

CITY of LAGUNA WOODS CITY COUNCIL AGENDA

Regular Meeting
Wednesday, November 15, 2017
2:00 p.m.

Laguna Woods City Hall
24264 El Toro Road
Laguna Woods, California 92637

Shari L. Horne
Mayor

Carol Moore
Mayor Pro Tem

Cynthia Conners
Councilmember



Noel Hatch
Councilmember

Joe Rainey
Councilmember

Welcome to a meeting of the Laguna Woods City Council!

This meeting may be recorded, televised, and made publically available.

Public Comments: Persons wishing to address the City Council are requested to complete and submit a speaker card to City staff. Speaker cards are available near the entrance to the meeting location. Persons wishing to address the City Council on an item appearing on this agenda will be called upon at the appropriate time during the item's consideration. Persons wishing to address the City Council on an item *not* appearing on the agenda will be called upon during the "Public Comments" item. Persons who do not wish to submit a Speaker Card, or who wish to remain anonymous, may indicate their desire to speak from the floor. Speakers are requested, but not required, to identify themselves.

Americans with Disabilities Act (ADA): It is the intention of the City to comply with the ADA. If you need assistance to participate in this meeting, please contact either the City Clerk's Office at (949) 639-0500/TTY (949) 639-0535 or the California Relay Service at (800) 735-2929/TTY (800) 735-2922. The City requests at least two business days' notice in order to effectively facilitate the provision of reasonable accommodations.

REGULAR MEETING SCHEDULE

The Laguna Woods City Council regularly meets on the third Wednesday of each month at 2 p.m.

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AFFIDAVIT OF POSTING

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

I, Yolie Trippy, Deputy City Clerk, City of Laguna Woods, hereby certify under penalty of perjury that this agenda was posted at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, California 92637; on the City's website (www.cityoflagunawoods.org); and, at other locations designated by Resolution No. 17-30, pursuant to California Government Code Section 54954.2 of the Ralph M. Brown Act.


YOLIE TRIPPY, Deputy City Clerk

11-9-17
Date

I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. PRESENTATIONS AND CEREMONIAL MATTERS

4.1 Lee Bevilaqua – 100th Birthday

Recommendation: Approve and present the commendation.

4.2 America Recycles Day – November 15, 2017

Recommendation: Approve and present the proclamation.

4.3 World Pancreatic Cancer Day – November 16, 2017

Recommendation: Approve and present the proclamation.

4.4 World AIDS Day – December 1, 2017

Recommendation: Approve and present the proclamation.

4.5 Human Rights Day – December 10, 2017

Recommendation: Approve and present the proclamation.

V. PUBLIC COMMENTS

About Public Comments: This is the time and place for members of the public to address the City Council on items *not* appearing on this agenda. Pursuant to State law, the City Council is unable to take action on such items, but may engage in brief discussion, provide direction to City staff, or schedule items for consideration at future meetings.

VI. CONSENT CALENDAR

About the Consent Calendar: All items listed on the Consent Calendar are considered routine and will be enacted by one vote. There will be no separate discussion of these items unless a member of the City Council, City staff, or the public requests that specific items be removed from the Consent Calendar for separate discussion and consideration of action.

6.1 City Council Minutes

Recommendation: Approve the City Council meeting minutes for the regular meeting on October 18, 2017 and the special meeting on October 25, 2017.

6.2 City Treasurer's Report

Recommendation: Receive and file the City Treasurer's Report for the month of October 2017.

6.3 Warrant Register

Recommendation: Approve the warrant register dated November 15, 2017 in the amount of \$548,821.07.

6.4 Investment of Financial Assets Policy

Recommendation: Approve a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, REVIEWING AND ADOPTING AN ANNUAL STATEMENT OF THE INVESTMENT POLICY, ADOPTING AN INVESTMENT POLICY, AND RENEWING ITS DELEGATION OF INVESTMENT AUTHORITY PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 53607 TO THE CITY TREASURER

6.5 City Hall Restroom Repair and Refurbishment Project

Recommendation: Reject all bids received for the "City Hall Restroom Repair and Refurbishment Project".

VII. PUBLIC HEARINGS

VIII. CITY COUNCIL BUSINESS

8.1 “A Place for Paws” Dog Park Advisory Group

Recommendation:

1. Approve a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ADOPTING ADMINISTRATIVE POLICY 1.5 PERTAINING TO THE ESTABLISHMENT, APPOINTMENT, RESPONSIBILITIES, ACTIVITIES, AND PROCEDURES OF A DOG PARK ADVISORY GROUP

AND

2. Approve a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ESTABLISHING A REGULAR MEETING SCHEDULE, INCLUDING DATES, TIMES, AND LOCATIONS, FOR THE DOG PARK ADVISORY GROUP

8.2 Mayors’ Compact to Combat Hate, Extremism and Bigotry
(agendized by Mayor Horne)

Recommendation: Approve a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, JOINING THE MAYORS’ COMPACT TO COMBAT HATE, EXTREMISM AND BIGOTRY, AND SUPPORTING RELATED EFFORTS

8.3 Smoking and Tobacco Sales Regulations

Recommendation: Approve second reading and adopt an ordinance – read by title with further reading waived – entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY

OF LAGUNA WOODS, CALIFORNIA, AMENDING CHAPTER 7.16 OF THE LAGUNA WOODS MUNICIPAL CODE RELATED TO THE REGULATION AND PROHIBITION OF SMOKING, AND AMENDING SECTIONS 13.06.010, 13.08.010, 13.10.020, 13.12.020, AND 13.13.020 OF THE LAGUNA WOODS MUNICIPAL CODE RELATED TO THE SALE OF AND ZONING FOR TOBACCO AND CIGARETTES

8.4 Speed Limits on City Streets

Recommendation: Approve second reading and adopt an ordinance – read by title with further reading waived – entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING SECTION 8.06.010 OF THE LAGUNA WOODS MUNICIPAL CODE RELATED TO THE ADOPTION AND ESTABLISHMENT OF SPEED LIMITS ON EL TORO ROAD, MOULTON PARKWAY, RIDGE ROUTE DRIVE, AND SANTA MARIA AVENUE, INCLUDING AN INCREASED SPEED LIMIT ON EL TORO ROAD BETWEEN AVENIDA SEVILLA AND PASEO DE VALENICA, AND RE-ADOPTION AND RE-ESTABLISHMENT OF OTHER EXISTING SPEED LIMITS

IX. CITY COUNCIL REPORTS AND COMMENTS

About City Council Comments and Reports: This is the time and place for members of the City Council to provide reports on meetings attended including, but not limited to, meetings of regional boards and entities to which they have been appointed to represent the City and meetings attended at the expense of the City pursuant to California Government Code Section 53232.3. Members of the City Council may also make other comments and announcements.

- 9.1 Coastal Greenbelt Authority
Councilmember Connors; Alternate: Mayor Horne
- 9.2 Orange County Fire Authority
Councilmember Hatch

- 9.3 Orange County Library Advisory Board
Mayor Pro Tem Moore; Alternate: Mayor Horne
- 9.4 Orange County Mosquito and Vector Control District
Mayor Horne
- 9.5 San Joaquin Hills Transportation Corridor Agency
Councilmember Conners; Alternate: Mayor Pro Tem Moore
- 9.6 South Orange County Watershed Management Area
Mayor Pro Tem Moore; Alternate: Councilmember Hatch
- 9.7 Other Comments and Reports

X. CLOSED SESSION

XI. CLOSED SESSION REPORT

XII. ADJOURNMENT

Next Adjourned Regular Meeting: Wednesday, December 13, 2017 at 2 p.m.
Laguna Woods City Hall
24264 El Toro Road, Laguna Woods, California 92637

Next Regular Meeting: Wednesday, January 17, 2018 at 2 p.m.
Laguna Woods City Hall
24264 El Toro Road, Laguna Woods, California 92637

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4.1
COMMENDATION –
LEE BEVILAQUA –
100TH BIRTHDAY

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**City of Laguna Woods
Certificate of Commendation
Lee Bevilaqua
100th Birthday**

WHEREAS, Lee Bevilaqua will celebrate her 100th birthday on November 17, 2017; and

WHEREAS, Lee Bevilaqua has lived in Laguna Woods since 1985; and

WHEREAS, Lee Bevilaqua served her country in the United States Marine Corps during World War II before embarking on a diverse professional career ranging from secretarial duties to purchasing management; and

WHEREAS, since moving to Laguna Woods, Lee Bevilaqua has invested herself in the community through volunteer service with former Assemblyman Devore's Office, the Florence Sylvester Memorial Senior Center, Meals-on-Wheels, and Laguna Woods Village Channel 6, as well as the California, Saddle, and World on Film clubs; and

WHEREAS, due to her extensive and tireless volunteer work, Lee Bevilaqua has been called "one of the silent worker bees who makes good things happen"; and

WHEREAS, one of Lee Bevilaqua's most recent accomplishments was working to collect 40 years of *Leisure World News/Laguna Woods Globe* newspapers for the Laguna Woods History Center, in order to preserve the community's history.

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

Dated this 15th day of November, 2017

Shari L. Horne
Mayor

Attest: Yolie Trippy
Deputy City Clerk

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4.2
PROCLAMATION –
AMERICA RECYCLES DAY –
NOVEMBER 15, 2017

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**Proclamation
City of Laguna Woods
America Recycles Day
November 15, 2017**

WHEREAS, in 2016, California landfilled or exported for landfill 35.2 million tons of waste, which amounted to approximately six pounds per resident, per day; and

WHEREAS, recycling helps to preserve and protect our environment, conserve natural resources, prevent pollution, save energy, and reduce greenhouse gas emissions; and

WHEREAS, the State of California has established a statewide recycling goal of 75% by 2020, with 44% statewide recycling achieved as of 2016; and

WHEREAS, the City of Laguna Woods has long been committed to providing a wide array of residential and commercial recycling services, such that approximately 65% of the waste generated within Laguna Woods in 2016 was recycled; and

WHEREAS, the City of Laguna Woods is one of the only cities in California to offer a free in-home bulky item collection service, through which many of the bulky items collected are donated to Goodwill Industries; and

WHEREAS, the City of Laguna Woods also hosts free recycling events throughout the year, including quarterly shredding events and biannual goods exchanges.

NOW, THEREFORE, BE IT RESOLVED that the Laguna Woods City Council does hereby proclaim November 15, 2017 as “America Recycles Day” in Laguna Woods and encourages individuals and businesses to recycle whenever possible.

Dated this 15th day of November, 2017

Shari L. Horne
Mayor

Attest: Yolie Trippy
Deputy City Clerk

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4.3
PROCLAMATION –
WORLD PANCREATIC CANCER DAY –
NOVEMBER 16, 2017

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**Proclamation
City of Laguna Woods
World Pancreatic Cancer Day
November 16, 2017**

WHEREAS, every day, more than 1,000 people worldwide are diagnosed with pancreatic cancer, and an estimated 985 die from the disease; and

WHEREAS, pancreatic cancer has the lowest survival rate of all major cancers and, even with surgery, is the only major cancer with a single-digit five-year survival rate in nearly every country; and

WHEREAS, while there are currently no early detection methods for pancreatic cancer and its symptoms may well be caused by other conditions, individuals who regularly experience unexplained abdominal bloating, pain, weight loss, jaundice, diabetes, and digestive problems should speak with their healthcare providers; and

WHEREAS, there are a variety of supportive resources available to those affected by pancreatic cancer, including the Pancreatic Cancer Action Network; and

WHEREAS, the well-being of the residents of Laguna Woods is enhanced as a direct result of increased awareness and research of pancreatic cancer.

NOW, THEREFORE, BE IT RESOLVED that the Laguna Woods City Council does hereby proclaim November 16, 2017 as “World Pancreatic Cancer Day” in Laguna Woods and encourages the support of pancreatic cancer research.

Dated this 15th day of November, 2017

Shari L. Horne
Mayor

Attest: Yolie Trippy
Deputy City Clerk

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4.4

**PROCLAMATION –
WORLD AIDS DAY –
DECEMBER 1, 2017**

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**Proclamation
City of Laguna Woods
World AIDS Day
December 1, 2017**

WHEREAS, more than 1.1 million individuals in the United States are living with a Human Immunodeficiency Virus infection, or “HIV”, including one in seven who are unaware of their infection; and

WHEREAS, although individuals 55 years of age and older account for approximately one-quarter of all individuals living with HIV and possess common risk factors, they are less likely to get tested than younger individuals; and

WHEREAS, HIV is primarily spread through sex and injection drug equipment, and attacks and destroys infection-fighting cells, which makes it difficult for the body to fight infections and certain types of cancer; and

WHEREAS, individuals can reduce their risk of HIV infection by practicing safe sex, avoiding injection drugs, using single-use sterile injection equipment, and taking pre-exposure prophylaxis (“PrEP”) when prescribed by a health care provider; and

WHEREAS, HIV, including its most advanced stage, Acquired Immunodeficiency Syndrome, or “AIDS”, is incurable, but with proper medical care can be controlled; and

WHEREAS, the well-being of the residents of Laguna Woods is enhanced as a direct result of increased awareness and research of HIV and AIDS.

NOW, THEREFORE, BE IT RESOLVED that the Laguna Woods City Council does hereby proclaim December 1, 2017 as “World AIDS Day” in Laguna Woods and encourages HIV testing and the support of HIV- and AIDS-related research.

Dated this 15th day of November, 2017

Shari L. Horne
Mayor

Attest: Yolie Trippy
Deputy City Clerk

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4.5

**PROCLAMATION –
HUMAN RIGHTS DAY –
DECEMBER 10, 2017**

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**Proclamation
City of Laguna Woods
Human Rights Day
December 10, 2017**

WHEREAS, on December 10, 1948, the United Nations General Assembly adopted the Universal Declaration of Human Rights, the first dedicated statement of human rights at the international level; and

WHEREAS, the Universal Declaration of Human Rights reads, in part: *“All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.”*; and

WHEREAS, human rights are a foundational quality of our nation as expressed in the Declaration of Independence, the Constitution, and the Bill of Rights; and

WHEREAS, recognition of the inherent dignity and of the equal and inalienable rights of all people is the foundation of freedom, justice, and peace in the world; and

WHEREAS, the City of Laguna Woods reaffirms its belief in the principles of fairness and equity as set forth in the Universal Declaration of Human Rights, and states, unequivocally, its opposition to discrimination in all forms.

NOW, THEREFORE, BE IT RESOLVED that the Laguna Woods City Council does hereby proclaim December 10, 2017 as “Human Rights Day” in Laguna Woods and encourages individuals to fight prejudice and discrimination in their own lives, and to treat others with dignity and respect.

