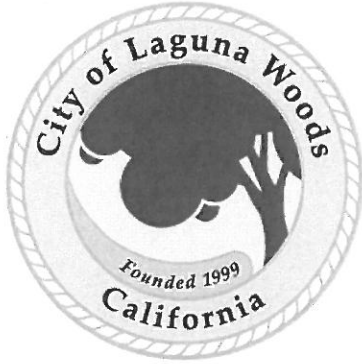




AGENDA of THE LAGUNA WOODS CITY COUNCIL

**Regular Meeting
May 15, 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: ☐ Connors ☐ Hack ☐ Hatch
☐ Robbins, Mayor Pro Tem ☐ Ring, Mayor

IV. PRESENTATIONS

None

V. CITY COMMENDATIONS AND PROCLAMATIONS

5.1 Proclamation – Elder Abuse Awareness Day, June 15, 2013

5.2 Proclamation – Drowning Prevention Summer, May 27-September 2, 2013

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 April 17, 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 April 2013 monthly and Third Quarter (January 1, 2013 – March 31 2013) Fiscal Year 2012-13 Quarterly Treasurer's Reports.

6.4 Warrant Register

RECOMMENDED ACTION: Approve the May 15, 2013 Warrant Register in the amount of \$396.013.47

6.5 Phase 1 Moulton Smart Street Project: Fire Department Connection

RECOMMENDED ACTION: Award a contract to E.J. Meyer Company for the Moulton Parkway Phase 1 Fire Department Connection Project in the amount of \$27,777; and authorize the City Manager to execute the contract and approve change orders not to exceed 15% of the base amount, subject to approval as to form by the City Attorney.

6.6 Special Legal Counsel

RECOMMENDED ACTION: Approve an agreement with Terese Scanlon Oliver for legal counsel services related to the City's red-light photo enforcement program, through June 30, 2015; and authorize the City Manager to execute the agreement, subject to approval as to form by the City Attorney.

VII. PUBLIC HEARINGS

7.1 Conditional Use Permit application CUP-872; Geneva Presbyterian Church Preschool located at 24301 El Toro Road.

A. Receive Staff Report

B. Open Public Hearing

C. Receive Public Comment

D. Close Public Hearing

E. Approve a resolution related to a conditional use permit for Geneva Presbyterian Church, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF LAGUNA WOODS, CALIFORNIA, APPROVING A
CONDITIONAL USE PERMIT (CUP-872) TO ESTABLISH
A PRESCHOOL AT THE GENEVA PRESBYTERIAN
CHURCH LOCATED AT 24301 EL TORO ROAD

VIII. CITY COUNCIL

None

IX. CITY MANAGER

9.1 Fiscal Year 2013-14 Budget: Transportation and Special Funds

RECOMMENDED ACTION: Discuss and provide direction to staff.

9.2 Senior Mobility Tax Voucher Program

RECOMMENDED ACTION: Authorize continuation of the subsidized taxi voucher program, maintaining current services and prices, through June 30, 2014.

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, May 1, 2013:
Councilmember Hack

12.2 Other Meetings, Comments and Announcements

XIII. CLOSED SESSION

- 13.1 The City Council will meet in closed session to confer with legal counsel regarding one matter of potential litigation, pursuant to the provisions of Government Code Section 54956.9(c).

XIV: ADJOURNMENT

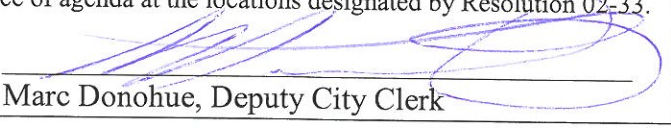
The meeting will be adjourned to 2:00 p.m. on Wednesday, June 19, 2013 at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

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.

I declare under penalty of perjury that I posted this notice of agenda at the locations designated by Resolution 02-33.

5/10/13
Date


Marc Donohue, Deputy City Clerk

5.1
PROCLAMATION
ELDER ABUSE AWARENESS DAY
JUNE 15, 2013

Proclamation
City of Laguna Woods
Elder Abuse Awareness Day
June 15, 2013

WHEREAS, Elder Abuse Awareness Day was launched on June 15, 2006 by the International Network for the Prevention of Elder Abuse

WHEREAS, hundreds of thousands of older persons are abused and neglected every year; and

WHEREAS, elders throughout the United States lose an estimated \$2.6 billion or more annually due to elder financial abuse and exploitation; and

WHEREAS, the City of Laguna Woods is home to a large number of senior citizens who could be at risk of elder abuse; and

WHEREAS, the elder population deserves our respect, protection, and care.

NOW, THEREFORE, BE IT RESOLVED that the Laguna Woods City Council does hereby proclaim June 15, 2013 as “Elder Abuse Awareness Day” in the City of Laguna Woods and strongly encourages its residents and businesses to raise awareness of mistreatment of older persons.

Dated this 15th day of May, 2013

Bob Ring, Mayor

Attest: Marc Donohue, Deputy City Clerk

5.2
PROCLAMATION
DROWNING PREVENTION SUMMER
MAY 27 – SEPTEMBER 2, 2013

**Proclamation
City of Laguna Woods
Drowning Prevention Summer
May 27 – September 2, 2013**

WHEREAS, drowning is the leading cause of accidental death in Orange County for children under the age of five and is a county-wide crisis requiring everyone's help; and

WHEREAS, fatal, and non-fatal drowning is a silent event occurring in as little as two inches of water, including swimming pools, spas, lakes, the ocean and any body of water; and

WHEREAS, the period of May 27 through September 2 is when the highest percentage of drowning's take place; and

WHEREAS, the Orange County Fire Authority along with all other fire agencies in Orange County will be taking this opportunity to increase public awareness about drowning's through an extensive community outreach campaign.

NOW, THEREFORE, BE IT RESOLVED that the Laguna Woods City Council does hereby proclaim May 27 – September 2, 2013 as "Drowning Prevention Summer" in the City of Laguna Woods and strongly encourages its residents, schools, and recreational facilities to increase their knowledge of proper safety measures to follow in preventing unnecessary drowning's.

Dated this 15th day of May, 2013

Bob Ring, Mayor

Attest: Marc Donohue, Deputy City Clerk

6.1-6.6
CONSENT CALENDAR SUMMARY

City of Laguna Woods Agenda Report

FOR: May 15, 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 May 15, 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 May 16th Consent Calendar contains the following six items:

- 6.1 Approval of the minutes from the April 17, 2013 regular City Council meetings, as submitted.

ITEMS 6.1 – 6.6

- 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 April 2013 monthly and third quarter (July 2013 – March 2013) Fiscal Year Treasurer's Reports. These reports identify the City's current liquid assets and their location. At the end of April, the City had approximately \$7.9 million in cash on hand and in other liquid assets.
- 6.4 Approval of the May 15, 2013 Warrant Register, as submitted, in the total amount of \$396,013.47. 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 Authorization for the City Manager to execute an agreement with E.J. Meyer Company in the amount of \$27,777, and approve change orders up to 15% of the base amount, for the Moulton Parkway 1 Fire Department Connection Project. This project involves the construction of a fire department connection to an existing underground fire sprinkler line and the removal of an existing underground valve at the Laguna Woods Village Equestrian Center. The County of Orange failed to complete this work as part of Phase 1 of the Moulton Smart Street Project. Bids were solicited on April 18, 2013. And E.J. Meyer Company was the only firm to submit a bid prior to the deadline of May 3, 2013. The City Engineer's Office has completed an evaluation of the bid and found it to be responsive and in compliance with all applicable laws. All costs for this project, including construction and design, will be reimbursed by the County of Orange.
- 6.6 Authorization for the City Manager to execute an agreement with Terese Scanlon Oliver for as needed red-light photo enforcement legal services. The agreement allows Ms. Oliver, who has provided such services for the City since 2011, to subcontract overflow work to other attorneys. The proposed agreement is in conformance with the resolution adopted at the May 1, 2013 City Council meeting removing the provision of such services from the City Attorney's contract and would run through June 30, 2015.

ITEMS 6.1 – 6.6

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 May 15, 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**

April 17, 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

Councilmember Hack led the flag salute.

III. ROLL CALL

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

STAFF PRESENT: City Manager Keane; Public Safety Director Macon; Deputy City Clerk Donohue; City Attorney Cosgrove, Planning Manager Kurnow

IV. PRESENTATIONS

None

V. CITY COMMENDATIONS AND PROCLAMATIONS

Moved by Councilmember Conners, seconded by Councilmember Hack, and carried unanimously to approve Proclamations:

5.1 Commendation – Violet Alma Alsup, 100th Birthday

Mayor Ring presented a certificate of commendation to Violet Alma Alsup in honor of her 100th birthday. Ms. Alsup made brief remarks.

5.2 Proclamation – Earth Awareness Week, April 22-28, 2013

5.3 Proclamation – Building Safety Month, May 2013

VI. CONSENT CALENDAR

Moved by Mayor Pro Tem Robbins, seconded by Councilmember Conners and carried unanimously to approve Consent Calendar Items 6.1 – 6.4.

6.1 Approved the minutes the March 20, 2013 regular meeting and the March 27, 2013

special 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 March 2013 monthly Treasurer's Report.

6.4 Warrant Register

Approved the March 20, 2013 Warrant Register in the amount of \$803,501.62

VII. PUBLIC HEARING

7.1 Density Bonus Standards

City Manager Keane summarized the agenda report and noted that all of the provisions included in the ordinance are required by state law; staff has suggested no discretionary enhancements. She noted that Land Use and Design Review Committee unanimously recommended the Council approve adoption of the ordinance.

The public hearing was opened. There being no requests to speak, the public hearing was closed.

Moved by Mayor Pro Tem Robbins, seconded by Councilmember Conners, and carried unanimously to approve **Ordinance 13-03** adopting reasonable accommodations for persons with disabilities entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS,
CALIFORNIA, AMENDING CHAPTER 13.26 OF THE LAGUNA
WOODS MUNICIPAL CODE PERTAINING TO RESIDENTIAL
DENSITY BONUS STANDARDS

VIII. CITY COUNCIL

8.1 City Council 2013 Meeting Schedule

City Manager Keane presented the proposed City Council meeting schedule for the balance of 2013. The schedule includes adjourned regular meetings on May 1st and June 26th for the purpose of discussion and adoption of the 2013-14 budget and a shift of the November 20th meeting to November 13th due to the Thanksgiving holiday.

