
AGREEMENT C-0-1692
EL TORO ROAD
TRAFFIC LIGHT SYNCHRONIZATION PROGRAM

1 IN WITNESS WHEREOF, the AGENCIES hereto have caused this Amendment No. 1 to
2 Agreement No. C-0-1692 to be executed on the date first above written.

3
4 **CITY OF LAGUNA BEACH**

5 By: _____
6 Jane Egly
7 Mayor

8
9 **ATTEST:**

10 By: _____
11 Martha Anderson
12 City Clerk

13 **APPROVED AS TO FORM:**

14 By: _____
15 Philip Kohn
16 City Attorney

ITEM 6.5
AMENDMENT NO. 1 TO
AGREEMENT C-0-1692
EL TORO ROAD
TRAFFIC LIGHT SYNCHRONIZATION PROGRAM

1 IN WITNESS WHEREOF, the AGENCIES hereto have caused this Amendment No. 1 to
2 Agreement No. C-0-1692 to be executed on the date first above written.

3
4 **CITY OF LAGUNA HILLS**

5
6 By: _____
7 L. Allan Songstad Jr.
8 Mayor

9 **ATTEST:**

10 By: _____
11 Peggy Johns
12 City Clerk

13 **APPROVED AS TO FORM:**

14 By: _____
15 Gregory Simonian
16 City Attorney

AMENDMENT NO. 1 TO
AGREEMENT C-0-1692
EL TORO ROAD
TRAFFIC LIGHT SYNCHRONIZATION PROGRAM

1 IN WITNESS WHEREOF, the AGENCIES hereto have caused this Amendment No. 1 to
2 Agreement No. C-0-1692 to be executed on the date first above written.

3
4 **CITY OF LAGUNA WOODS**

5
6 By: _____
7 Leslie A. Keane
8 City Manager

9
10 **ATTEST:**

11 By: _____
12 Yolie Trippy
13 Deputy City Clerk

14 **APPROVED AS TO FORM:**

15 By: _____
16 David B. Cosgrove
17 City Attorney

AMENDMENT NO. 1 TO
AGREEMENT C-0-1692
EL TORO ROAD
TRAFFIC LIGHT SYNCHRONIZATION PROGRAM

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IN WITNESS WHEREOF, the AGENCIES hereto have caused this Amendment No. 1 to Agreement No. C-0-1692 to be executed on the date first above written.

CITY OF LAKE FOREST

By: _____
Robert C. Dunek
City Manager

ATTEST:

By: _____
Stephanie Smith
City Clerk

APPROVED AS TO FORM:

By: _____
Scott C. Smith
City Attorney

ITEM 6.5
AMENDMENT NO. 1 TO
AGREEMENT C-0-1692
EL TORO ROAD
TRAFFIC LIGHT SYNCHRONIZATION PROGRAM

1 IN WITNESS WHEREOF, the AGENCIES hereto have caused this Amendment No. 1 to
2 Agreement No. C-0-1692 to be executed on the date first above written.

3
4 **CITY OF MISSION VIEJO**

5
6 By: _____
7 Dave Leckness
8 Mayor

9 **ATTEST:**

10 By: _____
11 Karen Hamman
12 City Clerk

13 **APPROVED AS TO FORM:**

14 By: _____
15 William Curley
16 City Attorney

ITEM 6.5
AMENDMENT NO. 1 TO
AGREEMENT C-0-1692
EL TORO ROAD
TRAFFIC LIGHT SYNCHRONIZATION PROGRAM

1 IN WITNESS WHEREOF, the AGENCIES hereto have caused this Amendment No. 1 to
2 Agreement No. C-0-1692 to be executed on the date first above written.
3

4 **COUNTY OF ORANGE**

5 By: _____

6 Jeff Carbajal
7 Director of Public Works
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ITEM 6.5
AMENDMENT NO. 1 TO
AGREEMENT C-0-1692
EL TORO ROAD
TRAFFIC LIGHT SYNCHRONIZATION PROGRAM

1 IN WITNESS WHEREOF, the AGENCIES hereto have caused this Amendment No. 1
2 to Agreement No. C-0-1692 to be executed on the date first above written.

3
4 **CALIFORNIA DEPARTMENT OF TRANSPORTATION**

5 By: _____

6 James Pinheiro
7 Deputy District Director
8 Operations and Maintenance

6.6
CITY HALL HVAC PROJECT
(NO REPORT)

6.7

GOVERNMENT ACCOUNTING STANDARDS

RESOLUTION NO. 12-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, APPROVING THE COMMITMENT OF FUND BALANCES IN ACCORDANCE WITH GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENT NO. 54

WHEREAS, the Governmental Accounting Standards Board (GASB) has issued Statement No. 54 – Fund Balance Reporting and Governmental Fund Type Definitions, which changes the terminology used for fund balance reporting on balance sheets of Governmental Funds, and

WHEREAS, for financial statement reporting purposes, the GASB Statement defines Restricted amounts as those that are constrained to specific purposes by their providers through constitutional provisions or enabling legislation; and

WHEREAS, for financial statement reporting purposes, the GASB Statement defines assigned amounts as those the government intends to use for a specific purpose; and

WHEREAS, when expenditures are incurred for purposes for which both restricted and unrestricted (committed, assigned, or unassigned) fund balances are available, the City's policy is to first apply restricted fund balance. When expenditures are incurred for purposes for which committed, assigned, or unassigned fund balances are available, the City's policy is to first apply committed fund balance, then assigned fund balance, and finally unassigned fund balance.

WHEREAS, this policy delegates to the City Manager or Finance Manager the authority to assign unrestricted fund balance amounts where the City's intent is for those amounts to be used for specific purposes. This delegation of authority is for the sole purpose of reporting these amounts in the annual financial statements, and

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Laguna Woods hereby approves the attached Fund Balance Policy in compliance with Governmental Accounting Standards Board Statement No. 54, Fund Balance Reporting and Governmental Fund Type definitions.

PASSED, APPROVED AND ADOPTED this ____ day of January 2012.

CYNTHIA CONNERS, Mayor

ATTEST:

YOLIE TRIPPY, Deputy City Clerk

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

I, YOLIE TRIPPY, Deputy City Clerk of the City of Laguna Woods, do
HEREBY CERTIFY that the foregoing **Resolution No. 12-__** was duly adopted
by the City Council of the City of Laguna Woods at a regular meeting thereof, held
on the _____ day of January 2012, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

YOLIE TRIPPY, Deputy City Clerk

Attachment: Fund Balance Policy

City of Laguna Woods Fund Balance Policy

This policy establishes the procedures for reporting, within the annual financial statements, unrestricted fund balance (comprised of Committed, Assigned, and Unassigned categories) within the City's governmental funds: General Fund, Special Revenue Funds, Debt Service Fund, and Capital Projects Funds.

Definitions

Fund balance is the difference between the assets and liabilities reported in the City's governmental funds. There are generally limitations on the purpose for which all or a portion of the resources of a governmental fund may be used. The force behind these limitations can vary significantly, depending upon their source. Consequently, the fund balance reported in the annual financial statements is categorized into five components whereby each component identifies the extent to which the City is bound to honor constraints on the specific purposes for which amounts in the fund can be spent. The five components of fund balance are as follows:

Nonspendable: Resources that are 1) not in spendable form, such as inventories, prepaids, long-term receivables, or non-financial assets held for resale, or 2) required to be maintained intact such as an endowment.

Restricted: Resources that are subject to externally enforceable legal restrictions; these restrictions would be either 1) externally imposed by creditors (such as through debt covenants), grantors, contributors, or laws or regulations of other governments or 2) imposed by law through constitutional provisions or enabling legislation.

Committed: Resources that are constrained to specific purposes by a formal action of the City Council such as an ordinance or resolution. The constraint remains binding unless removed in the same formal manner by the City Council. Council action to commit fund balance must occur within the fiscal reporting period while the amount committed may be determined subsequently.

Assigned: Resources that are constrained by the City's intent to be used for specific purposes, but that are neither restricted nor committed.

Unassigned: Within the General Fund, the residual amounts not reported in any other classification. The general fund is the only fund that can report a positive unassigned fund balance. Should the total of nonspendable, restricted, and committed fund balances exceed the total net resources of the fund other funds would report a negative unassigned fund balance.

Policy

1. When expenditures are incurred for purposes for which both restricted and unrestricted (committed, assigned, or unassigned) fund balances are available, the City's policy is to first apply restricted fund balances. When expenditures are incurred for purposes for which committed, assigned, or unassigned fund balances are available, the City's policy is to first apply committed fund balances, then assigned fund balances, and finally unassigned fund balances.
2. This policy delegates to the City Manager or Finance Manager the authority to assign unrestricted fund balance amounts where the City's intent is for those amounts to be used for specific purposes. This delegation of authority is for the sole purpose of reporting these amounts in the annual financial statements.

