



AGENDA of THE LAGUNA WOODS CITY COUNCIL

**Regular Meeting
February 20, 2013
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: ☐ Conners ☐ Hack ☐ Hatch
☐ Robbins, Mayor Pro Tem ☐ Ring, Mayor

IV. PRESENTATIONS

- 4.1 Orange County Transportation Authority: I-5 widening project (south of El Toro Road to State Route 73/San Joaquin Hills Transportation Corridor).

V. CITY COMMENDATIONS AND PROCLAMATIONS

- 5.1 Commendations for Retiring Employee Rosalind Fox, Administrative Coordinator

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 January 16, 2013 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 Reports

RECOMMENDED ACTION: Receive and File the January 2013 monthly and Second Quarter (October 1 – December 31, 2012) Fiscal Year 2012-13 Treasurer's Reports.

- 6.4 Warrant Register

RECOMMENDED ACTION: Approve the February 20, 2013 Warrant Register in the amount of \$562,112.62.

- 6.5 Adopt an ordinance clarifying councilmember compensation, entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING SECTION 2.02.010, TO ALLOW FOR AN ALTERNATIVE VEHICLE REIMBURSEMENT ALLOWANCE FOR CITY COUNCILMEMBERS

- 6.6 Declaration of a Portion of Moulton Parkway as a County Highway

RECOMMENDED ACTION: Approve a resolution declaring a portion of Moulton Parkway to be a county highway during the period of construction of the Moulton Smart Street Project.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, DECLARING A PORTION OF MOULTON PARKWAY LYING WITHIN THE CITY LIMITS OF LAGUNA WOODS TO BE A COUNTY HIGHWAY DURING THE PERIOD OF CONSTRUCTION OF THE MOULTON SMART STREET PROJECT

- 6.7 El Toro Road/Aliso Creek Road Phase II Bicycle and Pedestrian Enhancement Project Contract Increase

RECOMMENDED ACTION: Approve an increase in the contract amount with Yakar General Contractors, Inc. from \$535,809.89 to \$685,809.89, and authorize the City Manager to approve change orders not to exceed 10% of the new base amount.

- 6.8 Liability Claim

RECOMMENDED ACTION: Deny the claim against the City of Laguna Woods by Ann Povey.

VII. PUBLIC HEARINGS

None

VIII. CITY COUNCIL

None

IX. CITY MANAGER

9.1 Reasonable Accommodations for Persons with Disabilities

RECOMMENDED ACTION: Approve introduction and first reading of an ordinance establishing a policy with respect to reasonable accommodations for persons with disabilities, entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS,
CALIFORNIA, ESTABLISHING A POLICY FOR
REASONABLE ACCOMMODATIONS FOR PERSONS
WITH DISABILITIES

X. COMMITTEE REPORTS

10.1 Transportation Corridor Agencies (Councilmember Hack)

10.2 Orange County Library Board (Mayor Pro Tem Robbins)

10.3 Orange County Fire Authority (Councilmember Hatch)

10.4 Southern California Water Committee (Councilmember Hack)

10.5 Coastal Greenbelt Authority (Councilmember Conners)

10.6 Vector Control District Board (Mayor Pro Tem 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.

- A. Water Advisory Committee of Orange County, February 1, 2013:
Councilmember Hack
- B. Municipal Water District of Orange County, January 23, 2013:
Councilmember Hack
- B. Southern California Water Committee, January 25, 2013:
Councilmember Hack

12.2 Other Meetings, Comments and Announcements

XIII. CLOSED SESSION

None

XIV: ADJOURNMENT

The meeting will be adjourned to 2:00 p.m. on Wednesday, March 20, 2013 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.

5.1
CERTIFICATE OF COMMENDATION –
ROSALIND FOX

CERTIFICATE OF COMMENDATION

*The
City Council of the City of Laguna Woods*

Commends

Administrative Coordinator

Rosalind Fox

for her dedicated service as a City employee during

October 30, 2000 – January 11, 2013

Robert B. Ring, Mayor

Leslie A. Keane, City Clerk

6.1-6.8
CONSENT CALENDAR SUMMARY

City of Laguna Woods Agenda Report

FOR: February 20, 2013 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 February 20, 2013 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 February 20th Consent Calendar contains the following eight items:

- 6.1 Approval of the minutes from the January 16, 2013 regular City Council meetings, 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 January 2013 and Fiscal Year 2012-13 Second Quarter Treasurer's Reports. These reports identify the City's current liquid assets and their location. At the end of January, the City had approximately \$8.4 million in cash on hand and in other liquid assets.
- 6.4 Approval of the February 20, 2013 Warrant Register, as submitted, in the amount of \$562,112.62. 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 Adoption of an ordinance clarifying City Councilmember compensation. This ordinance would allow councilmembers to choose annually between a \$300 salary and a \$300 automobile allowance. The options have different costs to the City and different tax consequences for recipients. City Council introduced and approved first reading of the ordinance at its January 16, 2013 meeting. If adopted by the Council, new regulations would be effective with compensation for the month of April 2013.
- 6.6 Approval of a resolution declaring a portion of Moulton Parkway from 400 feet north of El Toro Road to 500 feet north of Santa Maria Avenue to be a County highway during project construction. The Moulton Corridor smart street project has been planned for more than 20 years. The last piece of this project is within the City of Laguna Woods and improvements include: 1) widening Moulton Parkway to include the addition of right turn lanes into Laguna Woods Village Garden Center 1 and Village Gates 12 and 16; 2) extension of the sidewalk on the east side of Moulton Parkway; 3) addition of northbound and southbound bicycle lanes; 4) addition of a new bus turnout just south of Village Gate 16; and pavement resurfacing. The County Board of Supervisors approved the award of the contract for this work to Griffith Company, Inc. on December 4, 2012.
- 6.7 Approval of an increase in the contract amount with Yakar General Contractors, Inc. to \$685,809.89, and authorization for the City Manager to approve change orders up to 10% of the new base amount. The proposed

contract modification covers increased costs related to the El Toro Road/Aliso Creek Road Phase II Bicycle and Pedestrian Enhancement Project, which has been delayed by rain, excessive ground water, and efforts to stabilize the base of the retaining wall. The unanticipated foundation work has increased project costs by approximately \$100,000. An additional \$50,000 is required to cover requests from City of Laguna Beach to relocate water meter connections and El Toro Water District to install a backflow device. Available funds for this project total approximately \$1.1 million, all of which is covered by transportation grant funds. Sufficient funds are available to cover the proposed extra costs. When completed, this project will: 1) widen westbound El Toro Road to three lanes between Aliso Creek Road and Canyon Hills Drive; 2) add a sidewalk and bicycle lane into the City of Laguna Beach; 3) add a retaining wall with an evergreen climbing plant (e.g., Ivy); and 4) add a queuing area in the median for Canyon Hills Drive vehicles turning east onto El Toro Road.

- 6.8 Authorization to reject a claim for damages as recommended by the City's adjusters. Information about the claim has been provided to the City Council under separate cover.

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 February 20, 2013 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
January 16, 2013
2:00 P.M.**

I. CALL TO ORDER

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

II. FLAG SALUTE

Ruth May, resident, led the flag salute.

III. ROLL CALL

COUNCILMEMBERS: PRESENT: Hack, Conners, Robbins, Ring
 ABSENT: Hatch

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

IV. PRESENTATIONS

4.1 Orange County Human Relations Commission Annual Report – Ken Inouye, Vice Chair

Commissioner Inouye provided handouts and reported that the Commission arbitrated 62 cases during 2012, which involved residents from the City of Laguna Woods. He was pleased to announce that there were no reports of hate crimes or incidents in the City within this period.

Mayor Ring thanked Mr. Inouye for his report and noted that the City looks forward to next year's report.

V. CITY COMMENDATIONS AND PROCLAMATIONS

5.1 Commendations for Retiring Employees: Sandra Verrall, Code Enforcement Officer and Rosalind Fox, Administrative Coordinator

Moved by Mayor Pro Tem Robbins, seconded by Councilmember Conners, and carried unanimously to approve the City Commendation to Sandra Verrall, Code Enforcement Officer.