Moved by Mayor Pro Tem Robbins, seconded by Councilmember Conners, and approved unanimously to:

Approve a meeting schedule for the remainder of calendar year 2013.

IX. CITY MANAGER**9.1 Red Light Photo Enforcement Program**

City Manager Keane introduced James England as the new Police Chief for the City.

Police Chief England talked about his background in law enforcement and stated that he is looking forward to working with the City of Laguna Woods.

Public Safety Director Macon presented a power point presentation about the modifications in the proposed Memorandum of Understanding (MOU) with Redflex. He noted that there will be an additional cost reduction of \$75,000 in the 2013-14 fiscal year and a \$18,750 reduction for the remainder of the current 2012-13 fiscal year. He stated that the City retains the right to terminate, without cause, with a 45-day notice.

Councilmember Connors asked how much was the 2012-13 fiscal year reduction.

Public Safety Director Macon stated it was \$7,500 a month but only for 9 months.

Public Safety Director Macon noted that the Public Safety Committee voted unanimously to approve the MOU.

Councilmember Hatch asked what the monthly reduction will be for the remainder of the fiscal year.

Public Safety Director Macon stated that the reduction will be \$6,250 monthly for the last 3 months of the 2012-13 fiscal year, as opposed to the \$7,500 for the first nine months.

Councilmember Hatch asked Police Chief England if red-light cameras are the most effective way to enforce red-light violations.

Police Chief England replied that in Laguna Woods red-light cameras are the most effective because they provide 24/7 coverage of the lights as opposed to assigning deputies at the intersection which would cost significantly more.

City Manager Keane stated that the City had tried and discussed a number of other options before starting the red-light program, none of which were successful.

Councilmember Hatch asked why the City has to have an attorney attending hearings pertaining to the red light camera tickets.

City Attorney Cosgrove stated that there is concern about the immiscibility of the evidence and the ability of an officer to introduce evidence and cross examine plaintiffs.

City Manager Keane stated that when other cities do not send an attorney and these issues arise, the cases are often dismissed.

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Councilmember Hatch asked if the City has any statistics on which directions get the most citations (e.g. East on El Toro or North on El Toro).

Public Safety Director Macon stated he currently only has statistics on how many citations occur at specific intersections.

Councilmember Hatch asked if Redflex is willing to do the price reduction due to the fear of losing the City's business.

City Manager Keane stated that the reductions were negotiated because of the unique legal circumstances Laguna Woods is experiencing in court and partially because of current construction which is causing some of the cameras to go down.

Councilmember Hatch asked if the \$100,000 that the state allocated would be included.

City Manager Keane stated that the City expects to receive that funding in the 2013-14 fiscal year.

Councilmember Connors stated that insurance studies have shown that there are fewer red light fatalities when cameras installed and noted that the program is something the City should continue to support.

Linda Iannelli introduced herself as an attorney who defends individuals who receive red-light camera tickets. She believes that the program should be shut down. She noted that 95% of citations are for right turn violations. She suggests the City look at alternatives to the red light cameras such as adding an extra second to yellow lights. She urged the City Council not to make a decision on this matter today so it could be discussed further.

Allen Baylis introduced himself as an attorney who defends individuals who receive red-light camera tickets. He stated that Reflex is probably very scared due to the fact that several California cities have ended their red-light camera programs. He discussed several alternatives that could replace the red-light cameras. He urged the City Council not to move too quickly on this item.

City Manager Keane stated that the issue of right turns on red has been discussed several times and that the City has explored trying to differentiate a "rolling California stop" from running a red light. The OC Sheriff's Department has informed the City that they are unable to make that distinction.

Police Chief England stated that the city manage is correct is correct; the Sheriff's Department relies upon the current California Vehicle Code.

City Manager Keane noted that the City has looked into putting green and red arrows at these intersections but it is cost prohibitive.

Councilmember Hack stated that the City has this program to protect the elderly residents of the City and not to make profit. He noted that it is difficult to see residents crossing on Moulton when you are trying to make a right turn.

ITEM 6.1

Councilmember Conners asked if the technology to check if the driver of the vehicle is the registered owner exists.

Police Chief England stated that the Deputy does check the registered owner's photo with who was actually driving the vehicle.

City Manager Keane stated that the City still does issue tickets for violations where the person driving the car is not the registered owner, in hopes that the registered owner will nominate whoever was driving the vehicle.

Councilmember Hatch stated the Village has educational videos that are extremely valuable to the older population in the City. He noted he would like these shown on the cable channel in the City.

David Russell Ohrn, resident, stated that he supports the retention of the red light cameras where they are currently located.

Linda Iannelli stated that the accidents shown on the video would not have been stopped by the red light cameras. She noted different alternatives to replace the red light cameras.

Councilmember Hack stated that the deterrent is that residents in the community know about the red light cameras, which causes them to drive more carefully at those intersections.

Councilmember Hatch asked staff to take a look at the cost for the alternates that have been mentioned during the discussion.

Moved by Councilmember Hack, seconded by Councilmember Conners, and approved unanimously to:

Approve a Memorandum of Understanding between the City and Reflex Traffic Systems, Inc. modifying and extending the existing automated red light photo enforcement system agreement; and authorize the City Manager to execute the agreement, subject to minor modifications and approval as to form by the City Attorney.

X. COMMITTEE REPORTS

10.1 Transportation Corridor Agencies (Councilmember Hack)

Councilmember Hack reported that the Committee is going through their budget process for the next fiscal year. He noted that cash-less toll roads should be completed by May 2014.

10.2 Orange County Library Board (Mayor Pro Tem Robbins)

Mayor Pro Tem Robbins reported that there was no quorum at the last meeting. He is hopeful that the Board will be able to get a quorum at the meeting on May 9th.

10.3 Orange County Fire Authority (Councilmember Hatch)

Councilmember Hatch reported that the Fire Chief of the year award was given to Orange County Fire Chief Keith Rickter. He stated the issue of unfunded liabilities has surfaced in a different form. The Orange County Employees Retirement System voted on reducing the return on investment from 7.75% to 7.25%. He noted that this could have a harmful effect on contract Cities with the Fire Authority. He noted that this vote creates another 1 billion in unfunded liability which must be paid back in a short period of time.

10.4 Southern California Water Committee (Councilmember Hack)

Councilmember Hack reported that the Committee will meet in the coming week to discuss bringing water down south.

Councilmember Hatch asked if the topic of Lake Mead drying up by year 2021 has been discussed at the meetings.

Councilmember Hack stated the Committee has discussed it and noted that the state is experiencing a very dry spell at the moment, but he doubts that the Lake will ever disappear entirely.

10.5 Coastal Greenbelt Authority (Councilmember Connors)

Councilmember Connors reported on tours available at the Nix Nature Center. She stated that Park Rangers will inform you of the flora and fauna around the area. She encouraged residents to bring their grandchildren to the Discovery Science Center eco-challenge exhibit to learn about the different aspects of recycling. She stated that she had hopes of a falcon program that could deal with the crow program in the City. Unfortunately crows are also predators and would swarm around the falcons. She encouraged residents to not put out food for the birds or crows to better control the crow population.

10.6 Vector Control District Board (Mayor Pro Tem Robbins)

Mayor Pro Tem Robbins reported there is nothing new to report on the West Nile Virus. He noted no dead birds were picked up in the City, Lake Forest or Laguna Hills.

XI. PUBLIC COMMENT

None

XI. CITY COUNCIL COMMENTS AND ANNOUNCEMENTS

12.1 Reports on Meetings Attended per Government Code §53232.3

A. Water Advisory Committee of Orange County, April 1, 2013:

Councilmember Hack reported that the Committee talked about the issue of ground

ITEM 6.1

water. He noted that it's important to keep open spaces for the water to be leached through.

12.2 Other Meetings, Comments and Announcements

Councilmember Hatch asked City Manager Keane if the foot bridge at Aliso Creek has been completed.

City Manager Keane stated the City has not issued the permit for the project yet. She noted it is being delayed for several reasons such as weather and nesting bird issues.

Councilmember Hatch asked for an update on the Moulton Parkway Improvement project.

City Manager Keane stated the City has issued GRF a permit for the tee relocation and they have started work on the project. She noted that the City has agreed to the proposal to change hole 1 temporarily from a par 4 to a par 3 hole so that the garden center annex can stay open until the end of the year.

Councilmember Hack left the dais at 3:18 p.m.

Councilmember Conners talked about pensions and unfunded liabilities. She noted there won't be enough money for future retirees.

City Manager Keane noted that there have been similar changes to the CalPERS system, of which the City is a member, but no current significant impact is anticipated since the City has very few full time employees.

Mayor Ring announced that the Great Laguna Woods Goods Exchange will take place at City Hall on Saturday, April 27th from 8:30 a.m. – 1:00 p.m. He discussed the various services that will be provided on the day of the event and encouraged residents to bring in their unwanted items.

City Manager Keane encouraged residents to bring in anything except for very hazardous waste and ammunition. She noted that residents are given the option to pick through items dropped off and anything that is not taken is recycled or donated to Goodwill.

Councilmember Hack re-entered the meeting at 3:22 p.m.

Mayor Ring announced the recent passing of Ed Miller who served as a member of the Golden Rain Foundation (GRF) Board and Security Committee, the City's Planning Advisory Committee, and co-chaired Project 21, which was a community – wide planning effort. He was part of numerous clubs such as, The Aerospace Club, Rod & Gun Club, Canine Club, Lions Club, and the Historical Society. He read a quote by Ed Miller which stated, "I want to help address the needs of residents and enhance our lives here in what was called Leisure World. I really love this place."

XII. CLOSED SESSION

None

XIII. ADJOURNMENT

The meeting was adjourned in memory of Ed Miller at 3:24 p.m. The next regular meeting will be at 2:00 p.m. on Wednesday May 15, 2013 at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

MARC DONOHUE, Deputy City Clerk

Adopted: May 15, 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
April 30, 2013

CASH ON HAND1. Investments/General Fund

Local Agency Investment Fund	\$ 7,097,699
Subtotal	\$ 7,097,699

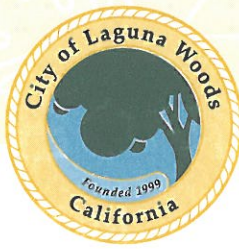
2. Investments/Transportation Fund

Local Agency Investment Fund	\$ 330,927
Subtotal	\$ 330,927

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

Petty Cash Funds	\$ 747
Analyzed Checking Account	\$ 513,545
Subtotal	\$ 514,292
TOTAL	\$ 7,942,918

Note: LAIF reports interest earnings quarterly.