Dated this 15th day of November, 2017

Shari L. Horne
Mayor

Attest: Yolie Trippy
Deputy City Clerk

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6.1-6.5
CONSENT CALENDAR SUMMARY

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City of Laguna Woods Agenda Report

TO: Honorable Mayor and City Councilmembers
FROM: Christopher Macon, City Manager
FOR: November 15, 2017 Regular Meeting
SUBJECT: Consent Calendar Summary

Recommendation

Approve all proposed actions on the November 15, 2017 Consent Calendar by single motion and City Council action.

Background

All items listed on the Consent Calendar are considered routine and will be enacted by one vote. There will be no separate discussion of these items unless a member of the City Council, staff, or the public requests that specific items be removed from the Consent Calendar for separate discussion and consideration of action.

Summary

The November 15, 2017 Consent Calendar contains the following items:

- 6.1 Approval of the City Council meeting minutes for the regular meeting on October 18, 2017 (Attachment A) and the special meeting on October 25, 2017 (Attachment B).
- 6.2 Approval of a motion to receive and file the City Treasurer's Report for the month of October 2017.
- 6.3 Approval of the warrant register dated November 15, 2017 in the amount of \$548,821.07. A list of warrants is included in the agenda packet; detailed information about individual warrants is available at City Hall.

- 6.4 Approval of a resolution reviewing and adopting an annual statement of the investment policy, adopting an investment policy, and renewing the City Council's delegation of investment authority pursuant to California Government Code Section 53607 to the City Treasurer. An agenda report is included.
- 6.5 Rejection of all bids received for the "City Hall Restroom Repair and Refurbishment Project". Bids were invited for the project from September 7 through October 5, 2017. Three bids were received (Glenn Chavez Construction, P&P Develop, Inc., and Pro Team Plumbing); however, staff recommend that all bids be rejected in order to allow for reconsideration of the scope of work and bidding requirements. If rejected, staff would review the plans and specifications and issue a new solicitation for bids.

6.1
CITY COUNCIL MINUTES

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**CITY OF LAGUNA WOODS CALIFORNIA
CITY COUNCIL MINUTES
REGULAR MEETING
October 18, 2017
2:00 P.M.
Laguna Woods City Hall
24264 El Toro Road
Laguna Woods, California 92637**

I. CALL TO ORDER

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

II. ROLL CALL

COUNCILMEMBER: PRESENT: Conners, Hatch, Rainey, Moore, Horne
 ABSENT: -

STAFF PRESENT: City Manager Macon, Assistant City Attorney Patterson,
 Administrative Services Director/City Treasurer Cady, Deputy
 City Clerk Trippy

III. PLEDGE OF ALLEGIANCE

Councilmember Rainey led the flag salute.

Mayor Horne called for a moment of silence for the victims of the Las Vegas shooting.

A moment of silence was observed.

IV. PRESENTATIONS AND CEREMONIAL MATTERS – None

4.1 Laguna Woods History Center – 40th Anniversary

Catherine Brians, Laguna Woods History Center, made comments.

Councilmembers made comments.

Moved by Mayor Pro Tem Moore, seconded by Councilmember Hatch, and carried unanimously on a 5-0 vote, to approve and present the commendation for the Laguna Woods History Center's 40th Anniversary.

4.2 Amateur Radio Appreciation Month – October 2017

Jim Riedel and Ernie Senser, Laguna Woods Amateur Radio Club, made comments.

Councilmembers made comments.

Moved by Councilmember Conners, seconded by Councilmember Hatch, and carried unanimously on a 5-0 vote, to approve and present the proclamation for Amateur Radio Appreciation Month.

4.3 Domestic Violence Awareness Month – October 2017

Carolyn Inmon, author of “The Seven Characters of Abuse: Domestic Violence: Where it Starts & Where it Can End”, made comments.

Councilmembers made comments.

Moved by Councilmembers Conners, seconded by Mayor Pro Tem Moore, and carried unanimously on a 5-0 vote, to approve and present the proclamation for Domestic Violence Awareness Month.

Mayor Horne called for a brief recess.

The meeting was called back to order at 2:42 p.m.

V. PUBLIC COMMENT – None

VI. CONSENT CALENDAR

Moved by Mayor Pro Tem Moore, seconded by Councilmember Conners, and carried unanimously on a 5-0 vote, to approve Consent Calendar items 6.1 – 6.7.

6.1 City Council Minutes

Approved the City Council meeting minutes for the regular meeting on September 20, 2017.

6.2 City Treasurer’s Report

Received and filed the City Treasurer’s Report for the month of September 2017.

6.3 Warrant Register

Approved the warrant register dated October 18, 2017 in the amount of \$770,754.21.

6.4 Fiscal Year 2016-17 Budget Adjustments

Approved a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING AND ADOPTING THE FISCAL YEAR 2016-17 BUDGET COMMENCING JULY 1, 2016 AND ENDING JUNE 30, 2017 TO INCREASE APPROPRIATIONS FOR THE GENERAL FUND, BEVERAGE CONTAINER RECYCLING FUND, AND USED OIL PAYMENT PROGRAM FUND; AUTHORIZE TRANSFERS FROM THE BEVERAGE CONTAINER RECYCLING FUND AND USED OIL PAYMENT PROGRAM FUND TO THE GENERAL FUND; AND, AUTHORIZE TRANSFERS FROM THE GENERAL FUND TO THE MEASURE M1 FUND AND THE COMMUNITY DEVELOPMENT BLOCK GRANT FUND

6.5 Permitting Software

Approved a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AWARDING AND AUTHORIZING THE CITY MANAGER'S EXECUTION OF SOLE SOURCE AGREEMENTS WITH TYLER TECHNOLOGIES, INC. FOR THE IMPLEMENTATION AND ON-GOING SUPPORT AND MAINTENANCE OF ENERGGOV SOFTWARE FOR PERMITTING, SUBJECT TO APPROVAL AS TO FORM BY THE CITY ATTORNEY

6.6 Pavement Management Plan Project (Westbound El Toro Road between Avenida Sevilla and Paseo de Valencia)

1. Approved a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING AND ADOPTING THE FISCAL YEARS 2017-19 BUDGET AND WORK PLAN FOR FISCAL YEAR 2017-18 COMMENCING JULY 1, 2017 AND ENDING JUNE 30, 2018, AND FISCAL YEAR 2018-19 COMMENCING JULY 1, 2018 AND ENDING JUNE 30, 2019, RELATED TO GENERAL FUND, CAPITAL PROJECTS FUND, AND FUEL TAX FUND APPROPRIATIONS FOR THE PAVEMENT MANAGEMENT PLAN PROJECT (WESTBOUND EL TORO ROAD BETWEEN AVENIDA SEVILLA AND PASEO DE VALENCIA), INCLUDING ADDITIONAL SIDEWALK REPAIRS ON EL TORO ROAD AND PAVEMENT WORK AT CITY HALL

2. Approved the "Pavement Management Plan Project (Westbound El Toro Road between Avenida Sevilla and Paseo de Valencia)" design plans and specifications as recommended by the City Engineer/City Traffic Engineer, inclusive of the addition of sidewalk repairs on El Toro Road and pavement work at City Hall to the scope of

work.

3. Awarded a contract agreement to Hardy & Harper, Inc. for the construction of the “Pavement Management Plan Project (Westbound El Toro Road between Avenida Sevilla and Paseo de Valencia)”, in the amount of \$222,000, plus authorized change orders not to exceed 10% of the base amount; and authorized the City Manager to execute a contract agreement and approve change orders, subject to approval of the contract agreement as to form by the City Attorney.

6.7 Quitclaim Deed for Landscape and Scenic Preservation Easements

Approve a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, APPROVING AND ACCEPTING A QUITCLAIM DEED FOR THE CONVEYANCE OF REAL PROPERTY FROM THE COUNTY OF ORANGE REALTED TO LANDSCAPE AND SCENIC PRESERVATION EASEMENTS, WHICH ARE DESCRIBED AS PARCELS Z21-509 AND OS57Q-102 IN THE EASEMENT DEED RECORDED ON SEPTEMBER 10, 1996 AS INSTRUMENT NO. 19960461067 IN THE OFFICE OF THE COUNTY OF ORANGE RECORDER, AND WHICH ARE LOCATED IN THE GENERAL VICINITY OF THE SOUTHWEST CORNER OF THE INTERSECTION OF MOULTON PARKWAY AND EL TORO ROAD IN LAGUNA WOODS, CA 92637, AND AUTHORIZING THE MAYOR TO ACCEPT AND CONSENT TO THE QUITCLAIM DEED IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 27281

Mayor Horne requested to move Item 8.1 to next on the agenda. There were no objections.

VIII. CITY COUNCIL BUSINESS

8.1 “A Place for Paws” Dog Park

City Manager Macon made a presentation and noted that earlier in the day, the City was notified that Third Laguna Hills Mutual has offered to pay for the dog park to be temporarily relocated off of their property or wants access restricted to the portion of the dog park on their property. Due to the recent notice, staff had not yet been able to discuss those items with Third Laguna Hills Mutual’s representatives. He recommended scheduling a special meeting for next week to consider those and related issues.

The following members of the public expressed their support to relocate the dog park:

1. David Cohen
2. Burt Chudacoff

3. Mark Nussbaum
4. Patty Wilson
5. Gina Hall

Bill Walsh, Director on the Third Laguna Hills Mutual Board of Directors, stated that there was a lack of communication between the City and the Third Laguna Hills Mutual Board. He asked clarifying questions regarding the existing condition and proposal.

City Manager Macon briefly responded to Mr. Walsh's comments and stated that the City has communicated with Village Management Services staff, on Third Laguna Hills Mutual's behalf, since August 2017.

Lori Moss, on behalf of the Golden Rain Foundation (GRF), clarified that the dog park is being closed at dusk by Laguna Woods Village staff. She noted that Third Laguna Hills Mutual would prefer to have the portion of the dog park located on their property closed with the portion on GRF property to remain open.

Councilmembers discussed the item and staff answered related questions.

Moved by Mayor Pro Tem Moore, seconded by Councilmember Conners, and carried unanimously on a 5-0 vote, to approve the memorandum of understanding with the Golden Rain Foundation of Laguna Woods to allow for the City's operation and maintenance of a dog park along Ridge Route Drive and authorize the Mayor to execute the memorandum of understanding subject to approval as to form by the City Attorney.

Councilmembers discussed the item and staff answered related questions.

Moved by Councilmember Conners, seconded by Mayor Pro Tem Moore, and carried unanimously on a 5-0 vote, to approve a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LAGUNA WOODS, CALIFORNIA, AMENDING AND ADOPTING
THE FISCAL YEARS 2017-19 BUDGET AND WORK PLAN FOR
FISCAL YEAR 2017-18 COMMENCING JULY 1, 2017 AND
ENDING JUNE 30, 2018, AND FISCAL YEAR 2018-19
COMMENCING JULY 1, 2018 AND ENDING JUNE 30, 2019,
RELATED TO CAPITAL IMPROVEMENT PROJECTS, THE
ADDITION OF A NEW "A PLACE FOR PAWS" DOG PARK
RELOCATION PROJECT, AND RELATED GENERAL FUND AND
CAPITAL PROJECTS FUND APPROPRIATIONS

Councilmembers discussed the item and staff answered related questions.

Moved by Councilmember Hatch, seconded by Mayor Pro Tem Moore, and carried unanimously on a 5-0 vote, to approve a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING AND ADOPTING THE SEVEN-YEAR CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2017-18 THROUGH 2023-24 IN COMFORMANCE WITH MEASURE M2 AND ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017 REQUIREMENTS

Councilmembers discussed the item and staff answered related questions.

Moved by Councilmember Conners, seconded by Mayor Pro Tem Moore, and carried unanimously on a 5-0 vote, to schedule a special meeting of the City Council on October 25, 2017 at 1:30 p.m. to consider issues related to the interim status of “A Place for Paws” Dog Park, including the offer and request made by Third Laguna Hills Mutual regarding the existing dog park.

Mayor Horne called for a brief recess.

The meeting was called back to order at 3:48 p.m.

VII. PUBLIC HEARINGS

7.1 Smoking and Tobacco Sales Regulations

City Manager Macon made a presentation.

Mayor Horne opened the public hearing.

Cynthia Schaefer, resident, requested that marijuana smoke be treated the same as tobacco smoke in the proposed smoking regulations.

City Manager Macon clarified that is already the case.

With no other requests to speak, the public hearing was closed.

Councilmembers discussed the item and staff answered related questions.

Moved by Councilmember Hatch, seconded by Councilmember Conners, and carried unanimously on a 5-0 vote, to:

1. Approve the introduction and first reading of an ordinance – read by title with further reading waived – entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING CHAPTER 7.16 OF THE LAGUNA WOODS MUNICIPAL CODE RELATED TO THE REGULATION AND PROHIBITION OF SMOKING, AND

AMENDING SECTIONS 13.06.010, 13.08.010, 13.10.020, 13.12.020,
AND 13.13.020 OF THE LAGUNA WOODS MUNICIPAL CODE
RELATED TO THE SALE OF AND ZONING FOR TOBACCO AND
CIGARETTES

AND

2. Disband the Ad Hoc Smoking & Tobacco Sales Regulations Update Committee (Mayor Horne and Councilmember Rainey).

VIII. CITY COUNCIL BUSINESS

8.2 Speed Limits on City Streets

City Manager Macon made a presentation.

Councilmembers discussed the item and staff answered related questions.

Jerry Stock, Hartzog & Crabill, Inc., briefly responded to questions.

Lieutenant Fred Thompson, Chief of Police Services, briefly responded to questions.

Moved by Councilmember Conners, seconded by Mayor Pro Tem Moore, and carried unanimously on a 5-0 vote, to approve the introduction and first reading of an ordinance – read by title with further reading waived – entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
LAGUNA WOODS, CALIFORNIA, AMENDING SECTION 8.06.010
OF THE LAGUNA WOODS MUNICIPAL CODE RELATED TO THE
ADOPTION AND ESTABLISHMENT OF SPEED LIMITS ON EL
TORO ROAD, MOULTON PARKWAY, RIDGE ROUTE DRIVE,
AND SANTA MARIA AVENUE, INCLUDING AN INCREASED
SPEED LIMIT ON EL TORO ROAD BETWEEN AVENIDA SEVILLA
AND PASEO DE VALENCIA, AND RE-ADOPTION AND RE-
ESTABLISHMENT OF OTHER EXISTING SPEED LIMITS

8.3 Local Hazard Mitigation Plan Update

City Manager Macon made a presentation.

Councilmembers discussed the item and staff answered related questions.

Based on comments from members of the City Council, City Manager Macon indicated that staff would review the probability categorizations for extreme heat, radiological accidents, and water shortages; the impact categorization for airplane accidents; and, the probability and impact categorization for wildfires.