This policy has been prepared in accordance with Governmental Accounting Standards Board (GASB) Statement No. 54.

6.8
CRIMINAL HISTORY INFORMATION

RESOLUTION NO. 12-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AUTHORIZING ACCESS TO STATE AND FEDERAL LEVEL SUMMARY CRIMINAL HISTORY INFORMATION FOR CERTAIN EMPLOYMENT AND LICENSING PURPOSES

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) authorize cities, counties, districts and joint powers authorities to access state and local summary criminal history information for employment, licensing or certification purposes; and

WHEREAS, Penal Code Section 11105(b)(11) authorizes cities, counties, districts and joint powers authorities to access federal level criminal history information by transmitting fingerprint images and related information to the Department of Justice to be transmitted to the Federal Bureau of Investigation; and

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) require that there be a requirement or exclusion from employment, licensing, or certification based on specific criminal conduct on the part of the subject of the record; and

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) require the city council, board of supervisors, governing body of a city, county or district or joint powers authority to specifically authorize access to summary criminal history information for employment, licensing, or certification purposes.

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

SECTION 1. The City of Laguna Woods is hereby authorized to access state and federal level summary criminal history information for employment (including volunteers and contract employees); and, licensing of adult entertainment establishments, commercial fortunetellers, medical marijuana dispensaries, and remote calling bingo games; and, may not disseminate the information to a private entity.

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

PASSED, APPROVED AND ADOPTED ON this ____ day of January 2012.

CYNTHIA CONNERS, Mayor

ATTEST:

YOLIE TRIPPY, Deputy City Clerk

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

I, YOLIE TRIPPY, Deputy City Clerk of the City of Laguna Woods, do
HEREBY CERTIFY that the foregoing **Resolution No. 12-XX** was duly adopted
by the City Council of the City of Laguna Woods at a regular meeting thereof, held
on the ____ day of January 2012, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

YOLIE TRIPPY, Deputy City Clerk

6.9
DISASTER RELATED DEBRIS MANAGEMENT
SERVICES

**EXTENSION AGREEMENT
BETWEEN THE
CITY OF LAGUNA WOODS
AND
ASHBRITT, INC.
FOR
DISASTER-RELATED DEBRIS MANAGEMENT AND RECOVERY SERVICES**

This EXTENSION AGREEMENT ("AGREEMENT"), is made and entered into by and among the City of Laguna Woods, a California municipal corporation ("CITY") and AshBritt, Inc. ("CONTRACTOR"), and shall become effective on February 1, 2012.

WHEREAS, CONTRACTOR has entered into Contract MA-080-11010203 between the County of Orange ("County") and Ashbritt, Inc. for disaster-related debris management and recovery services, dated on or about November 23, 2010 ("Master Agreement"); and

WHEREAS, paragraph 3 of the Master Agreement allows the provisions and pricing of the Master Agreement to extend to other Orange County local government entities, including CITY; and

WHEREAS, CITY and CONTRACTOR wish to take advantage of this provision, and extend CONTRACTOR's provision of disaster-related debris management and recovery services to CITY.

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth herein, the parties agree as follows:

SECTION 1. EXTENSION OF MASTER AGREEMENT TO CITY.

CONTRACTOR shall provide all of the services described in the Master Agreement, and more specifically laid out in Attachment A, "Scope of Work," attached thereto, to CITY.

SECTION 2. TERM AND TERMINATION.

CITY shall have the right to terminate this AGREEMENT on any and all grounds afforded to County under paragraph 14 of the Master Agreement. This AGREEMENT shall terminate upon the expiration or earlier termination of the Master Agreement.

SECTION 3. TERMS OF MASTER AGREEMENT INCORPORATED.

Except as specifically otherwise stated herein, the terms of the Master Agreement are incorporated herein by reference, shall apply to CONTRACTOR's provision of services hereunder to the CITY, and CITY shall be entitled to all of the rights, duties, and obligations of CONTRACTOR under such agreement as CONTRACTOR has otherwise agreed to provide to County.

SECTION 4. CITY'S PROJECT MANAGER.

With respect to the CONTRACTOR's provision of services to CITY, the City Manager of CITY or his or her designee ("City Manager") shall exercise the same functions, responsibilities, and powers as the "County's Project Manager" as provided in paragraph 6 of the Master Agreement.

SECTION 5. PRICING.

All pricing for CONTRACTOR's services provided hereunder shall be consistent with, and not in excess of, the rates provided in Attachment B, "Contractor's Pricing," to the Master Agreement.

SECTION 6. INSURANCE.

CITY shall be named as an additional insured on all insurance policies required to be provided by CONTRACTOR under paragraph 37 of the Master Agreement, for the services CONTRACTOR provides to CITY.

SECTION 7. INDEMNIFICATION.

In the provision of services to CITY hereunder, CONTRACTOR shall and hereby does afford to CITY the same indemnifications provided to County in paragraph 37 of the Master Agreement.

SECTION 8. THIRD PARTY INDEMNIFICATION.

The County shall be a third party beneficiary to this AGREEMENT with respect to defense and indemnity obligations. CONTRACTOR shall indemnify, defend with counsel-approved in writing by County, and hold County, its elected and appointed officials, officers, employees, agents, and those special districts and agencies which the County's Board of Supervisors acts as the governing board ("County Indemnitees") harmless from any claims, demands or liability of any kind or nature, including but not limited to personal injury or property damage, arising from or related to the services, products, or other performance provided by CONTRACTOR pursuant to this AGREEMENT. If judgment is entered against CONTRACTOR in County by a court of competent jurisdiction because of the concurrent active negligence of County or County Indemnitees, CONTRACTOR and County agree that liability will be apportioned as determined by the court, and neither party shall request a jury apportionment. CITY shall indemnify, defend with counsel-approved in writing by County, and hold County Indemnitees harmless from any claims, demands, or liability of any kind or nature, including but not limited to personal injury or property damage, arising from or relating to the services, products, or other performance provided by CONTRACTOR pursuant to this AGREEMENT. If judgment is entered against CITY and County by a court of competent jurisdiction because of the concurrent active negligence of County or the County Indemnitees, CITY and County agree that liability will be apportioned as determined by the court, and neither party shall request a jury apportionment.

SECTION 9. NOTICES AND INVOICES.

All notices or invoices required or permitted to be given under this AGREEMENT shall be in writing and shall be personally delivered, or sent by telecopy or certified mail, postage prepaid and return receipt requested, addressed as follows:

To CITY:
 City of Laguna Woods
 Attn: City Manager
 24264 El Toro Road
 Laguna Woods, CA 92637

To CONTRACTOR:
 AshBritt, Inc.
 Attn: Rob Ray, Project Manager
 480 South Andrews Avenue, Suite 103
 Pompano Beach, FL 33069

Notice shall be deemed effective on the date personally delivered or transmitted by facsimile or, if mailed, three (3) days after deposit of the same in the custody of the United States Postal Service.

SECTION 10. AUTHORITY TO EXECUTE.

The person or persons executing this AGREEMENT on behalf of CONTRACTOR represents and warrants that he/she/they has/have the authority to so execute this AGREEMENT and to bind CONTRACTOR to the performance of its obligations hereunder.

SECTION 11. BINDING EFFECT.

This AGREEMENT shall be binding upon the heirs, executors, administrators, successors and assigns of the parties.

SECTION 12. MODIFICATION OF AGREEMENT.

No amendment to or modification of this AGREEMENT shall be valid unless made in writing and approved by CONTRACTOR and by City Manager. The parties agree that this requirement for written modifications cannot be waived and that any attempted waiver shall be void.

SECTION 13. WAIVER.

Waiver by any party to this AGREEMENT of any term, condition, or covenant of this AGREEMENT shall not constitute a waiver of any other term, condition, or covenant. Waiver by any party of any breach of the provisions of this AGREEMENT shall not constitute a waiver of any other provision, nor a waiver of any subsequent breach or violation of any provision of this AGREEMENT. Acceptance by CITY of any work or services by CONTRACTOR shall not constitute a waiver of any of the provisions of this AGREEMENT.

SECTION 14. LAW TO GOVERN; VENUE.

This AGREEMENT shall be interpreted, construed and governed according to the

laws of the State of California. In the event of litigation between the parties, venue in state trial courts shall lie exclusively in the County of Orange. In the event of litigation in a U.S. District Court, venue shall lie exclusively in the District of California in which CITY is located.

SECTION 15. ATTORNEYS FEES, COSTS AND EXPENSES.

In the event litigation or other proceeding is required to enforce or interpret any provision of this AGREEMENT, the prevailing party in such litigation or other proceeding shall be entitled to an award of reasonable attorney's fees, costs and expenses, in addition to any other relief to which it may be entitled.

SECTION 16. ENTIRE AGREEMENT.