CITY of LAGUNA WOODS

Bob Ring
Mayor

April 30, 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: 3rd Quarter,
FY 2012/2013 (January 1 – March 31, 2013)

Noel Hatch
Councilmember

Leslie A. Keane
City Manager

Attached is the 3rd Quarter, FY 2012/2013 Treasurer's Report for the period January 1 – March 31, 2013. 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
January 1 - March 31, 2013

CASH ON HAND1. Investments/General Fund

Local Agency Investment Fund	\$ 7,351,472
Subtotal	\$ 7,351,472

2. Investments/Transportation Fund

Local Agency Investment Fund	\$ 427,154
Subtotal	\$ 427,154

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

Petty Cash Funds	\$ 805
Analyzed Checking Account	\$ 124,358
Subtotal	\$ 125,163
TOTAL	\$ 7,903,789

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 04/15/2013, your Local Agency Investment Fund account has been directly credited with the interest earned on your deposits for the quarter ending 03/31/2013.

Earnings Ratio		.00000773831888202
Interest Rate		0.28%
Dollar Day Total	\$	699,067,884.80
Quarter End Principal Balance	\$	7,773,216.02
Quarterly Interest Earned	\$	5,409.61

State of California
Pooled Money Investment Account
Market Valuation
3/31/2013

Description	Carrying Cost Plus Accrued Interest Purch.	Amortized Cost	Fair Value	Accrued Interest
United States Treasury:				
Bills	\$ 21,165,387,450.46	\$ 21,181,217,814.80	\$ 21,185,525,200.00	NA
Notes	\$ 14,733,699,502.59	\$ 14,733,469,530.25	\$ 14,770,548,500.00	\$ 16,932,798.50
Federal Agency:				
SBA	\$ 524,324,861.45	\$ 524,322,142.49	\$ 523,724,167.09	\$ 531,099.13
MBS-REMICs	\$ 222,646,880.61	\$ 222,646,880.61	\$ 241,956,434.99	\$ 1,064,470.37
Debentures	\$ 1,050,241,287.46	\$ 1,050,238,537.46	\$ 1,050,972,000.00	\$ 1,745,946.00
Debentures FR	\$ -	\$ -	\$ -	\$ -
Discount Notes	\$ 6,193,549,777.78	\$ 6,197,864,972.34	\$ 6,199,101,000.00	NA
GNMA	\$ 1,353.93	\$ 1,353.93	\$ 1,365.19	\$ 14.06
IBRD Debenture	\$ 399,971,694.00	\$ 399,971,694.00	\$ 400,828,000.00	\$ 583,332.00
IBRD Deb FR	\$ -	\$ -	\$ -	\$ -
CDs and YCDs FR	\$ 400,000,000.00	\$ 400,000,000.00	\$ 400,000,000.00	\$ 254,511.11
Bank Notes	\$ -	\$ -	\$ -	\$ -
CDs and YCDs	\$ 5,650,034,759.91	\$ 5,650,016,843.25	\$ 5,647,574,286.13	\$ 1,747,444.45
Commercial Paper	\$ 3,349,197,409.73	\$ 3,349,593,979.26	\$ 3,348,966,798.61	NA
Corporate:				
Bonds FR	\$ -	\$ -	\$ -	\$ -
Bonds	\$ -	\$ -	\$ -	\$ -
Repurchase Agreements	\$ -	\$ -	\$ -	\$ -
Reverse Repurchase	\$ -	\$ -	\$ -	\$ -
Time Deposits	\$ 4,339,640,000.00	\$ 4,339,640,000.00	\$ 4,339,640,000.00	NA
AB 55 & GF Loans	\$ 712,079,191.43	\$ 712,079,191.43	\$ 712,079,191.43	NA
TOTAL	\$ 58,740,774,169.35	\$ 58,761,062,939.82	\$ 58,820,916,943.44	\$ 22,859,615.62

Fair Value Including Accrued Interest

\$ 58,843,776,559.06

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 (1.0010186).
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 \$20,020,371.99 or \$20,000,000.00 x 1.0010186.

6.4 WARRANT REGISTER

**CITY OF LAGUNA WOODS
WARRANT REGISTER
May 15, 2013**

Check Number	Check Date	Vendor Name	Description	Amount
PREPAID WARRANTS:				
<i>Automatic Bank Debits</i>				
Debit	04/11/2013	ADP PAYROLL SERVICES	Pay Period Ended 4/5/2013	32,584.42
Debit	04/11/2013	ICMA RETIREMENT CORPORATION	Pay Period Ended 4/5/2013	1,679.43
Debit	04/11/2013	ADP PAYROLL SERVICES	Processing Charges/Payroll 4/5/2013	122.12
Debit	04/25/2013	ADP PAYROLL SERVICES	Pay Period Ended 4/19/2013	32,975.58
Debit	04/25/2013	ICMA RETIREMENT CORPORATION	Pay Period Ended 4/19/2013	1,679.43
Debit	04/25/2013	ADP PAYROLL SERVICES	Processing Charges/Payroll 4/19/2013	125.40
<i>Other</i>				
113297	04/17/2013	CALIFORNIA YELLOW CAB	Non-Emergency Medical Transport/March 2013	5,917.00
113298	04/17/2013	CIVIL SOURCE	Engineering Service/March 2013	880.00
113299	04/17/2013	COPYFORCE	Printing/Building & Safety Documents	1,354.32
113300	04/17/2013	ROBERT NOEL HATCH	Auto Allowance/April 2013	300.00
113301	04/17/2013	SCHAEF AIR	CDBG Energy Efficiency Program	1,700.00
113302	04/17/2013	SOUTH COUNTY OUTREACH	Community Services Grant/2nd Quarter/2013	5,000.00
113303	04/17/2013	THE GAS COMPANY	City Hall Utilities/March 2013	55.09
113304	04/24/2013	AFLAC	Employee Benefit Program/May 2013	153.50
113305	04/24/2013	AGE WELL SENIOR SERVICES	Community Services Grant/2nd Quarter/2013	18,750.00
113306	04/24/2013	AT&T	Telephone/581-3974/March 2013	78.04
113307	04/24/2013	AT&T	Telephone/583-1105/March 2013	15.96
113308	04/24/2013	AT&T	Telephone/458-3487/April 2013	32.54
113309	04/24/2013	THE BEE DETECTIVE	Building Maintenance	50.00
113310	04/24/2013	BLUEPRINT TECHNOLOGIES	Telephone System Maintenance	67.50
113311	04/24/2013	CAA	Water Quality/Code Enforcement Services/March 2013	4,140.50

**CITY OF LAGUNA WOODS
WARRANT REGISTER
May 15, 2013**

Check Number	Check Date	Vendor Name	Description	Amount
113312	04/24/2013	CITY OF LAGUNA BEACH	Animal Services/April 2013	7,232.75
113313	04/24/2013	CIVIL SOURCE	Engineering Services/City Hall Generator/March 2013	330.00
113314	04/24/2013	NICHOLAS R CLARKE	Waste Diversion Deposit Refund/BP 33520B/35521B	500.00
113315	04/24/2013	EL TORO WATER DISTRICT	City Hall Utilities/April 2013	28.00
113316	04/24/2013	EL TORO WATER DISTRICT	City Hall Utilities/April 2013	103.63
113317	04/24/2013	FOLEY, PATRICK	Mileage Reimbursement	18.08
113318	04/24/2013	HERMA GOLDSTEIN	Taxi Voucher Refund	26.50
113319	04/24/2013	GOVERNMENT OUTREACH	Code Enforcement Software	2,000.00
113320	04/24/2013	ICMA RETIREMENT CORPORATION	Plan Administration/April-June 2013	125.00
113321	04/24/2013	KONE INC.	Elevator Maintenance/April 2013	227.37
113322	04/24/2013	LOS ANGELES TIMES	Newspaper Delivery/May 2013	80.00
113323	04/24/2013	K.T. MAC QUILLIAN	Waste Diversion Deposit Refund/BP 33629C	250.00
113324	VOID	VOID	VOID	-
113325	04/24/2013	MUNICIPAL CODE CORP	Annual Municode Internet Fee	500.00
113326	04/24/2013	MYKATON CONSTRUCTION	Waste Diversion Deposit Refund/BP 35274C	250.00
113327	04/24/2013	NIEVES LANDSCAPE, INC.	Landscape Maintenance/April 2013	10,725.41
113328	04/24/2013	PRINCIPAL FINANCIAL GROUP	Employee Benefit Program/May 2013	389.39
113329	04/24/2013	REILLY, DOUGLAS C.	Employee Benefit/Mileage Reimb./Jan. - Apr. 2013	324.19
113330	04/24/2013	SADDLEBACK WINDOWS AND DOORS	CDBG Energy Efficiency Program	31,086.00
113331	04/24/2013	SCOTT FAZEKAS & ASSOCIATES	Building Plan Check/March 2013	1,100.00
113332	04/24/2013	SOUTHERN CALIFORNIA EDISON	Irrigation Controllers/April 2013	99.30
113333	04/24/2013	TRAUMA INTERVENTION PROGRAM	Community Services Grant/2nd Quarter/2013	1,250.00
113334	05/01/2013	CALPERS - HEALTH	Employee Benefit Program/May 2013	3,707.55
113335	05/01/2013	CALPERS - RETIREMENT	Retirement Contributions/Pay Period Ending 4/19/13	5,574.91
113336	05/01/2013	CAPTIONING UNLIMITED	Closed Captioning/Council Meeting/April 2013	200.00