City Manager Keane announced that Ms. Verrall and Ms. Fox are the first and second, respectively, to retire from the City. She made brief remarks about Ms. Verrall's contribution to the City as both staff and a volunteer. City Manager Keane thanked Ms.

Verrall and stated that it has been a pleasure working with her.

Councilmember Hack acknowledged her due diligence as Code Enforcement Officer and thanked her for her service.

Councilmember Conners stated that Ms. Verrall always appeared calm and good-humored while enforcing her difficult duties as Code Enforcement Officer. She thanked Ms. Verrall for the service.

Mayor Pro Tem Robbins stated that Ms. Verrall has done a marvelous job and will be greatly missed.

Mayor Ring presented Ms. Verrall with a Commendation plaque and City Manager Keane presented her with a symbolic key to the City.

• Ms. Verrall thanked the Council for their recognition.

City manager Keane noted that former employee Roz Fox will be attending the February meeting to receive her commendation.

At this time, Mayor Ring requested that Item XI Public Comments be moved immediately following the Consent Calendar action in order to accommodate a large group of audience that wish to address the Moulton widening project.

Moved by Mayor Pro Tem Robbins, seconded by Councilmember Hack, and carried unanimously to move Item XI Public Comments immediately after Consent Calendar action.

VI. CONSENT CALENDAR

Moved by Councilmember Conners, seconded by Mayor Pro Tem Robbins and carried unanimously to approve Consent Calendar Items 6.1 – 6.7.

6.1 Approved the minutes from the December 19, 2012 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 Treasurer's Report

Received and filed the December 2012 monthly Treasurer's Report.

6.4 Warrant Register

Approved the January 16, 2013 Warrant Register in the amount of \$636,268.98.

6.5 Approved **Resolution No. 13-01**, authorizing the City Manager, subject to approval as to

form by the City Attorney, to execute a Proposition 84 agreement with the State of California, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AUTHORIZING ENTERING INTO AN AGREEMENT WITH THE STATE OF CALIFORNIA AND DESIGNATING A REPRESENTATIVE TO SIGN THE AGREEMENT, AND ANY AMENDMENTS THERETO, FOR THE CITY HALL LOW IMPACT DEVELOPMENT RETROFIT PROJECT

XI. PUBLIC COMMENTS

Bob Mulvihill, Legal Counsel for Golden Rain Foundation (GRF), discussed the history of the Moulton Smart Street project and how it relates to the third and final purchase agreement between the City and GRF. On behalf of his client, he requested that the City consider modifications to the agreement and the project, which GRF believes, will better serve the community. GRF would like to re-open negotiations on the land acquisition agreement and the proposed 180 foot golf course netting. They propose that the City not construct mitigation required for the garden center and that the money associated with that portion of the project be provided instead so that they can construct a new garden center at another location.

Kathryn Freshley, resident, discussed her previous objections regarding the conditions associated with construction of the Village Greens. She believes that Mr. Mulvahill's suggestions are not unreasonable. She would also prefer to keep Moulton Parkway as it is with no improvements.

Judith Troutman, resident, speaking on behalf of ten (10) neighbors and friends, asked the Council to reconsider the Environmental Impact Review prepared for the project before proceeding with the project as planned.

City Manager Keane acknowledged Mr. Mulvihill's summary of the project; however, she noted that the County had informed GRF, during its regular meetings, that the \$500,000 cost to relocate the garden entrance was only a partial estimate. She discussed the six options reviewed by both party's consultants and the fact that GRF selected the alternative that included the 180 feet netting. Ms. Keane also noted that the land acquisition agreement states that if the parties cannot agree on the golf course mitigation, a neutral third-party golf course architect shall be selected. GRF did not ask the City to consult with a third party. Ms. Keane noted that the City would like to reduce the netting height and is evaluating options to see if that is possible.

Mayor Ring asked that City Attorney Cosgrove provide direction regarding discussion on the issue.

City Attorney Cosgrove suggested that Council refrain from deliberating on the issue as it is scheduled for Closed Session. He indicated that Council may review the pros and cons of GRF's request and that an account on the history of the project would be appropriate, but that there should be no discussion.

Councilmember Hack noted the history of the project, which spans nearly 20 years and the possibility of losing \$7 million of grant funding associated to the project. He indicated that the only way he would support GRF's request to lower the proposed netting, is if the golf course experts agree and GRF is willing to purchase insurance and indemnify the City for any future liabilities.

Councilmember Conners remarked on the effects of traffic congestion along Moulton Parkway and the length of time the City and County have been working on this project. She noted that it is difficult to modify the land acquisition agreement and roadway plans at this point.

City Attorney Cosgrove reiterated that Council may provide brief and clarifying comments, but must refrain from any deliberation or specific discussion since the item is not listed on the open portion of the agenda.

Pam Grundke, resident, made comments regarding City Manager Keane and an alleged incident in December 2012.

VII. PUBLIC HEARING - None

VIII. CITY COUNCIL

8.1 Advisory Committee Appointments

City Manager Keane summarized the agenda report.

Moved by Councilmember Conners, seconded by Councilmember Hack, and carried unanimously to appoint City Advisory Chairpersons and ratify Councilmember nominations to citizen advisory committees.

Councilmember Conners thanked the volunteers for choosing to serve on the committees.

Mayor Ring stated that Councilmembers do not participate in the committee meetings and that direct input from committee members and the public are very helpful to Council.

8.2 Councilmember Compensation

City Manager Keane summarized the agenda report and noted that the proposed modification would allow Councilmembers to choose a \$300 monthly salary or \$300 monthly automobile reimbursement. She noted that the title of the proposed ordinance should strike the words "...COUNCIL OF THE CITY".

Mayor Ring noted that the proposed ordinance is a matter of clarification.

Councilmember Hack discussed the various meetings he attends that are outside of the County jurisdiction. He stated that the proposed ordinance works for both he and Mayor Ring and that the current compensation situation is not actually changing.

Moved by Councilmember Hack, seconded by Mayor Pro Tem Robbins, and carried unanimously to approve introduction and first reading of an ordinance clarifying Councilmember compensation, entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING SECTION 2.02.010, TO ALLOW FOR AN ALTERNATIVE VEHICLE REIMBURSEMENT ALLOWANCE FOR CITY COUNCILMEMBERS

Mayor Ring asked for clarification if the proposed policy would be retroactive to January 1, 2013.

City Manager Keane clarified that the proposed ordinance would be effective 30 days after adoption if the Council proceeds with adoption at its March meeting.

IX. CITY MANAGER

9.1 Fiscal Year 2012-13 Mid-Year Budget Review

City Manager Keane presented a Power Point presentation about the state of the current year budget. She noted that as of midyear revenue and expenditure projections appear at this time to be on track. Proposed midyear adjustments include carryover projects and revenue and several intra- and inter-fund transfers. The anticipated General Fund Balance is expected to be \$6.1 at the end of the current fiscal year. She noted that the proposed staff reorganization does not change the total number of staff and that there are no salary range or benefit modifications.

Moved by Mayor Pro Tem Robbins, seconded by Councilmember Connors, and carried unanimously to approve:

- A. **Resolution No. 13-02**, amending Fiscal Year 2012-13 appropriations and authorized staff positions, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING RESOLUTION NO. 12-08 AND THE FISCAL YEAR 2012-13 BUDGET

- B. **Resolution No. 13-03**, modifying the employee compensation schedule to add the position of Planning Manager, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, RESCINDING RESOLUTION NO. 12-14 AND ESTABLISHING A COMPENSATION SCHEDULE FOR CITY EMPLOYEES

X. COMMITTEE REPORTS

10.1 Transportation Corridor Agencies (Councilmember Hack)

Councilmember Hack reported that five new Board members were appointed to the Agency as well as a new Vice-Chair.

10.2 Orange County Library Board (Mayor Pro Tem Robbins)

Mayor Pro Tem Robbins reported that the Advisory Board was scheduled to meet to enact a resolution to reduce the quorum limits to address problems with attendance; however, there was no quorum. Sub-committee issues were discussed and Councilmember Robbins volunteered for the finance committee.

10.3 Orange County Fire Authority (Councilmember Hatch)

Councilmember Hatch was not present to provide a report.