This AGREEMENT is the entire, complete, final and exclusive expression of the parties with respect to the matters addressed therein and supersedes all other agreements or understandings, whether oral or written, or entered into between CONTRACTOR and CITY prior to the execution of this AGREEMENT. No statements, representations or other agreements, whether oral or written, made by any party which is not embodied herein shall be valid and binding. No amendment to this AGREEMENT shall be valid and binding unless in writing duly executed by the parties or their authorized representatives.

SECTION 17. SEVERABILITY.

If any term, condition or covenant of this AGREEMENT is declared or determined by any court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of this AGREEMENT shall not be affected thereby and the AGREEMENT shall be read and construed without the invalid, void or unenforceable provision(s).

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed the day and year first above written.

CITY OF LAGUNA WOODS:

By _____
Leslie A. Keane, City Manager Date

CONTRACTOR:


By _____
Randal Perkins, President Date

APPROVED AS TO FORM:

David B. Cosgrove, City Attorney Date

7.1
FIRE HAZARD SEVERITY ZONES

City of Laguna Woods Agenda Report

FOR: January 18, 2012 City Council Meeting
TO: Mayor and City Councilmembers
FROM: Leslie A. Keane, City Manager 
AGENDA ITEM: Fire Hazard Severity Zones

Recommendation

- A. Receive Staff Report
- B. Open Public Hearing
- C. Receive Public Comment
- D. Close Public Hearing
- E. Adopt an ordinance establishing a very high fire hazard severity zone map, entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS,
CALIFORNIA, ADDING CHAPTER 10.13, FIRE HAZARD
SEVERITY ZONES, TO THE LAGUNA WOODS MUNICIPAL
CODE

- F. Approve introduction and first reading of an ordinance establishing high and moderate fire hazard severity zone maps and materials and methods standards for new construction and building modifications in fire hazard severity zones, entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS,
CALIFORNIA, AMENDING CHAPTERS 10.08, 10.13 AND
10.22 OF THE LAGUNA WOODS MUNICIPAL CODE
PERTAINING TO MATERIALS AND CONSTRUCTION
METHODS FOR EXTERIOR WILDFIRE EXPOSURE

Background

The state has declared that the prevention of fires is not a municipal affair, but instead a matter of statewide concern. Govt. Code 51175-89 directs the California Department of Forestry and Fire Protection (CAL FIRE) to map areas of significant fire hazards based on fuels, terrain, weather, and other relevant factors. These zones, referred to as Fire Hazard Severity Zones (FHSZ), define the application of various mitigation strategies to reduce risk associated with wildland fires.

In September 2005, the California Building Standards Commission approved a new Chapter – 7 A – of the California Building Code. This chapter, titled Materials and Construction Methods for Exterior Wildfire Exposure, was included in the City's recent building code modifications; it establishes building materials, systems and/or assemblies which must be included in the exterior design and construction of new buildings located within very high fire hazard severity zones. Building standards include 1) non-combustible material used for the construction of the underside of exterior eaves, decks and stairways attached to buildings; 2) minimum requirements for ventilation openings for attics to resist the intrusion of burning embers and to further reduce fire risk; and 3) vegetation management requirements.

Discussion

Since its incorporation date fell after the last state mapping effort, the City of Laguna Woods has not adopted fire severity zone maps, although areas in the City would have been included in prior County maps.

Fire hazard severity zones are classified as very high, high and moderate. State law requires that the City formally adopt, by ordinance, a very high fire hazard severity zone map within 120 days of receiving a recommendation from CAL FIRE. The City Council introduced and approved first reading of such an ordinance at their December 7, 2011 meeting and a public hearing on this matter is scheduled for the January 18, 2012. Once adopted, applicable construction standards for new development would be triggered.

Although state law requires that local agencies adopt the very high hazard severity zone map for their jurisdiction, the City is not prohibited from adopting additional fire hazard severity zones and/or regulations which are more stringent than those prescribed in state law. City and OCFA staff are proposing two additional fire hazard severity zones and construction standards that would apply to renovations of existing development as well as new development in all three zones.

There has been a question raised as to whether or not establishing fire zone hazard maps will affect the cost and availability of fire insurance. Insurance rates are determined by a variety of factors, including Fire Risk. Fire Risk is different from Fire Hazard. Fire Hazard is the focus of the FHSZ maps, not Fire Risk. Fire Hazard is based on factors such as fuel (material that can burn), slope and fire weather. Fire Risk considers the potential for damage based on factors such as the ability of a fire to ignite the structure, the flammability of the construction material, and mitigation measures that reduce the risk. These mitigation measures include defensible space, building design, ignition resistant building materials, and ignition resistant construction techniques. The California Department of Insurance and CAL FIRE have established a partnership and joint commitment to protecting Californians from fire losses. A Memorandum of Understanding was signed by the Insurance Commissioner and the Director of CAL FIRE, October, 2007 to mutually promote awareness and collaboration among fire officials, the insurance industry, and the public to prevent and mitigate fire losses.

Proposed Fire Severity Zones and Standards

Very High Fire Hazard Severity Zone

Location: Generally between Santa Maria Avenue and El Toro Road, west of Algarrobo, Calle Azul, Monte Hermosa, and Avenida Sosiega, and south of Calle Corta, including Woods End Wilderness Park.

Proposed Construction Standards: All Title 7-A requirements would apply to new construction and building modifications. These standards were adopted by the City Council in December 2010.

High Fire Hazard Severity Zone

Location: Laguna Laurel; portions generally north of Santa Maria Avenue in the vicinity of Cantante, Avenida Del Sol, Pina, Moya, Brazo, Tero, Ovalo, Jardin, Elvira, Duenas, and Avenida Despacio; portions generally north of El Toro Road, Calle Corta, and Monte Hermosa, west of San Amadeo and Avenida Sosiega, and east of Calle Azul, and Algarrobo.

Moderate Fire Hazard Severity Zone

Location: Portions generally north of El Toro Road south of San Amadeo; portions generally south of Calle Sonora Este; portions generally west of Avenida Sosiega in the vicinity of Bahia Blanca and Punta Alta; and portions generally north of Santa

Maria Avenue west of Santa Vittoria in the vicinity of Avenida Despacio, Duverney, Belmez, Duenas, Calzado, Miembro, and Elvira.

Proposed Construction Standards for High and Moderate Fire Hazard Severity Zones:

- 1) Roofing:
 - a) Coverings: Roofing materials which allow a space between the roofing material and the roof deck or sheathing shall be constructed to prevent the intrusion of flames and embers, be fire stopped with approved materials or have one layer of minimum 72 pound mineral-surfaced non-perforated cap sheet complying with ASTM D 3909 installed over the combustible decking.
 - b) Roof Valleys: Valley flashings shall have one layer of minimum 72 pound mineral-surfaced non-perforated cap sheet complying with ASTM D 3909 at least 36 inches wide running the full length of the valley under the flashing.
- 2) Screening. Reduce the maximum attic and under floor space ventilation screen opening sizing from 1/4 to 1/8 inch which reduces the possibility of fire embers entering these spaces.
- 3) Vents. Vents shall not be installed on the underside of eaves and cornices unless the space they ventilate is fully protected by a sprinkler system, or the exterior wall and underside of the eave or cornice is noncombustible or ignition resistant material.

Additional Proposed Construction Standards for the High Fire Severity Zone:

- 1) Patio covers. When located within 100 feet from a fuel modification zone or open space containing unmanaged non-irrigated vegetation, patio covers shall be constructed of noncombustible or ignition-resistant materials.

Patio covers would be exempt from these requirements if the construction features meet all of the following:

- a) Columns: Minimum dimension of 4x4 (nominal dimension in inches)
- b) Horizontal beams: Minimum 4x6 (nominal dimension in inches)
- c) Top horizontal members: A minimum of 2-inch spacing is provided between the members.
- d) The ledger meets the ignition-resistant material definition as prescribed in

CBC Section 702A.

- 2) Decks. Decks, porches, balconies and stairs shall be constructed using at least one of the following methods.
- a) Ignition resistant materials, must meet specific State Fire Marshals standards.
 - b) Exterior fire retardant treated wood.
 - c) Noncombustible material.
 - d) When attached walls are noncombustible or ignition resistant material, the deck is only required to meet State Fire Marshal Standard 12-7A-4A. A minimum Class B flame spread rating of the deck material would satisfy this requirement.

Fiscal Impact

The City collects building permit fees that cover the majority of its costs. It is not anticipated that adoption of the proposed ordinance will have any negative fiscal impact on the City.

Advisory Committee Action

The proposed maps and new building code regulations were discussed by the Land Use and Design Committee at its January 12, 2012 meeting. Committee members discussed the scope of work that would be required if a roof, patio cover or deck is repaired, not renovated. Staff agreed that a repair or routine maintenance work would not be affected. Several committee members also commented on the cost to homeowner associations and/or individual homeowners for the new standards. Upon a motion and second, the Committee voted 7-1 to recommend approval of both ordinances. The dissenting vote noted that there was insufficient information for him to support the high and moderate maps and the need for or cost of the new construction standards.

