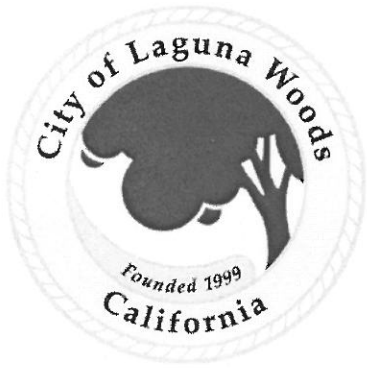




AGENDA of THE LAGUNA WOODS CITY COUNCIL

**Regular Meeting
July 17, 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

None

V. CITY COMMENDATIONS AND PROCLAMATIONS

- 5.1 Commendation – Mildred N. Landecker, 100th birthday
- 5.2 Proclamation - National Clown Week, August 1-7, 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 June 7, 2013 special meeting, June 19, 2013 regular meeting and the June 26, 2013 adjourned 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 June 2013 monthly Treasurer's Reports.

6.4 Warrant Register

RECOMMENDED ACTION: Approve the July 17, 2013 Warrant Register in the amount of \$673,922.17

6.5 Aggressive Solicitation Regulations

RECOMMENDED ACTION: Adopt an ordinance establishing regulations for aggressive solicitation, entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS,
CALIFORNIA, ESTABLISHING REGULATIONS
RESTRICTING AGGRESSIVE SOLICITATION

VII. PUBLIC HEARINGS

7.1 Disaster Recovery Initiative Grant

- A. Receive Staff Report
- B. Open Public Hearing
- C. Receive Public Comment
- D. Close Public Hearing
- E. Approve a resolution reaffirming the City Council's request for the State of California to modify the City's Disaster Recovery Initiative grant agreement, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF LAGUNA WOODS, CALIFORNIA, REAFFIRMING A
REQUEST TO MODIFY THE PLANNING ACTIVITIES
FUNDED BY THE CITY'S 2008 DIASTER RECOVERY
INITIATIVE AGREEMENT WITH THE STATE OF
CALIFORNIA

VIII. CITY COUNCIL

8.1 Ad Hoc City Manager Recruitment/Transition Committee (Mayor Ring/Councilmember Connors)

RECOMMENDED ACTION:

- A. Approve the transfer of \$12,500 from the City Council Contingency account to the City Council contract services account to fund city manager recruitment consulting services.
- B. Approve a resolution authorizing the Council Ad Hoc Committee to hire consulting assistance, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF LAGUNA WOODS AUTHORIZING THE AD HOC
COMMITTEE FOR CITY MANAGER TRANSITION AND
OVERSIGHT TO HIRE CONSULTING ASSISTANCE

IX. CITY MANAGER

9.1 San Sebastian Regulatory Agreement

RECOMMENDED ACTION: Authorize the City Manger to execute an amendment to the recertification process of the Regulatory Agreement and Declaration of Covenants and Restrictions between the City of Laguna Woods and property owner of record of the San Sebastian condominium complex, subject to approval of the City Attorney as to form

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, July 12, 2013: Councilmember Hack

12.2 Other Meetings, Comments and Announcements

XIII. CLOSED SESSION

None

XIV: ADJOURNMENT

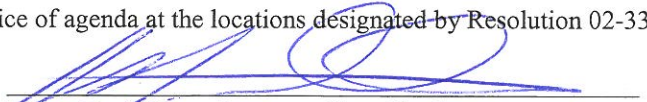
The meeting will be adjourned to an adjourned meeting of the City Council at 2:00 p.m. on Wednesday, August 21, 2013 at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

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.

7/12/13
Date


Marc Donohue, Deputy City Clerk

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5.1
COMMENDATION
MILDRED N. LANDECKER
100TH BIRTHDAY

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City of Laguna Woods
Certificate of Commendation
Mildred N. Landecker
Born July 27, 1913

WHEREAS, Mildred N. Landecker will celebrate her 100th birthday on July 27, 2013 and is a role model for all generations; and

WHEREAS, Mildred N. Landecker has witnessed many technological innovations and changes in our world, including the advent of air travel, development of the automobile and the widespread use of electricity; and

WHEREAS, Mildred N. Landecker taught as an associate professor of music at Saddleback college for many years and currently gives private piano and voice lessons; and

WHEREAS, Mildred N. Landecker has been a long time resident of Laguna Woods since 1973.

NOW, THEREFORE, BE IT RESOLVED, that the Laguna Woods City Council does hereby deem it an honor and pleasure to extend this commendation to Mildred N. Landecker on the occasion of her 100th birthday, with congratulations and best wishes for many more years to come.

Dated this 17th of July 2013

Robert B. Ring, Mayor

Attest: Marc Donohue, Deputy City Clerk

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5.2
PROCLAMATION
NATIONAL CLOWN WEEK
AUGUST 1-7, 2013

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Proclamation
City of Laguna Woods

National Clown Week
August 1st – 7th, 2013

WHEREAS, clowns have long been known as ambassadors of joy and good will; and

WHEREAS, clown organizations provide wholesome entertainment and emotional support and donate countless hours to charitable endeavors; and

WHEREAS, in 1971, Congress established "National Clown Week" as August 1st – 7th and it has been celebrated since.

NOW, THEREFORE, BE IT RESOLVED that the Laguna Woods City Council does hereby proclaim August 1st – 7th, 2013 as National Clown Week and urges the residents of the City to recognize the contributions made by clowns in helping to lift the spirits and boost the morale of people.

Dated this 17th day of July, 2013

Robert B. Ring, Mayor

Attest: Marc Donohue, Deputy City Clerk

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6.1-6.5
CONSENT CALENDAR SUMMARY

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City of Laguna Woods Agenda Report

FOR: July 17, 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 July 17, 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 the City 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, the item may be removed from the Consent Calendar and placed later on 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 for removal. 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 July 17th Consent Calendar contains the following five items:

- 6.1 Approval of the minutes from the June 7, 2013 special meeting, June 19, 2013 regular meeting and June 26, 2013 adjourned regular meeting, as submitted.

ITEMS 6.1 – 6.5

- 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 June 2013 Treasurer's Report. This report identifies the City's current liquid assets and their location. At the end of June, the City had approximately \$8.65 million in cash on hand and in other liquid assets.
- 6.4 Approval of the July 17, 2013 Warrant Register, as submitted, in the total amount of \$673,922.17. Of this amount, \$476,493.01 relates to Fiscal Year 2012-13 expenditures and \$197,429.16 to Fiscal Year 2013-14 expenditures. The Fiscal Year 2013-14 payments include California Joint Powers Insurance Agency pool deposits of \$181,833. 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 establishing regulations for solicitation within the City. The City Council introduced and approved first reading of the ordinance at its June 19, 2013 meeting. If adopted, regulations would become effective August 18, 2013.

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 July 17, 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

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**CITY OF LAGUNA WOODS, CALIFORNIA
CITY COUNCIL MINUTES
SPECIAL MEETING
June 7, 2013
4:00 P.M.**

I. CALL TO ORDER

Mayor Ring called the Special Meeting of the City Council of the City of Laguna Woods to order at 4:00 p.m.

II. FLAG SALUTE

Councilmember Hatch led the flag salute.

III. ROLL CALL

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

STAFF PRESENT: Administrative Coordinator Trippy; City Attorney Cosgrove; City Manager Keane

IV. CLOSED SESSION

The City Council met in closed session pursuant to Government Code Section 54957 (b) (1), to consider the following:

1. Public Employee Performance Evaluation – City Manager
2. Public Employee Appointment – Title: City Manager
3. Public Employment – Title: City Manager

City Council reconvened in open session and reported the following actions taken:

1. On a motion by Councilmember Hatch, seconded by Mayor Pro Tem Robbins, the City Council, by a vote of 5-0, accepted the City Manager's June 3, 2013 letter of retirement and instructed the City Attorney to document such acceptance to the City Manager in writing.
2. On a motion by Councilmember Hatch, seconded by Mayor Pro Tem Robbins, by a vote of 5-0, the City Council determined that, in light of the City Manager's impending retirement, they would not proceed with a formal performance evaluation of the City Manager.

ITEM 6.1

3. On motion by Councilmember Hatch, seconded by Councilmember Hack, by a vote of 5-0, the City Council appointed an Ad Hoc Committee for City Manager Transition and Oversight, consisting of Mayor Ring and Councilmember Conners, and directed the Ad Hoc Committee to come back to City Council with a recommended recruitment and transition plan.

V. PUBLIC COMMENT

None

XII. ADJOURNMENT

The meeting was adjourned at 6:08 p.m. The next regular meeting will be at 2:00 p.m. on Wednesday June 19, 2013 at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

MARC DONOHUE, Deputy City Clerk

Adopted: July 17, 2013

ROBERT B. RING, Mayor

**CITY OF LAGUNA WOODS, CALIFORNIA
CITY COUNCIL MINUTES
REGULAR MEETING
June 19, 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, Robbins, Ring
 ABSENT: Conners

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

None

VI. CONSENT CALENDAR

Moved by Mayor Pro Tem Robbins, seconded by Councilmember Hack, 1 absent (Councilmember Conners) and carried to approve Consent Calendar Items 6.1 – 6.8.

6.1 Approved the minutes the May 1, 2013 adjourned regular meeting and the May 15, 2013 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 May 2013 monthly Treasurer's Report.

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6.4 Warrant Register

Approved the June 19, 2013 Warrant Register in the amount of \$941,031.34

6.5 Fiscal Year 2012-13 Budget Adjustments

- A. Transferred \$12,500 from the Council Contingency Account to the City Hall Building Maintenance account.
- B. Transferred \$283,407 from the Unallocated General Fund Balance to the City Hall Special Fund.