8.4 City Council Meeting Schedule

City Manager Macon made a presentation.

Councilmembers discussed the item and staff answered related questions.

Moved by Councilmember Conners, seconded by Mayor Pro Tem Moore, and carried unanimously on a 5-0 vote, to approve modifications to the City Council meeting schedule for Fiscal Year 2017-18.

IX. CITY COUNCIL REPORTS AND COMMENTS

9.1 Coastal Greenbelt Authority

Councilmember Conners provided a report.

9.2 Orange County Fire Authority

Councilmember Hatch provided a report.

Division Chief Phil Johnson provided an update on recent fires in Orange County.

Councilmembers briefly responded to the report.

9.3 Orange County Library Advisory Board

Mayor Pro Tem Moore stated that there had been no meeting since the last meeting.

9.4 Orange County Mosquito and Vector Control District

Mayor Horne provided a report.

9.5 San Joaquin Hills Transportation Corridor Agency

Councilmember Conners stated that she was unable to attend the last meeting due to the California Joint Powers Insurance Authority Risk Management Educational Forum.

9.6 South Orange County Watershed Management Area

Mayor Pro Tem Moore provided a report.

9.7 Other Comments and Reports

Councilmember Conners provided a report on the California Joint Powers Insurance Authority Risk Management Educational Forum that she recently attended with fellow Councilmembers and City staff.

Councilmembers briefly responded to the report.

Mayor Horne provided an update on the California Senior Legislature.

Councilmembers briefly responded to the report.

Councilmembers Connors reported on a recent meeting pertaining to a 90+ Study.

X. CLOSED SESSION – None

XI. CLOSED SESSION REPORT – None

XII. ADJOURNMENT

The meeting was adjourned at 5:18 p.m. The next regular meeting will be at 2:00 p.m. on Wednesday, November 15, 2017, at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

YOLIE TRIPPY, Deputy City Clerk

Adopted: November 15, 2017

SHARI L. HORNE, Mayor

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**CITY OF LAGUNA WOODS CALIFORNIA
CITY COUNCIL MINUTES
SPECIAL MEETING
October 25, 2017
1:30 P.M.
Laguna Woods City Hall
24264 El Toro Road
Laguna Woods, California 92637**

I. CALL TO ORDER

Mayor Horne called the Special Meeting of the City Council of the City of Laguna Woods to order at 1:36 p.m.

II. ROLL CALL

COUNCILMEMBER: PRESENT: Conners, Rainey, Moore, Horne
 ABSENT: Hatch

STAFF PRESENT: City Manager Macon, City Attorney Cosgrove, Administrative
 Services Director/City Treasurer Cady, Deputy City Clerk Trippy

III. PLEDGE OF ALLEGIANCE

Bill Walsh, resident, led the pledge of allegiance.

IV. PRESENTATIONS AND CEREMONIAL MATTERS – None

V. PUBLIC COMMENTS – None

VI. CITY COUNCIL BUSINESS

6.1 “A Place for Paws” Dog Park

City Manager Macon made a presentation.

Councilmembers discussed the item and staff answered related questions.

Patty Wilson, resident, requested a copy of the PowerPoint provided at the October 18, 2017 City Council meeting and asked for clarification regarding the portion of the dog park that is located on Third Laguna Hills Mutual property.

City Manager Macon described the portions of the dog park that are located on Third Laguna Hills Mutual and Golden Rain Foundation property. He stated that, if approved, use of the portion on Third Laguna Hills Mutual property would be suspended. The portion

on Golden Rain Foundation property would remain usable.

Councilmembers discussed the item and staff answered related questions.

Moved by Mayor Pro Tem Moore, seconded by Councilmember Conners, and carried on a 4-0 vote, with Councilmember Hatch absent, to direct staff to suspend active use of the portion of “A Place for Paws” Dog Park that is located on Third Laguna Hills Mutual property, pending completion of the “A Place for Paws” Dog Park Relocation Project.

VII. CLOSED SESSION – None

VIII. CLOSED SESSION REPORT – None

IX. ADJOURNMENT

Mayor Horne stated her intent to adjourn the meeting in memory of Denise “Denny” Welch, Rene Rainey, and Jerry Painter.

Bill Walsh, resident, commented on Denny Welch’s passing.

Councilmembers commented on Denny Welch’s passing.

The meeting was adjourned at 1:54 p.m. in memory of Denise “Denny” Welch, Rene Rainey, and Jerry Painter. The next regular meeting will be at 2:00 p.m. on Wednesday, November 15, 2017, at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

YOLIE TRIPPY, Deputy City Clerk

Adopted: November 15, 2017

SHARI L. HORNE, Mayor

6.2

CITY TREASURER'S REPORT

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City of Laguna Woods
City Treasurer's Report
For the Month Ended October 31, 2017

ITEM 6.2

CASH AND INVESTMENTS

	Beginning Balances As of 9/30/17	Earnings & Receipts	Disbursements	Transfers & Other Adjustments	Ending Balances As of 10/31/17	% of Total Cash & Investment Balances	Maximum % Allowed per Investment Policy
Cash and Cash Equivalents							
Analyzed Checking Account (Note 4)	\$ 788,393	\$ 907,345	\$ (882,771)	\$ -	\$ 812,966	7.79%	
Cash Balances, Securities Account	\$ -	\$ -	\$ -	\$ 245,000	\$ 245,000	2.35%	
Earned Interest in Transit and Accrued Interest, Securities Account	\$ -	\$ -	\$ -	\$ 3,679	\$ 3,679	0.04%	
Petty Cash	\$ 1,141	\$ -	\$ (7)	\$ -	\$ 1,134	0.01%	
Total Cash and Cash Equivalents	\$ 789,534	\$ 907,345	\$ (882,779)	\$ 248,679	\$ 1,062,779	10.19%	100.00%
Pooled Money Investment Accounts (PIMA)							
Local Agency Investment Fund (LAIF) (Notes 1 and 2)	\$ 3,669,292	\$ 10,783	\$ -	\$ -	\$ 3,680,074	35.29%	
Orange County Investment Pool (OCIP) (Note 3)	\$ 4,013,042	\$ 3,779	\$ (204)	\$ -	\$ 4,016,617	38.51%	
Total Pooled Money Investment Accounts	\$ 7,682,334	\$ 14,562	\$ (204)	\$ -	\$ 7,696,692	73.80%	90.00%
Investments - Interest and Income Bearing							
Certificates of Deposit (book value) (Note 5)	\$ 1,922,535	\$ 2,739	\$ (6,595)	\$ (248,679)	\$ 1,670,000	16.01%	
Total Investments	\$ 1,922,535	\$ 2,739	\$ (6,595)	\$ (248,679)	\$ 1,670,000	16.01%	20.00%
TOTAL CASH, CASH EQUIVALENTS, AND INVESTMENTS	\$ 10,394,403	\$ 924,646	\$ (889,578)	\$ -	\$ 10,429,471	100.00%	

Summary of Total Cash, Cash Equivalents, and Investments (Note 4):

General Fund	Special Revenue Funds	Totals
Analyzed Checking \$ (1,023,227)	\$ 1,836,193	\$ 812,966
Cash, Securities Account \$ 245,000	\$ -	\$ 245,000
Interest in Transit \$ 3,679	\$ -	\$ 3,679
Petty Cash \$ 1,134	\$ -	\$ 1,134
LAIF \$ 3,680,074	\$ -	\$ 3,680,074
OCIP \$ 4,016,617	\$ -	\$ 4,016,617
Certificates of Deposit \$ 1,670,000	\$ -	\$ 1,670,000
Totals \$ 8,593,278	\$ 1,836,193	\$ 10,429,471

(See **NOTES** on Page 3 of 3)



City of Laguna Woods

City Treasurer's Report

For the Month Ended October 31, 2017

ITEM 6.2

INVESTMENT PORTFOLIO DETAIL

CUSIP	Investment #	Issuer	Term	Purchase Date	Settlement Date	Par Value	Market Value	Book Value	Stated Rate (Note 5)	Coupon Type	1st Coupon Date	Rating or Rank (*)	Yield to Maturity 365 Days	Maturity Date
Money Funds and Certificate of Deposits (CDs, Federal Deposit Insurance Corporation [FDIC] Insured)														
02006LM59	2016-1	ALLY BK MIDVALE UTAH	24 months	09/12/16	09/15/16	245,000	243,915	245,000	1.150	Semi-Annual	03/15/17	300	1.150	09/17/18
949763BJ4	2016-3	WELLS FARGO BANK	18 months	09/13/16	09/28/16	245,000	244,593	245,000	1.000	Monthly	10/28/16	295	1.000	03/28/18
140420F47	2016-4	CAPITAL ONE BANK USA	18 months	09/13/16	09/21/16	245,000	244,620	245,000	1.000	Semi-Annual	03/21/17	300	1.000	03/21/18
57116ANC8	2017-1	MARLIN BUSINESS BK SALT LAKE	18 months	01/13/17	01/13/17	245,000	244,846	245,000	1.250	Monthly	02/13/17	300	1.250	07/13/18
508176CH5	2017-2	LAKE CITY BANK	24 months	03/08/17	03/22/17	245,000	245,032	245,000	1.600	Monthly	04/22/17	300	1.600	03/22/19
45340KDY2	2017-3	INDEPENDENCE BANK OF KY	10 months	05/04/17	05/09/17	100,000	99,925	100,000	1.000	Monthly	06/09/17	242	1.000	03/09/18
02587DR26	2017-4	AMERICAN EXPRESS CENTURIAN	18 months	05/04/17	05/10/17	245,000	244,939	245,000	1.500	Semi-Annual	11/10/17	300	1.500	11/13/18
864088DC0	2017-5	STURGIS BANK & TRUST CO.	9 months	05/04/17	05/18/17	100,000	99,944	100,000	1.000	Monthly	06/18/17	206	1.000	02/20/18
		Money Funds with Multi-Bank Securities, Inc.**				245,940		245,940						
		Accrued Interest - Month End				2,739		2,739						
Total CDs						1,918,679	1,667,813	1,918,679						

(*) At the time of purchase CDs were rated or ranked using an IDC Financial Publishing, Inc. compiled ranking, and includes a one-number summary rank of quality comprised of 35 key financial ratios. Ranks range from 1 (the lowest) to 300 (the highest) and fall into one of the following six groups:

Rank	Group
200-300	Superior
165-199	Excellent
125-164	Average
75-124	Below Average
2-74	Lowest Ratios
1	Highest Probability of Failure

(**) Money funds held by Multi-Bank Securities, Inc. represent the maturing of the \$245,000 City Bank 12 month CD on 9/20/17. These funds are to be re-invested.

Pooled Money Investment Accounts (PIMA) (Notes 1, 2, and 3)

N/A	N/A	Local Agency Investment Fund (LAIF)	N/A	Various	Various	3,680,074	3,680,074	3,680,074	1.051	N/A	N/A	N/A	N/A	N/A
N/A	N/A	Orange County Investment Pool (OCIP)	N/A	Various	Various	4,016,617	4,016,617	4,016,617	1.084	N/A	N/A	N/A	N/A	N/A
Total PIMA						7,696,692	7,696,692	7,696,692						

(See **NOTES** on Page 3 of 3)



City of Laguna Woods
City Treasurer's Report
For the Month Ended October 31, 2017

ITEM 6.2

OTHER FUNDS - HELD IN TRUST

	Beginning Balances As of 9/30/17	Contributions / (Withdrawals)	Administrative Fees & Investment Expense	Unrealized Gain / (Loss)	Ending Balances As of 10/31/17
Other Post-Employment Benefits (OPEB) Trust					
CalPERS California Employers' Retiree Benefit Trust (CERBT) (CERBT holds all assets and administers the OPEB Trust)	\$ 69,509	\$ -	\$ (5)	\$ (7)	\$ 69,497
Total Other Funds - Held in Trust	<u>\$ 69,509</u>	<u>\$ -</u>	<u>\$ (5)</u>	<u>\$ (7)</u>	<u>\$ 69,497</u>

Notes:

Note 1 - LAIF / During this period interest for the quarter ended September 30, 2017 was deposited.

Note 2 - LAIF / The stated earnings rate for LAIF balances is an average monthly yield applied to the City's weighted average balance within the total pool. Earnings are paid the month after the end of each quarter. Quarterly earnings for July through September 2017 of \$10,782.69 posted in October 2017. Interest earned is offset by expense, with the net interest reported by LAIF as a single transaction.

LAIF average monthly investment yield rate for September and October 2017 were 1.111% and 1.143%. October 2017 earnings will be included in earnings for the quarter ended December 31, 2017.

LAIF quarterly administrative costs for the quarter ended September 30, 2017 were 0.068% resulting in net, blended earnings for the quarter of 1.07%.

Note 3 - OCIP / The stated earnings rate for OCIP balances is an average monthly yield applied to the City's weighted average balance within the total pool. Earnings are accrued monthly. September accrued interest of \$3,779.26 was deposited in October 2017. August 2017 administrative fees of \$204.31 are included in October 2017 activity. September 2017 administrative fees will post in November 2017. Interest earned and investment expenses are posted as separate transactions each month.

OCIP average monthly investment yield rate for September 2017 was 1.146% and October 2017 has not been reported at the time of this report preparation.

OCIP administrative costs for August and September 2017 were 0.060%, resulting in net investment earnings of 1.054% and 1.086% respectively.

Note 4 - Analyzed Checking Account / Monthly activity reported does not reflect September vendor invoicing processed after the date of this report.

Note 5 - CDs / The stated earnings rate for CDs is a fixed rate for the full term. The City received interest payments of \$5,586.37 in October 2017. Cash balances to be invested or paid out are classified separately.

City Treasurer's Certification

I, Margaret A. Cady, City Treasurer, do hereby certify:

- That all investment actions executed since the last report have been made in full compliance with the City's Investment of Financial Assets Policy; and
- That the City is able to meet all cash flow needs which might reasonably be anticipated for the next 12 months.