10.4 Southern California Water Committee (Councilmember Hack)

Councilmember Hack reported that the next meeting is scheduled for January 25, 2013. He noted that the Committee has been awarded \$100,000 in grant funds to improve water runoff recapture within the jurisdiction of the Committee. He also discussed the \$14 billion water bond that was suspended in 2010 and proposals to reduce the proposed bond amount.

10.5 Coastal Greenbelt Authority (Councilmember Conners)

Councilmember Conners reported that the next meeting is scheduled for tomorrow at 5:30 p.m. at City Hall and is open to the public.

10.6 Vector Control District Board (Mayor Pro Tem Robbins)

Mayor Pro Tem Robbins reported that there were no reports of dead birds in the immediate areas of Lake Forest, Laguna Hills, and Laguna Woods. Three additional cases of the West Nile Virus (WNV) were reported in Orange County in 2012, from the cities of Huntington Beach, La Habra, and Tustin. A 60 year-old female from Tustin was the first reported death in 2012, as a result of WNV. He reminded residents to discard standing water from planters, which serves as a breeding ground for mosquitoes that transmit the disease.

XII. CITY COUNCIL COMMENTS AND ANNOUNCEMENTS

12.1 Reports on Meetings Attended per Government Code §53232.3

A. Water Advisory Committee of Orange County, January 11, 2013: Councilmember Hack

Councilmember Hack noted that the guest speaker from the Metropolitan Water District discussed the problems associated with water resources and allocation from the Colorado River. Water shortages are to be expected by the end of the year. He noted that the City of Las Vegas no longer allows grass as ground cover.

City Manager Keane stated that the City of Palm Springs developed a program where they pay residents to replace grass with other types of ground cover.

12.2 Other Meetings, Comments and Announcements

Councilmember Conners reported on a meeting she attended at the Orange County Waste Management Commission where the prohibition on use of single-use plastic bags was discussed. She urged the public to consider using reusable bags. She noted that some small communities and colleges have also banned the sale of water in plastic bottles.

Councilmember Hack noted that a number of people have suggested that plastic containers have been linked to health issues.

City Attorney Cosgrove informed the Council that he was asked to look into any possible conflict of interest, pursuant to Fair Political Practices Commission (FPPC) regulations and Government Code 1090, regarding the overlap interest between Councilmember Conners and her husband Third Laguna Hills Board Member James Juhan with respect to several issues. His office has determined that there is not conflict with respect to the Moulton Parkway project; however, there is requirement to disclose the situation.

XIII. CLOSED SESSION

- 13.1 The City Council met in closed session to confer with legal counsel, pursuant to Government Code Section 54956.8, to give direction with respect to the acquisition of real property:

Location: Along the east and west sides of Moulton Parkway in the vicinity of Santa aria Avenue

City Negotiator: Leslie A. Keane

Negotiating Party: Golden Rain Foundation

Under Negotiation: Instructions to negotiator regarding terms

- 13.2 The City Council met in closed session pursuant to the provisions of Government Code Section 54957(b), to conduct a Public Employee Performance Evaluation; Position of Employee Under Review: City Manager.

The City Council reconvened in open session at 4:30 p.m. City Attorney Cosgrove advised that there was no reportable action.

XIV. ADJOURNMENT

The meeting was adjourned at 4:30 p.m. The next regular meeting will be at 2:00 p.m. on Wednesday February 20, 2013 at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

YOLIE TRIPPY, Deputy City Clerk

Adopted: February 20, 2013

ROBERT B. RING, Mayor

6.2
WAIVE READING OF ORDINANCES AND
RESOLUTIONS
(No Report)

6.3 TREASURER'S REPORTS

City of Laguna Woods
Monthly Treasurer's Report
January 31, 2013

CASH ON HAND1. Investments/General Fund

Local Agency Investment Fund	\$ 7,496,317
Subtotal	\$ 7,496,317

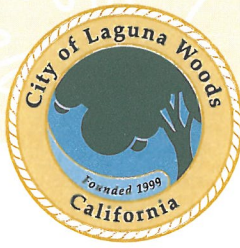
2. Investments/Transportation Fund

Local Agency Investment Fund	\$ 526,899
Subtotal	\$ 526,899

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

Petty Cash Funds	\$ 914
Analyzed Checking Account	\$ 367,932
Subtotal	\$ 368,846
TOTAL	\$ 8,392,062

Note: LAIF reports interest earnings quarterly.



CITY of LAGUNA WOODS

Bob Ring
Mayor

January 29, 2013

Milt Robbins
Mayor Pro Tem

TO: Honorable Mayor and Councilmembers

Cynthia Conners
Councilmember

FROM: Ernestine Jones, Finance Manager

Bert Hack
Councilmember

SUBJECT: Quarterly Treasurer's Report: 2nd Quarter,
FY 2012/2013 (October 1 – December 31, 2012)

Noel Hatch
Councilmember

Leslie A. Keane
City Manager

Attached is the 2nd Quarter, FY 2012/2013 Treasurer's Report for the period October 1 – December 31, 2012. The information provided includes a:

- ◆ Report showing quarter-ended Cash on Hand in the City's interest-bearing Local Agency Investment Fund (LAIF) account and in the City checking account and petty cash funds;
- ◆ Copy of the latest LAIF Remittance Advice showing quarter-ended principal balance and interest earned.

As City Treasurer, I certify that:

- ◆ All investment actions executed since the last report have been made in full compliance with the City of Laguna Woods Investment Policy; and
- ◆ The City of Laguna Woods will meet all expenditure obligations that might reasonably be anticipated for the next six months.

Ernestine Jones
Finance Manager & City Treasurer

City of Laguna Woods
Quarterly Treasurer's Report
October 1 - December 31, 2012

CASH ON HAND1. Investments/General Fund

Local Agency Investment Fund	\$ 6,516,317
Subtotal	\$ 6,516,317

2. Investments/Transportation Fund

Local Agency Investment Fund	\$ 726,899
Subtotal	\$ 726,899

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

Petty Cash Funds	\$ 433
Analyzed Checking Account	\$ 361,639
Subtotal	\$ 362,072
TOTAL	\$ 7,605,288

Note: LAIF reports interest earnings quarterly.



JOHN CHIANG
California State Controller

LOCAL AGENCY INVESTMENT FUND
REMITTANCE ADVICE

Agency Name	LAGUNA WOODS
Account Number	98-30-413

As of 01/15/2013, your Local Agency Investment Fund account has been directly credited with the interest earned on your deposits for the quarter ending 12/31/2012.

Earnings Ratio		.00000881899236296
Interest Rate		0.32%
Dollar Day Total	\$	660,563,190.22
Quarter End Principal Balance	\$	7,237,390.52
Quarterly Interest Earned	\$	5,825.50

**State of California
Pooled Money Investment Account
Market Valuation
12/31/2012**

Description	Carrying Cost Plus		Amortized Cost	Fair Value	Accrued Interest
	Accrued Interest	Purch.			
United States Treasury:					
Bills	\$	20,014,359,193.25	\$ 20,028,817,536.91	\$ 20,033,448,800.00	NA
Notes	\$	14,732,478,642.74	\$ 14,732,478,642.74	\$ 14,775,668,500.00	\$ 12,869,927.00
Federal Agency:					
SBA	\$	525,864,983.85	\$ 525,864,983.85	\$ 526,379,724.76	\$ 543,304.13
MBS-REMICs	\$	256,334,642.80	\$ 256,334,642.80	\$ 278,039,972.37	\$ 1,226,041.18
Debentures	\$	1,200,310,087.04	\$ 1,200,310,087.04	\$ 1,201,248,000.00	\$ 1,182,334.00
Debentures FR	\$	-	\$ -	\$ -	\$ -
Discount Notes	\$	3,194,940,722.24	\$ 3,197,374,444.44	\$ 3,198,546,000.00	NA
GNMA	\$	4,952.66	\$ 4,952.66	\$ 4,986.48	\$ 49.61
IBRD Debenture	\$	399,961,857.92	\$ 399,961,857.92	\$ 400,580,000.00	\$ 83,332.00
IBRD Deb FR	\$	-	\$ -	\$ -	\$ -
CDs and YCDs FR	\$	400,000,000.00	\$ 400,000,000.00	\$ 400,000,000.00	\$ 272,747.22
Bank Notes	\$	-	\$ -	\$ -	\$ -
CDs and YCDs	\$	4,800,000,000.00	\$ 4,800,000,000.00	\$ 4,799,224,554.94	\$ 618,736.09
Commercial Paper	\$	1,599,600,611.08	\$ 1,599,644,083.29	\$ 1,598,907,347.22	NA
Corporate:					
Bonds FR	\$	-	\$ -	\$ -	\$ -
Bonds	\$	-	\$ -	\$ -	\$ -
Repurchase Agreements	\$	-	\$ -	\$ -	\$ -
Reverse Repurchase	\$	-	\$ -	\$ -	\$ -
Time Deposits	\$	4,333,640,000.00	\$ 4,333,640,000.00	\$ 4,333,640,000.00	NA
AB 55 & GF Loans	\$	11,739,482,016.23	\$ 11,739,482,016.23	\$ 11,739,482,016.23	NA
TOTAL	\$	63,196,977,709.81	\$ 63,213,913,247.88	\$ 63,285,169,902.00	\$ 16,796,471.23