6.6 Notice of Completion – El Toro Road/Aliso Creek Road Improvement Project

- A. Accepted the project completion of a contract with Yakar, Inc. for the El Toro Road/Aliso Creek Road Improvement Project.
- B. Released contract retention in the amount of \$36,126.70 withheld per California Government Code 35 days following recordation of the Notice of Completion with the County of Orange.
- C. Exonerated project posted bond 35 days following recordation of the Notice of Completion with the County of Orange.

6.7 Local Hazard Mitigation Plan Amendment

Approved a resolution amending the City's 2013-2017 Local Hazard Mitigation Plan, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA
WOODS, CALIFORNIA, AMENDING THE 2013-2017 CITY OF LAGUNA
WOODS LOCAL HAZARD MITIGATION PLAN

6.8 City Hall Parking Lot/Storm Drain Project

Awarded a contract to Scorpion Backhoe, Inc. in the amount of \$68,854.36, and authorized the City Manager to execute the contract and approve change orders not to exceed 10% of the base amount, subject to approval as to form by the City Attorney.

Councilmember Connors entered the meeting at 2:10 p.m.

Councilmember Hatch asked why there was such a large discrepancy in the Storm Drain Project bids between Scorpion Backhoe and the rest of the bidders.

City Manager Keane replied that the City often gets a wide spread of bids. She noted that some companies believe they understand the project better than other companies.

Mayor Pro Tem Robbins stated that his personal experience has found that there is

always a wide discrepancy of bids.

City Manager Keane noted that the City does a careful check of the lowest bidder and the City does not anticipate any problems with this project.

VII. PUBLIC HEARING

7.1 General Plan amendment GPA-900 – Circulation Element

Assistant City Manager Reilly presented a PowerPoint presentation detailing the amendment to the circulation element. He noted that the Public Safety and Land Use and Design Review Committees both recommended approval of this amendment.

City Manager Keane noted that the City is adding a new roadway classification so the circulation element so that it will be in conformance the Master Plan of Arterial Highways (MPAH) and that City will have options in the future.

Mayor Ring stated that Lake Forest Drive now goes through to Laguna Canyon Road and that saves motorist's time and avoids traffic congestion.

The public hearing was opened

Kathryn Freshley, Resident, asked if the roadways are easements and if that is what the City is considering changing.

City Manager Keane replied that some roadways are easements and some are owned in fee.

Assistant City Manager Reilly noted that Santa Maria is an easement.

Ms. Freshley asked if the fact that it is an easement will create any issues for the City and residents.

City Manager Keane replied that the MPAH shows Santa Maria extended through the Laguna Laurel property to Laguna Canyon Road. She noted that the City could have always prohibited the roadway expansion from connecting with the existing portion, but that it would have lost some of its Measure M funding. Removal of the roadway from the MPAH solves that problem.

Ms. Freshley asked if the portion of the Santa Maria easement beyond the end of the roadway could be relinquished to the Village.

City Manager Keane replied that the City does have control of the easement area on which the GRF nursery is located; the site is leased on a month to month basis.

Ms. Freshley noted that a park open to the public between two areas of Third Mutual property would be problematic.

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Councilmember Conners noted that a park would be for the community and that people walking out of Village gates 10 and 11 could walk straight into the wilderness.

Ms. Frehsley expressed concern that the area would be open to people outside of the gated community.

City Manager Keane replied that the City could limit the parking so that the area is similar to a trailhead rather than a public park. She also noted that when the City annexed the Laguna Laurel property, the City agreed to cooperate with the construction of a park entry.

The public hearing was closed.

City Manager Keane noted that the elimination of the Santa Maria extension was an incorporation goal.

Mayor Ring stated that this is great news for the community and that accomplishing this goal required the cooperation from the Cities of Irvine, Lake Forest and Laguna Hills as well as the County of Orange and the Irvine Company.

Councilmember Hatch asked if the 40 mile an hour speed limit is currently in effect on both sides of the street on Santa Maria, including the portion owned by Laguna Hills.

City Manager Keane replied that it is.

Moved by Councilmember Hack, seconded by Mayor Pro Tem Robbins, and carried unanimously to approve Resolution 13-07 amending the circulation element of the Laguna Woods general plan, entitled:

A RESOLUTION OF THE CITY COUNCIL OF LAGUNA WOODS,
CALIFORNIA, APPROVING AN AMENDMENT TO THE CIRCULATION
ELEMENT OF THE LAGUNA WOODS GENERAL PLAN

VIII. CITY COUNCIL

None

IX. CITY MANAGER

9.1 Aggressive Solicitation Regulations

City Manager Keane summarized the staff report and presented a PowerPoint on the proposed new regulations. She noted that the Public Safety and Land Use Committees approved the proposed regulations and suggested adding language that would prevent solicitation in parking lots available to the public between 6:00 p.m. and 7:00 a.m.

City Attorney Cosgrove noted that he understood there was some concern that the drafted ordinance would not go far enough to remediate the problems. If challenged in court, the

ITEM 6.1

ordinance would face a three part test that includes: whether the ordinance is narrowly tailored to achieve government objectives, if it serves significant government interests, and whether it leaves open ample alternative means for communication. He referenced a case in the City of Arcadia mentioned by the City manager where the prohibition was extended to private parking lots and was not upheld in court.

Councilmember Hatch asked if the City has enough factual background such as complaints to justify adopting this ordinance.

City Attorney Cosgrove believes the City can make findings that can help with the adoption of this ordinance. These findings include the average age of 78 for a resident of the City and the vulnerability of residents who may be caring money after making business transactions.

City Manager Keane also noted that the Sheriff's department does receive complaints about solicitation in the City and that the Valencia Center sent a letter asking the City to intervene.

Councilmember Hack expressed his support for the ordinance. He stated that the community is very vulnerable and it is important to protect the City's residents.

City Manager Keane noted that this ordinance is geared towards people who are asking for money and does not restrict other forms of free speech.

Councilmember Connors expressed concern over adopting the ordinance because she does not believe that it will be easily enforceable.

City Manager Keane replied that this ordinance will give business owners a "tool" to enforce this law by asking solicitors to move.

Councilmember Hatch asked how staff arrived at the decision of 10 feet from the financial businesses.

City Attorney Cosgrove replied that it is a judgment call and was considered a sufficient enough zone for personal safety.

Councilmember Hatch asked about the "open parking lot" term as opposed to "privately owned parking lot".

City Attorney Cosgrove replied that if the Council wants to extend the prohibition as recommended by the advisory committees, the ordinance should be amended to say in any parking area accessible to the public.

Councilmember Hatch asked what would qualify as an infraction in the ordinance.

City Attorney Cosgrove replied that an infraction is just a finable offense. He stated the idea is to give law enforcement a tool to enforce the ordinance.

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City Manager Keane noted that the citation penalty refers back to an Administrative Code section in the City's Municipal Code.

Councilmember Conners noted that she finds it odd that people who are out begging for money will be penalized with an infraction that will require them to pay a fine that they probably cannot afford.

City Manager Keane replied that the Sheriff's department has informed staff that some panhandlers earn a significant amount of money.

Councilmember Conners asked if the City's Police Chief believes this ordinance will help in the long run.

City Manager Keane replied that the Police Chief has gone on record stating that this ordinance will give his officers another tool to deal with aggressive panhandling. In addition, County Council has confirmed that the Sheriff's Department can enforce the proposed restrictions.

Mayor Ring asked if this ordinance will help remove a family who is always around the driveway/sidewalk near Home Depot because there is a sign that says public right-of-way.

City Manager Keane replied that it will not unless the family is in the parking lot after dark, blocking the sidewalk area or otherwise in violation of the regulations.

City Attorney Cosgrove clarified that the proposed ordinance defines public rights-of-way where solicitation is prohibited as designated travel lanes of public roadways or bicycle lanes.

City Manager Keane noted that regulations in the City of Redondo Beach were struck down by the court because they prohibited soliciting on sidewalks.

Moved by Councilmember Conners, with the addition of a prohibition of solicitation in parking lots after dark, seconded by Councilmember Hatch, and carried unanimously to approve introduction and first reading of an ordinance establishing a policy with respect to reasonable accommodation for persons with disabilities entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA,
ESTABLISHING REGULATIONS RESTRICTING AGGRESSIVE
SOLICITATION

9.2 Annual General Plan Progress Report

City Manager Keane noted that this is the annual report on the progress the City has made regarding the general plan and introduced Planning Manager Kurnow.

Planning Manager Kurnow presented a PowerPoint presentation on the annual general plan progress report for calendar year 2012. He noted that 86% of general plan policies

ITEM 6.1

are implemented or ongoing and 14% of GP policies are partially or not yet implemented.

Councilmember Hatch asked if the City ever reaches a time when old items in the plan are taken out.

City Manager Keane replied that such items are not removed until the general plan is modified.

Moved by Councilmember Hack, seconded by Councilmember Connors and carried unanimously to approve the 2012 General Plan Annual Progress Report.

9.3 City Manager's Proposed Fiscal Year 2013-14 All Funds Budget

City Manager Keane gave a PowerPoint presentation of the proposed 2013-14 fiscal year all funds budget, which totals \$7,077,541.

Councilmember Hack expressed concern over the comprehensive update of the General Plan before a new City Manager is brought on board.

City Manager Keane noted that comprehensive updates of the entire general plans would take 18 to 20 month to complete, but that the safety element must be completed by the end of the calendar year or the City will be out of conformance with an approved Community Development Block Grant. She noted the consultant for the general plan would first look at the current law and any general plan deficiencies, and that it is not anticipated that any substantive work would be started until February 2014.

Councilmember Hatch asked if it was possible to have the consultant for the general plan attend a meeting and make a presentation to Council. He believes it is important to have the input of the new City Manager for the entire general plan update process.

City Manager Keane replied that Council could either delete funding for this project or leave it in or direct staff not to initiate the project until further approval is given. She noted that the consultant could come in and make a presentation to the Council in a public forum to detail what the general plan process involves.

Councilmember Hatch stated that when he was at the Golden Rain Foundation (GRF) each company placing a bid would make a presentation so that the board could weigh their options. He would like to see the two companies who made bids for the general plan update make a presentation to Council.