Margaret A Cady

Margaret A. Cady, City Treasurer

11/8/17

Dated

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6.3 WARRANT REGISTER

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CITY OF LAGUNA WOODS

WARRANT REGISTER

11/15/2017

ITEM 6.3

Date		Vendor Name	Description	Amount
Debit		<i>Automatic Bank Debits</i>		
Debit	10/16/2017	US BANK	Bank Supplies and Fees / September 2017	115.86
Debit	10/18/2017	ADP PAYROLL SERVICES	Payroll / Pay Period Ended 10/13/2017	\$32,119.76
Debit	10/18/2017	CALPERS - RETIREMENT	Retirement Contributions / Pay Period Ended 10/13/2017	2,193.83
Debit	10/27/2017	ADP PAYROLL SERVICES	Payroll Processing Fees / Pay Period Ended 10/13/2017	162.97
Debit	10/30/2017	COUNTY OF ORANGE	Law Enforcement Services / November 2017	216,434.57
Debit	11/1/2017	ADP PAYROLL SERVICES	Payroll / Pay Period Ended 10/27/2017	28,965.78
Debit	11/1/2017	CALPERS - RETIREMENT	Retirement Contributions / Pay Period Ended 10/27/2017	2,193.83
Debit	11/1/2017	CALPERS - HEALTH	Employee Benefit Program / November 2017	3,142.34
Debit	11/10/2017	ADP PAYROLL SERVICES	Payroll Processing Fees / Pay Period Ended 10/27/2017	178.69
Number		<i>Warrants:</i>		
1573	10/10/2017	360 BUSINESS CONSULTING	Website Maintenance / September 2017	200.00
1574	10/10/2017	AT&T	Telephone / 458-3487 / September 2017	38.77
1575	10/10/2017	AT&T	Telephone / 452-0600 / September 2017	1,139.17
1576	10/10/2017	AT&T	Telephone / 639-0500 / September 2017	209.25
1577	10/10/2017	CIVIL SOURCE	Building Inspection & Counter Services / August 2017	33,795.00
1578	10/10/2017	COMPUTER SERVICE COMPANY	Traffic Signal Maintenance / September 2017	868.00
1579	10/10/2017	COUNTY OF ORANGE	800MHz CCCS Next Gen Partnership Cost / Fiscal Year 2017-18	8,170.00
1580	10/10/2017	MARC DONOHUE	Administrative Services / September 2017	200.00
1581	10/10/2017	PETTY CASH	Replenish Petty Cash (expenditures reported separately, see Note 1 below)	358.77
1582	10/10/2017	SOUTHERN CALIFORNIA EDISON	Residential Streetlights / September 2017	1,736.64
1583	10/10/2017	STAPLES	Office and Janitorial Supplies	176.53
1584	10/19/2017	AT&T	White Pages - October 2017	4.48
1585	10/19/2017	CALIFORNIA BLDG STANDARDS COMM	Building Permit Fee Assessment / July - September 2017	292.40
1586	10/19/2017	CALIFORNIA YELLOW CAB	Taxi Voucher Services / September 2017	10,083.00
1587	10/19/2017	CITY OF LAGUNA BEACH	Animal Control & Shelter Services / October 2017	8,364.75
1588	10/19/2017	COUNTY OF ORANGE	Automated Fingerprint ID System / October 2017	597.00
1589	10/19/2017	COUNTY OF ORANGE	Communication Charges 800MHz Flat Rate / July - September 2017	360.00
1590	10/19/2017	DEPARTMENT OF CONSERVATION	Strong Motion Instrumentation & Seismic Hazard Mapping Fee / July - September 2017	1,056.60
1591	10/19/2017	ICMA RETIREMENT CORPORATION	Quarterly Plan Fee / October - December 2017	125.00
1592	10/19/2017	KONE INC.	City Hall Elevator Maintenance / October 2017	257.62
1593	10/19/2017	RUTAN & TUCKER, LLP	Legal Services / August 2017	360.00
1594	10/19/2017	SOUTHERN CALIFORNIA EDISON	Traffic Signal Controller / September 2017	238.26
1595	10/19/2017	SOUTHERN CALIFORNIA EDISON	Traffic Signal Controller / August - September 2017	937.40
1596	10/19/2017	SOUTHERN CALIFORNIA EDISON	Street Lights in Right of Way / September 2017	1,940.33
1597	10/19/2017	SOUTHERN CALIFORNIA EDISON	Irrigation Controller / September 2017	24.33
1598	10/19/2017	STAPLES	Office and Janitorial Supplies	62.03
1599	10/19/2017	STL LANDSCAPE, INC	Moulton Parkway Water Efficient Median Improvement Project	133,316.06
1600	10/19/2017	SUNSET PROPERTY SERVICES	Street Sweeping Services / September 2017	2,723.96
1601	10/19/2017	THE BEE DETECTIVES, INC.	Bee Removal Services	350.00
1602	10/19/2017	THE GAS COMPANY	City Hall Utilities / September 2017	22.15
1603	10/19/2017	TRAUMA INTERVENTION PROGRAMS,	Emotional and Practical Support Services / September 2017 - June 2018	1,998.24
1604	10/19/2017	TYLER TECHNOLOGIES, INC.	Software Conversion & Support / August 2017	375.00
1605	10/19/2017	WILLDAN ENGINEERING	Code Enforcement Services / June - July 2017	4,118.00

CITY OF LAGUNA WOODS

WARRANT REGISTER

11/15/2017

ITEM 6.3

	Date	Vendor Name	Description	Amount
1606	10/20/2017	CALIFORNIA JPIA	Pollution Liability Insurance Premium / Fiscal Year 2017-18	519.00
1607	10/26/2017	19 RESTAURANT & LOUNGE	Refreshments/Supplies for Retirement Event / Hack	581.86
1608	10/26/2017	360 BUSINESS CONSULTING	Website Maintenance / October 2017	400.00
1609	10/26/2017	ALLIED PRODUCTS	City Hall Flags	151.49
1610	10/26/2017	AT&T	Telephone / 581-3974 / October 2017	76.10
1611	10/26/2017	AT&T	Telephone / 583-1105 / September 2017	20.34
1612	10/26/2017	BLUE RIBBON TROPHY	Councilmember Name Badges	50.96
1613	10/26/2017	BUSINESS PLANS, INCORPORATED	125 Cafeteria Plan Administration / October 2017	100.00
1614	10/26/2017	CAA	Water Quality Services / September 2017	4,053.00
1615	10/26/2017	COASTAL CURRENT ELECTRIC	Cancelled Permit Refund	340.00
1616	10/26/2017	CSG CONSULTANTS INC	Building Plan Review Services / September 2017	255.00
1617	10/26/2017	EL TORO WATER DISTRICT	Landscape Irrigation / September 2017	4,644.06
1618	10/26/2017	HARTZOG & CRABILL, INC.	Engineering & Traffic Survey / August 2017	1,980.00
1619	10/26/2017	MICHAEL BAKER INTERNATIONAL	General Plan Comprehensive Update Project / September 2017	3,361.93
1620	10/26/2017	NIEVES LANDSCAPE, INC.	Landscape Maintenance / October 2017	11,800.00
1620	10/26/2017	NIEVES LANDSCAPE, INC.	City Hall Landscape Maintenance / October 2017	406.25
1621	10/26/2017	ON POINT LAND SURVEYING, INC	Traffic Engineering Survey / August - September 2017	5,500.00
1622	10/26/2017	ORANGE COUNTY REGISTER-NOTICES	Public Notices / September 2017	2,738.00
1623	10/26/2017	PROMOTIONAL SIGNS, INC.	Project Deposit Balance Refund	477.82
1624	10/26/2017	RICOH USA, INC.	Copier Lease / November 2017	214.20
1625	10/26/2017	SOUTHERN CALIFORNIA EDISON	Irrigation Controllers / October 2017	98.60
1626	10/26/2017	TEAM ONE MANAGEMENT	Janitorial Services / September 2017	950.78
1627	10/26/2017	TRILLIUM CONTRACTING SERVICES, INC	Project Deposit Balance Refund	2,505.00
1628	10/26/2017	U.S. BANK	Credit Card Charges / October 2017 (See Note 2)	909.16
1629	10/26/2017	WILLDAN ENGINEERING	Code Enforcement Services / August 2017	2,204.00
1629	10/26/2017	WILLDAN ENGINEERING	Building Official Services / August 2017	4,470.00
Total Bank Debits and Warrants:				\$548,813.92
Petty Cash Expenditures Paid Out (See Note 1)				
		US Postal Office	Mailing Service	7.15
Total Petty Cash:				7.15
TOTAL				\$548,821.07

NOTES:

Note 1 - Petty cash is reported as cash is paid out.

Note 2 - The table below summarizes credit card expenditures paid via Check #1628 to U.S. Bank totaling \$909.16.

DoubleTree	Lodging, CJPIA Annual Conference / Conners, Hatch, Horne, Macon, Cady	909.16
Total Credit Card Reimbursement:		\$909.16

INVESTMENT OF FINANCIAL ASSETS POLICY

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City of Laguna Woods Agenda Report

TO: Honorable Mayor and City Councilmembers
FROM: Christopher Macon, City Manager
FOR: November 15, 2017 Regular Meeting
SUBJECT: Investment of Financial Assets Policy

Recommendation

Approve a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, REVIEWING AND ADOPTING AN ANNUAL STATEMENT OF THE INVESTMENT POLICY, ADOPTING AN INVESTMENT POLICY, AND RENEWING ITS DELEGATION OF INVESTMENT AUTHORITY PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 53607 TO THE CITY TREASURER

Background

Local government investment policies and activities are subject to standards and limitations set forth in California Government Code, including Section 53601 *et seq.*, which describes permissible investment types and maximum investments.

California Government Code Section 53607 requires that the City Council review the City's investment policy, as it relates to any delegation of investment authority, at least annually. Separately, California Government Code Section 53646 speaks to the advisability of regular investment policy reviews.

The existing investment policy (Attachment A) was last reviewed and adopted by the City Council at the regular meeting on April 19, 2017. Modifications made at that time were based on feedback provided by the California Municipal Treasurers

Association (“CMTA”) following CMTA’s certification of the investment policy that was adopted by the City Council in November 2016, as well as on the City’s experience implementing its investment policy since significant modifications were made in November 2015, and to better align the description of local government investment pools and other pooled investment funds with Government Code.

The City Council last voted to renew its delegation of investment authority to the City Treasurer at the regular meeting on November 16, 2016.

At the regular meeting on December 21, 2016, the City Council appointed Mayor Horne and Councilmember Moore to serve on the standing Investment Policy Review Committee from January 1, 2017 through December 31, 2017, as called for in the investment policy.

Table 1: Investment Earnings – Fiscal Years 2014-15 through 2016-17

Fiscal Year 2014-15 Investment Earnings	Fiscal Year 2015-16 Investment Earnings	Fiscal Year 2016-17 Investment Earnings
\$24,299	\$46,906	\$73,727

Discussion

Today’s meeting is an opportunity for City Council action, as well as public input, on the proposed review and adoption of an annual statement of the investment policy, adoption of an investment policy, and renewal of delegation of investment authority pursuant to California Government Code Section 53607 to the City Treasurer (Attachment A). The Investment Policy Review Committee and staff recommend that the City Council continue existing investment practices.

After review, the Investment Policy Review Committee, City Manager, and City Treasurer found that the existing investment policy (Attachment A) is adequate and effective in meeting the City’s needs. No modifications are recommended at this time. With modifications made approximately six months ago, the aforementioned parties believe that it would be prudent to continue implementing the investment policy in its current form for at least an additional six months, before considering additional modifications.

The Investment Policy Review Committee and City Manager recommend that the City Council renew its delegation of investment authority to the City Treasurer. Doing so would be consistent with best practices related to internal control, as well

as the investment process outlined in the existing investment policy. Margaret Cady, the current City Treasurer, is a Certified Public Accountant and member of several professional organizations, including the California Municipal Treasurers Association, Government Finance Officers Association, and California Society of Municipal Finance Officers.

Fiscal Impact

Funds to support this project are included in the City's budget.

Report Prepared With: Margaret Cady, CPA, Administrative Services Director/City Treasurer

Attachment: A – Proposed Resolution
Exhibit A – Proposed Investment Policy

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RESOLUTION NO. 17-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, REVIEWING AND ADOPTING AN ANNUAL STATEMENT OF THE INVESTMENT POLICY, ADOPTING AN INVESTMENT POLICY, AND RENEWING ITS DELEGATION OF INVESTMENT AUTHORITY PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 53607 TO THE CITY TREASURER

WHEREAS, the legislature of the State of California has declared that the deposit and investment of public funds by local officials and agencies is an issue of statewide concern (Government Code sections 53600.6 and 53630.1); and

WHEREAS, the City Council is able to invest surplus monies not required for the immediate necessities of the City in accordance with Government Code sections 5921 and 53601 *et seq.*; and

WHEREAS, the City's investment policy is contained in Administrative Policy 2.2 and was last adopted by the City Council on April 19, 2017; and

WHEREAS, the City Council's practice is to review the City's investment policy, annually, and consider any changes thereto at a public meeting; and

WHEREAS, on December 21, 2016, the City Council appointed Mayor Horne and Mayor Pro Tem Moore to a standing Investment Policy Review Committee, as called for in the City's investment policy; and

WHEREAS, the Investment Policy Review Committee has (1) worked with the City Treasurer and staff to review the adequacy and effectiveness of the City's investment policy as adopted on April 19, 2017, (2) found that the investment policy is adequate and effective in meeting the City's needs, and (3) recommended no modifications to the investment policy at this time; and

WHEREAS, Government Code Section 53607 provides that the authority of City Council to invest or to reinvest City funds, or to sell or exchange securities so purchased, may be delegated for a one-year period by the City Council to the City Treasurer, who shall thereafter assume full responsibility for those transactions until the delegation of authority is revoked or expires. Subject to review, the City Council may renew the delegation of authority annually.

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

SECTION 1. That the administrative policy attached hereto as Exhibit A is approved and is a statement of the City's investment policy. The City Council receives and files said statement in accordance with the City's investment policy and applicable Government Code and Laguna Woods Municipal Code provisions. The administrative policy attached hereto as Exhibit A replaces and supersedes all previous City investment policies.

SECTION 2. After independent review and consideration, the City Council renews its delegation of investment authority to the City Treasurer, as described in the administrative policy attached hereto as Exhibit A, in accordance with applicable Government Code and Laguna Woods Municipal Code provisions.

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

PASSED, APPROVED AND ADOPTED on this XX day of XX 2017.

SHARI L. HORNE, Mayor

ATTEST:

YOLIE TRIPPY, Deputy City Clerk

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

I, YOLIE TRIPPY, Deputy City Clerk of the City of Laguna Woods, do
HEREBY CERTIFY that the foregoing **Resolution No. 17-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 2017, by the following vote:

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

YOLIE TRIPPY, Deputy City Clerk

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**CITY OF LAGUNA WOODS
ADMINISTRATIVE POLICY 2.2**

INVESTMENT OF FINANCIAL ASSETS

2.2.01. Statement of Purpose.

This Administrative Policy is intended to assist the City of Laguna Woods with the investment of the City's financial assets in a manner that ensures adequate safety and liquidity, while maximizing yield (return) and complying with the requirements of California Government Code sections 5921 and 53600 et seq.