Fair Value Including Accrued Interest

\$ 63,301,966,373.23

Repurchase Agreements, Time Deposits, AB 55 & General Fund loans, and Reverse Repurchase agreements are carried at portfolio book value (carrying cost).

The value of each participating dollar equals the fair value divided by the amortized cost (1.001127231).
As an example: if an agency has an account balance of \$20,000,000.00, then the agency would report its participation in the LAIF valued at \$20,022,544.61 or \$20,000,000.00 x 1.001127231.

6.4 WARRANT REGISTER

CITY OF LAGUNA WOODS
WARRANT REGISTER
February 20, 2013

Check Number	Check Date	Vendor Name	Description	Amount
PREPAID WARRANTS:				
<i>Automatic Bank Debits</i>				
Debit	01/17/2013	ADP PAYROLL SERVICES	Pay Period Ended 1/11/2013	31,823.43
Debit	01/17/2013	ICMA RETIREMENT CORPORATION	Pay Period Ended 1/11/2013	1,679.43
Debit	01/17/2013	ADP PAYROLL SERVICES	Processing Charges/Payroll 1/11/2013	124.05
Debit	01/15/2013	TAKE CARE	AFLAC FSA 125/Employee Reimbursement	214.00
Debit	01/31/2013	ADP PAYROLL SERVICES	Pay Period Ended 1/25/2013	31,127.03
Debit	01/31/2013	ICMA RETIREMENT CORPORATION	Pay Period Ended 1/25/2013	1,679.43
Debit	01/31/2013	ADP PAYROLL SERVICES	Processing Charges/Payroll 1/25/2013	125.40
<i>Other</i>				
112903	01/16/2013	AT&T	White Pages/January 2013	3.81
112904	01/16/2013	CALIFORNIA YELLOW CAB	Taxi Voucher Services/December 2012	13,901.00
112905	01/16/2013	CALPERS 457 PLAN	457 Retirement Contribution/Period Ending 1/11/2013	550.00
112906	01/16/2013	CIVIL SOURCE	Building Inspection/December 2012	3,721.25
112907	01/16/2013	CIVIL SOURCE	CDBG Capital Project/City Hall Storm Drain	2,053.57
112908	01/16/2013	CIVIL SOURCE	CDBG Capital Project/City Hall Storm Drain	420.00
112909	01/16/2013	CIVIL SOURCE	Professional Services/November 2012	43,324.38
112910	01/16/2013	COMMPRO	Website Hosting/January 2013	295.00
112911	01/16/2013	COPPOLA CONSTRUCTION	Waste Diversion Deposit Refund/BP 34562C	1,000.00
112912	01/16/2013	EL TORO WATER DISTRICT	Irrigation/Linear Park/December 2012	332.80
112913	01/16/2013	EL TORO WATER DISTRICT	Irrigation/Dog Park/December 2012	39.08
112914	01/16/2013	FIRST AMERICAN TITLE COMPANY	Ridge Route Parcel Title Search	1,000.00
112915	VOID	VOID	VOID	-
112916	01/16/2013	KONE INC.	Elevator Maintenance/January 2013	227.37

CITY OF LAGUNA WOODS
WARRANT REGISTER
February 20, 2013

Check Number	Check Date	Vendor Name	Description	Amount
112917	01/16/2013	KONICA MINOLTA	Copier Lease/January 2013	482.72
112918	01/16/2013	KONICA MINOLTA BUSINESS	Copier Charges/October-December 2012	490.57
112919	01/16/2013	LYNN CAPOUYA	El Toro/Aliso Creek Landscape	790.50
112920	01/16/2013	NIEVES LANDSCAPE, INC.	Landscape Maintenance	13,972.91
112921	01/16/2013	O.C. TREASURER - STREET	Street Maint/November 2012	7,934.15
112922	01/16/2013	O.C. TREASURER-SHERIFF	Communication Charges/2nd Quarter FY 2012-13	96.00
112923	01/16/2013	REILLY, DOUGLAS C.	Cell Phone/Mileage Reimbursement/Oct.-Dec. 2012	345.37
112924	01/16/2013	SIERRA INSTALLATIONS, INC	Banner Change-Out	1,920.00
112925	01/16/2013	SOUTHERN CALIFORNIA EDISON	Safety Lights Over Traffic Signals/December 2012	361.60
112926	01/16/2013	SOUTHERN CALIFORNIA EDISON	Residential Streetlights/Third/December 2012	4,273.17
112927	01/16/2013	SOUTHERN CALIFORNIA EDISON	Right of Way/December 2012	2,063.86
112928	01/16/2013	SOUTHERN CALIFORNIA WATER	Membership Dues/Fiscal Year 2012-13	750.00
112929	01/16/2013	SYNOPTIK	IT Service/Repair	110.47
112930	01/16/2013	THE CALIFORNIA CHANNEL	PEG Channel Annual Fee	3,056.64
112931	01/16/2013	THE GAS COMPANY	City Hall Utilities/December 2012	226.18
112932	01/16/2013	WARE DISPOSAL	Waste Collection/Sharps Container	32.00
112933	01/16/2013	WLC ARCHITECTS	CDBG/City Hall Access/Phase IV	1,492.50
112934	01/16/2013	YAKAR	Capital Project/El Toro/Aliso Creek	100,894.09
112935	01/16/2013	YEIL CORPORATION	Waste Diversion Deposit Refund/BP 34342B	750.00
112936	01/23/2013	AFLAC	Employee Benefit Program/February 2013	193.90
112937	01/23/2013	AT&T	Telephone/581-3974/December 2012	80.29
112938	01/23/2013	AT&T	Telephone/583-1105/December 2012	16.02
112939	01/23/2013	ROBERT BURNETT	Cell Phone/Mileage/December 2012	174.85
112940	01/23/2013	CAA	Water Quality Consulting/December 2012	767.00
112941	01/23/2013	CALPERS - HEALTH	Employee Benefit Program/February 2013	3,157.67