Conclusion:

The City of Laguna Woods sits adjacent to several large wilderness areas which present to potential for wildland fires. State law mandates that the City adopt a very high fire hazard severity zone map and minimum construction standards for new development. The Orange County Fire Authority is recommending that the City adopt two additional fire hazard severity zones and that constructions standards for all three zones be implemented for both new construction and modifications to existing buildings.

ITEM 7.1

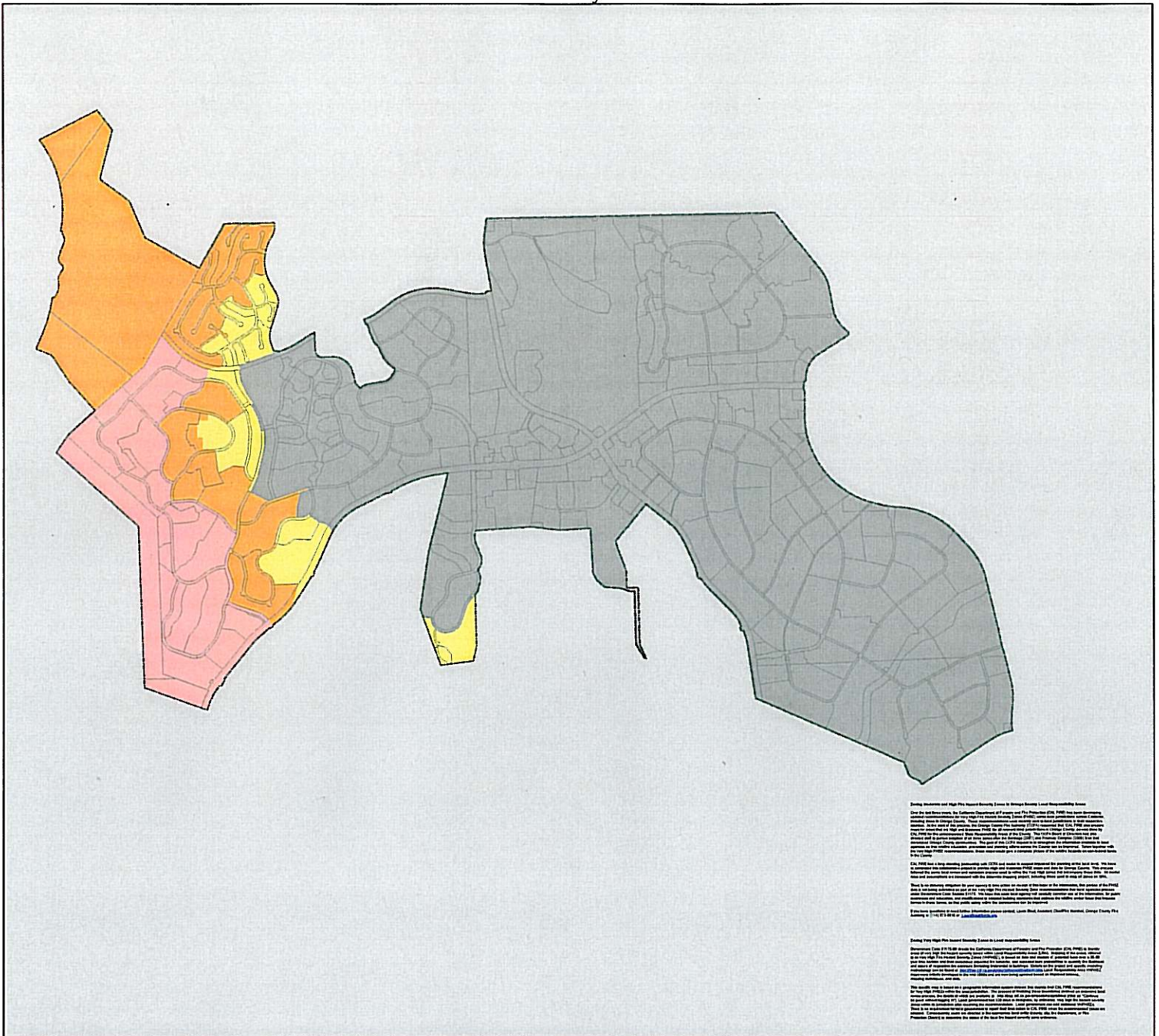
To meet state timeline requirements, the staff recommendation has been divided into two ordinances. The first ordinance, discussed by the City Council at its December 7, 2011, meeting would establish the very high fire hazard severity zone and implement already adopted standards for new construction. The second ordinance, which would be introduced for first reading at the January 18, 2012 meeting, would establish the high and moderate fire hazard severity zones and related construction standards, and would apply standards in all three zones to building modifications as well as new construction.

Attached: Exhibit A – Proposed fire hazard severity zone map
Ordinances (2)



Laguna Woods

High and Moderate Fire Hazard Severity Zones As Provided by CAL FIRE



Existing Moderate and High Fire Hazard Severity Zones by Strategic Response Level Responsibility Areas

Cal Fire has been designated, by California State Assembly Bill 1086, as the lead agency for fire hazard severity zone (FHSSZ) mapping and analysis. This map is a product of Cal Fire's mapping and analysis efforts. The map is based on data provided by the State of California, including the State Fire Marshal's Office (SFMO) and the State Fire Marshal's Office's Fire Hazard Severity Zone (FHSSZ) data. The map is based on data provided by the State of California, including the State Fire Marshal's Office (SFMO) and the State Fire Marshal's Office's Fire Hazard Severity Zone (FHSSZ) data. The map is based on data provided by the State of California, including the State Fire Marshal's Office (SFMO) and the State Fire Marshal's Office's Fire Hazard Severity Zone (FHSSZ) data.

Existing Very High Fire Hazard Severity Zones by Local Responsibility Areas

Cal Fire has been designated, by California State Assembly Bill 1086, as the lead agency for fire hazard severity zone (FHSSZ) mapping and analysis. This map is a product of Cal Fire's mapping and analysis efforts. The map is based on data provided by the State of California, including the State Fire Marshal's Office (SFMO) and the State Fire Marshal's Office's Fire Hazard Severity Zone (FHSSZ) data. The map is based on data provided by the State of California, including the State Fire Marshal's Office (SFMO) and the State Fire Marshal's Office's Fire Hazard Severity Zone (FHSSZ) data.

Fire Hazard Severity Zones

- Very High, as recommended by Cal Fire and approved, declared. Displayed on this map for reference purposes only.
- High (as provided by the State Fire Marshal and not CDFR under rule of contract).
- Moderate (as provided by the State Fire Marshal and not CDFR under rule of contract).
- Non-FHSSZ

City Boundary
Parcel
County Boundary

Projection: NAD 1983
Scale: 1:7,000
at 30" x 40"
November, 2011

The map was developed using data products such as parcel and city boundaries provided by local government agencies. In certain cases, this includes copyrighted geographic information. The maps are for display purposes only. Questions and requests related to parcel or city boundary data should be directed to the appropriate local government entity.

ORDINANCE NO. 12-XX

AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ADDING CHAPTER 10.13, FIRE HAZARD SEVERITY ZONES, TO THE LAGUNA WOODS MUNICIPAL CODE

WHEREAS, California Government Code Section 51175, Subdivision (a) states that 1) fires are extremely costly, not only to property owners and residents, but also to local agencies; 2) fires pose a serious threat to the preservation of public peace, health and safety; 3) it is necessary that cities, counties, special districts, state agencies, and federal agencies work together to bring raging fires under control; and 4) preventative measures are needed to ensure the preservation of the public peace, health and safety; and

WHEREAS, pursuant to Government Code Section 51181, the Director of the California Department of Forestry and Fire Protection is charged with periodically reviewing the areas in the State identified as Very High Fire Hazard Severity Zones and making related recommendations; and

WHEREAS, pursuant to Government Code Section 51179, the Director of the California Department of Forestry and Fire Protection has published a new map dated October 2011 recommending that areas within the City be designated as Very High Fire Hazard Severity Zones; and

WHEREAS, the development of the new map relied upon the use of current scientific methods which assessed vegetation, slope, fire history, weather patterns, and the impact of flames, heat, and flying fire embers; and

WHEREAS, the Orange County Fire Authority, as the fire service agency for the City, has reviewed the new map and believes that it accurately represents the Very High Fire Hazard Severity Zones within the City; and

WHEREAS, Government Code Section 51179, Subdivision (a) requires the City to designate by ordinance Very High Fire Hazard Severity Zones in its jurisdiction within 120 days after receiving the recommendations from the Director of the California Department of Forestry and Fire Protection.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Findings

The City Council hereby incorporates the foregoing recitals and findings.