2.2.02. Scope.

This Administrative Policy generally applies to all financial assets of the City. Such funds are accounted for, or disclosed, in annual audited financial statements and include the General Fund, Special Revenue Funds, and the Capital Projects Fund. Funds invested separately with independent fiduciaries, including funds held and managed by the California Public Employees' Retirement System (CalPERS) for the purpose of funding employee retirement obligations and other post-employment benefits (OPEB) are exempt from this Administrative Policy.

2.2.03. Objectives.

The objectives of the City's investment activities, in priority order, shall be:

1. Safety – Safety of principal shall be the foremost objective. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall investment portfolio and the mitigation of credit risk and interest rate risk. This Administrative Policy recognizes that market conditions may warrant the sale of individual securities that would incur market losses in order to protect from further capital losses. The intent of this Administrative Policy is to ensure that capital losses are minimized on a portfolio level rather than on each transaction. To attain the safety objective, diversification of investments among a variety of securities with independent returns and institutions is required.
2. Liquidity – The investment portfolio shall remain sufficiently liquid (i.e., capable of being converted to cash quickly) in order to enable the City to meet all reasonably anticipated cash demands and operational requirements and to maintain compliance with all applicable indenture agreements. Since unusual

or unanticipated cash demands and operational requirements may occur from time-to-time, the portfolio shall primarily consist of investments in securities with active secondary and resale markets.

3. Yield (Return) – The investment portfolio shall be designed in a manner that seeks to attain the highest rate of return, consistent with established safety and liquidity objectives. While it is acknowledged and understood that occasional measurement losses may occur, the overall portfolio should generally earn at least market interest rates (market-average rates of return throughout budgetary and economic cycles for similar investments).

2.2.04. Delegation of Authority.

City Treasurer

No person other than the City Treasurer or Acting City Treasurer (hereafter referred to jointly as the “City Treasurer”) shall engage in an investment transaction using the City’s financial assets. The City Treasurer shall additionally be responsible for all transactions undertaken and shall establish and maintain a system of internal controls to regulate all investing activities.

In accordance with Government Code Section 53607, the City Council delegates investment authority for a one-year period to the City Treasurer. Such delegation of authority is subject to annual review and renewal by the City Council, as well as revocation at the City Council’s discretion. Adoption of this Administrative Policy shall constitute renewal of such delegation for an additional one-year period.

Pursuant to Laguna Woods Municipal Code Section 2.10.010, the City Treasurer is appointed by, and reports to, the City Manager. The City Manager may serve as, or appoint, an Acting City Treasurer at any time during the absence of a permanent City Treasurer. During his or her appointment, the Acting City Treasurer shall have all of the powers and duties of the City Treasurer.

The City Treasurer and City Manager (with respect to his or her role appointing and supervising the City Treasurer, and participating in investment decisions) shall be relieved of personal responsibility for an individual investment’s performance or losses, market price changes, and the performance of or losses incurred by the overall portfolio provided that (1) actions were undertaken in accordance with this Administrative Policy and applicable federal and state law, (2) significant deviations

from expectations were reported to the City Council in a timely manner, and (3) appropriate action was taken to mitigate future adverse developments.

Investment Policy Review Committee of the City Council

The City Council shall appoint two of its members to serve on an Investment Policy Review Committee for calendar year terms commencing on January 1 of each year. The Investment Policy Review Committee shall be responsible for conducting at least biannual reviews of the adequacy and effectiveness of this Administrative Policy and preparing related recommendations for City Council consideration.

The Investment Policy Review Committee shall be considered a standing committee, subject to all applicable provisions of the Ralph M. Brown Act.

2.2.05. Public Trust.

The City Council, City Manager, City Treasurer, and all individuals authorized to participate in investment decisions on behalf of the City shall act as custodians of the public trust and recognize that the investment portfolio is subject to public review and evaluation. The City's overall approach to investment shall be designed and managed with a degree of professionalism that is worthy of the public trust.

2.2.06. Prudence.

The City Council, City Manager, City Treasurer, and all individuals authorized to participate in investment decisions on behalf of the City, are considered to be trustees and, therefore, fiduciaries subject to the prudent investor standard. The prudent investor standard is summarized in Government Code Section 53600.3, as follows:

All governing bodies of local agencies or persons authorized to make investment decisions on behalf of those local agencies investing public funds pursuant to this chapter are trustees and therefore fiduciaries subject to the prudent investor standard. When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs

of the agency. Within the limitations of this section and considering individual investments as part of an overall strategy, investments may be acquired as authorized by law.

2.2.07. Ethics and Conflicts of Interest.

As set forth in the City's Conflict of Interest Policy, and as otherwise required by the Political Reform Act and Fair Political Practices Commission, public officials who manage public investments are required to file economic interest disclosures.

In addition to federal, state and local statutes relating to conflicts of interest, the City Council, City Manager, City Treasurer, and all individuals authorized to participate in investment decisions on behalf of the City shall refrain from personal business association or activity that conflicts with proper execution of this Administrative Policy, or which could impair their ability to make impartial investment decisions.

2.2.08. Internal Controls and Routine External Review.

The City Treasurer shall develop, implement, and maintain a system of internal controls designed to ensure the effectiveness and efficiency of investment activities, compliance with applicable laws and regulations, and the reliability of financial reporting. Such internal controls shall seek to prevent the loss of public funds due to fraud, error, misrepresentation, and unanticipated market changes.

As a part of their annual review of internal controls, the City's independent, external auditors shall review internal controls related to investment activities.

2.2.09. Authorized Financial Dealers, Depositories, and Institutions.

In accordance with Government Code Section 53601.5, investments shall either be purchased (1) directly from the issuer, (2) from an institution licensed by the State of California as a Broker-Dealer, as defined in Corporations Code Section 25004, provided that the institution is a primary or regional dealer qualified under federal Securities and Exchange Commission Rule 15C3-1 (Uniform Net Capital Rule), (3) from a member of a federally regulated securities exchange, (4) from a national or state-chartered bank, from a savings association or federal association, as defined by Financial Code Section 5102, or (5) from a brokerage firm designated as a primary government dealer by the Federal Reserve bank. In addition, investments shall only be purchased from entities or deposits made in qualified public depositories, as

established by State law, with full knowledge of applicable California law and at least five years' experience providing similar services to California municipalities.

The selection of financial dealers, depositories, and institutions shall follow a periodic competitive procurement process (e.g., requests for proposals or requests for qualifications) and be subject to ultimate approval of the City Council or City Manager in accordance with established purchasing regulations and policies. The nature of the competitive procurement process, frequency thereof, and submittals required, shall be designed and determined by the City Treasurer.

On an annual basis, the City Treasurer shall send a copy of the current version of this Administrative Policy to all financial dealers, depositories, and institutions approved to do business with the City. Receipt of this Administrative Policy shall be considered confirmation that the parties to whom they were distributed understand the City's authorized investment types and requirements thereof.

2.2.10. Authorized Investments.

In accordance with the requirements set forth in this Administrative Policy and in Government Code sections 53601, 53601.6, 53601.8, 53635, 53635.2, 53638, and 53684, the following types of investment are authorized:

A. Monies required to meet immediate cash flow needs:

- *Federal Deposit Insurance Corporation (FDIC) Insured Accounts*
Fully insured under \$250,000 or collateralized at 110% of principal and accrued interest in accordance with California Government Code

B. Monies not required to meet immediate cash flow needs, but which can be reasonably anticipated to be required over the following 12 months:

- *Bankers' Acceptances*
Minimum Standard & Poor's Rating: A-1, Minimum Moody's Rating: P-1
- *Commercial Paper*
Minimum Standard & Poor's Rating: A-1, Minimum Moody's Rating: P-1
- *Local Government Investment Pools and other pooled investment funds such as money market mutual funds*
Minimum Standard & Poor's Rating (Money Market Mutual Funds): AAA, Minimum Moody's Rating: Aaa, or other rating service equivalent

- *Non-Negotiable Certificates of Deposit*
Issued by a nationally or state-chartered bank, or state or federal savings and loan association, as defined by Financial Code Section 5102; and (1) with an “A” or better rating on its long-term debt as provided by Standard & Poor’s or Moody’s or (2) with minimum short-term ratings by two rating services. For (2), the minimum Standard & Poor’s rating shall be A-1 and the minimum Moody’s rating shall be P-1.
- *Passbook Savings Demand Deposits*
Fully insured by FDIC or collateralized
- *Repurchase Agreements*
Minimum Standard & Poor’s Rating: AA, Minimum Moody’s Rating: Aa
- *All investments authorized under Section 2.2.10(A).*

C. Monies not required to meet immediate cash flow needs, and which cannot be reasonably anticipated to be required over the following 12 months:

- *United States Treasury Obligations (notes, bonds, bills, or other certificates or coupons)*
Explicit full faith and credit guarantee of the United States Government.
Minimum Standard & Poor’s Rating for Bonds: AA or A-1+, Minimum Moody’s Rating for Bonds: Aa3 or P-1
- *United States Agency Obligations*
Implied full faith and credit guarantee of the United States Government.
Minimum Standard & Poor’s Rating for Bonds: AA or A-1+, Minimum Moody’s Rating for Bonds: Aa3 or P-1
- *State of California and Others States-issued Obligations (notes, bonds, or warrants)*
Minimum Standard & Poor’s Rating for Bonds: AA or A-1+, Minimum Moody’s Rating for Bonds: Aa or P-1
- *California Local Government-issued Municipal Obligations (notes, bonds, warrants, or other indebtedness issued by a California county, city, or local district/agency)*
Minimum Standard & Poor’s Rating: AA or A-1+, Minimum Moody’s Rating: Aa or P-1
- *Negotiable Certificates of Deposit*
Issued by a nationally or state-chartered bank, or state or federal savings and loan association, as defined by California Financial Code Section 5102.

Collateral shall comply with Chapter 4, Bank Deposit Law, Section 16500 et seq., and Chapter 4.5, Savings and Loan Association and Credit Union Deposit Law, Section 16600 et seq., of California Government Code.

- *All investments authorized under sections 2.2.10(A) and (B).*

2.2.11. Local Government Investment Pools and Other Pooled Investment Funds.

While local government investment pools generally provide significant safety and liquidity, the City Treasurer shall complete a thorough investigation prior to making any such investment and consider the same during the monthly compliance review required by Section 2.2.13. Due diligence in investigations shall generally include a review of written statements of investment policies, objectives, fees schedules, and reporting schedules, as well as issues related to (1) eligible investors and securities, (2) the permitted frequencies and sizes of deposits and withdrawals, (3) security safeguards, including settlement processes, (4) the frequency with which securities are priced and the program audited, (5) the treatment of gains and losses, including interest calculations and distribution, (6) whether and, if so, how reserves, retained earnings, and similar funds are utilized by the investment pool, and (7) whether the investment pool is eligible for and, if so, accepts bond proceeds. In addition, only local government investment pools with at least five years' experience providing similar services to other California municipalities may be utilized. Similar due diligence and investigative procedures shall be performed prior to investing in any other pooled investment funds, such as money market mutual funds.

2.2.12. Prohibited Investments.

Notwithstanding those types of investments that are otherwise prohibited by law or this Administrative Policy, financial derivatives (e.g., futures, options, and interest rate swaps) and foreign investments (e.g., indices and currencies) are prohibited.

2.2.13. Monthly Internal Compliance Review of Investment Portfolio.

Investments shall be in compliance with the ratings and other requirements set forth in this Administrative Policy at the time of purchase. It is acknowledged and understood that some investments may not fully comply with the same following purchase. The City Treasurer shall review the overall investment portfolio on a monthly basis and identify any investments that no longer comply. Non-compliant investments shall be reported to the City Council, City Manager, and City Attorney within 10 business days of discovery and corrected as soon as practical.

2.2.14. Safekeeping and Custody.

All investments shall be registered in the name of the City and all interest, principal payments, and withdrawals shall indicate the City as the sole payee.

All investments, with the exception of Federal Deposit Insurance Corporation (FDIC) Insured Accounts, Local Government Investment Pools, and Money Market Funds shall be held by a third party custodian designated by the City Treasurer and evidenced by custodial agreements or safekeeping receipts. Third-party custodians shall comply with the requirements set forth in Section 2.2.09.

All security transactions, where applicable, shall use a Delivery-versus-Payment (DVP) settlement procedure with the City's payment due at the time of delivery.

2.2.15. Collateralization.

Collateral for non-negotiable certificates of deposit and negotiable certificates of deposit shall comply with Government Code, Chapter 4, Bank Deposit Law Section 16500 et seq. and the Savings and Loan and Credit Union Deposit Law Government Code Section 16600 et seq. In addition, if the Non-Negotiable Certificate of Deposit is not Federal Deposit Insurance Corporation (FDIC) insured or exceeds the FDIC insured limit, collateral is required equal to 100% of the principal.

Collateral for repurchase agreements shall be 110% of the market value of principal and accrued interest. Collateral can be either United States Treasury securities or United States Agency securities. The City Treasurer is authorized to grant the right of collateral substitution for repurchase agreements.

All collateral shall be held by an independent third party with whom the City has a current custodial agreement. A clearly marked evidence of ownership (safekeeping receipt) must be supplied to the City and retained.

2.2.16. Diversification and Maximum Maturities.

The overall investment portfolio shall be diversified to avoid incurring unreasonable and avoidable risks associated with concentrating investments in specific investment types, maturity segments, or individual financial institutions. In a diversified portfolio, it is acknowledged and understood that occasional measurement losses may occur. Such losses shall be considered within the overall portfolio's investment

return. Diversification also requires investments to be spread among varying security types and institutions.

Authorized investments shall be invested subject to the following:

Table 2.2-1: Diversification and Maximum Maturities Table

Type of Investment	Maximum Amount of Portfolio Investment	Maximum Maturity
Federal Deposit Insurance Corporation (FDIC) Insured Accounts	100%	N/A
Bankers' Acceptances	20% (no more than 5% with one bank)	180 days
Commercial Paper	15% (no more than 10% of a single issuer)	270 days
Local Government Investment Pools	90%	N/A
Money Market Mutual Funds	10%	N/A
Non-Negotiable Certificates of Deposit	20% (no more than 5% with one bank or issuer) and no more than 30% of the overall portfolio when combined with Negotiable Certificates of Deposit	3 years
Negotiable Certificates of Deposit	30% (no more than 5% with one bank or single issuer) and no more than 30% of the overall portfolio when combined with Non-Negotiable Certificates of Deposit	3 years
Passbook Savings Demand Deposits	100%	3 years
Repurchase Agreements	10% (no more than 20% of a single issuer)	30 days

Type of Investment	Maximum Amount of Portfolio Investment	Maximum Maturity
United States Treasury Obligations	90% of overall portfolio for any one investment type (no more than 20% of a single issuer)	3 years
United States Agency Obligations		3 years
State of California and Other States-issued Obligations	20% of overall portfolio for any one investment type (no more than 5% of a single issuer)	3 years
California Local Government-issued Municipal Obligations		3 years

2.2.17. Reporting.

The City Treasurer shall prepare and submit a monthly investment report to the City Council. The report shall include a summary of all investment transactions for the reporting period, as required by Government Code Section 53607, as well as similar information required for optional quarterly investment reports by Government Code Section 53646(b), to the extent that such information is available. The report shall also comply with Government Accounting Standard Board (GASB) Statement No. 40 and include the following:

- A. Certification that all investment actions executed since the last report have been made in full compliance with this Administrative Policy; and
- B. Certification that the City is able to meet all cash flow needs which might reasonably be anticipated for the next 12 months.