**CITY OF LAGUNA WOODS
WARRANT REGISTER
February 20, 2013**

Check Number	Check Date	Vendor Name	Description	Amount
112942	01/23/2013	CALPERS - RETIREMENT	Retirement Contributions/Period Ending 1/11/13	5,299.53
112943	01/23/2013	DEPARTMENT OF JUSTICE	New Employee Background Checks	64.00
112944	01/23/2013	EL TORO WATER DISTRICT	City Hall Utilities/January 2013	28.00
112945	01/23/2013	EL TORO WATER DISTRICT	City Hall Utilities/January 2013	131.67
112946	01/23/2013	FOX, ROSALIND	Leave Payoff/Retirement	883.09
112947	01/23/2013	ICC ORANGE EMPIRE CHAPTER	CASp Accessibility Training	50.00
112948	01/23/2013	ICMA RETIREMENT CORPORATION	Quarterly Plan Fees/1st Quarter 2013	125.00
112949	01/23/2013	MICHAEL BRANDMAN ASSOCIATES	Professional Services/December 2012	1,211.21
112950	01/23/2013	MUNICIPAL WATER DISTRICT OF OC	Water Policy Forum/Dinner/Hack	75.00
112951	01/23/2013	TERESE S OLIVER	Attorney/Redlight/November-December 2012	6,171.20
112952	01/23/2013	ONE WAY CONSTRUCTION	Waste Diversion Deposit Refund/BP 34384C	250.00
112953	01/23/2013	ORANGE COUNTY REGISTER-NOTICES	Public Notices/December 2012	765.25
112954	01/23/2013	PRINCIPAL FINANCIAL GROUP	Employee Benefit Program/February 2013	452.30
112955	01/23/2013	SONITROL	Alarm Monitoring/February 2013	58.91
112956	01/23/2013	SOUTHERN CALIFORNIA EDISON	Irrigation Controllers/January 2013	97.13
112957	01/23/2013	THE MUTZ COMPANY	Waste Diversion Deposit Refund/BP 30771A	900.00
112958	01/23/2013	YOLIE TRIPPY	Employee Benefit Program/January 2013	374.00
112959	01/23/2013	K TURNER	Waste Diversion Deposit Refund/BP 34282C	250.00
112960	01/23/2013	VANTAGEPOINT TRANSFER AGT-457	457 Plan Retirement Contribution/January 2013	950.00
112961	01/23/2013	WAGE WORKS	Benefit Program Fees/January 2013	50.00
112962	01/29/2013	ALISO CREEK PRINTING	Business Cards/Code Enforcement	59.40
112963	01/29/2013	ASTRA BUILDERS INC.	City Hall/Library Access/Retention	2,328.22
112964	01/29/2013	ASTRA BUILDERS INC.	City Hall/Library Access/Retention	8,990.23
112965	01/29/2013	AT&T	Telephone/458-3487/January 2013	32.64
112966	01/29/2013	ROBERT BURNETT	Cell/Mileage Reimbursement/January 2013	61.82

**CITY OF LAGUNA WOODS
WARRANT REGISTER
February 20, 2013**

Check Number	Check Date	Vendor Name	Description	Amount
112967	01/29/2013	CAPTIONING UNLIMITED	Closed Captioning/Council Meeting/January 2013	200.00
112968	01/29/2013	CITY OF LAGUNA BEACH	Animal Control Service/December 2012-January 2013	14,465.50
112969	01/29/2013	COASTAL TRAFFIC SYSTEMS, INC.	Street Maintenance	578.33
112970	01/29/2013	DAVID EVANS & ASSOCIATES INC.	Moulton Parkway/Smart Street	130.74
112971	01/29/2013	DELTA DENTAL OF CALIFORNIA	Employee Benefit Program/February 2013	450.05
112972	01/29/2013	EL TORO WATER DISTRICT	Ridge Route Park Irrigation/January 2013	132.70
112973	01/29/2013	EL TORO WATER DISTRICT	Dog Park Irrigation/January 2013	50.58
112974	01/29/2013	HARDY & HARPER, INC.	Street Maintenance	1,505.75
112975	01/29/2013	IMAGES BY DWAYNE AND ASSOC.	Councilmember Portrait/Hatch	162.00
112976	01/29/2013	DAVID LANGDON	Waste Diversion Deposit Refund/BP 34145C	250.00
112977	01/29/2013	JANE LEE LIN	Waste Diversion Deposit Refund/BP 34381C	900.00
112978	01/29/2013	LOS ANGELES TIMES	Newspaper Delivery/January-March 2013	64.00
112979	01/29/2013	LYNN CAPOUYA	El Toro/Aliso Creek Project	580.65
112980	01/29/2013	MANAGED HEALTH NETWORK	Employee Benefit Program/February 2013	22.23
112981	01/29/2013	NIEVES LANDSCAPE, INC.	Landscape Maintenance	870.00
112982	01/29/2013	ONE WEEK BATH, INC.	Waste Diversion Deposit Refund/BP 34151B	250.00
112983	01/29/2013	ORANGE COAST PLUMBING	Repair/City Hall/ 1st Floor Men's Restroom	378.29
112984	01/29/2013	O.C. TREASURER - STREET	Street Maintenance/December 2012	1,125.98
112985	01/29/2013	PEAK LIGHTING & ELECTRIC, INC	Streetlight Maintenance/January 2013	704.52
112986	01/29/2013	SCOTT FAZEKAS & ASSOCIATES	Plan Check Services/December 2012	400.00
112987	01/29/2013	SOUTHERN CALIFORNIA EDISON	City Hall Utilities/January 2013	981.81
112988	01/29/2013	SOUTHERN CALIFORNIA EDISON	City Centre Park/January 2013	27.83
112989	01/29/2013	SYNOPTIK	IT Services/February 2013	1,215.00
112990	01/29/2013	YOLIE TRIPPY	Mileage Reimbursement/July-December 2012	33.30
112991	01/29/2013	VISION SERVICE PLAN OF AMERICA	Employee Benefit Program/February 2013	199.14

**CITY OF LAGUNA WOODS
WARRANT REGISTER
February 20, 2013**

Check Number	Check Date	Vendor Name	Description	Amount
112992	01/29/2013	STEVEN WALKER	Waste Diversion Deposit Refund/BP 34349C	250.00
112993	01/29/2013	WARE DISPOSAL	Waste Collection/Sharps	712.68
112994	01/29/2013	WEST COAST REMODEL	Waste Diversion Deposit Refund/BP 35296C	500.00
112995	01/29/2013	WM CURBSIDE, LLC	Waste Collection/December 2012	1,910.75
112996	02/06/2013	AT&T	Telephone/452-0600/January 2013	288.09
112997	02/06/2013	AT&T	Telephone/639-0500/January 2013	186.28
112998	02/06/2013	AT&T	Telephone/770-9359/January 2013	16.15
112999	02/06/2013	ATLAS HOME DESIGN	Waste Diversion Deposit Refund/BP 33476D	500.00
113000	02/06/2013	THE BEE DETECTIVE	Building Maintenance/Bee Abatement	750.00
113001	02/06/2013	CALIFORNIA EMERGENCY PHYSICIAN	New Employee Physical/Costanzo	45.00
113002	02/06/2013	RUS CALISCH	Spring Newsletter Design	400.00
113003	02/06/2013	CALPERS - RETIREMENT	Retirement Contributions/Period Ending 1/25/13	4,851.77
113004	02/06/2013	COPPOLA CONSTRUCTION	Waste Diversion Deposit Refund/BP 34649B	250.00
113005	02/06/2013	COUNTY OF ORANGE - SIGNALS	Signal Maintenance/September 2012	4,207.20
113006	02/06/2013	COUNTY OF ORANGE - WATER QUALITY	Watershed Cost Share/Fiscal Year 2012-13	5,747.38
113007	02/06/2013	GARY GATES	Employee Benefit Program/January 2013	353.24
113008	02/06/2013	HACK, BERT	Mileage Reimbursement/September 2012-January 2013	216.00
113009	02/06/2013	KEANE, LESLIE A.	Auto Allowance/February 2013	450.00
113010	02/06/2013	KONICA MINOLTA	Copier Lease/February 2013	483.34
113011	02/06/2013	NIEVES LANDSCAPE, INC.	Landscape Maintenance	720.00
113012	02/06/2013	PATIO MASTERS	Plan Check Refund/BP 34493C	79.68
113013	02/06/2013	PRINTING SYSTEMS, INC.	Checks/Accounts Payable/Laser	277.73
113014	02/06/2013	SBLI OF MASSACHUSETTS	Employee Benefit Program/1st Quarter 2013	203.06
113015	02/06/2013	SOUTHERN CALIFORNIA EDISON	Residential Streetlights/United/January 2013	1,815.70
113016	02/06/2013	SOUTHERN CALIFORNIA EDISON	Traffic Signal Controllers/January 2013	883.00