**CITY OF LAGUNA WOODS
WARRANT REGISTER
May 15, 2013**

Check Number	Check Date	Vendor Name	Description	Amount
113337	05/01/2013	DAVID EVANS & ASSOCIATES INC.	Moulton Smart Street/Phase 2/March 2013	10,325.33
113338	05/01/2013	DELTA DENTAL OF CALIFORNIA	Employee Benefit Program/May 2013	497.29
113339	05/01/2013	MARC DONOHUE	Employee Benefit Program/Notary Live Scan Fees	1,476.10
113340	05/01/2013	EL TORO WATER DISTRICT	Ridge Route Park/April 2013	401.80
113341	05/01/2013	EL TORO WATER DISTRICT	Dog Park/April 2013	20.68
113342	05/01/2013	GOLDEN RAIN FOUNDATION	GP-783 Deposit Refund	1,112.50
113343	05/01/2013	JAMES HASTON	Mileage Reimbursement/April 2013	24.35
113344	05/01/2013	YOUN HYUN	Waste Diversion Deposit Refund/BP 35242B	250.00
113345	05/01/2013	JONES, ERNESTINE	Employee Benefit Program/CMTA Annual Conference	1,169.25
113346	05/01/2013	BRIAN KURNOW	Mileage/PDAOOC Meeting Reimbursement	41.69
113347	05/01/2013	MANAGED HEALTH NETWORK	Employee Benefit Program/May 2013	22.23
113348	05/01/2013	MAW 'N PAW KETTLECORN	Community Movie Event/Refreshments/May 2013	60.00
113349	05/01/2013	MUNICIPAL CODE CORP	Municipal Code Update	1,533.34
113350	05/01/2013	OCWD FOR O.C. WATER SUMMIT	Orange County Water District Summit Meeting/Hack	115.00
113351	05/01/2013	TERESE S OLIVER	Legal Services/March 2013	3,940.74
113352	05/01/2013	ORANGE COUNTY CLERK-RECORDER	Notice of Exemption Fee/GP-802	50.00
113353	05/01/2013	O.C. TREASURER - STREETS	Street Maintenance	110.92
113354	05/01/2013	PEAK LIGHTING & ELECTRIC, INC	Streetlight Maintenance/April 2013	704.52
113355	05/01/2013	SBLI OF MASSACHUSETTS	Employee Benefit Program/April - June 2013	203.06
113356	05/01/2013	JENG SEUNG	Waste Diversion Deposit Refund/BP 33500C	250.00
113357	05/01/2013	SONITROL	Alarm Monitoring/May 2013	58.91
113358	05/01/2013	SOUTHERN CALIFORNIA EDISON	City Centre Park/April 2013	25.89
113359	05/01/2013	SOUTHERN CALIFORNIA EDISON	City Hall Utilities/April 2013	994.25
113360	05/01/2013	SOUTHERN CALIFORNIA EDISON	Ridge Route Park/April 2013	25.94
113361	05/01/2013	THE FOUNDATION OF LAGUNA WOODS	Community Services Grant/2nd Quarter/2013	3,750.00

CITY OF LAGUNA WOODS
WARRANT REGISTER
May 15, 2013

Check Number	Check Date	Vendor Name	Description	Amount
113362	05/01/2013	TRAILS4ALL	Inner-Coastal Watershed Clean-Up	750.00
113363	05/01/2013	VANTAGEPOINT TRANSFER AGT-457	457 Plan Contributions/April 2013	1,950.00
113364	05/01/2013	VISION SERVICE PLAN OF AMERICA	Employee Benefit Program/May 2013	137.03
113365	05/01/2013	WAGE WORKS	Benefit Administration/April 2013	50.00
113366	05/08/2013	AT&T	White Pages/May 2013	3.81
113367	05/08/2013	ATKINS NORTH AMERICA, INC.	Wildland-Urban Interface Area Services/March 2013	4,380.00
113368	05/08/2013	BRAILLE INSTITUTE	Community Services Grant/2nd Quarter/2013	5,000.00
113369	05/08/2013	CAPTIONING UNLIMITED	Closed Captioning/Council Meeting/May 1, 2013	200.00
113370	05/08/2013	COMMPRO	Internet Website Services	112.50
113371	05/08/2013	DAYLE MCINTOSH CENTER	Community Services Grant/2nd Quarter/2013	2,500.00
113372	05/08/2013	THOMAS D KOCH	Waste Diversion Deposit Refund/BP 35203C	250.00
113373	VOID	VOID	VOID	-
113374	05/08/2013	LANGDON DEVELOPMENT, INC.	Waste Diversion Deposit Refund/BP 34870B	1,150.00
113375	05/08/2013	LAURA'S HOUSE	Community Services Grant/2nd Quarter/2013	625.00
113376	05/08/2013	K.T. MAC QUILLIAN	Waste Diversion Deposit Refund/BP 34266D	900.00
113377	05/08/2013	MICHAEL BRANDMAN ASSOCIATES	Planning Services/Specific Plan/March 2013	6,757.50
113378	05/08/2013	MYKATON CONSTRUCTION	Waste Diversion Deposit Refund/BP 35377D	1,150.00
113379	05/08/2013	NIEVES LANDSCAPE, INC.	Landscape Maintenance	1,037.25
113380	05/08/2013	ORKIN	Pest Control Services/May 2013	92.93
113381	05/08/2013	SADDLEBACK WINDOWS AND DOORS	CDBG Energy Efficiency Program	26,052.00
113382	05/08/2013	SOUTH COAST PRINTER CARE	Printer Repair	85.00
113383	VOID	VOID	VOID	-
113384	05/08/2013	SOUTHERN CALIFORNIA EDISON	Ridge Route Park/April 2013	26.76
113385	05/08/2013	SOUTHERN CALIFORNIA EDISON	Traffic Signal Controllers/April 2013	1,337.04
113386	05/08/2013	TAUBENPOST, INC	Mailing Services/CUP-872	220.06

**CITY OF LAGUNA WOODS
WARRANT REGISTER
May 15, 2013**

Check Number	Check Date	Vendor Name	Description	Amount
113387	05/08/2013	JAMES PINGYA TUNG	Waste Diversion Deposit Refund/BP 35680C	250.00
113388	05/08/2013	WM CURBSIDE, LLC	Waste Collection/March 2013	4,911.46
113389	05/08/2013	KONICA MINOLTA	Copier Lease/May 2013	483.84
113390	05/08/2013	SOUTHERN CALIFORNIA EDISON	Residential Streetlights/United/April 2013	1,319.94
Total Prepaid Warrants				<u>262,684.82</u>
REGULAR WARRANTS:				
113391	05/08/2013	ALLIED MECHANICAL AIR SYS, INC	Building Maintenance/HVAC	278.00
113392	05/08/2013	AT&T	Telephone/452-0600/April 2013	345.35
113393	05/08/2013	AT&T	Telephone/639-0500/April 2013	186.19
113394	05/08/2013	AT&T	Telephone/770-9359/April 2013	16.13
113395	05/08/2013	COMMPRO	Website Hosting/Services/May 2013	745.00
113396	05/08/2013	CYNTHIA CONNERS	Auto Allowance/May 2013	300.00
113397	05/08/2013	EL TORO WATER DISTRICT	Irrigation/April 2013	3,710.02
113398	05/08/2013	GREAT CLEANING SERVICE	Janitorial Services/April 2013	988.33
113399	05/08/2013	ROBERT NOEL HATCH	Auto Allowance/May 2013	300.00
113400	05/08/2013	NIEVES LANDSCAPE, INC.	Landscape Maintenance	250.00
113401	05/08/2013	OFFICEMAX INC	Office Supplies/Copier Paper	263.15
113402	05/08/2013	ORANGE COUNTY TREASURER-SHERIFF	Sheriff Services/Communication Charges/April 2013	111,213.00
113403	05/08/2013	ORANGE COUNTY TREASURER-SHERIFF	Communication Charges/3rd Qtr/Fiscal Year 2012-13	96.00
113404	05/08/2013	NONI PARKER	Taxi Voucher Refund	50.00
113405	05/08/2013	PV MAINTENANCE INC	Street Maintenance/March 2013	11,581.86
113406	05/08/2013	RING, ROBERT	Auto Allowance/May 2013	300.00
113407	05/08/2013	SYNOPTTEK	IT Services/May 2013	1,215.00

CITY OF LAGUNA WOODS
WARRANT REGISTER
May 15, 2013

Check Number	Check Date	Vendor Name	Description	Amount
113408	05/08/2013	WLC ARCHITECTS	City Hall Generator Project/March 2013	1,490.62
Total Regular Warrants				<u>133,328.65</u>
Total Register				396,013.47

6.5
PHASE 1 MOULTON SMART STREET PROJECT:
FIRE DEPARTMENT CONNECTION
(No Report)

**AGREEMENT FOR CONSULTANT SERVICES
BETWEEN THE
CITY OF LAGUNA WOODS
AND
TERESE SCANLON OLIVER
FOR RED LIGHT PHOTO ENFORCEMENT LEGAL SERVICES**

This AGREEMENT FOR CONSULTANT SERVICES ("AGREEMENT") is made and entered into this 15th day of May 2013, by and among the City of Laguna Woods, a California municipal corporation ("CITY"), and Terese Scanlon Oliver, an individual ("CONSULTANT").

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

SECTION 1. SERVICES OF CONSULTANT

1.1 Scope of Services. In compliance with all of the terms and conditions of this AGREEMENT, CONSULTANT shall provide legal services to CITY relating to CITY's red light photo enforcement program. In connection therewith, and on an "as needed" basis, CONSULTANT shall do all of the following:

1. Coordinate with CITY's law enforcement officials on the collection, review, and admissibility of evidence collected from CITY's red light photo enforcement program;
2. Serve as CITY's legal counsel in legal proceedings on prosecuted infractions in any court proceedings or court-affiliated programs related to the red light photo enforcement program; and
3. Provide a monthly reporting to CITY of the number of cases CONSULTANT has prosecuted, and the results of each, including name, case number, and disposition.

When and as authorized by the Orange County District Attorney pursuant to Government Code Section 41803.5(a), CONSULTANT may represent the People of the State of California for criminal cases occurring within the City of Laguna Woods relating to the red light photo enforcement program. In such role, CONSULTANT shall exercise all prosecutorial discretion authorized or required by State law, which shall include but not be limited to, being free of third party influence. Accordingly, no officer or employee of CITY (e.g., CITY's City Manager, CITY's City Attorney, CITY's City Council, or CITY's CONTRACT OFFICER) shall direct CONSULTANT as to the how to prosecute, conduct, or dispose of such cases.

The above listing of CONSULTANT services is illustrative, not exclusive, and CONSULTANT may be asked to perform other tasks in connection with the CITY's legal needs as CITY may from time to time deem necessary or advisable. CONSULTANT warrants that all

work and services will be performed timely, and in a competent, professional, timely, and satisfactory manner.

It is understood and agreed that CITY reserves the right and sole and absolute discretion to contract with other parties for any and all legal services, including those specified in this AGREEMENT. This AGREEMENT does not state, convey, imply or infer a specific, minimum or expected amount of work or compensation.

1.2 Term. This AGREEMENT shall be effective from May 15, 2013, and shall continue in full force and effect until June 30, 2015, unless extended by mutual consent, or until otherwise terminated pursuant to this AGREEMENT. Once effective, this AGREEMENT shall supersede any and all prior agreements between the parties.