City Manager Keane replied that one bidder was unresponsive so the City was left with only one responsive consultant.

Councilmember Hatch asked if the City has to go with that bidder.

City Manager Keane stated the City could bid out the project again, but there is an issue with time since the safety element must be completed by the end of the year.

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Councilmember Hack asked about the grant which requires the safety element update.

Public Safety Director Macon replied that the grant totals \$250,000 and the City anticipates spending \$30,000 to \$40,000 on the safety element.

Councilmember Conners stated that it does not seem wise to start the groundwork for the comprehensive general plan update without the new City Manager on board, and that the City might have need for the \$300,000 that has been set aside for other unforeseen City needs in the future. She suggested that Council commit to completing only the safety element update for now.

Councilmember Hatch asked if the safety element will have to be revisited when the rest of the comprehensive update is complete.

City Manager Keane replied that it depends on how much time goes by following its completion, but it is likely.

Mayor Ring suggested that Council complete only the safety element, which is grant funded, and remove the \$300,000 for the entire comprehensive update from the budget.

City Manager Keane noted that one of the reasons staff was recommending work on the entire general plan related to the Laguna Woods Village specific plan. Staff suggested incorporating specific plan changes in a comprehensive update rather than a piecemeal update of individual elements. This would be more cost effective for both GRF and the City.

Councilmember Conners stated that although it would be nice to save GRF money, the general plan modifications associated with the specific plan benefit them and they should be responsible for those costs.

City Attorney Cosgrove reminded the Council of the state mandated update of the housing element that is due no later than October.

Councilmember Hack stated his support for removing the \$300,000 from the budget for the comprehensive update. He noted that there could be specific allocations for incremental pieces of the plan as they needed to be updated.

Berton Moldon, Resident, expressed concern over the fact that the Council believes other staff are not competent to fill in the City Manager's absence. He asked what the term "utilities" entails in the budget.

City Manager Keane replied that the utilities account contains costs for gas, electric, and water.

Mr. Moldon asked what the account "street lighting residential" entails.

City Manager Keane replied that it is the account where the cost for street lights owned and/or maintained in the Village are included.

ITEM 6.1

Councilmember Conners stated that the City has considered upgrading the lights to make them more energy efficient.

City Manager Keane noted that the grant for that project was turned back at the Council's direction.

It was the unanimous consensus of the Council that funding (\$300,000) for the proposed general plan comprehensive update be removed from the proposed Fiscal Year 2013-14 budget.

Councilmember Conners raised concern over the cafeteria benefit increase that is included in the upcoming budget (\$100/per month for a total of \$10,800). She stated that she does not feel comfortable increasing benefits in the current economic climate.

City Manager Keane noted that in several instances, the cafeteria benefit does not cover the cost entire of an employee's basic health insurance and that the cafeteria benefit is covers all of the employee's benefit choices – life insurance, medical/dental/vision insurance, tuition reimbursement and professional equipment.

Mayor Ring asked if the \$1,000 cafeteria benefit is only for full-time employees and what qualifies as a full-time or a part-time employee.

City Manager Keane replied that the benefit is only for full-time employees and all of the City's part-time employees work less than 19 hours a week.

Councilmember Conners stated that throughout her career her employers have never paid her full health benefit and she has been responsible for paying some of the premiums. She feels that the City should be cautious on this issue, as other cities have gotten into trouble in the past trying to fund these health benefits as they have with pensions.

Mayor Ring noted that the City still gets great employees and that the City Council should consider modifying salary ranges in the future if this becomes a problem.

Councilmember Hack reiterated that the City does get great employees and there is very little turnover. He concurred with Mayor Ring's suggestion.

Councilmember Conners asked that the increase to the cafeteria plan be removed from the budget.

By 3 ayes (Conners, Hack, Ring) and 2 noes (Hatch, Robbins), Council provided direction to remove the cafeteria benefit from the 2013-14 fiscal year budget.

Councilmember Conners also suggested that the City modify their landscaping guidelines to reflect that the City is conscious of water usage.

City Manager Keane replied that the City Council considered this factor when it adopted a sustainable landscape plan for Moulton Parkway.

X. COMMITTEE REPORTS**10.1 Transportation Corridor Agencies (Councilmember Hack)**

Councilmember Hack reported that the Agency has a new CEO. He noted that the Agency is moving forward with cash-less toll roads and updating their cameras.

10.2 Orange County Library Board (Mayor Pro Tem Robbins)

Mayor Pro Tem Robbins reported there has been no meeting.

10.3 Orange County Fire Authority (Councilmember Hatch)

Councilmember Hatch reported that the Orange County Fire Authority's Board of Directors recently adopted a balanced budget. The Authority will start contract negotiations at the beginning of 2014. He noted that unfunded liabilities continues to be a major concern for the future.

10.4 Southern California Water Committee (Councilmember Hack)

Councilmember Hack reported that the Committee has been dealing with the Bay Delta Conservation Program (BDCP). He noted that the legislature is considering several changes to the water bond which is scheduled for the November 2014 statewide ballot.

10.5 Coastal Greenbelt Authority (Councilmember Conners)

Councilmember Conners reported that the Laguna Canyon Foundation maintains a nursery of native plants and encouraged anyone in the community to contact the Nix Nature center to volunteer their time to garden in the nursery.

On a separate matter, she noted that a large amount of subsurface water was found during the work on the Village Aliso Creek Bridge which caused a delay in the project but she believes the work will resume soon.

10.6 Vector Control District Board (Mayor Pro Tem Robbins)

Mayor Pro Tem Robbins reported that last year was the deadliest West Nile Virus season in the country. He mentioned different ways people could protect themselves from mosquitos. He noted that only one dead bird was found in Lake Forest and results of the examination are pending.

XI. PUBLIC COMMENT

Berton Moldon, Resident, expressed his appreciation to Councilmember Conners for her comments made at a meeting earlier in the day about activists. He stated residents should not be paying out monthly charges for the SONGS steam generators that are non-functional. He asked the City Council to write a letter to the Governor asking to put a stop to those monthly charges.

XII. CITY COUNCIL COMMENTS AND ANNOUNCEMENTS

12.1 Reports on Meetings Attended per Government Code §53232.3

A. Orange County Water Summit, May 17, 2013: Councilmember Hack

Councilmember Hack reported that the water level in Lake Mead is at an all-time low. He stated that there were several speakers at the Water Summit who spoke on water issues but nobody discussed global warming.

XIII. CLOSED SESSION

13.1 The City Council met 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)

The City Council reconvened in open session at 4:55 p.m. City Attorney Cosgrove advised that there was no reportable action.

XIV. ADJOURNMENT

The meeting was adjourned at 4:56 p.m. The next regular meeting will be at 2:00 p.m. on Wednesday July 17, 2013 at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

MARC DONOHUE, Deputy City Clerk

Adopted: July 17, 2013

ROBERT B. RING, Mayor

**CITY OF LAGUNA WOODS, CALIFORNIA
CITY COUNCIL MINUTES
ADJOURNED REGULAR MEETING
June 26, 2013
2:00 P.M.**

I. CALL TO ORDER

Mayor Ring called the Adjourned 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: Conners, Hack, Hatch, Robbins, Ring
 ABSENT:

STAFF PRESENT: City Manager Keane; Public Safety Director Macon; Deputy City Clerk Donohue; Finance Manager Jones

IV. CONSENT CALENDAR

Mayor Ring asked item 4.2A to be pulled for separate discussion.

Moved by Mayor Pro Tem Robbins, seconded by Councilmember Hack and carried unanimously to approve Consent Calendar Items 4.1-4.5 except for 4.2A.

4.1 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.

4.2 Fiscal Year 2013-14 All Funds Budget

Approved three resolutions implementing the City's Fiscal Year 2013-14 budget, entitled:

Resolution No. 13-10

B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ADOPTING A SEVEN-YEAR CAPITAL IMPROVEMENT PROGRAM FOR THE FISCAL YEARS 2013-14 THRU 2019-20 IN CONFORMANCE WITH MEASURE M2 REQUIREMENTS

Resolution No. 13-11

C. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, CONCERNING THE STATUS OF THE

CIRCULATION ELEMENT OF THE CITY OF LAGUNA WOODS AND
EXISTING MITIGATION FEE PROGRAMS

Resolution No. 13-12

D. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA
WOODS, CALIFORNIA, APPROVING AND ADOPTING THE ANNUAL
APPROPRIATIONS LIMIT FOR FISCAL YEAR 2013-14

4.3 Local Law Enforcement Services

Approved an agreement with the County of Orange for Fiscal Year 2013-14 law enforcement services in the City of Laguna Woods; and authorized the Mayor to execute the agreement, subject to approval as to form by the City Attorney.

4.4 Supplemental Law Enforcement Services Act

Authorized the use of Supplemental Law Enforcement Services Fund/Supplemental Law Enforcement Services Act funding for salaries, benefits, supervision and equipment for traffic enforcement.

4.5 Polystyrene Foam Ban

Approved Administrative policy 4.23 Polystyrene Foam-Undue Hardship Exemption.

4.2A Resolution to Approve Appropriations for Fiscal Year 2013-14

Mayor Ring and Councilmember Connors asked if the Council should remove the contingency amount that went along with the general plan update and cafeteria benefit increase that were removed from the budget at the last meeting.

City Manager Keane stated that the Council has a 5-10% goal for the reserve for economic uncertainties account; the proposed Fiscal Year 2013-14 budget contained only 5%. When the proposed budget was reduced by \$310,800, staff did not adjust the proposed allocation for the reserve for economic uncertainties so that it is now closer to the Council's 10% goal. She clarified that these funds cannot be spent unless specifically authorized by the City Council.

Mayor Ring asked if the Council is adopting the actual budget detail.