**CITY OF LAGUNA WOODS
WARRANT REGISTER
February 20, 2013**

Check Number	Check Date	Vendor Name	Description	Amount
113017	02/06/2013	SOUTHERN CALIFORNIA EDISON	Ridge Route Park/January 2013	25.28
113018	02/06/2013	ROSELYN WEISS	Taxi Voucher Refund	41.50
113019	02/06/2013	WEST COAST REMODEL	Waste Diversion Deposit Refund/BP 35298C	250.00
113020	02/07/2013	AVANTI PRINTING & GRAPHICS	Winter 2013 Newsletter/Printing	1,669.14
113021	02/07/2013	TAUBENPOST, INC	Winter 2013 Newsletter/Mailing	3,752.39
113022	02/12/2013	AT&T	White Pages/February 2013	3.81
113023	02/12/2013	YOUNG OIM KIM BAE	Waste Diversion Deposit Refund/BP 33527B	250.00
113024	02/12/2013	CALIFORNIA EMERGENCY PHYSICIAN	New Employee Physical/Haston	45.00
113025	02/12/2013	CIVIL SOURCE	Engineering/Inspection Services/January 2013	7,901.33
113026	02/12/2013	DEIRDRE GORDON	Waste Diversion Deposit Refund/BP 33722C	250.00
113027	02/12/2013	JONES, ERNESTINE	Employee Benefit Program/January 2013	347.30
113028	02/12/2013	YOON S KIM	Waste Diversion Deposit Refund/BP 34429C	250.00
113029	02/12/2013	RUTAN & TUCKER, LLP	Attorney Services/September 2012	6,861.21
113030	02/12/2013	SKYLIGHT SPECIALTIES	CDBG Energy Efficiency Program	745.00
113031	02/12/2013	SOUTHERN CALIFORNIA EDISON	Safety Lights Over Traffic Signals/January 2013	382.92
113032	02/12/2013	SOUTHERN CALIFORNIA EDISON	Residential Streetlights/Third Mutual/January 2013	4,490.26
113033	02/12/2013	SOUTHERN CALIFORNIA EDISON	Right of Way/January 2013	2,170.13
113034	02/12/2013	THE GAS COMPANY	City Hall Utilities/January 2013	227.06
113035	02/12/2013	DOROTHY WIEMANN	Taxi Voucher Refund	100.00
113036	02/12/2013	WLC ARCHITECTS	City Hall Generator Project/December 2012	2,484.38
Total Prepaid Warrants				<u>391,754.25</u>

REGULAR WARRANTS:

113037	02/12/2013	ALISO CREEK PRINTING	Business Cards/Hatch	59.40
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**CITY OF LAGUNA WOODS
WARRANT REGISTER
February 20, 2013**

Check Number	Check Date	Vendor Name	Description	Amount
113038	02/12/2013	BANK OF AMERICA - CC	Credit Card Charges/January 2013	365.69
113039	02/12/2013	CAA	Code Enforcement/December 2012	248.00
113040	02/12/2013	CIVIL SOURCE	Engineering Services/December 2012	38,815.90
113041	02/12/2013	COMMPRO	Website Hosting/February 2013	295.00
113042	02/12/2013	CYNTHIA CONNERS	February 2013 Compensation	300.00
113043	02/12/2013	EL TORO WATER DISTRICT	Landscape Irrigation/January 2013	4,271.19
113044	02/12/2013	GREAT CLEANING SERVICE	Janitorial Services/January 2013	628.33
113045	02/12/2013	HACK, BERT	February 2013 Compensation	300.00
113046	02/12/2013	ROBERT NOEL HATCH	February 2013 Compensation	300.00
113047	02/12/2013	KONE INC.	Elevator Maintenance/February 2013	227.37
113048	02/12/2013	O.C. TREASURER-SHERIFF	Communication Charges/3rd Quarter/FY 2012-13	221.00
113049	02/12/2013	O.C. TREASURER-SHERIFF	Sheriff Services/January 2013	110,992.00
113050	02/12/2013	ORKIN	Pest Control/February 2013	84.49
113051	02/12/2013	REFLEX TRAFFIC SYSTEMS	Redlight Camera/January 2013	7,500.00
113052	02/12/2013	RING, ROBERT	February 2013 Compensation	300.00
113053	02/12/2013	ROBBINS, MILTON	February 2013 Compensation	300.00
113054	02/12/2013	SCHAEF AIR	CDBG Energy Efficiency Program	1,700.00
113055	02/12/2013	SCHAEF AIR	CDBG Energy Efficiency Program	1,700.00
113056	02/12/2013	SCHAEF AIR	CDBG Energy Efficiency Program	1,700.00
113057	02/12/2013	SADIE SPINOGATTI	Taxi Voucher Refund	50.00
Total Regular Warrants				170,358.37
Total Register				562,112.62

CITY OF LAGUNA WOODS
WARRANT REGISTER
February 20, 2013

Check Number	Check Date	Vendor Name	Description	Amount
January Credit Card Statement Detail				
Debit		THE HOME DEPOT	Supplies/CDBG Energy Efficiency Program	145.41
Debit		HP.COM	Office Supplies/Toner Cartridge	158.74
Debit		OFFICEMAX	Office Supplies/1099 Tax Forms	61.54

6.5 COUNCILMEMBER COMPENSATION

ORDINANCE NO. 13-XX

**AN ORDINANCE OF THE CITY OF LAGUNA WOODS,
CALIFORNIA, AMENDING MUNICIPAL CODE SECTION
2.02.010, TO ALLOW FOR AN ALTERNATIVE VEHICLE
REIMBURSEMENT ALLOWANCE FOR CITY
COUNCILMEMBERS**

WHEREAS: The current Laguna Woods Municipal Code, Section 2.02.010, allows for compensation for City Councilmembers in accordance with Government Code Section 36516, in the amount of \$300.00 per month;

WHEREAS: This compensation has been held at the same amount since 1999;

WHEREAS: Laguna Woods Municipal Code Section 2.02.020 also allows for Councilmembers to be reimbursed for actual and necessary expenses incurred in the performance of official duties, including travel expenses; and

WHEREAS: California Government Code Section 1223 permits that where reimbursements of travel expenses are authorized for a public agency's officers or employees, that agency may also provide a vehicle allowance; and

WHEREAS: The mechanism of a vehicle allowance has been previously recognized by law as an appropriate vehicle for compensating officials for having vehicles "standing by," whose duties require frequent trips in the performance of their public functions, and constitute an actual and necessary purpose in connection with such functions.; and

WHEREAS: The City Council wishes to provide for a vehicle allowance as an alternative to the monthly compensation traditionally available to City Councilmembers, but in an amount that will not increase the City's overall budget for Councilmember compensation.

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

SECTION 1. Laguna Woods Municipal Code Section 2.02.010 is hereby amended to read as follows:

Section 2.02.010. Compensation for City Councilmembers.

In accordance with Government Code Section 36516 and Government Code Section 1223, each member of the City Council shall be entitled to a salary in an amount of \$300.00 per month. Such compensation shall be payable in the same manner as

salaries are paid to other officers and employees of the City. Alternatively, each member of the City Council may, in lieu of the \$300.00 per month compensation, accept a vehicle reimbursement allowance in the amount of \$300.00 per month.

SECTION 2. Laguna Woods Municipal Code Section 2.02.020 is hereby amended to read as follows:

SEC. 2.02.020. Expenses of Councilmembers

In accordance with Government Code Section 36514.5 an adopted City policy, and upon submission of an itemized account, any Councilmember may also be reimbursed for the actual and necessary expenses incurred in the performance of official duties. Notwithstanding the foregoing, any Councilmember who elects to receive a vehicle reimbursement allowance in lieu of compensation under Section 2.02.010 shall be ineligible for reimbursement of mileage expenses relating to the use of the Councilmember's personal vehicle within Orange County, incurred in the performance of official duties.

SECTION 3. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsection, subdivision, sentence, clause, phrase, or portions thereof be declared invalid or unconstitutional.

SECTION 4. The City Clerk shall certify to the adoption of this Ordinance and cause the same to be posted at the duly designated posting places within the City and published once within fifteen (15) days after passage and adoption as may be required by law; or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and post a certified copy of the text of this Ordinance in the Office of the City Clerk five (5) days prior to the date of adoption of this Ordinance, and within fifteen (15) days after adoption, the City Clerk shall cause to be published the aforementioned summary and shall post a certified copy of this Ordinance, together with the vote for and against the same, in the Office of the City Clerk.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2013.