1.3 Compliance With Law. Consistent with Section 1.1 above, all work and services rendered hereunder shall be provided in accordance with applicable ordinances, resolutions, statutes, rules, and regulations of CITY and any Federal, State, or local governmental agency of competent jurisdiction.

1.4 License, Permits, Fees and Assessments. CONSULTANT shall obtain at her sole cost and expense such licenses, permits, and approvals as may be required by law for the performance of the services required by this AGREEMENT.

1.5 Professional Liability Insurance. CONSULTANT shall maintain professional liability insurance that covers the services to be performed in connection with this AGREEMENT, in the minimum amount of \$100,000 per claim and \$300,000 in the aggregate. Any policy inception date, continuity date, or retroactive date must be before the effective date of this AGREEMENT and maintained at all times throughout the term of this AGREEMENT. CONSULTANT shall also procure and maintain, at her own cost and expense, any additional kinds of insurance, which in her own judgment may be necessary for her proper protection and prosecution of the work. Evidence of coverage shall be provided to CITY in the form of a certificate of insurance naming CITY as a certificate holder. In the event CONSULTANT, consistent with Section 3.2 below, subcontracts or assigns any of CONSULTANT's duties hereunder, any such subcontractor or assignee must have professional liability insurance coverage in the amounts, or greater amounts, as provided herein, and such insurance must include coverage for the services to be performed under this AGREEMENT. It shall be the responsibility of CONSULTANT to confirm the existence of such insurance coverage prior to any such subcontracting or assignment.

1.6 Indemnification. When the law establishes a professional standard of care for CONSULTANT's services, to the fullest extent permitted by law, CONSULTANT shall indemnify, protect, defend and hold harmless CITY and any and all of its officials, employees and agents ("INDEMNIFIED PARTIES") from and against any and all losses, liabilities, damages, costs and expenses, including legal counsel's fees and costs to the extent same are caused in whole or in part by any negligent or wrongful act, error or omission of CONSULTANT, her officers, agents, employees or subcontractors (or any agency or individual

that CONSULTANT shall bear the legal liability thereof) in the performance of professional services under this agreement.

SECTION 2. COMPENSATION

2.1 Contract Sum. For the services rendered pursuant to this AGREEMENT, CONSULTANT shall be paid for all work performed, an hourly rate of Ninety dollars (\$90.00). Such sum shall be paid only for hours actually worked, and shall exclude all travel time, including but not limited to, to and from CITY's offices and court appearance. CONSULTANT shall also be reimbursed, at cost without markup, for court fees; document reproduction; and, training expenses authorized by CITY in writing, incurred in the performance of this AGREEMENT.

2.2 Method of Payment. No later than the last day of each month CONSULTANT shall furnish to CITY an invoice for all work performed and expenses incurred during the preceding month. Such invoices shall reflect the amount of time spent, a detailed narrative of all services performed, and the amount of total charges, including any agreed reimbursable costs. Provided that CONSULTANT is not in default under the terms of this AGREEMENT, CONSULTANT shall be paid within thirty (30) days of receipt of each invoice and the corresponding monthly reporting specified in Section 1.1(3) of this AGREEMENT. Invoices that include reimbursements as provided for in Section 2.1 of this AGREEMENT shall also be accompanied by receipts for said costs.

SECTION 3. COORDINATION OF WORK

3.1 Contract Officer. CITY's City Manager is hereby designated as the representative of CITY authorized to act in its behalf with respect to the work and services specified herein ("CONTRACT OFFICER"). CITY's CONTRACT OFFICER may be redesignated by CITY's City Council or CITY's City Manager at any time, by written notice to CONSULTANT.

3.2 Assignment and Subcontracting. CONSULTANT shall not assign or transfer this AGREEMENT or any portion of this AGREEMENT or the performance of any of CONSULTANT's duties or obligations under this AGREEMENT without the prior written approval of the CITY's City Council or CITY's CONTRACT OFFICER. Any attempted assignment shall be ineffective, null and void, and shall constitute a material breach of this AGREEMENT entitling CITY to any and all remedies at law or in equity, including summary termination of this AGREEMENT. CITY acknowledges, however, that CONSULTANT, in the performance of her duties pursuant to this AGREEMENT, may utilize subcontractors. CONSULTANT shall be solely liable and responsible for the actions, conduct, and performance of subcontractors, including but not limited to ensuring their compliance with this AGREEMENT.

3.3 Independent Contractor. CONSULTANT shall perform all work and services required herein as an independent contractor of CITY and shall remain under only such obligations as are consistent with that role. CONSULTANT shall not at any time or in any manner represent that she is an employee of the CITY.

SECTION 4. MISCELLANEOUS

4.1 Covenant Against Discrimination. CONSULTANT covenants that, by and for herself, her heirs, executors, assigns and all persons claiming under or through them, that there shall be no discrimination against, or segregation of, any person or group of persons on account of race, color, creed, religion, sex, marital status, national origin, age, physical handicap, medical condition, marital status, or ancestry in connection with or related to the performance of this AGREEMENT.

4.2 Non-liability of CITY Officers and Employees. No officer or employee of CITY shall be personally liable to CONSULTANT, or any successor in interest, in the event of any default or breach by CITY or for any amount that may become due to CONSULTANT or to her successor, or for breach of any obligation of the terms of this AGREEMENT.

4.3 Conflict of Interest. No officer or employee of CITY shall have any financial interest, direct or indirect, in this AGREEMENT, nor shall any such officer or employee participate in any decision relating to this AGREEMENT which affects his or her financial interest or the financial interest of any corporation, partnership or association in which he or she is, directly or indirectly, interested, in violation of any State statute or regulation. CONSULTANT warrants that it has not paid or given and will not pay or give, any third party any money or other consideration for obtaining this AGREEMENT.

4.4 Notice. Any notice, demand, request, document, consent, approval, or communication either party desires or is required to give to the other party or any other person shall be in writing and either served personally or sent by prepaid, first-class mail, in the case of CITY, to the City Manager, City of Laguna Woods 24264 El Toro Road Laguna Woods, CA 92637, with a copy to David B. Cosgrove, Esq., Rutan & Tucker, 611 Anton Boulevard, Suite 1400, Costa Mesa, CA 92626, and in the case of CONSULTANT, to the person at the address designated on the execution page of this AGREEMENT.

4.5 Interpretation. The terms of this AGREEMENT shall be construed in accordance with the laws of the State of California and with the meaning of the language used and shall not be construed for or against either party by reason of the authorship of this AGREEMENT.

4.6 Integration; Amendment. It is understood that there are no oral agreements between the parties hereto affecting this AGREEMENT and this AGREEMENT supersedes and cancels any and all previous negotiations, arrangements, agreements and understanding, if any, between the parties, and none shall be used to interpret this AGREEMENT. This AGREEMENT may be amended at any time only by the mutual consent of the parties and only by an instrument in writing.

4.7 Severability. In the event that part of this AGREEMENT shall be declared invalid or unenforceable by a valid judgment or decree of a court of competent jurisdiction, such invalidity or inability to enforce shall not affect any of the remaining portions of this AGREEMENT which are hereby declared as severable and shall be interpreted to carry out the

intent of the parties hereunder unless the invalid provision is so material that its invalidity deprives either party of the basic benefit of their bargain or renders this AGREEMENT meaningless.

4.8 Waiver. No delay or omission in the exercise of any right or remedy by a non-defaulting party on any default shall impair such right or remedy or be construed as a waiver. A party's consent to or approval of any act by the other party requiring the party's consent or approval shall not be deemed to waive or render unnecessary the other party's consent to or approval of any subsequent act. Any waiver by either party of any default must be in writing and shall not be a waiver of any other default concerning the same or any other provision of this AGREEMENT.

4.9 Attorney's Fees. If either party to this AGREEMENT is required to initiate or defend or made a party to any action or proceeding in any way connected with this AGREEMENT, the prevailing party in such action or proceeding, in addition to any other relief which may be granted, whether legal or equitable, shall be entitled to reasonable attorney's fees, whether or not the matter proceeds to judgment.

4.10 Termination. This AGREEMENT may be terminated by either party giving thirty (30) days notice in writing to the other party and sent by registered mail to the principal place of business that such notice is addressed. After the expiration of the thirty (30) day interval following notice, no rights or liabilities shall arise out of this relationship, regardless of expenses which may have been made for future endeavors, and any task undertaken by CONSULTANT on written CITY authorization, and still uncompleted at the expiration of the notice period, shall be carried to completion by CONSULTANT and paid for by CITY at rates provided hereunder, unless mutually agreed in writing to the contrary, in accordance with the provisions herein.

4.11 Arbitration. In the event of any dispute(s) arising out of the performance of the services contemplated in this AGREEMENT, whether regarding quality or quantity, billings, or other matters, such dispute(s) shall be submitted to binding arbitration, and both CITY and CONSULTANT waive any and all rights which they may have to have such dispute submitted to, and decided by, a jury. Such dispute(s) shall be submitted to binding arbitration in the County of Orange, State of California, before an arbitrator mutually selected by CITY and CONSULTANT. In the event any dispute arises, either party may submit the dispute to binding arbitration by providing written notice to the other, which notice shall include the nature of the dispute, and the aggrieved party's request/demand from the other as to the action required to resolve the dispute. Thereafter, the parties shall meet and confer in an attempt to resolve the dispute(s), and if it cannot be resolved within thirty (30) days, each party shall simultaneously provide the other in writing a list of three (3) arbitrators acceptable to the party for resolution of the dispute. In the event the parties are unable to agree upon an arbitrator within five (5) business days of the exchange of lists of arbitrator candidates, the matter will be submitted to the Orange County office of JAMS/Endispute, who shall within three (3) business days thereafter provide the parties with a list of three arbitrators. Each party shall strike one name from the list, and the remaining name shall be the arbitrator who will serve to finally resolve the dispute. Fee disputes shall be arbitrated according to the arbitration rules of the Orange County Bar Association, if any, then in effect, and if none are then in effect, then in accordance with the rules of

JAMS/Endispute in Orange County, California. The decision of the arbitrator will be final and binding, and both parties specifically waive any and all appeal, whether judicial or otherwise, therefrom. There shall be no pre-arbitration discovery apart from the exchange of documents, unless otherwise ordered by the arbitrator. The arbitrator shall determine the amount of any award of costs or attorneys fees to be awarded to the prevailing party hereunder. Notwithstanding any of the foregoing, neither party waives any rights or remedies it may have under the California State Bar Mandatory Fee Arbitration statutes, and in the event of any conflict between this Agreement and such statutes, the latter shall control.