City Manager Keane stated that the Council is being asked to adopt an appropriations resolution which establishes a dollar limit per Fund and authorizes full time staff positions. The City Manager is authorized to transfer money within the individual Funds, but cannot exceed the total limit for any Fund without Council authorization. This year's resolution is identical to those established since 1999.

Moved by Councilmember Hack, seconded by Councilmember Connors and carried unanimously to approve Consent Calendar Item 4.2A.

Resolution No. 13-09

- A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, APPROVING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING JULY 1, 2013 AND ENDING JUNE 30, 2014.

V. PUBLIC COMMENTS

None

VI. CITY COUNCIL COMMENTS AND ANNOUNCEMENTS

Councilmember Conners referenced the item on Polystyrene Foam Ban and stated that she read an interesting article in the New Yorker about recent graduates developing a substitute made from agricultural waste and mushrooms that binds them together and is baked and used as a binding substance in building insulation.

VII. CLOSED SESSION

None

VIII. ADJOURNMENT

The meeting was adjourned at 2:07 p.m. The next regular meeting will be at 2:00 p.m. on Wednesday July 17, 2013 at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

MARC DONOHUE, Deputy City Clerk

Adopted: July 17, 2013

ROBERT B. RING, Mayor

6.2
WAIVE READING OF ORDINANCES AND
RESOLUTIONS
(No Report)

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6.3 TREASURER'S REPORTS

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City of Laguna Woods
Monthly Treasurer's Report
June 30, 2013

CASH ON HAND1. Investments/General Fund

Local Agency Investment Fund	\$ 7,555,699
Subtotal	\$ 7,555,699

2. Investments/Transportation Fund

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

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

Petty Cash Funds	\$ 527
Analyzed Checking Account	\$ 762,142
Subtotal	\$ 762,669
TOTAL	\$ 8,649,295

Note: LAIF reports interest earnings quarterly.

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6.4 WARRANT REGISTER

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CITY OF LAGUNA WOODS
WARRANT REGISTER
July 17, 2013

Check Number	Check Date	Vendor Name	Description	Amount
PREPAID WARRANTS:				
<i>Automatic Bank Debits</i>				
Debit	06/20/2013	ADP PAYROLL SERVICES	Pay Period Ended 6/14/2013	33,617.25
Debit	06/20/2013	ICMA RETIREMENT CORPORATION	Pay Period Ended 6/14/2013	1,679.45
Debit	06/20/2013	ADP PAYROLL SERVICES	Processing Charges/Payroll 6/14/2013	125.40
Debit	07/03/2013	ADP PAYROLL SERVICES	Pay Period Ended 6/28/2013	32,580.47
Debit	07/03/2013	ICMA RETIREMENT CORPORATION	Pay Period Ended 6/28/2013	1,679.43
Debit	07/03/2013	ADP PAYROLL SERVICES	Processing Charges/Payroll 6/28/2013	127.12
<i>Other</i>				
113535	06/19/2013	MIG HOGLIE-IRELAND	Staffing Services/July 2012	7,607.50
113536	06/19/2013	WATERFALL EQUITIES, LLC	Waste Diversion Refund/BP 35836B	250.00
113537	06/19/2013	KAB Y YUN	Waste Diversion Ref/BP 35569C	250.00
113538	VOID	VOID	VOID	-
113539	06/19/2013	AT&T	Telephone/581-3974/May 2013	84.65
113540	06/19/2013	AT&T	Telephone/583-1105/May 2013	15.93
113541	06/19/2013	JORDAN BAKER	Waste Diversion Deposit Refund/BP 35230B	250.00
113542	VOID	VOID	VOID	-
113543	06/19/2013	BENNETT & SEELY	Waste Diversion Deposit Refund/BP 36154C	900.00
113544	VOID	VOID	VOID	-
113545	06/19/2013	CAA	Water Quality Consult/Code Enforcement/May 2013	4,024.50
113546	06/19/2013	CALPERS - RETIREMENT	Retirement Contributions/Period Ending 6/14/13	5,606.53
113547	06/19/2013	CED, INC.	Light Replacement/Car Accident	3,024.00
113548	VOID	VOID	VOID	-
113549	06/19/2013	LAUBACH CONSTRUCTION, INC.	Encroachment Permit Refund/Job Closeout/EP-823	1,832.00
113550	06/19/2013	ORANGE COUNTY REGISTER-NOTICES	Public Notices/May 2013	229.35

CITY OF LAGUNA WOODS
WARRANT REGISTER
July 17, 2013

Check Number	Vendor Name	Check Date	Description	Amount
113551	REFLEX TRAFFIC SYSTEMS	06/19/2013	Redlight Camera/May 2013	8,750.00
113552	REILLY, DOUGLAS C.	06/19/2013	Employee Benefit Program	433.48
113553	TAUBENPOST, INC	06/19/2013	Printing/Taxi Buck Letter	237.45
113554	VANTAGEPOINT TRANSFER AGT-457	06/19/2013	457 Plan Contributions/June 2013	1,900.00
113555	MARSHALL YAGAN	06/19/2013	Waste Diversion Deposit Refund/BP 36159C	900.00
113556	AT&T	06/25/2013	Telephone/458-3487/June 2013	32.48
113557	ATKINS NORTH AMERICA, INC.	06/25/2013	Wildland Urban Interface Area	3,820.00
113558	THE BEE DETECTIVE	06/25/2013	Swarm Abatement/Roof Flashing	150.00
113559	CALIFORNIA YELLOW CAB	06/25/2013	NEMT/May 2013	4,987.00
113560	CHRISTINE CHEUNG, TRUSTEE	06/25/2013	Waste Diversion Ref/BP 36345C	250.00
113561	CITY OF LAGUNA BEACH	06/25/2013	Animal Services/June 2013	7,232.75
113562	CIVIL SOURCE	06/25/2013	Engineering/Inspection Services/May 2013	10,717.66
113563	EL TORO WATER DISTRICT	06/25/2013	Ridge Route Park/June 2013	436.30
113564	EL TORO WATER DISTRICT	06/25/2013	Dog Park/June 2013	20.68
113565	EL TORO WATER DISTRICT	06/25/2013	City Hall Utilities/June 2013	28.00
113566	EL TORO WATER DISTRICT	06/25/2013	City Hall Utilities/June 2013	110.83
113567	MAW'N PAW KETTLECORN	06/25/2013	Sunday Movie Matinee/June 30, 2013	60.00
113568	VOID	VOID	VOID	-
113569	NIEVES LANDSCAPE, INC.	06/25/2013	Landscape Maintenance	602.60
113570	TERESE S OLIVER	06/25/2013	Attorney Services/Red Light Camera/May 2013	2,191.70
113571	ORANGE COAST PLUMBING	06/25/2013	Building Maintenance/City Hall	275.00
113572	SIERRA INSTALLATIONS, INC	06/25/2013	Banner Changeout	1,880.00
113573	SOUTHERN CALIFORNIA EDISON	06/25/2013	City Hall Utilities/June 2013	1,681.24
113574	SOUTHERN CALIFORNIA EDISON	06/25/2013	Irrigation Controllers/June 2013	104.37
113575	SOUTHERN CALIFORNIA EDISON	06/25/2013	City Centre Park/June 2013	27.29
113576	WAGE WORKS	06/25/2013	Benefit Administration/June 2013	50.00

CITY OF LAGUNA WOODS
WARRANT REGISTER
July 17, 2013

Check Number	Check Date	Vendor Name	Description	Amount
113577	06/25/2013	YEIL CORPORATION	Waste Diversion Deposit Refund/BP 36407C	250.00
113578	07/02/2013	* AFLAC	Employee Benefit Program/July 2013	153.50
113579	07/02/2013	RUS CALISCH	Summer 2013 Newsletter Design	400.00
113580	07/02/2013	* CALPERS - HEALTH	Employee Benefit Program/July 2013	3,707.55
113581	07/02/2013	CALPERS - RETIREMENT	Retirement Contributions/Period Ending 6/28/13	5,605.24
113582	07/02/2013	EILEEN CANN	Taxi Voucher Refund	50.00
113583	07/02/2013	CAPTIONING UNLIMITED	Closed Captioning/Council Meetings/June 2013	400.00
113584	07/02/2013	CIVIL SOURCE	Engineering Services/Apr 2013	13,885.00
113585	07/02/2013	* CNA	Employee Benefit Program/July-September 2013	518.16
113586	07/02/2013	* CNA	Employee Benefit Program/July-September 2013	410.36
113587	07/02/2013	COMMPRO	Website Changes	300.00
113588	07/02/2013	COPYFORCE	Train Vouchers	1,312.20
113589	07/02/2013	DAVID EVANS & ASSOCIATES INC.	Moulton Smart Street/May 2013	9,206.36
113590	07/02/2013	* DELTA DENTAL OF CALIFORNIA	Employee Benefit Program/July 2013	497.29
113591	07/02/2013	DEPARTMENT OF CONSERVATION	Quarterly SMIP Report/2nd Quarter 2013	556.56
113592	07/02/2013	DICKINSON ELECTRIC	Parking Lot Light Installation	150.00
113593	07/02/2013	DR. T FIDELER	Taxi Voucher Refund	50.00
113594	07/02/2013	GERMAIN CORPORATION, INC	Waste Diversion Deposit Refund/BP 36404B	250.00
113595	07/02/2013	JONES, ERNESTINE	Employee Benefit Program/CMTA/CSMFO	382.30
113596	07/02/2013	* KONICA MINOLTA	Copier Lease/July 2013	483.34
113597	07/02/2013	* LOS ANGELES TIMES	Newspaper Delivery/July-August 2013	64.00
113598	07/02/2013	* MANAGED HEALTH NETWORK	Employee Benefit Program/July 2013	22.23
113599	07/02/2013	NIEVES LANDSCAPE, INC.	Landscape Maintenance	150.00
113600	07/02/2013	PEAK LIGHTING & ELECTRIC, INC	City Hall Sign Maintenance	485.71
113601	07/02/2013	* PRINCIPAL FINANCIAL GROUP	Employee Benefit Program/July 2013	393.64
113602	07/02/2013	REDFLEX TRAFFIC SYSTEMS	Redlight Camera/April 2013	8,750.00

