

**CITY OF LAGUNA WOODS, CALIFORNIA**  
**CITY COUNCIL MINUTES**  
**REGULAR MEETING**  
**August 19, 2009**  
**2:00 P.M.**

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**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**

Marilyn Sortino, resident, led the flag salute.

**III. ROLL CALL**

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

STAFF PRESENT:       City Manager Keane; Assistant City Manager Reilly; Deputy City Clerk Trippy; City Attorney McEwen

**IV. PRESENTATIONS**

4.1 2008 Food Facility Awards

- Carl's Jr. – 24342 El Toro Rd, Laguna Woods
- Jersey Mike's Subs – 24365 El Toro Rd, Ste A, Laguna Woods
- Moulton Arco AM/PM – 24181 Moulton Pkwy, Laguna Woods
- Starbucks Coffee – 24100 El Toro Rd, Ste A, Laguna Woods
- Starbucks Coffee – 24338 El Toro Rd, Laguna Woods
- Subway – 23582 Moulton Pkwy, Ste B113, Laguna Woods
- Jolanda's Café – 23615 El Toro Rd, Ste T, Lake Forest

City Manager Keane announced that six local restaurants, as well as Jolanda's Café, which does substantial business in Laguna Woods, have received the County of Orange's Food Facility Award of Excellence.

Mayor Ring presented representatives from Jersey Mike's and Carl's Jr. with certificates. Both representatives made brief remarks. Certificates will be mailed to the other award winners.

**V. CITY PROCLAMATIONS**

Moved by Mayor Pro Tem Robbins, seconded by Councilmember Rhodes, and carried unanimously to approve Proclamation 5.1

5.1 Proclamation – National Alcohol and Drug Addiction Recovery Month, September 2009

## **VI. CONSENT CALENDAR**

Moved by Mayor Pro Tem Robbins, seconded by Councilmember Conners, and carried unanimously to approve Consent Calendar Items 6.1 - 6.6.

6.1 City Council Minutes

Approved the minutes from the July 15, 2009 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 July 2009 monthly and Fiscal Year 2008-09 Fourth Quarter Treasurer's Reports.

6.4 Warrant Register

Approved the August 19, 2009 Warrant Register in the amount of \$454,649.30.

6.5 Massage Business Regulations

Adopted an ordinance modifying massage business regulations, entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA,  
AMENDING CHAPTER 6.40 OF THE LAGUNA WOODS MUNICIPAL  
CODE PERTAINING TO MASSAGE REGULATIONS

*Note: After this item was adopted by the Council, it was discovered that the first reading had not been published in the Globe; this item will be re-agendized for adoption in September.*

6.6 Moulton Parkway Smart Street Improvements: Landscape Architect

Awarded a contract to RRM Design Group, Inc. for landscape architectural services for Moulton Parkway in the amount of \$71,893, plus authorized change orders not to exceed 15% of the base amount; and authorized the City Manager to execute a contract and approve change orders, subject to approval of the contract as to form by the City Attorney.

## **VII. PUBLIC HEARINGS**

7.1 Temporary Sign Regulations

City Manager Keane summarized the agenda report.

The public hearing was opened.

City Manager Keane stated that correspondence was received from the Moulton Parkway Auto Spa supporting the proposed ordinance, specifically the provision that would increase the number of days that businesses could display banner signs.

Councilmember Connors noted that the City Council discussed the proposed ordinance at their July 2009 regular meeting.

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

Moved by Mayor Pro Tem Robbins, seconded by Councilmember Rhodes, and carried unanimously to adopt Ordinance No. 09-04 modifying temporary sign regulations, entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA,  
AMENDING CHAPTER 13.20 OF THE LAGUNA WOODS MUNICIPAL  
CODE PERTAINING TO SIGN REGULATIONS

## **VIII. CITY COUNCIL**

### **8.1 Orange County Council of Governments Revised Joint Powers Agreement (agendized by Mayor Ring)**

Mayor Ring summarized the agenda report. He stated that the services provided by OCCOG outweigh the membership dues and costs of providing them on our own.