SECTION 2. Adoption of Regulations

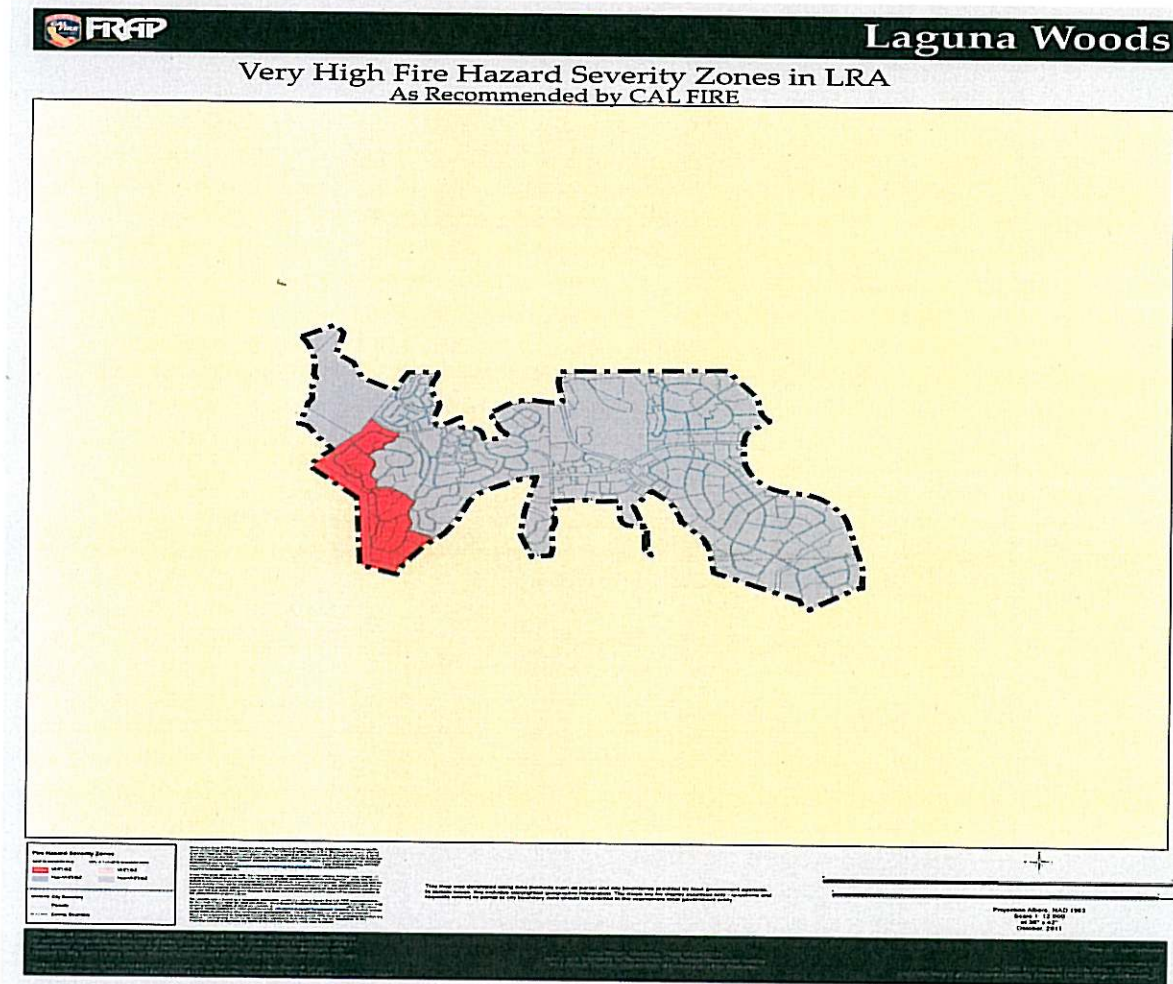
Chapter 10.13 (Fire Hazard Severity Zones) is hereby added to Title 10 (Buildings and Construction) of the Laguna Woods Municipal Code as follows:

CHAPTER 10.13. FIRE HAZARD SEVERITY ZONES

Sec. 10.13.010. Very High Fire Hazard Severity Zones.

(a) *Designation.* The areas identified on the map exhibit in Section 10.13.010(b) shall be the City's designated Very High Fire Hazard Severity Zones in accordance with Government Code Section 51179(a).

(b) *Map Exhibit.*



SECTION 3. Effective Date.

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

SECTION 4. City Clerk's Certification

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

PASSED, APPROVED AND ADOPTED this _____ day of _____ 2012.

CYNTHIA CONNERS, Mayor

ATTEST:

YOLIE TRIPPY, Deputy City Clerk

APPROVED AS TO FORM:

DAVID B. COSGROVE, City Attorney

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

I, YOLIE TRIPPY, Deputy City Clerk of the City of Laguna Woods, do HEREBY CERTIFY that the foregoing **Ordinance No. 12-XX** was duly introduced and placed upon its first reading at a Regular Meeting of the City Council on the 7th of December, 2011, and that thereafter, said Ordinance was duly adopted and passed at a Regular Meeting of the City Council on the _____ day of _____, 2012 by the following vote to wit:

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

YOLIE TRIPPY, Deputy City Clerk

ORDINANCE NO. 11-XX

AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING CHAPTERS 10.08, 10.13 AND 10.22 OF THE LAGUNA WOODS MUNICIPAL CODE PERTAINING TO MATERIALS AND CONSTRUCTION METHODS FOR EXTERIOR WILDFIRE EXPOSURE

WHEREAS, California Government Code Section 51175, Subdivision (a) states that 1) fires are extremely costly, not only to property owners and residents, but also to local agencies; 2) fires pose a serious threat to the preservation of public peace, health and safety; 3) it is necessary that cities, counties, special districts, state agencies, and federal agencies work together to bring raging fires under control; and 4) preventative measures are needed to ensure the preservation of the public peace, health and safety; and

WHEREAS, pursuant to Government Code Section 51181, the Director of the California Department of Forestry and Fire Protection is charged with periodically reviewing the areas in the State identified as Very High Fire Hazard Severity Zones and making related recommendations; and

WHEREAS, the City Council has introduced and approved first reading of an ordinance that would establish a very high fire hazard severity zone; and

WHEREAS, based on an assessment of vegetation, slope, fire history, weather patterns, and the impact of flames, heat, and flying fire embers, the Orange County Fire Authority (OCFA), as the fire service agency for the City, has recommended that the City establish high and moderate fire hazard severity zones and related building methods and materials for new construction and building modifications in these zones.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. **Findings**

The City Council hereby incorporates the foregoing recitals and findings.

SECTION 2. Chapter 10.08 (California Building Code) of the Laguna Woods Municipal Code is hereby amended to add the following sections:

Sec. 10.08.101 California Building Code, Chapter 7A Materials and Construction Methods for Exterior Wildfire Exposure, Sections 701A.1 and 701A.2 are amended to read as follows:

701A.1 Scope. This chapter applies to building materials, systems and/or assemblies used in the exterior design and construction of buildings located within a Wildland-Urban Interface Fire Area and High and Moderate Fire Hazard Severity Zone within Local Responsibility Areas as defined in Section 702A.

701A.2 Purpose. The purpose of this chapter is to establish minimum standards for the protection of life and property by increasing the ability of a building located in any Fire Hazard Severity Zone or Wildland-Urban Interface Fire Area to resist the intrusion of flames or burning embers projected by a vegetation fire and contributes to a systematic reduction in conflagration losses.

Sec. 10.08.102 California Building Code, Chapter 7A Materials and Construction Methods for Exterior Wildfire Exposure, Section 701A.3 and 701A.3.1 are amended to read as follows:

701A.3 Application. New buildings and alterations or additions to existing buildings located in any Fire Hazard Severity Zone or Wildland-Urban Interface Fire Area designated by the enforcing agency constructed after the application date shall comply with the provisions of this chapter. Local Responsibility Area (LRA) Fire Hazard Severity Zone maps are located in the City of Laguna Woods Municipal Code Chapter 10.13.

Exceptions:

1. Buildings of an accessory character classified as a Group U occupancy and not exceeding 120 square feet in floor area, when located at least 30 feet from an applicable building.
2. Buildings of an accessory character classified as Group U occupancy of any size and located at least 50 feet from an applicable building.
3. Buildings classified as Group U Agricultural Building, as defined in Section 202 of this code (see also Appendix C – Group U Agricultural Buildings) when located at least 50 feet from an applicable building.

701A.3.1 Application date and where required. New buildings within State Responsibility Areas (SRA) for which an application for a building permit is submitted on or after July 1, 2008 located in any Fire Hazard Severity Zone or Wildland-Urban Interface Fire Area identified below shall comply as indicated. New buildings and alterations or additions to existing buildings for which a building permit is submitted on or after March 19, 2012 within lands designated Fire Hazard Severity Zones in the Local Responsibility Area (LRA) by the City of Laguna Woods and defined in this Chapter shall comply as indicated.