4.12 Corporate Authority. The persons executing this AGREEMENT on behalf of the parties hereto warrant that (i) such party is duly organized and existing, (ii) they are duly authorized to execute and deliver this AGREEMENT on behalf of said party, (iii) by so executing this AGREEMENT, such party is formally bound to the provisions of this AGREEMENT, and (iv) the entering into this AGREEMENT does not violate any provision of any other AGREEMENT to which said party is bound.

IN WITNESS WHEREOF, the parties have executed and entered into this Agreement and by signature below:

CITY OF LAGUNA WOODS:

By _____
 Leslie A. Keane, City Manager _____
 Date _____

CONSULTANT:

By _____
 Terese Scanlon Oliver _____
 17822 Seventeenth Street _____
 Tustin, CA 92780 _____
 Date _____

APPROVED AS TO FORM:

 David B. Cosgrove, City Attorney _____
 Date _____

7.1

**CONDITIONAL USE PERMIT APPLICATION
(CUP-872); GENEVA PRESBYTERIAN CHURCH
PRESCHOOL LOCATED AT 24301 EL TORO RD**

City of Laguna Woods Agenda Report

FOR: May 15, 2013 City Council Meeting

TO: Chairman and Members of the Land Use and Design Review Committee

FROM: Leslie Keane, City Manager

AGENDA ITEM: Conditional Use Permit application CUP-872; Geneva Presbyterian Church Preschool located at 24301 El Toro Road.

Recommendation

- A. Receive Staff Report
- B. Open Public Hearing
- C. Receive Public Comment
- D. Close Public Hearing
- E. Approve a resolution related to a conditional use permit for Geneva Presbyterian Church, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LAGUNA WOODS, CALIFORNIA, APPROVING A
CONDITIONAL USE PERMIT (CUP-872) TO ESTABLISH A
PRESCHOOL AT THE GENEVA PRESBYTERIAN CHURCH
LOCATED AT 24301 EL TORO ROAD

Background

The Geneva Presbyterian Church, located at 24301 El Toro Road, was established on November 23, 1966 by CP-1274 and modified by C-1312 (July 1967), CP-1416 (January 1971) UP85-02Z (July 1985). All of these permits were issued by the County of Orange prior to the City's incorporation.

ITEM 7.1

In July 1999, the church obtained Use Permit PA99-0066 from the City of Laguna Woods, which permitted the construction of a 100 seat chapel, two level choir/multipurpose structure located next to the sanctuary, enclosure of an outdoor space into an additional classroom and a new below grade parking structure to add 88 parking stalls. Of the items in this approval, only the chapel was completed.

The following table outlines the existing structures permitted and the current uses at the Geneva Presbyterian Church site:

Existing Buildings On-Site

Building	Number of Stories	Uses
Sanctuary Building "A"	1	Church Services
Christian Education Building Building "B"	2	Offices, Assembly Hall, Kitchen, Meeting Rooms, Classrooms
Chapel Building "C"	1	Chapel – Special Ceremonies
Administration Building	1	Administrative Offices

Two hundred and sixty-six (266) parking spaces are currently provided on-site and vehicular access to the site is provided via one driveway along El Toro Road and one driveway along Calle Sonora. The current zoning for the subject property is "CF-P" Community Facilities–Private which allows preschools with the approval of a Conditional Use Permit.

Surrounding land uses include the following:

Location	Land Use designation	Land Use
North	RC- Residential Community	Laguna Woods Village
South	HDR – High Density Residential	Whispering Fountains Senior Residential
East	C – Commercial	Town Center Shopping Center
West	RC- Residential Community	Laguna Woods Village

Discussion:

The Church is proposing to operate a preschool – Early Childhood Education (ECE) Center – which would utilize existing classroom space in the Christian Education Building, Building “B” identified on the attached site plan.

Preschool Operation

The ECE, as proposed, would operate from 6:30 a.m. to 6:30 p.m., Monday through Friday, with a maximum of 45 children. The program would utilize the existing outdoor playground area (noted on the site plan) and existing classroom space within Building “B”.

Eight parking spaces, near the proposed ECE entrance are designated for drop-off and pick-up of children, Monday through Friday only so as to not obstruct weekend parking for the sanctuary use.

The previously approved uses located within Building “B” would not occur at the same time as use of the Sanctuary (Building “A”); however, other uses within Building “B” and the Administrative Offices building would operate at the same time as the ECE. The Chapel (Building “C”) would not be used by others during the ECE operation, but might be used by the ECE classes while in session.

Site Alterations

No physical alterations of the site are proposed with this application.

Parking

The existing site currently has 266 parking stalls on-site with access from both El Toro Road and Calle Sonora. The uses currently operating on site was conditioned on this number of parking spaces. For example, Building “A” the sanctuary cannot be used at the same time as Building “B” since the parking lot was designed to accommodate peak use of the sanctuary only without the use of the other buildings on-site. This also means the sanctuary may not be used while other buildings are in use.

As a result of the operational characteristics of the proposed new use, only Building “B” and the Administrative Offices building needed to be evaluated to identify maximum parking demand. The following table provides a breakdown of the parking demand for each respective use within Building “B” and the Administrative Offices in comparison with the total number of parking stalls available on-site.

Parking Calculation Table

Building	Use	Area	Parking Ratio	Total Required
Building "B"	Preschool	45 students 9 employees	1 loading space/8 students plus 2 spaces/3 employees	11.7
	Assembly	5,656 sf.	1 space/35 sf.	207.3
	Storage	659 sf.	1 space/500 sf.	1.3
	Office	2,890 sf.	1 space/250 sf.	19.5
Administration Building	Administrative Office	3,345 sf.	1 space/250 sf.	13.4
*Building "A"	Sanctuary	N/A	N/A	N/A
*Building "C"	Chapel	N/A	N/A	N/A
Total Parking Required				254
Total Parking Provided				266

*These buildings will not be used in conjunction with operations within Building "B" or the Administration Building and will not have an impact on parking.

The proposed project will not exceed the amount of parking provided on-site. The total number of parking stalls required as a result of the proposed new use is 254; 266 spaces are currently provided, resulting in a surplus of 12 parking stalls during the operational period of the ECE.

The proposed project will not require any alteration to the existing parking lot with the exception of the identification of eight loading spaces to be used for drop-off and pick-up.

Noise

The project is not located within the immediate vicinity of any sensitive receptors and should not have a substantial noise impact on any surrounding uses.

Traffic

As proposed, there would be nine employees, each with one AM trip and one PM trip and there would be a maximum of 45 students. Based upon the number of children and staff, a total of 198 trips will be produced by this use. The addition of trips associated with the proposed project has been evaluated by staff in accordance with current traffic levels within the City and the City's CEQA thresholds, and is not expected to have a significant impact on traffic within the City of Laguna Woods.

Environmental Review:

The proposed project is categorically exempt from the requirements for the preparation of environmental documents under section 15301 "Existing Facilities" of the California Environmental Quality Act.

Land Use and Design Review Committee Action:

The Land Use and Design Review Committee reviewed and discussed the proposed application for the preschool at its May 9, 2013 meeting. The Committee posed questions related to traffic capacity on El Toro Road and adherence to the limited number of permitted students. Following discussion, and upon a motion, the Committee voted unanimously to recommend approval of the conditional use permit and proposed conditions.

Conclusion:

The proposed preschool will not be an expansion of the physical building footprint but will be a new use for the church. The primary concerns pertain to parking, noise, and traffic generation. Based upon the operation of the facility there should be no significant impacts related to the use in relation to these concerns. As proposed there will be no impact on City finances or significant negative impacts to the environment.

Prepared by: Brian Kurnow, Planning Manager

Attached: 1. Resolution
 2. Project plans

RESOLUTION NO. 13-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (CUP-872) TO ESTABLISH A PRESCHOOL AT THE GENEVA PRESBYTERIAN CHURCH LOCATED AT 24301 EL TORO ROAD

WHEREAS, the project applicant has requested a Conditional Use permit to establish a preschool at the Geneva Presbyterian Church in accordance with Section 13.24.030 of the Municipal Code; and

WHEREAS, the proposed project is categorically exempt from the requirements for the preparation of environmental documents under Section 15301 "Existing Facilities" of the California Environmental Quality Act; and

WHEREAS, the Land Use and Design Review Committee, in a public meeting on May 9, 2013 considered the Conditional Use Permit and recommended City Council approval subject to certain conditions; and

WHEREAS, the City Council held a duly noticed public hearing on May 15, 2013, to consider the Conditional Use Permit; and

WHEREAS, the City Council at such public hearing received comments from all those in attendance wishing to speak; and

WHEREAS, the City Council has considered the information and public testimony presented in the public hearings and in the proposed documents and staff reports, all of which are included in the public record and incorporated herein by reference; and

WHEREAS, the City Council makes the following findings subject to the conditions of approval:

1. The proposed use and project is consistent with the City of Laguna Woods General Plan; and

2. The use, activity or improvements proposed are consistent with the provisions of the City Zoning Code; and
3. The approval of the permit application is in compliance with the requirements of the California Environmental Quality Act; and
4. The location, size, design and operating characteristics of the proposed use will not create conditions or situations that may be incompatible with other permitted uses in the vicinity; and
5. The approval of the permit application will not result in conditions or circumstances contrary to the public health, safety and the general welfare; and
6. The approval of the permit application is in compliance with all City-required public facilities regulations, and
7. The proposed off-street parking facilities comply with the intent of the Zoning Code related to parking requirements.

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

SECTION 1. The above recitals are true and correct.

SECTION 2. Based on the information presented by the applicant, public testimony at the public hearing and staff report analysis, the City Council approves conditional use permit application CUP-872 subject to the following conditions:

GENERAL PROJECT CONDITIONS

1. This permit (Conditional Use Permit CUP 872) is issued to establish a preschool within the existing facilities at the Geneva Presbyterian Church with a maximum enrollment of 45 students. The preschool hours of operation are limited to Monday through Friday from 6:30am to 6:30pm with classes from 8:30am to 11:30am. All applicable City standards and conditions of that approval shall be in place unless specifically superseded

by the project conditions referenced within. The proposed expansion shall be in conformance with the site plans stamped approved on May XX, 2013.