ROBERT B. RING, Mayor

ATTEST:

YOLIE TRIPPY, Deputy City Clerk

APPROVED AS TO FORM:

DAVID B. COSGROVE, City Attorney

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

I, YOLIE TRIPPY, Deputy City Clerk of the City of Laguna Woods, California DO HEREBY CERTIFY that the foregoing Ordinance No. 13-XX was duly introduced and place upon its first reading at a Regular Meeting of the City Council on the 16th of January, 2013, and that thereafter, said Ordinance was duly adopted and passed at a Regular Meeting of the City Council on the _____ day of _____, 2013 by the following vote to wit:

AYES:

NOES:

ABSENT:

YOLIE TRIPPY, Deputy City Clerk

6.6
**DECLARATION OF A PORTION OF MOULTON
PARKWAY AS A COUNTY HIGHWAY**

RESOLUTION NO. 13-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, DECLARING A PORTION OF MOULTON PARKWAY LYING WITHIN THE CITY LIMITS OF LAGUNA WOODS TO BE A COUNTY HIGHWAY DURING THE PERIOD OF CONSTRUCTION OF THE MOULTON SMART STREET PROJECT

WHEREAS, the portion of Moulton Parkway from 400 feet north of El Toro Road to 500 feet north of Santa Maria Avenue, lying within the City Limits of Laguna Woods, has been deemed to be a highway of Countywide importance; and

WHEREAS, the City of Laguna Woods and the County of Orange propose to construct roadway improvements along Moulton Parkway, hereinafter referred to as PROJECT; and

WHEREAS, the City of Laguna Woods and the County of Orange have entered into Agreement No. D99-100 and Agreement No. D03-071 to define responsibilities of the City and the County with respect to the PROJECT;

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

SECTION 1. Pursuant to the provisions of Section 1700, Article 3, Chapter 9, Division 2 of the Streets and Highways Code, the portion of Moulton Parkway from 400 feet north of El Toro Road to 500 feet north of Santa Maria Avenue, lying within the City Limits of Laguna Woods, is hereby declared to be a County highway during the period of construction of the PROJECT by the County of Orange.

SECTION 2. The County of Orange Board of Supervisors adopted Resolution No. 12-134 on September 11, 2012 to declare the portion of Moulton Parkway from 400 feet north of El Toro Road to 500 feet north of Santa Maria Avenue, lying within the City Limits of Laguna Woods, to be a County highway during the period of construction of the PROJECT by the County of Orange.

SECTION 3. This declaration shall take effect upon the City's consent and at the commencement of construction, and shall remain in full force and effect until a Notice of Completion for construction of the PROJECT has been filed with the

Clerk of the Board of Supervisors and the Orange County Board of Supervisors accepts the PROJECT as complete, and the Laguna Woods City Council passes a resolution declaring that the portion of Moulton Parkway, from 400 feet north of El Toro Road to 500 feet north of Santa Maria Avenue, lying within the City Limits of Laguna Woods, is no longer a County highway, and such Notice of Completion has been filed with the Clerk of the City of Laguna Woods and resolution filed with the Clerk of the Board of Supervisors, respectively.

SECTION 4. The City Clerk is hereby authorized to forward a certified copy of this Resolution to the Orange County Board of Supervisors.

PASSED, APPROVED AND ADOPTED this ____ day of February 2013.

ROBERT B. RING, 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. 13-XX** was duly adopted by the City Council of the City of Laguna Woods at a regular meeting thereof, held on the ____ day of February 2013, by the following vote:

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

YOLIE TRIPPY, Deputy City Clerk

6.7

**EL TORO ROAD/ALISO CREEK ROAD
PHASE II BICYCLE AND PEDESTRIAN
ENHANCEMENT PROJECT CONTRACT
INCREASE (NO REPORT)**

6.8
LIABILITY CLAIM (NO REPORT)

9.1
REASONABLE ACCOMODATIONS FOR
PERSONS WITH DISABILITIES

**City of Laguna Woods
Agenda Report**

FOR: February 20, 2013 City Council Meeting

TO: Honorable Mayor and Councilmembers

FROM: Leslie A. Keane, City Manager 

AGENDA ITEM: Reasonable Accommodations for Persons with Disabilities

Recommendation

Approve introduction and first reading of an ordinance establishing a policy with respect to reasonable accommodations for persons with disabilities entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS,
CALIFORNIA, ESTABLISHING A POLICY FOR REASONABLE
ACCOMMODATIONS FOR PERSONS WITH DISABILITIES

Background

The City's housing element serves as a policy guide that addresses the comprehensive housing needs of the City. It is one of the seven mandatory elements of the City of Laguna Woods General Plan. Unlike the other elements, state law requires that local jurisdictions update their Housing Elements periodically to outline the existing and projected housing needs of their community, the barriers or constraints to providing that housing and actions proposed to address these concerns. The current housing element, which was certified by the state Department of Housing and Community Development, covers the period 2006-14. The City must update this document by October 2013 for the period 2014 – 2021.

The current housing element, approved by the City Council in 2009, commits the City to a variety of policies and programs. With the exception of the following, these are underway or have been completed:

1. Establish reasonable accommodation procedures in the Zoning Code to improve mobility and accessibility and to provide the flexibility necessary for developing housing for individuals with disabilities.
2. Revise density bonus provisions in the City's Zoning Code to be consistent with state density bonus law.

Staff has prepared a draft ordinance establishing a reasonable accommodation policy for consideration. The density bonus modifications are expected to be agendized for first reading at Council's March 2013 meeting.

Discussion

While fair housing laws intend that all people have equal access to housing, the law also recognizes that people with disabilities may need extra tools to achieve equality. The attached ordinance is based on the model ordinance provided by the California Department of Housing and Community Development. It establishes a policy for reasonable accommodations to City policies, requirements and/or procedures for people with disabilities. A request for reasonable accommodation may include a modification or exception to the rules, standards, and practices for the siting, development and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to the housing of their choice.

In granting a request for reasonable accommodation, the City may impose conditions to ensure that the reasonable accommodation will comply with the findings required by this section. The City must also find that the requested accommodation will not result in a fundamental alteration in the nature of a city program or law, including but not limited to land use or zoning; and that the requested accommodation will not, under the specific facts of the case, result in a direct threat to the health and safety of other individuals or substantial physical damage to the property of others.

Examples of accommodations might include the number of non-related individuals allowed to occupy a residential unit; the location of residential group homes in non-residential districts; and the modifications of standards for fences, building setbacks and handicap ramps. These types of action often require a conditional use permit or variance; the reasonable accommodation process eliminates the need for those discretionary permit processes in instances where it can be shown that City regulations have a disparate impact on people with disabilities.

Fiscal Impact

There is no anticipated fiscal impact.

Advisory Committee Action

This proposal would be considered by the Land Use and Design Review Committee meeting at its March 14, 2013 meeting, prior to final City Council action.

Conclusion

Adoption of the proposed policy will support the City's housing element and bring the City into conformance with state and federal housing discrimination regulations. If first reading is approved, a public hearing will be scheduled for the City Council's March 20, 2013 meeting.

Attachment: Proposed Ordinance

ORDINANCE NO. 13-XX

AN ORDINANCE OF THE CITY OF LAGUNA WOODS,
CALIFORNIA, ESTABLISHING A POLICY FOR REASONABLE
ACCOMMODATIONS FOR PERSONS WITH DISABILITIES

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

SECTION 1. Adoption of New Regulations

Chapter 13.15 is hereby added to Title 13 (Zoning) of the Laguna Woods
Municipal Code as follows:

**CHAPTER 13.15 - REASONABLE ACCOMMODATIONS FOR PERSONS
WITH DISABILITIES**

Sections:

- 13.15.010 Purpose and intent.
- 13.15.011 Definitions.
- 13.15.012 Applicability.
- 13.15.013 Reviewing authority.
- 13.15.014 Application for reasonable accommodation.
- 13.15.015 Public notice.
- 13.15.016 Required findings.
- 13.15.017 Notice of decision.
- 13.15.018 Expiration, time extension, and revocation.
- 13.15.019 Discontinuance.
- 13.15.020 Appeals.

13.15.010 Purpose and intent.

It is the policy of the City of Laguna Woods to comply with the federal Fair Housing Amendments Act of 1988 and the California Fair Employment and Housing Act (collectively referred to hereafter as “fair housing laws”) to provide reasonable accommodation to disabled persons in the application of its zoning and land use regulations, policies, and practices for persons with disabilities seeking fair access to housing. The purpose of this chapter is to establish procedures for the receipt and evaluation of requests for reasonable accommodation.