1. All unincorporated lands designated by the State Board of Forestry and Fire Protection as State Responsibility Area (SRA) including:
 - 1.1 Moderate Fire Hazard Severity Zones
 - 1.2 High Fire Hazard Severity Zones
 - 1.3 Very-High Fire Hazard Severity Zones
 shall comply with all sections of this Chapter.
2. All land designated as Very-High Fire Hazard Severity Zones in the Local Responsibility Areas (LRA) shall comply with all sections of this Chapter .
3. Land designated as High Fire Hazard Severity Zones in the Local Responsibility Areas (LRA) shall comply with Section 701A.3.3 of the Chapter.
4. Land designated as Moderate Fire Hazard Severity Zones in the Local Responsibility Areas (LRA) shall comply with Section 701A.3.2 of this Chapter.
5. New buildings located in any Fire Hazard Zone within State Responsibility Areas (SRA) or any Wildland-Urban Interface Fire Area designated by cities and other local agencies for which an application for a building permit is submitted on or after December 1, 2005 but prior to July 1, 2008 shall only comply with the following sections of this chapter:

5.1 Section 705A – Roofing

5.2 Section 706A – Attic Ventilation

Sec. 10.08.103 California Building Code, Chapter 7A Materials and Construction Methods for Exterior Wildfire Exposure, Sections 701A.3.2 and 701A.3.3 are added:

701A.3.2 Construction Features Within Areas Designated as Moderate Fire Hazard Severity Zones in the Local Responsibility Area (LRA).

New buildings, alterations and additions located within Moderate Fire Hazard Severity Zone for which an application for a building permit is submitted on or after the effective date of this ordinance shall comply with the following sections of this chapter:

1. Section 703A - Standards of Quality, as applicable
2. Section 704A - Ignition Resistant Construction, as applicable
3. Section 705A - Roofing
4. Section 706A - Vents

701A.3.3 Construction Features Within Areas Designated as High Fire Hazard Severity Zones in the Local Responsibility Area.

New buildings, alterations and additions located within High Fire Hazard Severity Zones for which an application for a building permit is submitted on or after the effective date of this ordinance shall comply with the following sections of this chapter:

1. Section 703A - Standards of Quality, as applicable
2. Section 704A - Ignition Resistant Construction, as applicable
3. Section 705A - Roofing
4. Section 706A - Vents
5. Section 709A - Decks and, Decking Within a Fuel Modification Zone.

Decking located within any portion of a fuel modification zone shall be entirely non-combustible.

6. Accessory Structures

Applicability. The provision of this section shall apply to patio covers located within 100 feet from a Fuel Modification Zone or open space containing unmanaged, non-irrigated vegetation.

Requirements. Patio covers subject to this section shall be constructed of noncombustible or ignition-resistant materials.

Exception: When the construction features meet all of the following:

- 6.1 Columns: Minimum dimension of 4x4 (nominal dimension in inches)
- 6.2 Horizontal beams: Minimum 4x6 (nominal dimension in inches)
- 6.3 Top horizontal members: A minimum of 2-inch spacing is provided between the members.
- 6.4 The ledger meets the ignition-resistant material definition as prescribed in CBC Section 702A.

Sec. 10.08.104 California Building Code, Chapter 7A Materials and Construction Methods for Exterior Wildfire Exposure, Section 702A is amended to add definitions:

702A Definitions.

Existing Buildings: For application to this Chapter, when an existing building undergoes alterations or additions, those construction elements altered or added to the original structure shall comply with this chapter.

High and Moderate Fire Hazard Severity Zones in the Local Responsibility Area (LRA): An area designated by the City of Laguna Woods to be at significant risk from wildfire and within the responsible area of the local jurisdiction for fire protections and services. High and Moderate Fire Hazard Severity Zones within the Local Responsibility Area identified by the City of Laguna Woods shall not be considered Wildland Urban Interface Fire Areas. LRA maps may be located in the City of Laguna Woods Municipal Code, Chapter 10.13, Fire Hazard Severity Zones.

Fuel Modification Zone: Those zones so described in the Orange County Fire Authority's, Vegetation Management, Technical Design for New Construction Fuel Modification Plans and Maintenance Program.

SECTION 3. Chapter 10.22 (California Residential Code) of the Laguna Woods Municipal Code is hereby amended adding the following sections:

Sec. 10.22.081 California Residential Code, Chapter 3 Building and Planning, Section R327 Materials and Construction Methods for Exterior Wildfire Exposure, Sections R327.1.1 and R327.1.2 are amended to read as follows:

R327.1.1 Scope. This chapter applies to building materials, systems and/or assemblies used in the exterior design and construction of buildings located within a Wildland-Urban Interface Fire Area and High and Moderate Fire Hazard Severity Zone within Local Responsibility Areas as defined in Section R327.2.

R327.1.2 Purpose. The purpose of this chapter is to establish minimum standards for the protection of life and property by increasing the ability of a building located in any Fire Hazard Severity Zone or Wildland-Urban Interface Fire Area to resist the intrusion of flames or burning embers projected by a

vegetation fire and to contribute to a systematic reduction in conflagration losses.

Sec. 10.22.082 California Residential Code, Chapter 3 Building and Planning, Section R327 Materials and Construction Methods for Exterior Wildfire Exposure, Sections R327.1.3 and R327.1.3.1 are amended to read as follows:

R327.1.3 Application. New buildings and alterations or additions to existing buildings located in any Fire Hazard Severity Zone or Wildland-Urban Interface Fire Area designated by the enforcing agency constructed after the application date shall comply with the provisions of this chapter. LRA Fire Hazard Severity Zone maps are located in the City of Laguna Woods Municipal Code Chapter 10.13.

Exceptions:

1. Buildings of an accessory character classified as a Group U occupancy and not exceeding 120 square feet in floor area, when located at least 30 feet from an applicable building.
2. Buildings of an accessory character classified as Group U occupancy of any size and located at least 50 feet from an applicable building.
3. Buildings classified as Group U Agricultural Building, as defined in Section 202 of this code (see also Appendix C – Group U Agricultural Buildings), when located at least 50 feet from an applicable building.

R327.1.3.1 Application date and where required. New buildings within State Responsibility Areas (SRA) for which an application for a building permit is submitted on or after July 1, 2008 located in any Fire Hazard Severity Zone or Wildland-Urban Interface Fire Area identified below shall comply as indicated. New buildings and alterations or additions to existing buildings for which a building permit is submitted on or after March 19, 2012 within lands designated Fire Hazard Severity Zones in the Local Responsibility Area (LRA) by the City of Laguna Woods and defined in this Chapter shall comply as indicated.

1. All unincorporated lands designated by the State Board of Forestry and Fire Protection as State Responsibility Area (SRA) including:
 - 1.1 Moderate Fire Hazard Severity Zones
 - 1.2 High Fire Hazard Severity Zones
 - 1.3 Very-High Fire Hazard Severity Zones
 shall comply with all sections of this Chapter.

2. All land designated as Very-High Fire Hazard Severity Zones in the Local Responsibility Areas (LRA) shall comply with all sections of this Chapter .
3. Land designated as High Fire Hazard Severity Zones in the Local Responsibility Areas (LRA) shall comply with Section R327.1.3.3 of this Chapter.
4. Land designated as Moderate Fire Hazard Severity Zones in the Local Responsibility Areas (LRA) shall comply with Section R327.1.3.2 of this Chapter.
5. New buildings located in any Fire Hazard Zone within State Responsibility Areas (SRA) or any Wildland Interface Fire Area designated by cities and other local agencies for which an application for a building permit is submitted on or after December 1, 2005 but prior to July 1, 2008 shall only comply with the following sections of this chapter:

5.1 Section R327.5 – Roofing

5.2 Section R327.6 – Attic Ventilation

Sec. 10.22.083 California Residential Code, Chapter 3 Building and Planning, Section R327 Materials and Construction Methods for Exterior Wildfire Exposure, Sections R327.1.3.2 and R327.1.3.3 are added:

R327.1.3.2 Construction Features Within Areas Designated as Moderate Fire Hazard Severity Zones in the Local Responsibility Area (LRA).

New buildings, alterations and additions located within Moderate Fire Hazard Severity Zone for which an application for a building permit is submitted on or after the effective date of this ordinance shall comply with the following sections of this chapter:

1. Section R327.3 - Standards of Quality, as applicable
2. Section R327.4 - Ignition Resistant Construction, as applicable
3. Section R327.5 - Roofing
4. Section R327.6 - Vents

R327.1.3.3 Construction Features Within Areas Designated as High Fire Hazard Severity Zones in the Local Responsibility Area.