CITY OF LAGUNA WOODS
WARRANT REGISTER
July 17, 2013

Check Number	Check Date	Vendor Name	Description	Amount
113603	07/02/2013	REILLY, DOUGLAS C.	Mileage Reimbursement/April-June 2013	200.58
113604	07/02/2013	SCOTT FAZEKAS & ASSOCIATES	Plan Checking/May 2013	450.00
113605	07/02/2013	* SONITROL	Alarm Monitoring/July 2013	60.68
113606	07/02/2013	* SOUTHERN CALIFORNIA ASSN	Membership Dues/Fiscal Year 2013-14	1,656.00
113607	07/02/2013	SOUTHERN CALIFORNIA EDISON	Residential Streetlights/United/June 2013	1,603.22
113608	07/02/2013	SOUTHERN CALIFORNIA EDISON	Traffic Signal Controllers/June 2013	822.82
113609	07/02/2013	SOUTHERN CALIFORNIA EDISON	Ridge Route Park/June 2013	28.01
113610	07/02/2013	TAUBENPOST, INC	Summer 2013 Newsletter Mailing	2,867.65
113611	07/02/2013	* VISION SERVICE PLAN OF AMERICA	Employee Benefit Program/July 2013	137.03
113612	07/02/2013	WARE DISPOSAL	Bulky Items/E-Waste/April-May 2013	15,086.25
113613	07/02/2013	WM CURBSIDE, LLC	Waste Collection/May 2013	2,127.57
113614	07/02/2013	MARSHALL YAGAN	Waste Diversion Deposit Refund/BP 36245C	250.00
113615	07/10/2013	* ALLIANT INSURANCE SERVICES	Crime Policy/Fiscal Year 2013-14	700.00
113616	07/10/2013	AT&T	Telephone/452-0600/June 2013	341.96
113617	07/10/2013	AT&T	Telephone/639-0500/June 2013	186.25
113618	07/10/2013	AT&T	Telephone/770-9359/June 2013	16.14
113619	07/10/2013	* AT&T	White Pages/July 2013	3.81
113620	07/10/2013	* CALIFORNIA JOINT POWERS	Insurance/Liability & Workers Compensation/FY 2014	181,833.00
113621	07/10/2013	CIVIL SOURCE	El Toro/Aliso Creek Project/April-May 2013	44,571.50
113622	07/10/2013	ETHEL COLMAN	Taxi Voucher Refund	57.50
113623	07/10/2013	EVELYN DIORIO	Taxi Voucher Refund	30.00
113624	07/10/2013	GARY GATES	Employee Benefit Program/June 2013	390.50
113625	07/10/2013	GOVERNMENT OUTREACH	Code Enforcement/Water Quality Software	5,000.00
113626	07/10/2013	HOWARD GRADEN	Taxi Voucher Refund	50.00
113627	07/10/2013	LILLIAN HABER	Taxi Voucher Refund	50.00
113628	07/10/2013	JAMES HASTON	Mileage Reimbursement/June 2013	43.39

CITY OF LAGUNA WOODS
WARRANT REGISTER
July 17, 2013

Check Number	Vendor Name	Check Date	Description	Amount
113629	NANCY L JOHNS	07/10/2013	Waste Diversion Deposit Refund/BP 35703B	250.00
113630	DORA KAIKAINAHAOLE	07/10/2013	Taxi Voucher Refund	35.00
113631	* KEANE, LESLIE A.	07/10/2013	July 2013 Auto Allowance	450.00
113632	LAKE FOREST FLORAL DESIGN	07/10/2013	Memorial Day Wreath	183.60
113633	MIG HOGLE-IRELAND	07/10/2013	Review of Circulation Element	2,000.00
113634	NIEVES LANDSCAPE, INC.	07/10/2013	Landscape Maintenance	1,975.00
113635	PEAK LIGHTING & ELECTRIC, INC	07/10/2013	Streetlight Maintenance/June 2013	704.52
113636	* REILLY, DOUGLAS C.	07/10/2013	Employee Benefit Program/July 2013	109.49
113637	MARY ROLFS	07/10/2013	Taxi Voucher Refund	50.00
113638	IRMA ROLLETT	07/10/2013	Taxi Voucher Refund	50.00
113639	BLANCHE SCHULMAN	07/10/2013	Taxi Voucher Refund	50.00
113640	SIGNS BY CREATIONS UNLIMITED	07/10/2013	Dog Park Entrance Signs	721.80
113641	ELIZABETH SIMONS	07/10/2013	Taxi Voucher Refund	15.00
113642	* SOUTHERN CALIFORNIA WATER	07/10/2013	Quarterly Meeting/Hack/July 2013	70.00
113643	LYLA WROBEL	07/10/2013	Taxi Voucher Refund	18.00
Total Prepaid Warrants				454,442.12

REGULAR WARRANTS:

113644	REBECCA ABRAMS	07/10/2013	Taxi Voucher Refund	10.00
113645	BALLIET, MICHAEL	07/10/2013	Waste Consulting/May-June 2013	8,420.00
113646	BANK OF AMERICA - CC	07/10/2013	Credit Card Charges/June 2013	1,429.92
113647	* CITY CLERKS ASSN OF CALIFORNIA	07/10/2013	CCAC Membership/FY 2013-14	120.00
113648	CIVIL SOURCE	07/10/2013	Professional Services/April 13	39,363.50
113649	* COMMPRO	07/10/2013	Website Hosting/July 2013	295.00
113650	* CYNTHIA CONNERS	07/10/2013	July 2013 Auto Allowance	300.00

CITY OF LAGUNA WOODS
WARRANT REGISTER
July 17, 2013

Check Number	Check Date	Vendor Name	Description	Amount
113651	07/10/2013	* ANNETTE COSGROVE	Taxi Voucher Refund	40.00
113652	07/10/2013	* COUNTY OF ORANGE - LAFCO	LAFCO Allocation/FY 2013-14	1,801.53
113653	07/10/2013	EL TORO WATER DISTRICT	Irrigation Charges/June 2013	5,075.65
113654	07/10/2013	* AARON FINGER	Taxi Voucher Refund	35.00
113655	VOID	VOID	VOID	-
113656	07/10/2013	BARBARA FINIZIO	Taxi Voucher Refund	40.00
113657	07/10/2013	ROSEMARY FLETCHER	Taxi Voucher Refund	50.00
113658	07/10/2013	GREAT CLEANING SERVICE	Janitorial Services/June 2013	713.46
113659	07/10/2013	* ROBERT NOEL HATCH	July 2013 Auto Allowance	300.00
113660	07/10/2013	* EDITH KIEWE	Taxi Voucher Refund	50.00
113661	07/10/2013	KONE INC.	Elevator Maintenance	3,209.40
113662	07/10/2013	KONICA MINOLTA BUSINESS	Copier Charges/Apr-Jun 2013	839.94
113663	07/10/2013	* CAROLE LINKER	Taxi Voucher Refund	49.00
113664	07/10/2013	KAYE MANN	Taxi Voucher Refund	26.50
113665	07/10/2013	* MC FADDEN CONSTRUCTION	Waste Diversion Ref/BP 34343C	750.00
113666	07/10/2013	* PATRICIA MCCLINTOCK	Taxi Voucher Refund	48.00
113667	07/10/2013	CHRISTINA MULLIGAN	Taxi Voucher Refund	25.00
113668	07/10/2013	MYKATON CONSTRUCTION	Waste Diversion Ref/BP 35866B	250.00
113669	07/10/2013	* NIEVES LANDSCAPE, INC.	City Hall Landscape/July 2013	325.00
113670	07/10/2013	OFFICEMAX INC	Copy Paper	263.15
113671	07/10/2013	O.C. TREASURER - SHERIFF	Sheriff Services/June 2013	110,992.00
113672	07/10/2013	PV MAINTENANCE INC	City Hall Library Access	30,996.02
113673	07/10/2013	REDFLEX TRAFFIC SYSTEMS	Redlight Camera/June 2013	8,750.00
113674	07/10/2013	* MARY ALICE REY	Taxi Voucher Refund	55.00
113675	07/10/2013	* RING, ROBERT	July 2013 Auto Allowance	300.00
113676	07/10/2013	D. JEANNINE SANDERS	Taxi Voucher Refund	50.00

**CITY OF LAGUNA WOODS
WARRANT REGISTER
July 17, 2013**

Check Number	Check Date	Vendor Name	Description	Amount
113677	07/10/2013	* IRVING SAUNDERS	Taxi Voucher Refund	50.00
113678	07/10/2013	EVELYN SHAFFMAN	Taxi Voucher Refund	35.00
113679	07/10/2013	SOUTHERN CALIFORNIA EDISON	Safety Lights over Traffic Signals/June 2013	327.79
113680	07/10/2013	SOUTHERN CALIFORNIA EDISON	Right of Way/June 2013	1,980.55
113681	07/10/2013	* SYNOPTEK	IT Services/July 2013	1,040.05
113682	07/10/2013	* YOLIE TRIPPY	Employee Benefit Program/June-July 2013	555.00
113683	07/10/2013	* SANDRA WOOLF	Taxi Voucher Refund	32.50
113684	07/10/2013	* SUELLEN ZIMA	Taxi Voucher Refund	13.00
113685	07/10/2013	PETTY CASH	To Reimburse Petty Cash Fund	473.09
Total Regular Warrants				219,480.05

Total Register 673,922.17

* FY 2013-14 Expenditures

June Credit Card Statement Detail

Debit	GEMINI COMPUTERS	Spooler for Cash Receipt	24.55
Debit	NORCO	Delivery Services	50.07
Debit	PIZZA AMORE	Refreshments/RACES Drill	58.24
Debit	HOME DEPOT	Planters/City Hall Entranceway	213.84
Debit	GEMINI COMPUTERS	Cash Drawer for First Floor Cash Register	175.59