2. The applicant, or successor in interest, shall abide by and faithfully comply with any and all conditions of this permit. Failure to comply with the conditions of this permit constitutes grounds for revocation of said permit by the City of Laguna Woods City Council.
3. The applicant, or successor in interest, shall agree, as a condition of issuance of this permit, to at its sole expense, defend, indemnify, and hold harmless the City, its officers, employees, agents and consultants from any claim, action, or proceeding against the City, its officers, agents, and employees to attach, set aside, void or annul an approval of the City Council, Planning Agency, or other decision-making body, or staff action concerning this project. The applicant shall pay the City's defense costs and shall reimburse the City for court costs and attorney fees that the City may be required by a court to pay as a result of such defense. The applicant may at its sole discretion participate in the defense or any such action under this condition.
4. In the event a legal challenge to the discretionary approval is successful, and an award of attorney fees is made the challenger, the applicant shall be responsible to pay the full amount of such an award.
5. The conditional use permit is granted for the property as described in the application and shall not be transferable from one parcel to another.
6. This conditional use permit shall become null and void within 24 months from the date of its issuance, unless the proposed development or use has been diligently pursued. The issuance of a grading, foundation, or building permit for structural construction shall be a minimum requirement for evidence of diligent pursuit.
7. The development or use by the Developer of any activity or structure authorized by this permit shall constitute acceptance of all of the conditions and obligations imposed by the City on this permit. The Developer by said acceptance waives any challenge as to the validity of these conditions.
8. The applicant and applicant's successors in interest shall be fully responsible for knowing and complying with all conditions of approval, including making

known the conditions to City staff for future governmental permits or actions on the project site.

9. The applicant and applicant's successors in interest shall be responsible for payment of all applicable fees along with reimbursement for all City expense in ensuring compliance with these conditions. Fees shall be due within 60 days of approval or prior to final approval of related building permits, whichever occurs first.

PLANNING STANDARD CONDITIONS

10. This approval constitutes approval of the project only to the extent that it complies with the City Zoning Code and any other applicable City standards. Approval does not eliminate the need for building permits or include any action or finding as to compliance or approval of any other applicable Federal, State or Local ordinance, regulation or requirements.
11. Except as otherwise provided herein, this permit is approved as a precise plan for the location and design of the uses, structures, features, and materials shown on the approved plans. After an application has been approved, a change plan may be submitted to the City's Community Development Director for any relocation, alteration, or addition to any use, structure, feature, or material, not specifically approved in the original application. If the Community Development Director determines that the proposed change complies with the provisions, spirit and intent of this approval action, and that the action would have been the same for the changed plan as for the approved plot plan, he may approve the changed plan without requiring a new public hearing.
12. The applicant and applicant's successors in interest shall record with the County of Orange Recorder a "**Notice of Land Use Restrictions and Conditions**" in a form acceptable to the Community Development Department. A copy of the recorded document shall be submitted to the Community Development Department prior to issuance of building permits or initiation of use.
13. A building permit shall be secured for any new construction or modifications to structures, including interior modifications, authorized by this permit. The applicant shall submit three (3) sets of plans stamped and signed by the

architect or engineer to the Building Department for review, approval and issuance of a building permit.

14. The cover sheet of the building construction documents shall contain the City's conditions of approval and it shall be attached to each set of plans submitted for City approval or shall be printed on the title sheet verbatim.
15. Construction work may not commence before 7 a.m. and must cease by 7 p.m., Monday through Saturday, and no construction activity is permitted on Sundays or Federal holidays.
16. The site must be maintain free of trash, debris and refuse, all graffiti must be removed within 72 hours
17. All project signage shall be reviewed and constructed under separate permits, unless specifically referenced in the planning approval.
18. Prior to issuance of building permits, if applicable the applicant shall pay the applicable Major Thoroughfare and Bridge Fee Program fees in a manner meeting the approval of the Community Development Director.
19. Prior to issuance of building permits, if applicable the applicant shall pay applicable school district developer fees.
20. Prior to issuance of building permits, if applicable the applicant shall pay applicable library developer fees.
21. Prior to issuance of building permits, if applicable the applicant shall submit to the City a "will serve" letter from ETWD for water and sewer.
22. Prior to issuance of building permits, the applicant shall receive approval if applicable from the Department of Health.

PLANNING SPECIAL CONDITIONS

23. The use of the sanctuary and chapel shall not be allowed during the operation of the preschool.
24. The eight loading spaces designated for student drop-off as identified on the approved plans shall only apply during the operation hours of the preschool

from 6:30am to 6:30pm, Monday through Friday with instructional classes from 8:30am to 11:30am, Monday through Friday. During all other hours the loading spaces are to remain available for open usage. Ensure proper signage is provided to notify patrons and guests.

25. The applicant or successor in interest shall be limited to the land use and scheduling assumptions outlined in the agenda report. Any significant alteration to use or schedule shall require additional parking analysis prior to implementation. In the event a parking problem results for site activities, the applicant shall modify and limit the use of on-site facilities to correct the deficiency.

BUILDING AND ENGINEERING

26. All proposed construction and modification associated with the approved project shall comply with the provisions of the California Building Code for new buildings and structures applicable at time of construction.
27. The potential exists that some of the solid waste resulting from the demolition, dismantling, or other deconstruction of the buildings and other structures at the property may be contaminated with materials that render it unsuitable for recycling or reuse. Prior to the issuance of any grading permit or building permit involving the demolition of the existing building, a technical evaluation shall be prepared and submitted to the Director of Public Works to determine the suitability of the solid waste generated by the demolition for recycling or other diversion programs. If it is determined by the technical evaluation that material from the deconstruction of the site is contaminated and prohibited from being recycled by ordinary means, a further evaluation must be conducted to identify and evaluate other feasible methods approved by State law to divert the material from landfills. This may include the delivery of the waste material to other appropriate non-disposal or transformation facilities, such as "waste-to-energy" (WTE) plants.
28. For that solid waste which is determined (through the technical evaluation required in Condition 27 above to be inappropriate for recycling (as that term is defined by California Public Resources Code Section 40180), the project applicant must submit a written plan to the Community Development Director and implement such plan to ensure that 50% of the solid waste material from the project, or the maximum amount feasible as determined by

the technical evaluation, is diverted from the landfill through other methods that comply with State statutes and regulations.

STORMWATER CONDITIONS

29. The applicant, or applicant's successor in interest, shall take all necessary steps to prevent construction and all other non-storm water waste from entering the storm drain system. This may include structural BMPs (best management practices) such as gravel bags around storm drains, sweeping instead of washing down construction areas and the proper handling and disposal of construction materials.
30. The project contractor shall implement, but not be limited to, the following Best Management Practices:
 - Construction work on the project shall be limited to the hours of 7:00 A.M. to 8:00 P.M. Monday through Saturday, with no construction allowed on Sundays or Federal holidays.
 - All construction equipment with a high noise generating potential, including all equipment powered by internal combustion engines, shall be muffled or controlled.
 - All stationary noise generating equipment, such as compressors, shall be located as far as possible to the northwest side of the site.
 - Machinery and mobile equipment, including motors, shall be turned off when not in use.
 - Warming up or positioning of vehicles and truck traffic shall not be permitted prior to the established work hours.
31. The City retains the right to inspect the premises for compliance with the City's storm water programs and NPDES permit requirements.

FIRE CONDITIONS

32. Prior to the issuance of a building permit, the applicant shall submit architectural plans for the review and approval of the Fire Chief if required per the "Orange County Fire Authority Plan Submittal Criteria Form." Please contact the Orange County Fire Authority at (714) 744-0499 for a copy of the Site/Architectural Notes to be placed on the plans prior to submittal.

PASSED, APPROVED AND ADOPTED ON THE 15ST DAY OF MAY 2013.

ROBERT RING, Mayor

ATTEST:

MARC DONOHUE, Deputy City Clerk

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

I, MARC DONOHUE, 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 15st day of May 2013, by the following vote:

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

MARC DONOHUE, Deputy City Clerk



GENEVA :: ECE Center
 Geneva Presbyterian Church
 24301 El Toro Road
 Laguna Woods, CA 92637

SHEET INDEX

SHEET CS	SHEET INDEX GENERAL NOTES SITE INFORMATION BUILDING DATA SCOPE OF WORK PLUMBING(S) VACUITY MAP
SHEET SP1	EXISTING SITE AREA
SHEET 01	FIRST FLOOR PLAN
SHEET 02	SECOND FLOOR PLAN
SHEET 03	PHOTOS

OWNER (MAIN CONTACT)

Edi Robertson
 GENEVA Presbyterian Church
 24301 El Toro Road
 Laguna Woods, CA 92637
 949-943-7466
 edir@geneva.org
 www.geneva.org

VICINITY MAP



EASEMENT(S)

I, _____
 (property owner or owner's authorized agent) confirm that the subject property contains no easement(s), which restrict the use of my property.

Signature (owner or authorized agent)
 Date _____

SCOPE OF WORK

USE EXISTING FACILITIES FOR A SCHOOL. NO CONSTRUCTION REQUIRED.