Mayor Ring announced that a representative from the Orange County Transportation Authority (OCTA) will replace Dennis Wilberg as Executive Director of OCCOG.

Councilmember Hack expressed appreciation for Mayor Ring's work on the OCCOG working group that drafted the revised agreement. He concurred with Mayor Ring that OCCOG is a great benefit for the City.

Councilmember Rhodes asked for clarification on whether an OCTA representative or the agency itself is assuming the role of Executive Director.

Mayor Ring responded that a representative from OCTA will be assuming the role.

Councilmember Connors noted the importance of regional representation for the City.

Moved by Councilmember Hack, seconded by Mayor Pro Tem Robbins, and carried unanimously to approve Resolution No. 09-17 approving the revised OCCOG Joint Powers Agreement and Bylaws and authorizing the Mayor to execute the agreement, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, APPROVING AN AMENDED AND RESTATED ORANGE COUNTY COUNCIL OF GOVERNMENTS (OCCOG) JOINT POWERS AGREEMENT

**IX. CITY MANAGER**

9.1 Appointment of City Treasurer

City Manager Keane summarized the agenda report and stated her intent to designate the Finance Manager as the City Treasurer, as approved previously by the City Council, if the proposed ordinance is adopted.

Councilmember Hack discussed the City's growth since incorporation and supported the proposed ordinance.

Moved by Councilmember Hack, seconded by Mayor Pro Tem Robbins, and carried unanimously to approve introduction and first reading of an ordinance authorizing the City Manager to designate a City Treasurer, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING TITLE 2 OF THE LAGUNA WOODS MUNICIPAL CODE RELATING TO APPOINTMENT OF THE CITY TREASURER

9.2 Local Environmental Quality Act Procedures

City Manager Keane summarized the agenda report.

Councilmember Hack stated his support for the proposed procedures and asked about the cumulative effects; how greenhouse gas is measured; and, who sets the standards. He noted that the procedures would have an impact on Laguna Woods Village's land use and expressed concern with the lack of an appellate process and specific CEQA guidelines for cities to follow.

City Manager Keane clarified that the City Council would set the standards and make determinations regarding a project's effects on surrounding areas. By approving the resolution, the city will establish good-faith standards and possibly avoid litigation.

Councilmember Rhodes asked for clarification as to who serves as the "lead agency". He believes the CEQA requirements are cumbersome and may demand expert assistance.

City Manager Keane responded that the City serves as the lead agency for projects within the City. She stated that various methodologies will be explored to evaluate projects. Should a project require an Environmental Impact Report, the proponent would then hire the necessary specialists.

Councilmember Connors expressed her support and agreement that the proposed changes

are vague, but fair. She concurred with Councilmember Hack that there will be impacts on Laguna Woods Village and mentioned the effect that increased development at the Laguna Hills Mall could have on the City, specifically relating to traffic congestion.

Moved by Councilmember Hack, seconded by Councilmember Conners, and carried unanimously to approve Resolution No. 09-18 modifying the Laguna Woods Local Environmental Quality Act Procedures, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, MODIFYING THE LAGUNA WOODS LOCAL PROCEDURES IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) TO ADD CONSIDERATION OF GREENHOUSE GAS EMISSIONS

### 9.3 Alternative Vehicle Parking Space Regulations

City Manager Keane summarized the agenda report and noted that the proposed ordinance establishes alternative vehicle parking standards and that golf cart parking would only be allowed in areas where golf carts can legally travel.

Councilmember Hack expressed mixed feelings and cited his personal concerns with combining vehicles and golf carts on roadways and parking areas.

Councilmember Rhodes stated that the use of alternative vehicle has the residents' support and that any risk in this case is outweighed by the public benefit.

Councilmember Conners expressed her support for the proposed ordinance and stated that residents want to maintain independence and mobility. She also believes that since golf carts are alternative fuel vehicles, it is appropriate to encourage their use.

Mayor Pro Tem Robbins concurred with Councilmember Hack regarding combining vehicles and golf carts on roadways and parking areas, but feels that the use of golf carts on designated paths would benefit the residents.