**CITY OF LAGUNA WOODS
WARRANT REGISTER
July 17, 2013**

Check Number	Check Date	Vendor Name	Description	Amount
	Debit	STAPLES	Supplies/Network Router	174.95
	Debit	OFFICE MAX	Supplies/Labels	25.05
	Debit	HOME DEPOT	Pots for Plants near Flagpole	427.68
	Debit	NATIONAL NOTARY ASSOCIATION	Notary Training/Keane	267.00
	Debit	AMAZON	Reimbursement Offset	12.95

**PETTY CASH RECONCILIATION
June 28, 2013**

Date	Payee	Vendor	Description	Amount
			Beginning Balance	1,000.00
01/03/2013	Sandy Verrall	U.S. Postal Service	Postage	11.50
01/04/2013	Gary Gates	OfficeMax	Supplies/Computer Mouse	12.97
01/11/2013	Yolie Trippy	Vons	Supplies/Staff Retirement Cake	22.99
01/11/2013	Patrick Foley	Smart & Final	Supplies/Community Event/Movie Matinee	25.14
01/11/2013	Patrick Foley	Vons	Supplies/Community Event/Movie Matinee	7.84
01/23/2013	Yolie Trippy	U.S. Postal Service	Postage/County Grant Package	5.15
02/04/2013	Yolie Trippy	Vons	Supplies/Dust Pan	3.23
02/07/2013	Chris Macon	Home Depot	Supplies/Smoke Alarm Program	6.99
02/07/2013	Douglas Reilly	AMPCO Parking	Caltrans I-5 Meeting/Reilly	6.25
02/20/2013	Patrick Foley	Jersey Mikes/Vons	Special Council Meeting/Lunch	60.85
02/21/2013	Patrick Foley	Vons	Sunday Movie Matinee Supplies	25.88
02/27/2013	Ernestine Jones	U.S. Postal Service	Postage/Certified Mail	6.11

CITY OF LAGUNA WOODS
WARRANT REGISTER
July 17, 2013

Check Number	Check Date	Vendor Name	Description	Amount
04/04/2013	Douglas Reilly	AMPCO	Parking/Caltrans Meeting/Reilly	10.00
04/12/2013	Yolie Trippy	Stater Bros.	Supplies/Mayor Meetings	8.78
04/16/2013	Gary Gates	CVS	Supplies/Building Department	5.37
04/26/2013	Patrick Foley	U.S. Postal Service	Postage/CDBG Invoice	6.60
04/26/2013	Patrick Foley	Vons	Supplies/Goods Exchange Event	17.76
04/29/2013	Marc Donohue	OC City Clerk	OC City Clerk's Quarterly Meeting/Donohue	10.00
05/01/2013	Ernestine Jones	CSMFO	CMTA/CSMFO Meeting/Jones	40.00
05/02/2013	Douglas Reilly	ABM Parking	Caltrans I-5 Widening Meeting Parking	6.25
05/07/2013	Patrick Foley	Vons	Community Event/Movie Matinee	29.61
05/08/2013	Douglas Reilly	SCSC Custom Lock	Supplies/Locks/Woods End Gate	21.55
05/09/2013	Louis M. Baskin	Louis M. Baskin	Mileage/Red Flag Patrol	8.14
05/16/2013	Ernestine Jones	U.S. Postal Service	Postage/CDBG Invoice & CAFR	5.86
05/21/2013	Marc Donahue	O.C. Clerk Recorder	Notary Oath Fee	34.00
05/23/2013	Chris Macon	The Home Depot	Supplies/Smoke Alarm Program	6.99
05/24/2013	Yolie Trippy	The Home Depot	Supplies/Emergency Flashlight Batteries	19.38
05/24/2013	Yolie Trippy	U.S. Postal Service	Postage/Certified Mail	6.17
06/28/2013	Patrick Foley	Vons	Supplies/Community Event/Movie Matinee	12.46
06/28/2013	Patrick Foley	Smart & Final	Supplies/Community Event/Movie Matinee	29.34

Ending Balance

526.91

Amount Needed to Replenish Petty Cash

473.09

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6.5

AGGRESSIVE SOLICITATION REGULATIONS

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ORDINANCE NO. 13-XX

AN ORDINANCE OF THE CITY OF LAGUNA WOODS,
CALIFORNIA, ESTABLISHING REGULATIONS RESTRICTING
AGGRESSIVE SOLICITATION

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

SECTION 1. Adoption of New Regulations

Chapter 7.22 is hereby added to Title 7 (Public Safety and Welfare) of the
Laguna Woods Municipal Code as follows:

CHAPTER 7.22 – AGGRESSIVE SOLICITATION

Sections:

- 7.22.010 Findings.
- 7.22.020 Definitions.
- 7.11.030 Aggressive solicitation prohibited.
- 7.22.040 Solicitation prohibited at specific locations.
- 7.22.050 Penalty.
- 7.22.060 Non-exclusivity.

Section 7.22.010 Findings. The City Council of the City of Laguna Woods
finds as follows:

A. An increase in aggressive solicitation throughout the City has become
extremely disturbing and disruptive to residents and businesses. Such aggressive
solicitation has contributed not only to the loss of access to and enjoyment of
various public places, but also to an enhanced sense of fear, intimidation, and
disorder, and an erosion of perceptions of personal comfort and safety.

B. The presence of individuals who solicit money from person at or near
banks, check cashing locations, and outdoor automated teller machines is
particularly threatening and dangerous. Persons frequenting such establishments
are frequently exposed to passersby at an area they either do, or are likely to have,
ready cash in hand, can frequently not walk away without leaving accounts
accessible to strangers and/or leaving automatic teller cards in machines, and are
within an area where both their money and financial privacy are at stake. The

ITEM 6.5

solicitation of people while using automatic teller machines or in the immediate vicinity of a bank or check cashing location heightens feelings of duress and intimidation that can be felt by those solicited.

C. Motorists who find themselves confronted by persons who, without permission, wash automobile windows, or perform other “services” in exchange for cash, are often intimidated, because such activity often occurs with stopped vehicles, where the personal movement of the driver and passengers is restricted, and such activity often carries with it an implicit threat to both person and property.

D. Aggressive solicitation, which includes approaching or following pedestrians, use of confrontational or abusive language, unsolicited or unwanted physical contact, or the intentional blocking of pedestrian and vehicular traffic, is disturbing and disruptive to both residents and businesses, and contributes not only to the loss of access and enjoyment of public places, but also to an enhanced sense of fear, intimidation, and disorder.

E. The increase of solicitation at locations where the recipient of such solicitation is part of a captive audience, from which it is impossible or difficult to exercise their right to decline to listen to, or avoid solicitation from others, intimidates persons who are approached, interferes with privacy and a personal sense of security, impedes vehicular and pedestrian traffic flow, and negatively impacts businesses within the City. Such places include bus shelters, or stops where parties must wait to access public transit, and enclosed parking structures where lighting, public visibility, and movement may be restricted.

F. Aggressive solicitation of potential customers as they enter and exit commercial establishments, has become increasingly disturbing to residents and businesses, and has generated an enhanced sense of fear, intimidation, and disorder, and has caused many residents or other potential customers to avoid shopping or dining within the City, which presents a threat to the economic vitality of the City.

G. Face-to-face solicitation presents risks of duress that are an appropriate target for regulation. Skillful or unprincipled solicitors can target vulnerable persons, including those accompanying children or those suffering physical impairment, who cannot easily avoid solicitation. Unsavory solicitors can commit fraud through concealment of affiliations or through deliberate efforts to shortchange those who may agree to immediately purchase goods or services.

H. The current laws and city ordinances are insufficient to address the above-mentioned problems. The restrictions contained herein are directed at the act, and in certain limited circumstances the location, of solicitation, and have no bearing whatsoever on the content of the solicitation nor the intended application of the funds or other benefits solicited. This chapter is not intended to limit any persons from the exercise of constitutional rights to solicit funds, picket, protest, or engage in other constitutionally protected activity. Rather, its goal is to provide reasonable time, place, and manner restrictions on such activity, directed toward the immediate exchange of funds or items of value, while leaving open ample alternative avenues of communication.

Section 7.22.020 Definitions.

A. "Solicit, ask, or beg" shall mean using spoken, written, or printed words, or bodily gestures, signs or other means, with the purpose of obtaining an immediate donation of money or other thing of value, or soliciting the immediate sale of goods or services, including but not limited to sales of books, newspapers, tracts, artwork, or the performance of actions such as the washing of automobile windows.

B. "Public place" shall mean a place to which the public or a substantial group of the public has access, and includes, but is not limited to, any street, highway, sidewalk, parking lot, plaza, transportation facility, school, place of amusement, park, playground, doorway, entrance, hallway, lobby, or other portion of any business establishment, multifamily housing development or hotel, not including a room or apartment designated for actual residents.

C. "Aggressive manner" shall mean any of the following:

1. Approaching, confronting, speaking to, or following a person immediately before, during, or immediately after soliciting, asking, or begging, if that conduct is intended or is likely to cause a reasonable person to:

(a) Fear bodily harm to one's self or to another, or damage to or loss of property; or

(b) Otherwise be intimidated into giving money or some other thing of value.

ITEM 6.5

2. Intentionally touching or causing physical contact with another person without that person's consent, or with an occupied vehicle without the occupant's consent, in the course of soliciting, asking, or begging.

3. Intentionally blocking or interfering with the safe or free passage of pedestrian or vehicular travel by any means, including unreasonably causing a pedestrian or vehicle operator to take evasive action to avoid contact.

4. Making violent or threatening gestures as part of the process of soliciting, asking, or begging, toward a person solicited, either immediately before, during, or immediately after soliciting, asking, or begging.

5. Persisting in closely following or approaching a person as part of the process of soliciting, asking, or begging, after the person has been solicited and informed by the solicitor by clear words or conduct that such person does not want to be solicited, and does not want to give money or any other thing of value to the solicitor.