2.2.18. Annual City Council Review and Adoption of this Administrative Policy.

This Administrative Policy shall be reviewed, modified as necessary, and adopted, at least annually, by resolution of the City Council at a duly noticed public meeting. Such annual review shall be in addition to the reviews conducted by the Investment Policy Review Committee as described in Section 2.2.04.

2.2.19. Relationship to Federal and State Laws.

Where federal or state laws are more restrictive than or contradict this Administrative Policy, such laws shall take precedence. Where this Administrative Policy is more restrictive than federal or state laws, this Administrative Policy shall take precedence.

The City Treasurer shall advise the Investment Policy Review Committee of any contradictions of federal or state law for consideration during its reviews conducted as described in Section 2.2.04.

2.2.20. Attachments.

Attachment A, “Glossary of Terms and Acronyms,” is incorporated by reference.

Attachment B, “California Municipal Treasurers Association Investment Policy Certification”

City Council Adoption: November XX, 2017

Attachment A, “Glossary of Terms and Acronyms”

This Glossary of Terms and Acronyms contains common investment terminology to provide users with a better understanding of basic investment terms. It is intended to be used as a basic reference only, is not intended to be all inclusive, and should not be treated as a substitute for professional counsel or analysis.

ACCRUED INTEREST: Coupon interest accumulated on a bond or note since the last interest payment or, for a new issue, from the dated date to the date of delivery.

ASSET-BACKED SECURITIES: Securities that are supported by pools of assets, such as installment loans or leases, or by pools of revolving lines of credits. Asset-backed securities are structured as trusts in order to perfect a security interest in the underlying assets.

AVERAGE: An arithmetic mean of selected stocks intended to represent the behavior of the market or some component of it.

BANK DEPOSITS: Deposits in banks or other depository institutions that may be in the form of demand accounts (checking) or investments in accounts that have a fixed term and negotiated rate of interest.

BANK NOTES: A senior, unsecured, direct obligation of a bank or United States branch of a foreign bank.

BANKERS’ ACCEPTANCE: A draft or bill or exchange accepted by a bank or trust company. The accepting institution, as well as the issuer, guarantees payment of the bill.

BASIS POINTS: Refers to the yield on bonds. Each percentage point of yield in bonds equals 100 basis points (1/100% or 0.01%). If a bond yield changes from 7.25% to 7.39% that is a rate of 14 basis points.

BENCHMARK: A passive index used to compare the performance, relative to risk and return, of an investor’s portfolio.

BOND PROCEEDS: The money paid to the issuer by the purchaser or underwriter of a new issue of municipal securities. These moneys are used to finance the project or purpose for which the securities were issued and to pay certain costs of issuance as may be provided in the bond contract.

BONDS: A debt obligation of a firm or public entity. A bond represents the agreement to repay the debt in principal and, typically, in interest on the principal.

BOOK VALUE: The value at which an asset is carried on a balance sheet.

BROKER: A person or firm that acts as an intermediary by purchasing and selling securities for others rather than for its own account.

CALL OPTION: The terms of the bond contract giving the issuer the right to redeem or call an outstanding issue of bonds prior to its stated date of maturity.

CASH FLOW: A comparison of cash receipts (revenues) to required payments (debt service, operating expenses, etc.).

CERTIFICATE OF DEPOSIT: A short-term, secured deposit in a financial institution that usually returns principal and interest to the lender at the end of the loan period. Certificates of Deposit (CDs) differ in terms of collateralization and marketability. CDs appropriate to public agency investing include:

Negotiable Certificates of Deposit – Generally, short-term debt instruments that pay interest and re issued by a bank, savings or federal association, state or federal credit union, or state-licensed branch of a foreign bank. The majority of negotiable CDs mature within six months while the average maturity is two weeks. Negotiable CDs are traded in a secondary market and are payable upon order to the bearer or initial depositor (investor). Negotiable CDs are insured by the FDIC up to \$250,000, but they are not collateralized beyond that amount.

Non-Negotiable Certificates of Deposit – CDs that carry a penalty if redeemed prior to maturity. A secondary market does exist for non-negotiable CDs, but redemption includes a transaction cost that reduces returns to the investor. Non-negotiable CDs issued by banks and savings and loans are insured by the FDIC up to the amount of \$250,000, including principal and interest. Amounts deposited above this amount may be secured with other forms of collateral through an agreement between the investor and the issuer. Collateral may include other securities, including treasuries or agency securities (e.g., issued by the Federal National Mortgage Association).

CERTIFICATE OF DEPOSIT ACCOUNT REGISTRY SYSTEM (CDARS): A private CD placement service that allows local agencies to purchase more than \$250,000 in CDs from a single financial institution (must be a participating institution of CDARS) while still maintaining FDIC insurance coverage. CDARS is

currently the only entity providing this service. CDARS facilitates the trading of deposits between the California institution and other participating institutions in amounts that are less than \$250,000 each, so that FDIC coverage is maintained.

CD PLACEMENT SERVICE: A service that allows local agencies to purchase more than \$250,000 in CDs from a single financial institution while still maintaining FDIC insurance coverage. See “CDARS”.

COLLATERALIZATION OF DEPOSITS: A process by which a bank or other financial institution pledges securities or other deposits for the purpose of securing the repayment of deposited funds.

COMMERCIAL PAPER: An unsecured short-term promissory note issued by corporations or municipalities, with maturities ranging from two to 270 days.

CORPORATE NOTES AND BONDS: Debt instruments, typically unsecured, issued by corporations, with original maturities in most cases greater than one year and less than ten years.

COUNTY POOLED INVESTMENT FUNDS: The aggregate of all funds from public agencies placed in the custody of the county treasurer or chief finance officer for investment and reinvestment.

COUPON: The annual rate of interest that a bond’s issuer promises to pay the bondholder in the bond’s face value; a certificate attached to a bond evidencing interest due on a payment date.

CREDIT RATING: The credit worthiness of an investment. Credit ratings are issued by nationally recognized statistical rating organizations (NRSROs) registered with the Securities and Exchange Commission. Three highly recognized organizations are Standard and Poor’s, Moody’s, and Fitch. The organizations use a primary letter designation (numbers or symbols may follow the letter designation) to indicate the quality of an investment. As an example, short-term ratings by Standard and Poor’s of A-1+ and Moody’s of P-1 indicate a prime or high grade quality investment. Long-term prime or high grade quality investments would be rated AAA or Aaa by Standard and Poor’s and Moody’s, respectively. Rates beginning with letters B or C would typically indicate an investment of speculative and higher risk quality.

CREDIT RISK: The chance that an issuer will be unable to make scheduled payments of interest and principal on an outstanding obligation. Another concern for

investors is that the market's perception of an issuer/borrower's credit will cause the market value of a security to fall, even if default is not expected.

CUSTODIAN: A bank or other financial institution that keeps custody of stock certificates and other assets.

DEALER: Someone who acts as a principal in all transactions, including underwriting, buying, and selling securities, including from his or her own account.

DEFAULT RISK: The risk that issuers or borrowers will be unable to make the required payments on their debt obligations.

DEFEASED BOND ISSUES: Issues that have sufficient money to retire outstanding debt when due, so that the agency is released from the contracts and covenants in the bond document.

DELIVERY-VERSUS-PAYMENT (DVP): The payment of cash for securities as they are delivered and accepted for settlement.

DERIVATIVE: Securities that are based on, or derived from, some underlying asset, reference date, or index.

DISCOUNT: The difference between the par value of a security and the cost of the security, when the cost is below par. Investors purchase securities at a discount when return to the investor (yield) is higher than the stated coupon (interest rate) on the investment.

DISCOUNT RATE: The interest rate used in discounted cash flow analysis to determine the present value of future cash flows. The discount rate in discounted cash flow analysis takes into account not just the time value of money, but also the risk or uncertainty of future cash flows; the greater the uncertainty of future cash flows, the higher the discount rate.

DIVERSIFICATION: The allocation of different types of assets in a portfolio to mitigate risks and improve overall portfolio performance.

DURATION: A measure of the timing of the cash flows to be received from a security that provides the foundation for a measure of the interest rate sensitivity of a bond. Duration is a volatility measure and represents the percentage change in price divided by the percentage change in interest rates. A high duration measure indicates

that for a given level of movement in interest rates, prices of securities will vary considerably.

EFFECTIVE DURATION: A measurement of the weighted average of the present value of the cash flows of a fixed-income investment. Effective duration measures the price sensitivity of fixed-income investments, especially for those with embedded option features such as call options. As yields rise, the effective duration of a callable investment rises to reflect the fact that it has become less likely to be called. The more rates rise, the longer the effective duration will become, approaching the duration to maturity. The converse is true in a declining interest rate environment (that is, the more rates fall, the shorter the effective duration will become, approaching the duration to call). For securities without an embedded option, the duration to call, maturity, and effective duration are all the same. The calculation for effective duration is complicated and involves averaging the duration under a simulation of many possible interest rate scenarios in the future.

EVENT RISK: The risk associated with a changing portfolio value due to a market event causing swings in market prices and/or spreads.

EXTENDABLE NOTES: Securities with maturity dates that can be extended by mutual agreement between the issuer and investor. When investing in these types of securities, the maturity date plus the stated extendable option must not exceed the time frames that are allowed in California Government Code or the investment policy for the investment type.

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC): A federal agency that insures bank deposits, currently up to \$250,000 per entity.

FIDUCIARY: An individual who holds something in trust for another and bears liability for its safekeeping.

FIRST TIER SECURITIES: Securities that have received short term debt ratings in the highest category from the requisite nationally recognized statistical-rating organizations (NRSROs), or are comparable unrated securities, or are issued by money market funds, or government securities. [See SEC Rules: Paragraph (A) (12) of rule 2A-7.]

FLOATING RATE SECURITY: A security that has a variable or “floating” interest rate.

GOVERNMENT ACCOUNTING STANDARDS BOARD (GASB): A standard-setting body, associated with the Financial Accounting Foundation, which prescribes standard accounting practices for governmental units.

GOVERNMENT SPONSORED ENTERPRISES (GSE): Privately held corporations with public purposes created by the United States Congress to reduce the cost of capital for certain borrowing sectors of the economy. Securities issued by GSEs carry the implicit backing of the United States Government, but they are not direct obligations of the United States Government. For this reason, these securities will offer a yield premium over Treasuries.

GUARANTEED INVESTMENT CONTRACT (GIC): An agreement acknowledging receipt of funds for deposit, specifying terms for withdrawal, and guaranteeing a rate of interest to be paid.

INDEX: An indicator that is published on a periodic basis that shows the estimated price and/or yield levels for various groups of securities.

INTEREST: The amount a borrower pays to a lender for the use of his or her money.

INTEREST RATE RISK: The risk that an investment's value will change due to a change in the absolute level of interest rates, spread between two rates, shape of the yield curve, or any other interest rate relationship.

INVESTMENT AGREEMENTS: Contracts with respect to funds deposited by an investor. Investment agreements are often separated into those offered by banks and those offered by insurance companies. In the former case, they are sometimes referred to as “bank investment contracts.”

LONDON INTERBANK OFFERED RATE (LIBOR): The average rate at which a leading bank can obtain unsecured funding in the London interbank market. LIBOR serves as a benchmark for various interest rates. Obligations of parties to such transactions are typically expressed as a spread to LIBOR.

LIQUIDITY: The measure of the ability to convert an instrument to cash on a given date at full face or par value.

LIQUIDITY RISK: The risk that a security, sold prior to maturity, will be sold at a loss of value. For a local agency, the liquidity risk of an individual investment may

not be as critical as how the overall liquidity of the portfolio allows the agency to meet its cash needs.

LOCAL AGENCY INVESTMENT FUND (LAIF): A voluntary investment fund open to government entities and certain non-profit organizations in California that is managed by the State Treasurer's Office.

LOCAL GOVERNMENT INVESTMENT POOL (LGIP): Investment pools that range from the State Treasurer's Office Local Agency Investment Fund (LAIF) to county pools to Joint Powers Authorities (JPAs). These funds are not subject to the same SEC rules applicable to money market mutual funds.

MARKET RISK: The chance that the value of a security will decline as interest rates rise. In general, as interest rates fall, prices of fixed income securities rise. Similarly, as interest rates rise, prices fall. Market risk also is referred to as systematic risk or risk that affects all securities within an asset class similarly.

MARKET VALUE: The price at which a security is trading and presumably could be purchased or sold at a particular point in time.

MATURITY: The date on which the principal or stated value of an investment becomes due and payable.

MEDIUM-TERM NOTE: Corporate or depository institution debt securities meeting certain minimum quality standards (as specified in California Government Code) with a remaining maturity of five years or less.

MONEY MARKET MUTUAL FUNDS (MMFs): Mutual funds that invest exclusively in short-term money market instruments. MMFs seek the preservation of capital as a primary goal while maintaining a high degree of liquidity and providing income representative of the market for short term investments.

MORTGAGE-BACKED SECURITIES (MBS): Securities created when a mortgagee or a purchaser of residential real estate mortgages creates a pool of mortgages and markets undivided interests or participations in the pool. MBS owners receive a pro-rata share of the interest and principal cash flows (net of fees) that are "passed through" from the pool of mortgages. MBS are complex securities whose cash flow is determined by the characteristics of the mortgages that are pooled together. Investors in MBS face prepayment risk associated with the option of the underlying mortgagors to pre-pay or payoff their mortgage. Most MBS are issued

and/or guaranteed by federal agencies and instrumentalities (e.g., Government National Mortgage Association (GNMA), Federal National Mortgage Association (FNMA), and Federal Home Loan Mortgage Corporation (FHLMC)).

MORTGAGE PASS-THROUGH OBLIGATIONS: Securities that are created when residential mortgages (or other mortgages) are pooled together and undivided interests or participations in the stream of revenues associated with the mortgages are sold.