Moved by Mayor Pro Tem Robbins, seconded by Councilmember Rhodes, and carried unanimously to approve introduction and first reading of an ordinance to establish regulations for alternative vehicle parking spaces, entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING CHAPTER 13.06 AND 13.18 OF THE LAGUNA WOODS MUNICIPAL CODE PERTAINING TO OFF-STREET PARKING REGULATIONS

## **X. CITY ATTORNEY'S REPORT – None.**

## **XI. COMMITTEE REPORTS**

### 11.1 Transportation Corridor Agencies (Councilmember Hack)

Councilmember Hack stated that no meeting was held in August.

11.2 Orange County Library Board (Mayor Pro Tem Robbins)

Mayor Pro Tem Robbins announced that no meeting was held since the last City Council meeting, however an ad hoc group is scheduled to meet on August 27 to receive a report from the allocation formula consultant. The Friends of the Laguna Woods OC Library hosted a successful mystery authors event on July 28 that drew a large crowd.

11.3 Orange County Fire Authority (Councilmember Rhodes)

Councilmember Rhodes discussed the installation of Fire Chief Richter on August 5. He stated that 33 members of OCFA are assisting outside agencies' battle fires throughout Santa Barbara, Santa Cruz, Shasta, and Madera Counties.

11.4 Southern California Water Committee (Councilmember Hack)

Councilmember Hack distributed a copy of a letter sent on behalf of the City to members of the State legislature regarding water-related legislation. The letter supports solving the State's water shortage with an emphasis on co-equal goals for export water. He will ask OCCOG members to send similar letters.

Councilmember Connors and Councilmember Hack discussed rising sea water.

11.5 Coastal Greenbelt Authority (Councilmember Connors)

Councilmember Connors stated that no meeting was held.

11.6 Laguna Canyon Foundation (Councilmember Rhodes)

Councilmember Rhodes stated that no meeting was held. The Foundation is considering revising their youth and adult education programs for the upcoming year.

11.7 Vector Control District Board (Board Member Bouer)

Mayor Ring announced that Board Member Bouer was unable to attend today's meeting and that there are no Vector problems to report.

**XII. PUBLIC COMMENTS**

Resident Shari Horne commended the City Council for approving the CEQA procedures related to greenhouse gases and discussed the 350 movement and International Day on Climate Action, which will occur on October 24, 2009.

**XIII. CITY COUNCIL COMMENTS AND ANNOUNCEMENTS**

13.1 Reports on Meetings Attended (Government Code §53232.3) – None.

## 13.2 Other Comments and Announcements

Mayor Ring commented on the passing of Cheryl Walker, who served as a reporter for the Laguna Woods Globe/Leisure World News for 19 years, and Jan Brayley, who was a long-time City volunteer and committee member.

Councilmember Hack commented on the 350 movement's activities.

Councilmember Rhodes commented on Cheryl Walker's memorial service and a recent orientation and tour of the Board of Equalization.

City Manager Keane noted that the City is considering hosting a program for businesses to learn about the services provided by the Board of Equalization.

Councilmember Connors discussed issues related to greenhouse gases and challenged individuals to make an effort in conserving energy in their daily events.

## **XIV. CLOSED SESSION**

- 14.1 The City Council met in closed session to confer with legal counsel regarding litigation of: Jhin Kim, Individually and on Behalf of the Estate of Ki Sook Kim, Hanna Chung, Jung K. Kim v. Alice Foster, Golden Rain Foundation of Laguna Woods, City of Laguna Woods and (Does 1-60) Inclusive (Case No. 00110038), pursuant to the provisions of Government Code Section 54956.9(a).

The City Council reconvened at 4:40 p.m. and advised that there was no reportable action.

## **XV. ADJOURNMENT**

The meeting was adjourned at 4:41 p.m. in honor of Cheryl Walker and Jan Brayley. The next meeting will be at 2:00 p.m. on September 16, 2009 at the Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, California 92637.

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YOLIE TRIPPY, Deputy City Clerk

Adopted: September 16, 2009

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ROBERT B. RING, Mayor