New buildings, alterations and additions located within High Fire Hazard Severity Zones for which an application for a building permit is submitted on or after the effective date of this ordinance shall comply with the following sections of this chapter:

1. Section R327.3 - Standards of Quality, as applicable

2. Section R327.4 - Ignition Resistant Construction, as applicable
3. Section R327.5 - Roofing
4. Section R327.6 - Vents
5. Section R327.9 - Decks and,
Decking Within a Fuel Modification Zone. Decking located within any portion of a fuel modification zone shall be entirely non-combustible.
6. Accessory Structures
Applicability. The provision of this section shall apply to patio covers located within 100 feet from a Fuel Modification Zone or open space containing unmanaged, non-irrigated vegetation.

Requirements. The patio covers shall be constructed of noncombustible or ignition-resistant materials.

Exception: When the construction features meet all of the following:

- 6.1 Columns: Minimum dimension of 4x4 (nominal dimension in inches)
- 6.2 Horizontal beams: Minimum 4x6 (nominal dimension in inches)
- 6.3 Top horizontal members: A minimum of 2-inch spacing is provided between the members.
- 6.4 The ledger meets the ignition-resistant material definition as prescribed in CBC Section R327.2.

Sec. 10.22.084 California Residential Code, Chapter 3 Building and Planning, Section R327 Materials and Construction Methods for Exterior Wildfire Exposure, Section R327.2 are amended to add definitions:

R327.2 Definitions.

Existing Buildings: For application to this Chapter, when an existing building undergoes alterations or additions, those construction elements altered or added to the original structure shall comply with this chapter.

High and Moderate Fire Hazard Severity Zones in the Local Responsibility Area (LRA): An area designated by the City of Laguna Woods to be at significant risk from wildfire and within the responsible area of the local jurisdiction for fire protections and services. High and Moderate Fire Hazard Severity Zones within the Local Responsibility Area identified by the City of Laguna Woods shall not be considered Wildland Urban Interface Fire Areas.

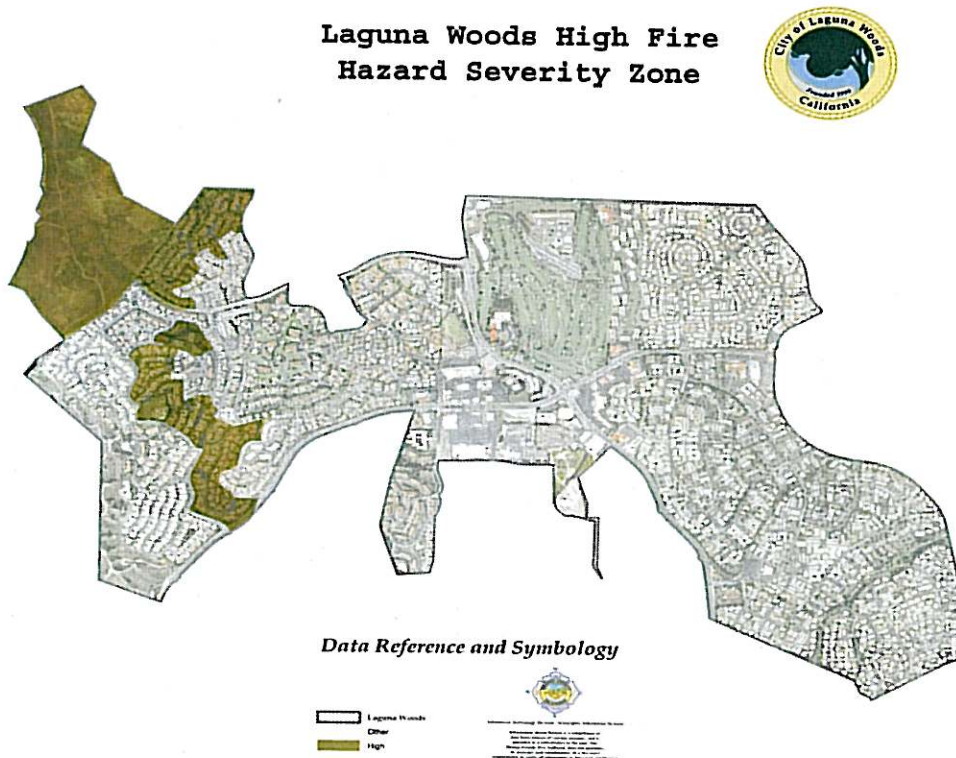
LRA maps may be located in the City of Laguna Woods Municipal Code, Chapter 10.13, Fire Hazard Severity Zones.

Fuel Modification Zone: Those zones so described in the Orange County Fire Authority's, Vegetation Management, Technical Design for New Construction Fuel Modification Plans and Maintenance Program.

SECTION 4. Chapter 10.13 (Fire Hazard Severity Zones) of the Laguna Woods Municipal Code is hereby amended to add the following sections:

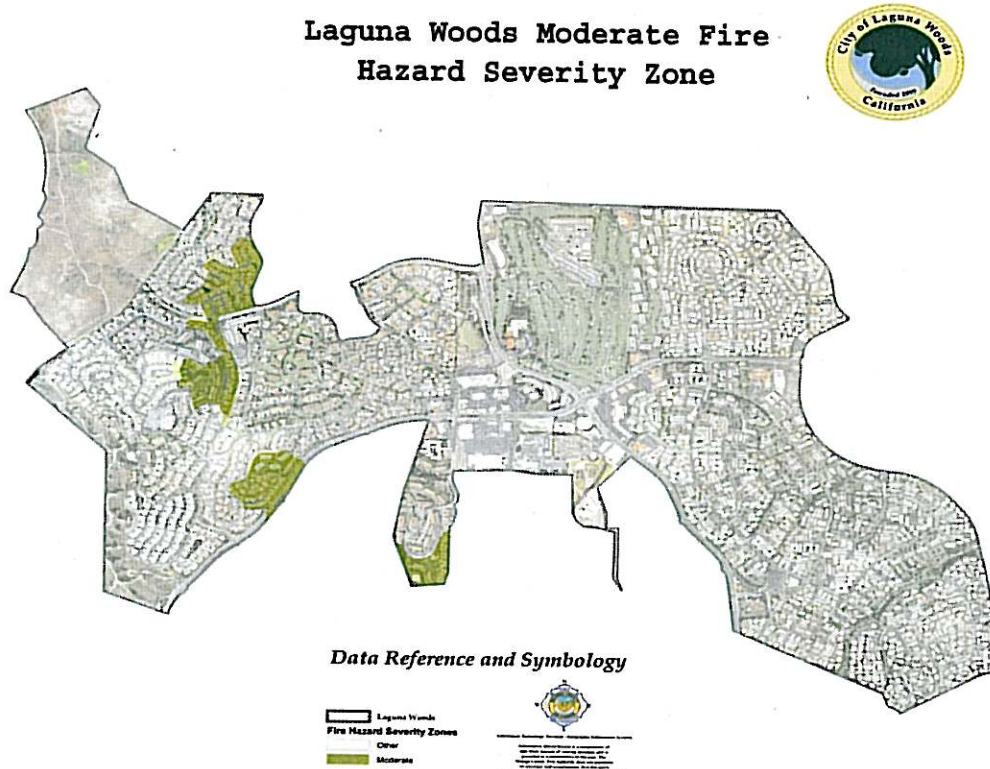
Sec. 10.13.020. High Fire Hazard Severity Zone.

- (a) *Designation.* The areas identified on the map identified as Laguna Woods High Fire Hazard Severity Zones are for application as the High Fire Hazard Severity Zones of the City of Laguna Woods.
- (b) Related references are in the California Building Code, Chapter 7A and the California Residential Code, Section R327.
- (c) Map Exhibit.



Sec. 10.13.030. Moderate Fire Hazard Severity Zone.

- (a) *Designation.* The areas identified on the map identified as Laguna Woods Moderate Fire Hazard Severity Zones are for application as the Moderate Fire Hazard Severity Zones of the City of Laguna Woods.
- (b) Related references are in the California Building Code, Chapter 7A and the California Residential Code, Section R327.
- (c) Map Exhibit.

**SECTION 4. Effective Date.**

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

SECTION 5. Severability

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase added by this Ordinance, or any part thereof, is for any reason held to be

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

SECTION 6. City Clerk's Certification.

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

PASSED, APPROVED AND ADOPTED this ** day of ***** 2012.