MUNICIPAL ADVISOR RULE: Regulations for non-dealer "municipal advisors" such as financial advisors, swap advisors, GIC brokers, etc. In addition, the rule pertains to banks and broker dealers acting as municipal advisors. Municipal advisors have a fiduciary responsibility to the government agency receiving their services and they must register with the Securities Exchange Commission (SEC). Municipal finance professionals that do not have a fiduciary duty to issuers cannot provide advice to governments unless certain exemptions are met. The SEC has published a list of frequently asked questions: www.sec.gov/info/municipal/mun-advisors-faqs.pdf.

MUNICIPAL NOTES, BONDS, AND OTHER OBLIGATIONS: Obligations issued by state and local governments to finance capital and operating expenses.

MUTUAL FUNDS: An investment company that pools money and can invest in a variety of securities, including fixed-income securities and money market instruments.

NEW ISSUE: Securities sold during the initial distribution of an issue in a primary offering by the underwriter or underwriting syndicate.

NET ASSET VALUE (NAV): A determination of the average price per share of a pool or mutual fund. How this measure varies over time provides information on whether the pool is stable or variable. NAV is the market value of all securities in a mutual fund, less the value of the fund's liabilities, divided by the number of shares in the fund outstanding. Shares of mutual funds are purchased at the fund's NAV.

NET PRESENT VALUE: An amount that equates future cash flows with their value in present terms.

NOTE: A written promise to pay a specified amount to a certain entity on demand or on a specified date. Usually bearing a short-term maturity of a year or less (though longer maturities are issued—see “Medium-Term Note”).

OPTIONS: A contract that gives the buyer the right to buy or sell an obligation at a specified price for a specified time. Exchange Traded Options are standardized option contracts that are actively traded on the Chicago Board of Exchange on a daily basis whereas Over-the-Counter Options are traded directly between the buyer and seller at agreed upon prices and conditions (the former type of option is therefore more liquid than the latter).

PAR AMOUNT OR PAR VALUE: The principal amount of a note or bond which must be paid at maturity. Par, also referred to as the “face amount” of a security, is the principal value stated on the face of the security. A par bond is one sold at a price of 100 percent of its principal amount.

PASSBOOK SAVINGS DEMAND DEPOSITS: An interest-bearing bank deposit that unlike time deposits which have a specified term, is typically considered readily available funds and can be withdrawn without advance notice.

PLACEMENT SERVICE DEPOSIT: Deposits at depository institutions placed by a private sector placement service entity.

PLACEMENT SERVICE CERTIFICATES OF DEPOSIT: Certificates of deposit placed with a private sector entity that assists in the placement of certificates of deposit with eligible financial institutions located in the United States.

PORTFOLIO: Combined holding of more than one stock, bond, commodity, real estate investment, cash equivalent, or other asset. The purpose of a portfolio is to reduce risk by diversification.

PREMIUM: The difference between the par value of a security and the cost of the security, when the cost is above par. Investors pay a premium to purchase a security when the return to the investor (yield) is lower than the stated coupon (interest rate) on the investment.

PRICE: The amount of monetary consideration required by a willing seller and a willing buyer to sell an investment on a particular date.

PRINCIPAL: The face value or par value of a debt instrument, or the amount of capital invested in a given security.

PROSPECTUS: A disclosure document that must be provided to any prospective purchaser of a new securities offering registered with the SEC that typically includes information on the issuer, the issuer's business, the proposed use of proceeds, the experience of the issuer's management, and certain certified financial statements (also known as an "official statement").

PRUDENT INVESTOR STANDARD: A standard of conduct where a person acts with care, skill, prudence, and diligence when investing, reinvesting, purchasing, acquiring, exchanging, selling, and managing funds. The test of whether the standard is being met is if a prudent person acting in such a situation would engage in similar conduct to ensure that investments safeguard principal and maintain liquidity.

REINVESTMENT RISK: The risk that interest rates may be lower than the yield on a fixed income security when the investor seeks to reinvest interest income or repaid principal from the security.

REPURCHASE AGREEMENTS: An agreement of one party (for example, a financial institution) to sell securities to a second party (such as a local agency) and simultaneous agreement by the first party to repurchase the securities at a specified price from the second party on demand or at a specified date.

RISK: The uncertainty of maintaining the principal or interest associated with an investment due to a variety of factors.

RULE G-37 OF THE MUNICIPAL SECURITIES RULEMAKING BOARD: Federal regulations to sever any connection between the making of political contributions and the awarding of municipal securities business.

SAFEKEEPING SERVICE: Offers storage and protection of assets provided by an institution serving as an agent.

SAFETY: In the context of investing public funds, safety relates to preserving the principal of an investment in an investment portfolio; local agencies address the concerns of safety by controlling exposure to risks.

SECURITIES AND EXCHANGE COMMISSION (SEC): The federal agency responsible for supervising and regulating the securities industry.

SECURITIES LENDING AGREEMENT: An agreement of one party (for example, a local agency) to borrow securities at a specified price from a second party (for example, another local agency) with a simultaneous agreement by the first party to return the security at a specified price to the second party on demand or at a specified date. These agreements generally are collateralized and involve a third party custodian to hold the securities and collateral. Economically similar to reverse repurchase agreement.

TAX AND REVENUE ANTICIPATION NOTES (TRANS): Notes issued in anticipation of receiving tax proceeds or other revenues at a future date.

TOTAL RETURN: Interest, realized gains and losses, and unrealized gains and losses over a given period of time.

TRUSTEE, TRUST COMPANY OR TRUST DEPARTMENT OF A BANK: A financial institution with powers to act in a fiduciary capacity for the benefit of the bondholders in enforcing the terms of the bond contract.

UNDERWRITER: A dealer that purchases a new issue of municipal securities for resale.

UNITED STATES AGENCY OBLIGATIONS: Federal agency or United States government-sponsored enterprise obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises, including federal agency mortgage-backed securities. Types of instruments may include mortgage-backed securities from the Federal National Mortgage Association (FNMA) including Fannie Mae and Freddie Mac securities.

UNITED STATES TREASURY OBLIGATIONS: Debt obligations of the United States government sold by the Treasury Department in the forms of bills, notes, and bonds. Bills are short-term obligations that mature in one year or less and are sold at a discount. Notes are obligations that mature between one year and ten years. Bonds are long-term obligations that generally mature in 10 years or more.

WEIGHTED AVERAGE MATURITY (WAM): The average maturity of all the securities that comprise a portfolio, typically expressed in days or years.

YIELD: The current rate of return on an investment security generally expressed as a percentage of the securities current price.

YIELD CURVE: A graphic representation that shows the relationship at a given point in time between yields and maturity for bonds that are identical in every way except maturity.

YIELD-TO-CALL: The rate of return to the investor earned from payments of principal and interest, with interest compounded semi-annually at the stated yield when the security is redeemed on a specified call date. In addition, if the security is redeemed at a premium call price, the amount of the premium is also reflected in the yield.

YIELD-TO-MATURITY: The rate of return to the investor earned from payments of principal and interest, with interest compounded semi-annually at the stated yield as long as the security remains outstanding until the maturity date.

YIELD-TO-WORST: For a given dollar price on a municipal security, the lowest of the yield calculated to the pricing call, par option or maturity.

ZERO-COUPON BOND: A bond on which interest is not payable until maturity (or earlier redemption), but compounds periodically to accumulate to a stated maturity amount. Zero-interest bonds are typically issued at a discount and repaid at par upon maturity.

Attachment B, “California Municipal Treasurers Association Investment Policy Certification”

The City’s Investment of Financial Assets policy, as adopted by the City Council on November 16, 2016, received certification from the California Municipal Treasurers Association (CMTA) on January 17, 2017. Since receiving certification, the City’s modifications of the Investment of Financial Assets policy have been limited to addressing recommendations made by CMTA evaluators.



6.5
CITY HALL RESTROOM REPAIR AND
REFURBISHMENT PROJECT
(NO REPORT)

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8.1
“A PLACE FOR PAWS” DOG PARK
ADVISORY GROUP

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City of Laguna Woods Agenda Report

TO: Honorable Mayor and City Councilmembers
FROM: Christopher Macon, City Manager
FOR: November 15, 2017 Regular Meeting
SUBJECT: “A Place for Paws” Dog Park Advisory Group

Recommendation

1. Approve a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ADOPTING ADMINISTRATIVE POLICY 1.5 PERTAINING TO THE ESTABLISHMENT, APPOINTMENT, RESPONSIBILITIES, ACTIVITIES, AND PROCEDURES OF A DOG PARK ADVISORY GROUP

AND

2. Approve a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ESTABLISHING A REGULAR MEETING SCHEDULE, INCLUDING DATES, TIMES, AND LOCATIONS, FOR THE DOG PARK ADVISORY GROUP

Background

The “A Place for Paws” Dog Park Relocation Project has been approved and funded by the City Council, and is currently underway. Once complete, the Project will provide continued local access to a public dog park in a new location west of the existing location along Ridge Route Drive.

Discussion

Today's meeting is an opportunity for City Council action, as well as public input, on the proposed formation of a Dog Park Advisory Group (attachments A and B). Staff recommends that the City Council take action to form a Dog Park Advisory Group tasked with providing citizen advice and oversight on matters pertaining to the operation and maintenance of "A Place for Paws" Dog Park, in order to help to facilitate constructive opportunities for public input and engagement, as well as to promote transparency through an open exchange of information and ideas.

As proposed, the Dog Park Advisory Group would:

- Consist of up to seven members, one of whom would be appointed by each member of the City Council, and two of whom would be appointed by the Laguna Woods Village Dog Club Board of Directors;
- Require that members be residents of Laguna Woods with one or more dogs licensed by Laguna Woods Animal Services at the time of appointment;
- Meet regularly on a bimonthly basis; and
- Be subject to all applicable provisions of the Ralph M. Brown Act.

Additional information is included in Attachment A.

If the City Council takes the recommended action at today's meeting, application forms would be made available beginning on Thursday, November 16, 2017. The availability of applications would be promoted via the *Laguna Woods Globe*, local television channels, the City's website, and the Laguna Woods Village Dog Club.

Fiscal Impact

The City's budget could accommodate the formation and operation of a Dog Park Advisory Group. Recurring out-of-pocket expenditures would primarily consist of noticing and reproduction. Members of the Dog Park Advisory Group would serve as volunteers and would not be compensated for their service.

Attachments: A – Proposed Resolution
 Exhibit A – Proposed Administrative Policy 1.5
 Exhibit A – Proposed Application Form
 B – Proposed Resolution

RESOLUTION NO. 17-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ADOPTING ADMINISTRATIVE POLICY 1.5 PERTAINING TO THE ESTABLISHMENT, APPOINTMENT, RESPONSIBILITIES, ACTIVITIES, AND PROCEDURES OF A DOG PARK ADVISORY GROUP

WHEREAS, the City Council recognizes that the collective knowledge and experience of its residents and other stakeholders can benefit the local decision-making process; and

WHEREAS, the “A Place for Paws” Dog Park Relocation Project has been approved and funded by the City Council, and is currently underway; and

WHEREAS, once complete, the “A Place for Paws” Dog Park Relocation Project will provide continued local access to a public dog park in a new location; and

WHEREAS, the formation of a Dog Park Advisory Group tasked with providing citizen advice and oversight on matters pertaining to the operation and maintenance of “A Place for Paws” Dog Park would help to facilitate constructive opportunities for public input and engagement, and to promote transparency through an open exchange of information and ideas.

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

SECTION 1. That the administrative policy attached hereto as Exhibit A is approved and is a statement of the City’s Dog Park Advisory Group policy.

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

PASSED, APPROVED AND ADOPTED on this XX day of XX 2017.

SHARI L. HORNE, Mayor

ATTEST:

YOLIE TRIPPY, Deputy City Clerk

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

I, YOLIE TRIPPY, Deputy City Clerk of the City of Laguna Woods, do
HEREBY CERTIFY that the foregoing **Resolution No. 17-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 2017, by the following vote:

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

YOLIE TRIPPY, Deputy City Clerk

**CITY OF LAGUNA WOODS
ADMINISTRATIVE POLICY 1.5**

DOG PARK ADVISORY GROUP

1.5.01. Statement of Purpose.

The City of Laguna Woods recognizes that the collective knowledge and experience of its residents and other stakeholders can benefit the local decision-making process. To facilitate constructive opportunities for public input and engagement, and to promote transparency through an open exchange of information and ideas, the City Council has established a Dog Park Advisory Group.

The Dog Park Advisory Group is responsible for providing citizen advice and oversight on matters pertaining to the operation and maintenance of “A Place for Paws” Dog Park including, but not limited to, rules, regulations, physical conditions, and capital improvement projects. The Dog Park Advisory Group shall be consulted for assistance in identifying desired dog park-related programs, projects, and services as a part of each of the City’s two-year budget and work plan development processes.

1.5.02. Eligibility Requirements.

Any resident of Laguna Woods with one or more dogs licensed by Laguna Woods Animal Services at the time of appointment is eligible to serve on the Dog Park Advisory Group. Eligibility requirements shall also include interest, willingness, and ability to contribute to the purpose of the Dog Park Advisory Group.

1.5.03. Applications.

Individuals who are interested and eligible to serve on the Dog Park Advisory Group shall file a completed application form with the City Clerk’s Office (Exhibit A to this administrative policy). Application forms filed with the City Clerk’s Office shall be made available to City Councilmembers for purposes of each City Councilmember’s deliberation and independent selection of appointees. Application forms filed with the City Clerk’s Office and all of the information contained thereon, are considered to be public records and are subject to unrestricted public disclosure. Application forms are considered to be public records regardless of whether or not the applicant is ultimately appointed to the Dog Park Advisory Group or whether or not an application form is withdrawn by the applicant or deemed ineligible by the City Clerk’s Office.

1.5.04. Appointment and Terms.

Appointments to the Dog Park Advisory Group shall be made as follows:

- A. Each City Councilmember is able to appoint one individual to the Dog Park Advisory Group. Appointments shall be made by City Councilmembers filing original signed and dated notices with the City Clerk's Office. Appointments shall be considered effective five calendar days following the date of receipt by the City Clerk's Office and shall continue until one or more of the following occurs:
1. The member resigns. Members of the Dog Park Advisory Group may resign at any time. Resignations shall be made by the member filing an original signed and dated notice, or email notice from the email address on file, with the City Clerk's Office. Resignations shall be considered effective immediately upon receipt by the City Clerk's Office and are not revokable. For the purpose of this administrative policy, "resignation" shall also include vacancies due to a member's passing, being declared mentally incompetent by a court of law, or any of the circumstances listed in Government Code Section 1770.
 2. The regular two-year term of the Dog Park Advisory Group ends. Regardless of the date that a member of the Dog Park Advisory Group was appointed, all Dog Park Advisory Group appointments expire on December 31 of even numbered years. There is no limit to the number of terms for members of the Dog Park Advisory Group.
 3. The City Councilmember who appointed the member to the Dog Park Advisory Group ceases to be a member of the City Council. Members of the Dog Park Advisory Group appointed by a City Councilmember who ceases to be a member of the City Council shall cease to be members of the Dog Park Advisory Group upon the end of the appointing City Councilmember's term of office.
 4. The member is removed by the City Councilmember who appointed him/her to the Dog Park Advisory Group. Members of the Dog Park Advisory Group serve at the pleasure of the City Councilmember who appointed them and may be removed by the same, with or without cause or notice. Removals shall be made by a City Councilmember filing an original signed and dated notice with the City Clerk's Office. Removals shall be considered effective

immediately upon receipt by the City Clerk's Office.