BUILDING DATA

EXISTING USE: CHURCH/OFFICE
 Two story building
 SQUARE FOOTAGE
 EXISTING: ECE Center - Approximately 1060 sq ft
 (NO CHANGE)

SITE INFORMATION

Assessor Parcel Number - 616-191-04
 Lot 04 of Tract S
 Primary Zoning - CP-P
 Site/Commercial Constraints - None
 Height Limitation - 40' 0"
 Parcel Area - 3.95 Acres
 PAR Limitation - 0.3
 Existing Building Footprint - (NO CHANGE)
 Site Area - 172,022 sq ft
 Existing Coverage - (NO CHANGE)

CODE DATA

2016 California Building Code
 2016 California Electrical Code
 2016 California Mechanical Code
 2016 California Plumbing Code
 2016 California Fire Code
 2016 California Title Code
 2016 California Green Code



GENEVA :: ECE Center
 24301 El Toro Road
 Laguna Woods, Ca 92637
 CONDITIONAL USE PERMIT :: CUP-872

NO.	DESCRIPTION	DATE
3	CUP Application	8/03
2	CUP Application	8/03
1	CUP Application	8/03
1	CUP Application	8/03

MENARCH
 11111 El Camino Real, Suite 100
 San Diego, CA 92121
 Phone: 619-594-1666
 Fax: 619-594-1667
 Web: www.menarch.com
 Email: info@menarch.com

CUP ~ 872

CUP ~ 872



GENEVA :: ECE Center
24301 El Toro Road
Laguna Woods, Ca 92637
CONDITIONAL USE PERMIT :: CUP-872

Rev	Rev	Date
1	CLP Applied	10/14/2013
2	CLP Applied	10/14/2013
3	CLP Applied	10/14/2013

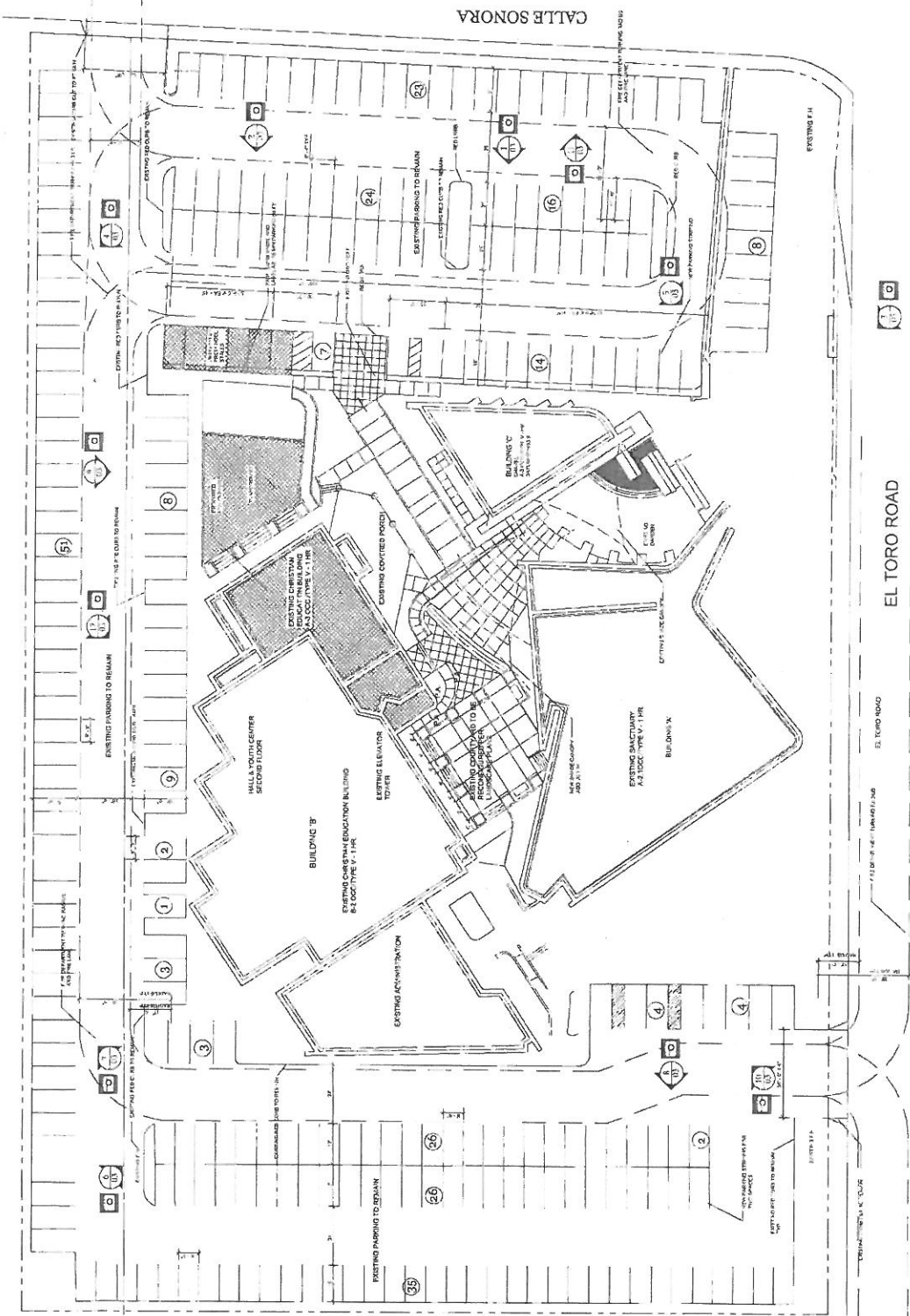
MENARCH
ARCHITECTS
24301 El Toro Road
Laguna Woods, CA 92637
Tel: 714.552.1665
Fax: 714.552.1667
Web: www.menarch.com
Email: info@menarch.com

SITE PLAN

SP1
Project: GENEVA - CUP
Date: 10/13/13
As Noted

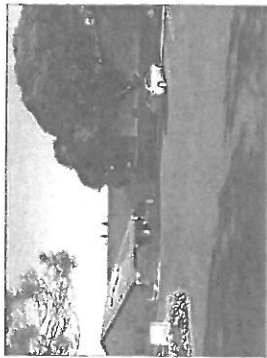
CUP ~ 872

CUP ~ 872



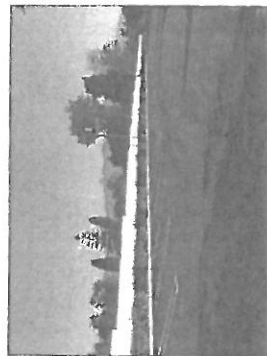
SITE PLAN
Scale: 1" = 30'-0"

1



EXISTING BUILDING "B"
(Parking lot view facing northeast)

10



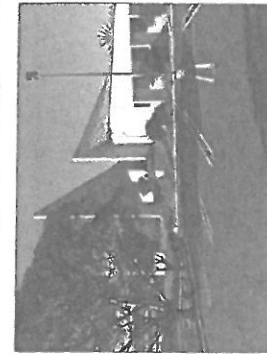
REAR PERIMETER WALL
(Parking lot view facing northeast)

7



REAR PERIMETER WALL
(Parking lot view facing northwest)

4



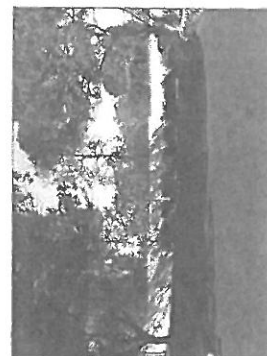
SANCTUARY & EDUCATION BUILDING
(Parking lot view facing west)

1



PERIMETER USE - Leisure World
(Parking lot view facing east)

11



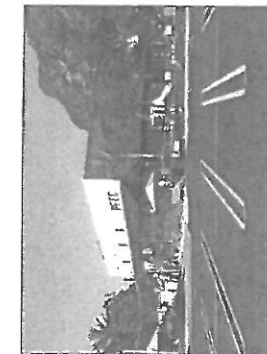
PERIMETER USE - SENIOR RESIDENTIAL
(Parking lot view facing west)

8



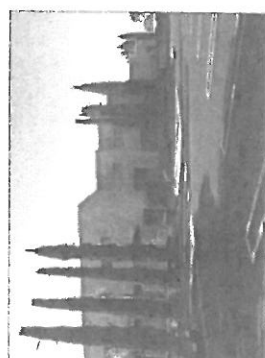
PERIMETER USE - SENIOR LIVING FACILITIES
(Parking lot view facing southwest)

5



EXISTING CHRISTIAN EDUCATION BUILDING
(Parking lot view facing west)

2



EXISTING BUILDING "B"
(Parking lot view facing south)

12



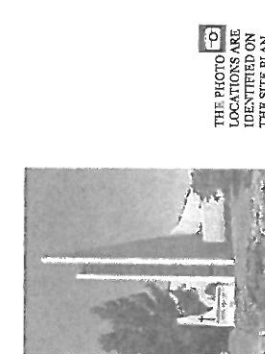
EXISTING PLAYGROUND
(Parking lot view facing south)

9



EXISTING BUILDING "B"
(Parking lot view facing south)

6



SANCTUARY BUILDING
(Street view facing northwest)

3

THE PHOTO LOCATIONS ARE IDENTIFIED ON THE SITE PLAN - SHEET SPA

PHOTOS

03

GENEVA :: CUP

04-09-13

As Noted

CUP ~ 872

CUP ~ 872

[m]

MENARCH

CONDITIONAL USE PERMIT :: CUP-872

GENEVA :: RCB Center
24301 F.I. Toro Road
Laguna Woods, Ca 92637

Rev	Rev	Date
1	1	04-09-13
2	2	04-09-13
3	3	04-09-13

MENARCH

24301 F.I. Toro Road
Laguna Woods, Ca 92637
Tel: 714.244.0000
Fax: 714.244.0000
www.menarch.com

9.1
FISCAL YEAR 2013-2014 BUDGET:
TRANSPORTATION AND SPECIAL FUNDS
(No Report)

9.2

SENIOR MOBILITY TAXI VOUCHER PROGRAM

City of Laguna Woods Agenda Report

FOR: May 15, 2013 City Council Meeting
TO: Honorable Mayor and Councilmembers
FROM: Leslie A. Keane, City Manager
Agenda Item: Senior Mobility Taxi Voucher Program

Recommendation:

Authorize continuation of the subsidized taxi voucher program, maintaining current services and prices, through June 30, 2014.

Background

The City initiated its senior mobility taxi voucher program in 2002 with a grant from the Orange County Transportation Authority (OCTA). The current program provides subsidized rides for residents 60 year or older anywhere in the county (taxi bucks), to medical appointments (NEMT) and to the Irvine multimodal station/Spectrum shopping center. Subsidized taxi service to John Wayne airport was discontinued at the end of Fiscal Year 2011-12. Grant funding to the City or senior mobility has decreased over the last few years as other cities in the county take advantage of the grant program.

Discussion

The City currently has approximately 7,000 residents enrolled in the taxi voucher program. During the first nine months of the current fiscal year (July 1, 2012 – March 30, 2013) 11,230 subsidized rides have been provided. The current fee schedule provides:

1. 50% subsidy on general travel
2. Medical transportation from \$4 (up to 15 miles) to \$12 (more than 25 miles).

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3. \$6 travel to or from the Irvine multimodal station/Spectrum shopping center

The proposed Fiscal Year 13-14 budget contains a projection of \$234,782 in program revenue and \$268,534 in expenditures. To support the program at current service levels, staff has also proposed a \$25,000 allocation from the General Fund and a reduction in the program reserve.

Since the existing program will terminate on June 30, 2013, work to continue the program beyond June 30th – advertising, notices and voucher printing – would need to commence immediately.

Conclusion

Approval of the staff recommendation will continue the subsidized taxi voucher program through June 30, 2014. Residents who have expiring taxi vouchers will be able to trade them in for new vouchers. Those who have taxi bucks booklets are eligible for either a refund or a credit toward a new booklet.