6. Using profane, offensive, or abusive language as part of the process of soliciting, asking, or begging, either immediately before, during, or immediately after soliciting, asking, or begging, which language is inherently likely to provoke an immediate violent reaction.

Section 7.22.030. Aggressive solicitation prohibited. No person shall solicit, ask, or beg in an aggressive manner in any public place.

Section 7.22.040 Solicitation prohibited at specific locations.

No person shall solicit, ask, or beg at any of the following locations:

(A) Within 10 feet of any outdoor automatic teller machine or any electronic information processing device which accepts or dispenses cash in connection with a credit, deposit, or convenience account.

(B) Within 10 feet of the entrance of any bank, banking association, savings and loan, trust company, savings bank, credit union, or other banking institution organized or operated under the laws of the United States, and any bank the deposits of which are insured by the federal deposit insurance incorporation, during the operating business hours of any such financial institution.

ITEM 6.5

(C) Within 10 feet of the entrance of any check cashing or payday loan business, or other business duly licensed as a check seller, bill payer or similar establishment, during the operating business hours of any such business.

(D) Within any enclosed parking structure at any time, and within any unenclosed parking lot, generally open to the public, between the hours of 6:00 p.m. and 7:00 a.m.

(E) Within 10 feet of any bus stop, bus shelter, or other designated area for the collection or dropping off of passengers of public transit vehicles, during such times as the transportation service for which the location is designated is operating.

(F) Within the designated travel lanes of any public roadway or bicycle lane or a public roadway median.

Section 7.22.050. Penalty. Violation of this Article is punishable as an infraction.

Section 7.22.060. Non-exclusivity Nothing in this chapter shall limit or preclude the enforcement of other applicable laws.

SECTION 3. 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 Deputy 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:

MARC DONOHUE, Deputy City Clerk

APPROVED AS TO FORM:

DAVID B. COSGROVE, City Attorney

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 **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:

MARC DONOHUE, Deputy City Clerk

7.1
DISASTER RECOVERY INITIATIVE GRANT
MODIFICATION

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**City of Laguna Woods
Agenda Report**

DATE: July 17, 2013 City Council Meeting

TO: Honorable Mayor and City Councilmembers

FROM: Christopher Macon, Director of Public Safety 

AGENDA ITEM: Disaster Recovery Initiative Grant Modification

Recommendation

- A. Receive Staff Report
- B. Open Public Hearing
- C. Receive Public Comment
- D. Close Public Hearing
- E. Approve a resolution reaffirming the City Council's request for the State of California to modify the City's Disaster Recovery Initiative grant agreement, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LAGUNA WOODS, CALIFORNIA, REAFFIRMING A REQUEST
TO MODIFY THE PLANNING ACTIVITIES FUNDED BY THE
CITY'S 2008 DISASTER RECOVERY INITIATIVE AGREEMENT
WITH THE STATE OF CALIFORNIA

Background

In 2011, the City was awarded a grant of \$250,000 from the State of California's Disaster Recovery Initiative (DRI) for a variety of disaster planning projects. The grant agreement allows the City to request project modifications subject to review and approval by the State Department of Housing & Community Development.

Discussion

In January 2013, the City Council unanimously approved a resolution requesting that the State of California modify the planning activities funded by the City's Disaster Recovery Initiative grant agreement to replace the development of an interoperable, wireless communication system plan for wildland-urban interface area shelter locations with the development of a Climate Adaptation Plan (CAP). Currently, all shelters that would serve the City are outside of the City limits. Until shelters are identified within the City, a wireless plan would not be beneficial.

Developing a CAP would complement the City's Local Hazard Mitigation Plan and General Plan Safety Element by providing additional local energy, water, and public health information. The CAP would be developed using California Natural Resources Agency and California Emergency Management Agency (now known as the Governor's Office of Emergency Services) guidance with the specific goal of developing strategies related to wildfire risk, water supply, public health, public safety, ecosystem function, and economic continuity.

After reviewing the City's initial request, State of California staff have requested that the City Council hold a public hearing to reaffirm its desire to proceed with the grant agreement modification. State staff have indicated that the City's request will be approved following completion of this final administrative process.

Fiscal Impact

The Disaster Recovery Initiative grant includes funding for 100% of project costs. Existing staff are working on the projects with consultant support. Development of a CAP is estimated to cost between \$50,000 and \$65,000.

Conclusion

Reaffirming the City Council's earlier action to request that the State of California modify the City's Disaster Recovery Initiative grant agreement is required in order to proceed with the development of a Climate Adaptation Plan.

Approved by:



Leslie A. Keane, City Manager

RESOLUTION NO. 13-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, REAFFIRMING A REQUEST TO MODIFY THE PLANNING ACTIVITIES FUNDED BY THE CITY'S 2008 DISASTER RECOVERY INITIATIVE AGREEMENT WITH THE STATE OF CALIFORNIA

WHEREAS, in 2011 the City of Laguna Woods received a grant of \$250,000 from the State of California's Community Development Block Grant Program, 2008 Disaster Recovery Initiative; and

WHEREAS, the City Council is able to request modifications of the planning activities funded by the City's 2008 Disaster Recovery Initiative Agreement; and

WHEREAS, the City Council recently adopted a Local Hazard Mitigation Plan to form the foundation for the City's long-term strategy to reduce disaster losses and break the cycle of disaster damage, reconstruction, and repeated damage; and

WHEREAS, the Local Hazard Mitigation Plan identifies wildfires and urban conflagrations; energy shortages; public health crises; floods and storms; extreme heat; and, water shortages as among the local hazards that can affect the City; and

WHEREAS, the State of California's 2009 Climate Adaptation Strategy states that "communities with General Plans and Local Coastal Plans should begin, when possible, to amend their plans to assess climate change impacts, identify areas most vulnerable to these impacts, and develop reasonable and rational risk reduction strategies using the [Climate Adaptation Strategy] as guidance"; and

WHEREAS, the California Emergency Management Agency and California Natural Resources Agency have developed an Adaptation Planning Guide that seeks to reduce the impacts of climate change on a local scale in order to provide environmental and other public benefits, including increased public safety, reduced greenhouse gas emissions, and greater economic stability; and

WHEREAS, the development of a Climate Adaptation Plan would complement the Local Hazard Mitigation Plan; inform future updates of the General Plan; and, aid in the effectiveness and impact of public safety and environmental programs; and

ITEM 7.1

WHEREAS, State of California staff has requested that the City Council hold a public hearing to reaffirm City Council Resolution No. 13-02 that requested that the State modify the City's Disaster Recovery Initiative grant agreement in order to allow for the development of a Climate Adaptation Plan.

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

SECTION 1. The City Council hereby reaffirms City Council Resolution No. 13-02 and requests that the State of California modify the planning activities funded by the City's 2008 Disaster Recovery Initiative Agreement to replace the development of an interoperable, wireless communication system plan for wildland-urban interface area shelter locations with the development of a Climate Adaptation Plan.

SECTION 2. The City Manager or designee is hereby authorized and directed to execute any documentation necessary to effectuate this modification of the City's 2008 Disaster Recovery Initiative Agreement and implement grant projects.

SECTION 3. The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED AND ADOPTED ON this __ day of July 2013.

ROBERT B. RING, Mayor

ATTEST:

MARC DONOHUE, Deputy City Clerk

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

ITEM 7.1

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 ___ day of July 2013, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

MARC DONOHUE, Deputy City Clerk

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8.1
AD HOC CITY MANAGER
RECRUITMENT/TRANSITION COMMITTEE
(MAYOR RING/COUNCILMEMBER CONNERS)

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RESOLUTION NO. 13 - XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF LAGUNA WOODS AUTHORIZING THE AD HOC
COMMITTEE FOR CITY MANAGER TRANSITION AND
OVERSIGHT TO HIRE CONSULTING ASSISTANCE

WHEREAS, the city manager has announced her retirement, effective March 24, 2014; and

WHEREAS, the City Council has established an Ad Hoc Committee for City Manager Transition and Oversight to coordinate city manager recruitment and transition; and

WHEREAS, the ad hoc committee wishes to explore utilizing consulting assistance to assist with the performance of its responsibilities; and

WHEREAS, Sections 2.06.060 and 3.0.06.010 et seq of the Laguna Woods Municipal Code establish purchasing systems and procedures for the acquisition of supplies and services, including the ability of the Purchasing Agent to enter into contracts and to contract for special services for amounts less than \$50.000; and

WHEREAS, these provisions are non-exclusive of the City Council's inherent authority to contract for professional services, including those relating to potential consulting services in the formulation of a transitional plan and potential recruitment process for the successor city manager; and

WHEREAS, because in this instance, the Purchasing Agent and the outgoing city manager are the same, City Council has determined that the interests of impartiality, third party perspective, and overall confidence of both potential successor city manager candidates and the public generally in the transition process are best served if the transitional consultant be identified, retained, and overseen by the City Council itself; and

WHEREAS, City Council has determined that the presently constituted Ad Hoc Committee for City Manager Transition and Oversight is appropriate to identify, negotiate with, and retain a transitional consultant for such purposes;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Laguna Woods as follows:

The Mayor is authorized to execute a contract for city manager transitional consulting services at the recommendation of the Ad Hoc Committee for City Manager Transition and Oversight, in an amount not to exceed \$12,500, subject to approval of the contract as to form by the City Attorney.

PASSED, APPROVED AND ADOPTED ON this XX day of XX 2013.

ROBERT B. 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 XX day of XX 2013, by the following vote:

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

MARC DONOHUE, Deputy City Clerk

City of Laguna Woods
MEMO

DATE: July 3, 2013
TO: City Council Ad Hoc Recruitment Committee
FROM: Leslie Keane, City Manager *Julie*
SUBJECT: City Manager Recruitment and Timeline Information

Although you have not asked me to meet with your committee, I thought it might be helpful if I provided some general information about various City Manager recruitment options.