A request for reasonable accommodation may include a modification or exception to the rules, standards, and practices for the siting, development and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to the housing of their choice. Requests for reasonable accommodation shall be made in the manner prescribed by Section 13.15.014 (Application for reasonable accommodation).

13.15.011 Definitions.

As used in this chapter, the following items shall have meanings as set forth below:

- (a) "Director" means the City Manager or his/her designee.
- (b) "Disabled" or "disability" means any person who has a physical or mental impairment that substantially limits one or more major life activities, as may be defined by state or federal law.
- (c) "Fundamental alteration" means a modification that alters the essential nature of a provider's operations.
- (d) "Major life activity" means those activities that are of central importance to daily life including, but not limited to, seeing, hearing, walking, breathing, performing manual tasks, caring for one's self, learning, and speaking.
- (e) "Physical or mental impairment" includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, human immunodeficiency virus (HIV) infection, mental retardation, emotional illness, drug addiction (other than addiction caused by current, illegal use of a controlled substance), and alcoholism.
- (f) "Reasonable accommodation" means a change, exception, or adjustment to a rule, policy, practice, or procedure that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling, including public and common use spaces.
- (g) "Reviewing authority" means the City Manager or his/her designee.

13.15.012 Applicability.

- (a) A request for reasonable accommodation may be made by any individual with a disability, his or her representative, or a developer or provider of housing for

individuals with disabilities, when the application of zoning and land use regulations, policies, and practices acts as a barrier to fair housing opportunities.

(b) Providing reasonable accommodation in the land use and zoning context may include a modification or exemption from zoning and land use regulations, policies, and practices when it is necessary to eliminate barriers to housing opportunities.

13.15.013 Reviewing authority.

(a) The Director shall review each application for reasonable accommodation within thirty (30) days of deeming the application as complete. Pursuant to the findings set forth in Section 13.15.016, the Director may approve, approve subject to conditions, or deny the request.

(b) In the event that the applicant also seeks a concurrent approval, permit, or entitlement that will be reviewed by the Planning Agency, then the Planning Agency shall also act as the reviewing authority for the application for reasonable accommodation.

(c) If necessary to reach a determination on the request for reasonable accommodation, the reviewing authority may request further information from the applicant consistent with the fair housing laws, specifying in detail the information that is required. In the event that a request for additional information is made, the thirty (30) day period to issue a decision is stayed until the applicant responds to the request.

13.15.014 Application for reasonable accommodation.

(a) An application for reasonable accommodation shall be submitted in writing on a form prescribed by the Director.

(b) A fee shall not be required for a reasonable accommodation, but if the project requires another discretionary permit, then the prescribed fee shall be paid for the other discretionary permit(s) in compliance with the city's adopted fee schedule.

(c) If the project for which the application for reasonable accommodation is being made also requires some other approval, permit or entitlement, the applicant shall file the request together with the application for such approval, permit or entitlement.

(d) An application for reasonable accommodation shall include all of the following:

- (1) The applicant's name, address, and telephone number;
- (2) Documentation that the applicant is:
 - a. An individual with a disability;
 - b. Applying on behalf of one or more individuals with a disability; or
 - c. A developer or provider of housing for one or more individuals with a disability;
- (3) Address of the property for which accommodation is requested;
- (4) The name, address, and telephone number of the property owner(s), if different from the applicant;
- (5) The current use of the subject property;
- (6) The specific basis for the claim that the applicant is considered disabled under the fair housing laws;
- (7) A description of the accommodation requested including reference to the zoning and development code provision, policy or procedure from which accommodation is sought;
- (8) A detailed written explanation of why the requested accommodation is necessary for the individual(s) with a disability to use and enjoy the dwelling; and
- (9) Any other information that the Director reasonably concludes is necessary to determine whether the findings required by Section 13.15.016 can be made, so long as any request for information regarding the disability of the individuals benefited complies with fair housing law protections and the privacy rights of the individuals affected.

13.15.015 Public notice.

After the Director has deemed an application for reasonable accommodation as complete, the Director shall provide notice of the request for reasonable accommodation as follows:

- (a) In the event that there is no approval, permit, or entitlement sought other than the request for reasonable accommodation, the notice shall be mailed to the owners of record of all properties that are immediately adjacent to the property that is the subject of the request.
- (b) In the event that the request is being made in conjunction with some other approval, permit or entitlement, the notice shall be transmitted along with the notice of the other proceeding.

13.15.016 Required findings.

- (a) The written decision to approve, approve with conditions, or deny an application for reasonable accommodation shall be based upon the following findings, all of which are required for approval:
 - (1) The requested accommodation is requested by or on the behalf of one or more individuals with a disability protected under the fair housing laws;
 - (2) The requested accommodation is necessary to provide one or more individuals with a disability an equal opportunity to use and enjoy a dwelling;
 - (3) The requested accommodation will not impose an undue financial or administrative burden on the city;
 - (4) The requested accommodation will not result in a fundamental alteration in the nature of a city program or law, including but not limited to land use or zoning; and
 - (5) The requested accommodation will not, under the specific facts of the case, result in a direct threat to the health and safety of other individuals or substantial physical damage to the property of others.
- (b) In granting a request for reasonable accommodation, the reviewing authority may impose any conditions of approval deemed reasonable and necessary to ensure that the reasonable accommodation will comply with the findings required by this section.

13.15.017 Notice of decision.

(a) The reviewing authority shall notify the applicant of his/her decision by mailing a written determination to the applicant. The notice of decision shall include factual findings, conclusions, and reasons for the decision; and notify the applicant of the right to appeal the reviewing authority's decision pursuant to Section 13.15.020.

(b) Notice of the reviewing authority's decision shall also be given to adjoining property owners and/or other interested persons in the same manner as provided in Section 13.15.015 (a) and (b).

13.15.018 Expiration, time extension, and revocation.

(a) Any reasonable accommodation approved in accordance with the terms of this chapter shall expire within twenty-four (24) months from the effective date of the approval or at an alternative time specified as a condition of approval unless:

- (1) A building permit has been issued and construction has commenced;
- (2) A certificate of occupancy has been issued;
- (3) The use is established consistent with the terms of any permit or condition of approval; or
- (4) A time extension has been granted.

(b) The Director may approve a time extension for a reasonable accommodation for good cause for a period or periods not to exceed three years. An application for a time extension shall be made in writing to the Director no less than thirty (30) days or more than ninety (90) days prior to the expiration date.

(c) Any reasonable accommodation approved in accordance with this chapter may be revoked if any of the conditions or terms of such reasonable accommodation are violated, or if any law or ordinance is violated in connection therewith.

13.15.019 Discontinuance.

(a) A reasonable accommodation shall lapse if the exercise of rights granted by it is discontinued for one hundred eighty (180) consecutive days. If the disabled

persons vacate the premises, the reasonable accommodation shall remain in effect only if the Director determines that (1) the modification is physically integrated into the residential structure such that it would be impractical to require the property to be returned to its previous condition, or (2) the accommodation is necessary to give another disabled individual an equal opportunity for use and enjoyment of the dwelling.

(b) The Director may, at any time, request in writing the applicant or his successor-in-interest to the property to provide documentation demonstrating that the accommodation remains necessary to ensure the equal use and enjoyment of the property by a person with disabilities and/or continued compliance with any applicable conditions of approval. Failure to provide such documentation within fifteen (15) days of the date of the Director's request shall constitute grounds for discontinuance by the city of a previously approved reasonable accommodation.

13.15.020 Appeals.

The decision of the Director to approve, approve subject to conditions, or deny an application for reasonable accommodation shall be subject to appeal to the City Council pursuant to the procedures set forth in Chapter 13.24.050 of the Municipal Code.

SECTION 2. Effective Date

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

SECTION 3. 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 ____ 2013.

ROBERT B. RING, 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. 13-XX** was duly
introduced and placed upon its first reading at a Regular Meeting of the City
Council on the ____ of ____ 2013, and that thereafter, said Ordinance was duly
adopted and passed at a Regular Meeting of the City Council on the _____ day of
_____, 2013 by the following vote to wit:

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