CYNTHIA CONNERS, Mayor

ATTEST:

YOLIE TRIPPY, Deputy City Clerk

APPROVED AS TO FORM:

DAVID B. COSGROVE, City Attorney

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

I, YOLIE TRIPPY, Deputy City Clerk of the City of Laguna Woods, do HEREBY CERTIFY that the foregoing **Ordinance No. 12-XX** was duly introduced and placed upon its first reading at a Regular Meeting of the City Council on the 18th day of January, 2012, and that thereafter, said Ordinance was duly adopted and passed at a Regular Meeting of the City Council on the ** day of ***** 2012 by the following vote to wit:

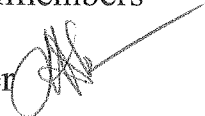
AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

YOLIE TRIPPY, Deputy City Clerk

7.2
COMMUNITY DEVELOPMENT BLOCK GRANT
(CDBG)

**City of Laguna Woods
Agenda Report**

FOR: January 18, 2012 City Council Meeting
TO: Honorable Mayor and Councilmembers
FROM: Leslie A. Keane, City Manager 
Agenda Item: Community Development Block Grant (CDBG)

Recommendation

- A. Receive Staff Report
- B. Open the Public Hearing
- C. Receive Public Comment
- D. Close Public Hearing
- E. Prioritize project proposals and authorize staff to submit applications to the County of Orange for funding consideration under the federal Community Development Block Grant (CDBG) Program.

1. Rehabilitation Projects:

First Priority: Energy Efficiency Improvements Project (\$150,000) to continue providing low income seniors with dual pane low-e glass windows, heat pumps, ceiling fans and other related energy efficient improvements.

2. Public Facilities and Improvements Projects:

First Priority: Phase II of the Flood Study (\$200,000) will develop cost benefit analysis for potential mitigation projects and identify government funding sources.

Second Priority: Phase V of the City Hall/Library Site Improvements for the design and installation of an 18” storm drain (\$125,000) to mitigate flooding on the City Hall/Library site.

Background

In accordance with the Federal Community Development Block Grant (CDBG) Program, Orange County cities with a population less than 50,000 may compete for block grant funding through either the state or county programs. The City of Laguna Woods has chosen to participate in Orange County’s Urban County CDBG Program for Fiscal Years 2012-13 through 2014-15. To submit projects, the City Council must conduct a public hearing to consider eligible projects. The public hearing process provides residents with the opportunity to give input on community needs and project priorities for CDBG funding.

The County accepts applications from participating cities for housing rehabilitation programs every three years and applications for public facilities and improvement projects (PF&I) every year. Eligible projects must meet the Housing and Urban Development (HUD) criteria and benefit low and moderate-income persons.

Discussion

This fiscal year the City received a housing rehabilitation grant in the amount of \$125,000 for Energy Efficiency Improvements program that assists qualified low income seniors to improve the energy efficiency of their residential units through the installation of dual pane, low-e glass windows, doors, heat pumps, ceiling fans and other similar energy efficiency improvements.

Staff is proposing a \$150,000 housing rehabilitation grant to continue the City’s Energy Efficiency Improvement Program for low income seniors.

For FY 2011-2012, the City was awarded a CDBG grant to undertake Phase I of the Flood Study to further analyze and prepare a hydraulic model to evaluate peak flows and volumes of flows in and around cul-de-sac 67.

The City also received grant funding in FY 2011-2012, to remove architectural barriers at the City Hall/Library site and install improvements centered on leveling and reconfiguring the plaza area to improve accessibility for seniors with physical disabilities.

In addition to the continuation of the rehabilitation project in the amount of \$150,000 for energy efficiency improvements, the staff is proposing the following two (2) public facilities and improvements projects:

1. Phase II of the Flood Control Design Study (\$200,000) will utilize the analysis and findings developed in Phase I to identify potential local and future regional projects for upstream and downstream mitigation of the storm drain which serves the Laguna Woods portion of the Aliso Creek watershed. The Phase II Flood Control Design Study will include a cost benefit analysis of up to three (3) or four (4) mitigation measures and will also indentify possible government funding sources for projects to help mitigate the current flooding problems in and around cul-de-sac 67. This project is dependent on the results of the Phase I project, which has not yet been completed, and it is possible that this project will not be necessary.
2. Phase V of the City Hall/Library Site Improvements (\$125,000) for the design and installation of an 18 inch storm drain to mitigate flooding on the City Hall/Library site and enhance the ability of those with disabilities to access the building during periods of inclement weather.

During the public hearing, residents and other interested parties may suggest additional housing rehabilitation projects and public facilities and improvement projects. The City Council may consider and rank these and the proposed projects and direct staff to apply for funding.

Environmental Review

The Energy Efficiency Improvements Project is exempt under the California Environmental Quality Act (CEQA) Section 21080(b)(1):15268. The proposed Phase II Flood Study qualifies for a Categorical Exemption under Section 15262 of (CEQA) and the Phase V City Hall/ Library Site Improvements would be considered categorically exempt under Section 15282 of CEQA.

Fiscal Impact

There is no match requirement for CDBG funding; however, the application process is competitive and projects that provide local funding have a greater chance of receiving an award. The City's proposed contribution is in-kind services for inspection and administration of the projects and can be absorbed in the annual budget.

Conclusion

At the close of the public hearing, the Council may consider comments and testimony provided by residents; prioritize projects, and direct staff to submit applications for grant funding for FY 2012-13.

Report prepared by: Patrick Foley, Community Services Manager




8.1
ADVISORY COMMITTEE APPOINTMENTS
(NO REPORT)

9.1
**PHASE I FLOOD STUDY (COMMUNITY
DEVELOPMENT BLOCK GRANT FLOOD
STUDY PROJECT)**

City of Laguna Woods Agenda Report

FOR: January 18, 2012 City Council Meeting

TO: Honorable Mayor and Councilmembers

FROM: Leslie A. Keane, City Manager 

Agenda Item: Phase I Flood Study (Community Development Block Grant Project)

Recommendation:

- A. Award a contract to Tetra Tech in the amount of \$57,504, plus authorized change orders not to exceed 8% of the base amount; and authorize the City Manager to execute the contract and approve change orders, subject to approval as to form by the City Attorney.
- B. Authorize staff to request that the County transfer \$62,000 in Community Development Block Grant (CDBG) funds allocated to the Laguna Woods Phase I Flood Study to the Laguna Woods City Hall Accessibility Project.

Background

The City experienced severe flooding in January 2010, resulting in property damage and road closures in and around Laguna Woods Village cul-de-sac (CDS) 67. A civil engineering study commissioned by United Laguna Hills Mutual (homeowners' association) identified a potentially larger problem related to the regional storm drain line that serves CDS 67. As interim measure, United 1) extended the existing wall along Avenida Majorca south to reduce the possibility of storm water from the roadway entering CDS 67, and 2) installed a flap gate on the drainage pipe between the CDS 67 inlet and the main storm drain line (J06P01) to prevent backwater from J06P01 draining into CDS 67 during large rain events.

City Council authorized staff to seek CDBG funding to evaluate flooding issues in the CDS 67 area and possible solutions; the City was allocated funding in the

amount of \$124,905 to initiate such a study. This funding must be spent in accordance with the approved project request within a specified timeframe.

Discussion

The project request submitted to the County anticipated a multi-year project and the possibility of a regional project; the first phase – which is funded – will develop topographical maps and determine the flow of water in the Aliso Creek watershed and whether or not the homeowner association’s interim solutions have successfully resolved the problem. A second phase – if necessary – would evaluate possible mitigation measures. Staff prepared a scope of work for the Phase I Study and solicited proposals from the Orange County Flood Control District’s list of ranked professional firms. Eight requests for proposal were mailed; the following four proposals were received by the November 14, 2011 deadline:

Tetra Tech.	\$57,504
Stantec	\$59,000
RFB Consulting	\$86,420
AKM Consulting	\$96,874

The proposals have been reviewed and staff contacted the references for Tetra Tech and verified that they were able to meet the requirements for this project.

The project cost for this phase of the study is less than the grant award of \$124,905. The City can either return surplus funds to the County or request that it be transferred to another approved current year public facilities and infrastructure (PF&I) project. In the current year, the City has an approved PF&I project for accessibility improvements at City Hall. This project is currently estimated to cost \$256,000 and CDBG project funding is \$166,540. The transfer of the \$62,000 balance from the flood study project would increase funding for the City Hall project to \$228,540.

Fiscal Impact

Approval of the Phase I of the flood study will result in a surplus of \$62,000. This money must be returned to the County or shifted to another eligible current year project. The current City Hall accessibility project has an anticipated shortfall of approximately \$89,460. Transfer of the surplus Phase I flood study money to the City Hall project would reduce this shortfall.

Conclusion

The award of the Phase I Flood Study will develop the necessary topographic information and hydraulic analysis needed to determine if additional work on this project is required. The transfer of \$62,000 in surplus funds from the Phase I Flood Study will not impact that project and will ensure that the City has adequate funding to complete anticipated City Hall accessibility improvements.

Report prepared by Patrick R. Foley, Community Services Manager



9.2
MID-YEAR BUDGET REVIEW
(TO BE DISTRIBUTED SEPARATELY)