Issue: Internal Promotion or Outside Appointment

There are both advantages and disadvantages of promoting from within as opposed to conducting a formal recruitment. These include:

- An internal employee is familiar with the City - Councilmembers, staff and residents - and existing policies and procedures.
- Appointment from within eliminates recruitment costs.
- Salary and benefits requirements may be less with an in-house promotion than an appointment from outside.
- In-house promotions can be accomplished relatively quickly and allow the new appointee to shadow the existing City Manager to learn aspects of the job with which he/she is not yet familiar.
- An in-house candidate may not have sufficient experience, understanding of all of the responsibilities or the maturity required of a city manager. In a city like ours, where we have so few employees, employees have been hired for specific areas of expertise and each has specific responsibilities. We have had little opportunity for cross training.
- Hiring an in-house candidate without going through a recruitment process may cause friction with other employees.

There are several individuals – inside and outside our organization – who have expressed an interest in the city manager position. It would be my recommendation that the Council conduct a formal recruitment.

Issue: Use of an Outside Recruiting Firm

There are both advantages and disadvantages to conducting recruitment process through an external vendor or through internal resources. Regardless of the option selected, the recruitment's scope of work remains relatively the same. Please refer to Exhibit A for the standard elements of a City Manager recruitment scope of work.

The following outlines some of the advantages and disadvantages of conducting the recruitment through an external vendor or through internal resources.

External Vendor

- Specialization and experience in high level recruitment efforts.
- Established network of candidates, including candidates not currently on the open market.
- Objective third party conducting recruitment.
- If the candidate leaves employment within the first year, the vendor will redo the search for expenses only.
- Seasoned candidates may be more apt to deal with executive search firms.
- Recruitment is the external vendor's primary focus and they should be able to complete the process with less disruption to city staff.
- The cost of the recruitment is higher than through internal resources and may take longer.

Internal

- More flexibility over the entire recruitment process and may be able to complete the process more quickly.
- Process should be less expensive than using an executive search firm.
- In house staff will not have an established network of contacts.
- Recruitment process will affect current staff workload; the City Manager recruitment process is time consuming and other projects may be delayed.
- If a candidate leaves employment within the first year, redoing the search will increase expenses and affect workload.

Using an executive search firm also gives the appearance of fairness and openness to outside observers. If a firm is used and an internal applicant is hired, those affiliated with the organization as well as outsiders will have some measure of certainty that the chosen candidate stacks up favorably to others in the profession.

ITEM 8.1

I have contacted four firms that handle the bulk of city recruitments in California and discussed their processes and costs; I would be happy to provide that information in more detail.

Issue: Cost

The cost for an executive recruitment firm is estimated to be \$25,000 - \$30,000; the cost for an internal recruitment is estimated to be \$5,000 (this amount would be higher if the City pays travel/lodging costs time for top candidates).

Issue: Desired Level of Council Involvement

The City Council has established a subcommittee to develop and manage the recruitment and transition process. Subcommittee duties with respect to recruitment typically include:

- Review the City Manger recruitment brochure
- Review and discuss advertising and marketing plan
- Review and select interview questions
- Interview semi-finalists
- Interview and select finalist candidates
- Negotiate employment agreement

There are a number of aspects of the recruitment process that would generally be handled by the full City Council; these include:

- Develop candidate profile, generally with input from the public in a workshop setting - determine what specific qualifications, background and/or credentials are critical to the position
- Decision whether or not to hire a recruitment firm (public meeting)
- Finalist interviews
- Approval of employment and any employment contract (public meeting)

Issue: Timeline

Once the City Council has determined whether to conduct the executive recruitment through an external vendor or using internal staff, the time from initiation to having a new city manager on board should be between 5 (internal) to 7 (external) months. The chart below identifies a typical process timeline. Hiring from within can obviously be accomplished much quicker. I have highlighted the items that would generally be handled by the full council.

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Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7
Develop RFP for recruitment firm	Selection of recruitment firm	Develop recruitment brochures/ads	Application submission	Review applications	Semi-finalist interviews	Selection
	Develop candidate profile	Marketing/advertising position		Create short list of interviewees	Finalist interviews	Contract negotiations

Attached:

1. Exhibit A

Standard Elements of a City Manager Recruitment Scope of Work

1. Develop the City Manager job description and draft a position profile - this generally includes at least one workshop meeting with stakeholders (residents, HOAs, businesses, social organizations, etc.) to determine what additional items should be included.
2. Identify preliminary compensation components.
3. Identify the recruitment timeline and review with Council to agree upon dates and objectives.
4. Develop a brochure for printing/mailing and various advertisements for posting in professional publications and on targeted websites.
5. Identify any potential candidates through networks, associations or other organizations and complete a targeted mailing of the opportunity.
6. Review and screen applications received for minimum qualifications.
7. Conduct preliminary interviews of candidates to further refine top candidates (phone interviews with out of area candidates).
8. Notify non-selected candidates of their status.
9. Complete background checks on selected top candidates (may wait for final candidate).
10. Compile the package of recommendation, including each candidate's resume and qualifications, summary of the preliminary interview and references (may wait until final candidate) along with suggested questions for the final interviews.
11. Coordinate the final interviews including the transportation, lodging and travel for each candidate - if a large number of qualified candidates are available, this is a two step process with interviews of semi-finalists and then finalists.
12. Conduct final reference/background checks on selected candidate(s).
13. Make job offer and begin contract negotiation process.
14. Complete the contract negotiation and manage the reimbursement of expenses for candidates.

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9.1

SAN SEBASTIAN REGULATORY AGREEMENT

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City of Laguna Woods Agenda Report

DATE: July 17, 2013

TO: Honorable Mayor and Council Members

FROM: Leslie Keane, City Manager 

AGENDA ITEM: San Sebastian Regulatory Agreement

Recommendation

Authorize the City Manager to execute an amendment to the recertification process of the Regulatory Agreement and Declaration of Covenants and Restrictions between the City of Laguna Woods and property owner of record of the San Sebastian condominium complex, subject to approval of the City Attorney as to form.

Background

In October 2005, the City Council approved a mitigated negative declaration (MND 05-02), an amendment to the City's General Plan (GPA 05-01), a tentative tract map (TM 16835), a conditional use permit (CUP 243) and a site development permit (SP 242) for a proposed 134 residential condominium project at the western terminus of Playa La Plata, off of Paseo de Valencia. The Council approved a zone change (ZC 05-01) for the project in November of the same year.

The subject property – San Sebastian – is 3.05 acres and was rezoned from a professional and administrative office to high density residential. This zoning designation allowed 35 units per acre for a total of 107 units. State law requires that local governments grant a 20% density bonus for residential projects that restrict 10% of their units to low or very-low income residents, and increases this bonus by 1.5% for every 1% of additional low income units. Providing 15 low income units entitled San Sebastian to a 26% density bonus for a maximum total of 135 units on the site. As noted above, 134 units were requested and approved for construction.

On December 16, 2009, the City Council modified the Density Bonus Housing Agreement with Standard Pacific Homes, approved a Regulatory Agreement and Declaration of Covenants and Restrictions and a resolution modifying conditions of

ITEM 9.1

approval for the San Sebastian Project. These actions increased the number of affordable units from 15 to 17, increased the term of affordability from 30 to 45 years and allowed for the rental or sale of affordable units to qualified seniors at the property owner's option.

The San Sebastian project currently functions as an apartment complex, with all units for lease. The current property owner, BehringerHarvard, is requesting a modification to the Regulatory Agreement that would allow occupants of affordable units to recertify if their income does not exceed 110% of the current state established income limit.

Discussion

The San Sebastian Bonus Density Agreement establishes rental for low income units at a maximum of 30% of income. Both the Density Bonus agreement and Regulatory Agreement contain requirements for the determination of eligible tenants for the affordable units in San Sebastian - households must consist of qualifying seniors as defined in Civil Code Section 51.3, who also qualify as low income households, which is those households earning less than the State Income Limits for Lower Income Households.

Section 4.4 of the Regulatory Agreement identifies the process for determining an eligible applicant for low income units. The property owner/manager must obtain and verify income and age of prospective tenants. Section 4.5 identifies the process for recertification and specifies that tenants must re-qualify each year at the current state income limit. In the event that recertification demonstrates that the tenant exceeds the income limit, a lease cannot be renewed and occupants are required to vacate the unit within one hundred eighty (180) days after the recertification.

The state income limits for extremely low, very low and low income households are established by the California Housing and Community Development Department, generally between February and April each year, and are based on limits established by the federal Housing and Urban Development Department. Income limits are determined for each county and vary depending on economic conditions and median income. The below chart identifies the change in the maximum permitted income for low income households since 2010:

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Year	Household Size		
	1 person	2 person	3 person
2010	\$52,050	\$59,450	\$66,900
2011	51,700	59,100	66,500
2012	53,950	61,650	69,350
2013	53,950	61,650	69,350

Given the rental rates at San Sebastian, tenants generally qualify near the top of the income limit. If income limits decrease, as they did in 2011, residents who qualified in a prior year may be unable to recertify. Or, if tenants have a minor, one time increase in income, they may also be unable to recertify.

Although recertification has not been a significant problem in the past, there have been several instances where tenants that have not qualified at the end of their first lease term. Generally, incomes have been only slightly higher than allowed due to one-time earnings or the lowering of the state income limit. BehringerHarvard, the current owner of San Sebastian, has asked that the City consider a modification to Section 4.5 of the Regulatory Agreement to allow recertification if an owner earns 110% of the income limit.

Conclusion

Since the affordable units in San Sebastian were established by the City Council as a part of a zone change and conditional use permit, and not as part of the City's inclusionary housing regulations or any state or federal subsidy program, the proposed modification is within the jurisdiction of the City Council. If approved, the city manager will execute an amendment to the existing Regulatory Agreement allowing for tenant recertification up to a maximum of 110% of the state established income limit. Initial tenants would still be required to qualify at no more than the 100% level.

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