5. The member is removed by the City Council. The City Council reserves the right to remove any member of the Dog Park Advisory Group, with or without cause, following a publically noticed vote with no more than one dissention of the quorum of the City Councilmembers present at the time. Removals shall be considered effective immediately upon the vote. In this case, the name of the member contemplated for removal must be printed on the meeting agenda.
- B. Two members of the Dog Park Advisory Group shall be appointed by a majority vote of the Laguna Woods Village Dog Club Board of Directors ("Board of Directors"). The Board of Directors shall submit an appointment letter to the City Clerk's Office identifying the name of each appointee, the date of the vote, the names and titles of each member of the Board of Directors, and the vote of each member of the Board of Directors for each appointment. The appointment letter shall be accompanied by a completed application form for each appointee in the format required by this administrative policy. Appointments shall be considered effective five calendar days following the date of receipt of all required materials from the Board of Directors by the City Clerk's Office and shall continue until one or more of the following occurs:
1. The member resigns. Members of the Dog Park Advisory Group may resign at any time. Resignations shall be made by the member filing an original signed and dated notice, or email notice from the email address on file, with the City Clerk's Office. Resignations may also be submitted to the Board of Directors to be forwarded to the City Clerk's Office. Resignations shall be considered effective immediately upon receipt by the City Clerk's Office and are not revokable. For the purpose of this administrative policy, "resignation" shall also include vacancies due to a member's passing, being declared mentally incompetant by a court of law, or any of the circumstances listed in Government Code Section 1770.
 2. The member is removed or replaced by the Laguna Woods Village Dog Club Board of Directors. The Board of Directors may remove or replace any member of the Dog Park Advisory Group, with or without cause, following a majority vote. Removals or replacements shall be considered effective five calendar days following the date of receipt of a notification letter from the Board of Directors by the City Clerk's Office. The Board of Directors is

encouraged to exercise sound judgement and discretion prior to removing or replacing any member of the Dog Park Advisory Group. The Board of Directors is further encouraged to establish an internal process providing for an orderly nomination and appointment process, including the establishment of terms and desired qualifications.

3. The member is removed by the City Council. The City Council reserves the right to remove any member of the Dog Park Advisory Group, with or without cause, following a publically noticed vote with no more than one dissention of the quorum of the City Councilmembers present at the time. Removals shall be considered effective immediately upon the vote. In this case, the name of the member contemplated for removal must be printed on the meeting agenda.

In order to maintain its eligibility to make appointments to the Dog Park Advisory Group, all members of the Laguna Woods Village Dog Club Board of Directors shall execute and file with the City Clerk's Office an acknowledgement of this Administrative Policy and a non-discrimination agreement in form sufficient to the City Manager and City Attorney, within 10 calendar days of their appointment to such position.

1.5.05. Meetings and Conduct.

- A. Scheduling. The Dog Park Advisory Group shall hold regular meetings at a date, time, and place set by resolution of the City Council. Meetings may be called or cancelled for any lawful reason and by any lawful means consistent with this administrative policy, other City Council direction, and applicable laws.
- B. Noticing and Rules of Conduct. All Dog Park Advisory Group meetings shall be publically noticed and conducted in accordance with the Ralph M. Brown Act and applicable laws. The Dog Park Advisory Group may establish their own rules for conducting meetings, subject to the Ralph M. Brown Act, this administrative policy, other City Council direction, and applicable laws.
- B. Quorum. A majority of the members currently appointed to the Dog Park Advisory Group shall constitute a quorum of the Dog Park Advisory Group's membership. A quorum shall be required for the Dog Park Advisory Group to conduct any business and a majority of a quorum present at any meeting shall be required to carry a motion.

- D. Chair and Vice Chair. The Dog Park Advisory Group shall appoint a chair and vice chair from amongst its membership. The chair, or vice chair in the absence of the chair, shall conduct meetings and attest to meeting minutes. When neither the chair nor the vice chair are present at a meeting, a quorum of members may call the meeting to order and appoint an acting chair for the same purposes.
- E. Agenda Content. Items may be placed on the Dog Park Advisory Group agendas by a majority vote of the City Council or by the City Manager, consistent with this administrative policy and other City Council direction.
- F. Nature of Action. The Dog Park Advisory Group is advisory in nature to both the City Council and City staff. The Dog Park Advisory Group is able to provide input and make recommendations, but may not provide direction to City staff and possess no authority to bind the City to any particular course of action.
- G. Dissent. When the Dog Park Advisory Group submits a recommendation to the City Council or City staff, dissenting members are entitled to have the reason for their dissent fully, fairly, and accurately presented.
- H. Meeting Minutes. City staff shall prepare minutes for Dog Park Advisory Group meetings consisting of a record of the actions taken, presentation of the dissent thereto (if applicable), and public comments received, subject to approval by the Dog Park Advisory Group. The chair, or vice chair or acting chair in his or her absence, shall attest, in writing, to the approval of the meeting minutes and a copy shall be filed with the City Clerk's Office.

1.5.06. Subcommittees.

The establishment and appointment of a subcommittee or other subsidiary body to the Dog Park Advisory Group shall require prior approval of the City Council and shall comply with any conditions as the City Council may require. In general, the Dog Park Advisory Group are encouraged to carry out its advisory duties at meetings of the Dog Park Advisory Group as a whole, including at special meetings when necessary. All actions or deliberations related to the allocation or award of City grant monies shall be undertaken by the Dog Park Advisory Group as a whole. The City Council will only consider the establishment and appointment of ad hoc subcommittees to act in advisory capacities on discrete, short-term circumstances and matters.

Any subcommittee to the Dog Park Advisory Group may be disbanded or terminated at any time and for any reason by the City Council. The City Council may also impose additional conditions or limitations on any subcommittee.

1.5.07. Public Statements.

Neither the Dog Park Advisory Group nor any member thereof shall make a political or other endorsement; statement of position on legislation; financial commitment; or commit or speak in anyway, including but not limited to the issuance of statements, on behalf of the Dog Park Advisory Group or the City, without first obtaining the express consent of the City Council. Nothing in his administrative policy shall be construed, however, to inhibit or forbid political or other speech or activity, in a purely individual capacity, by any member of the Dog Park Advisory Group, so long as such member does not purport to speak for, or as a member of, the Dog Park Advisory Group.

Unless so authorized, Dog Park Advisory Group members who wish to speak on a subject within the purview of the Dog Park Advisory Group may identify themselves as a Dog Park Advisory Group member, but shall state that they do not speak on behalf of the City or the Dog Park Advisory Group, and that the opinion they offer is their own personal opinion.

1.5.08. Routine City Council Reporting.

- A. Provision of Meeting Agendas and Minutes (regular). The City Clerk's Office shall provide City Councilmembers with the agendas and minutes for the Dog Park Advisory Group on a regular basis.
- B. Provision of Meeting Agendas and Minutes (annual). The City Clerk's Office shall compile and provide City Councilmembers with the minutes for the Dog Park Advisory Group that occurred during the preceding calendar year no later than January 31 of each year.

City Council Approval: November XX, 2017



City of Laguna Woods

Application Form for Appointment Dog Park Advisory Group

Thank you for your interest in serving on the Dog Park Advisory Group!

The Dog Park Advisory Group provides citizen advice and oversight on matters pertaining to the operation and maintenance of “A Place for Paws” Dog Park including, but not limited to, rules, regulations, physical conditions, and capital improvement projects. The Dog Park Advisory Group is also consulted for assistance in identifying desired dog park-related programs, projects, and services as a part of each of the City’s two-year budget and work plan development processes. The Dog Park Advisory Group meets regularly on the second Tuesdays of February, April, June, August, October, and December at 3 p.m.

This application form and all of the information hereon or attached hereto is considered to be a public record and is subject to unrestricted public disclosure. Application forms are considered to be public records regardless of whether or not an applicant is ultimately appointed to the Dog Park Advisory Group or whether or not an application form is withdrawn by an applicant or deemed ineligible by the City Clerk’s Office.

Please attach additional pages, if necessary.

For more information on the Dog Park Advisory Group, please contact the City Clerk’s Office at (949) 639-0500. Applications must be mailed or hand delivered to City of Laguna Woods, Attn: City Clerk’s Office, 24264 El Toro Road, Laguna Woods, CA 92637.

CONTACT INFORMATION

First and Last Name: _____

Home Address: _____

Home Telephone Number: _____

Cellular Telephone Number: _____

Email Address: _____

[CONTINUED ON NEXT PAGE]

ELIGIBILITY SCREENING

1. Are you a resident of Laguna Woods?

Yes_____ No (ineligible)_____

2. Do you currently have one or more dogs licensed by Laguna Woods Animal Services?

Yes_____ No (ineligible)_____

3. Are you interested and able to serve on the Dog Park Advisory Group after having been provided with, read, and understood Administrative Policy 1.5 (Dog Park Advisory Group)?

Yes_____ No (ineligible)_____

RESPONSES TO QUESTIONS

1. How often and for how long have you used “A Place for Paws” Dog Park?

2. Why do you use “A Place for Paws” Dog Park?

3. Why are you interested in serving on the Dog Park Advisory Group?

4. How long have you lived in Laguna Woods and are you a full-time resident?

5. Please describe your educational background, including schools attended and degrees held.

6. Please describe any relevant experience (paid or volunteer), qualifications, and training that you feel you would bring to the Dog Park Advisory Group.

7. “A Place for Paws” Dog Park is regularly used by a diverse group of individuals and their dogs for a variety of reasons. If appointed to serve on the Dog Park Advisory Group, how would you work to effectively understand the needs and desires of dog park users?

ACKNOWLEDGEMENTS

I, the undersigned, do hereby certify that the information submitted on this application form is true and correct and that I am a resident of Laguna Woods.

I further understand and agree that if I am appointed to the Dog Park Advisory Group, I would serve at the pleasure of either the City Councilmember who appointed me and the City Council as a whole, or the Laguna Woods Village Dog Club Board of Directors and the City Council as a whole, as the case may be, and subject to the Ralph M. Brown Act, Administrative Policy 1.5, and any other applicable laws and policies, as may change from time-to-time.

I further understand and agree that this application form and all of the information hereon or attached hereto is considered to be a public record and is subject to unrestricted public disclosure. This application form will be considered to be a public record regardless of whether or not I am ultimately appointed to the Dog Park Advisory Group or whether or not I withdraw this application form or this application form is deemed ineligible by the City Clerk's Office.

First and Last Name: _____

Signature: _____

Date: _____

RESOLUTION NO. 17-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, ESTABLISHING A REGULAR MEETING SCHEDULE, INCLUDING DATES, TIMES, AND LOCATIONS, FOR THE DOG PARK ADVISORY GROUP

WHEREAS, Administrative Policy 1.5 formed a Dog Park Advisory Group tasked with providing citizen advice and oversight on matters pertaining to the operation and maintenance of “A Place for Paws” Dog Park; and

WHEREAS, Administrative Policy 1.5 states that “The Dog Park Advisory Group shall hold regular meetings at a date, time, and place set by resolution of the City Council.”

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

SECTION 1. That regular meetings of the City Council-appointed Dog Park Advisory Group shall be held on the second Tuesdays of February, April, June, August, October, and December at 3 p.m. at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

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

PASSED, APPROVED AND ADOPTED on this XX day of XX 2017.

SHARI L. HORNE, Mayor

ATTEST:

YOLIE TRIPPY, Deputy City Clerk

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

I, YOLIE TRIPPY, Deputy City Clerk of the City of Laguna Woods, do
HEREBY CERTIFY that the foregoing **Resolution No. 17-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 2017, by the following vote:

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

YOLIE TRIPPY, Deputy City Clerk

8.2

**MAYORS' COMPACT TO COMBAT HATE,
EXTREMISM AND BIGOTRY
(AGENDIZED BY MAYOR HORNE)**

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COVER

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A romantic close-up of a man and a woman about to kiss. The woman is on the left, her face partially in shadow. The man is on the right, with a beard, looking towards her. An American flag is draped over their shoulders, with the stars and stripes visible. The background is a soft-focus outdoor setting with greenery.

[HOME \(/\)](#)

[ABOUT \(/ABOUT/\)](#)

[THE MAYORS' COMPACT \(/COMPACT/\)](#)

[SIGNATORIES \(/SIGNATORIES/\)](#)

[PRESS KIT \(/PRESS/\)](#)

The Compact

MAYORS' COMPACT TO COMBAT HATE, EXTREMISM AND BIGOTRY

The United States of America is a nation founded on principles of liberty and justice for all. We treasure our freedom, our commitment to equality, and our democratic values. These values are what has made America great for more than 240 years.

Individual Americans can, and often do, agree to disagree with each other on issues large and small. Differences should be celebrated. And our freedom of speech and the other rights enshrined in the First Amendment are among our most cherished freedoms.

But our diverse and pluralistic nation has endured and thrived for centuries because we have been able to reject the forces of extremism and bigotry that could tear us apart. The country has a long history of striving to be a more perfect union. In the face of

challenges and division, we have stood together – Americans of different races, ethnicities, religions, sexual orientations, nationalities, and political persuasions – and we have found ways to move forward.

“

For decades, America's mayors have taken a strong position in support of civil rights and in opposition to racism and discrimination of all kinds.

For decades, America's mayors have taken a strong position in support of civil rights and in opposition to racism and discrimination of all kinds. In the 54 years since the murder of Medgar Evers in Jackson, Mississippi, the bombing of the 16th Street Baptist Church in Birmingham, Alabama, which killed four young girls, and the March on Washington led by Dr. Martin Luther King, Jr., much progress has been made in addressing past grievances and in ensuring the civil and human rights of all Americans.

Across the country, many mayors have spoken out against discrimination and injustice when it has occurred and have undertaken efforts to build tolerance and understanding within their communities. In recent years, cities have undertaken efforts to integrate immigrants into their communities and have adopted a variety of policies to include fully and treat equitably their LGBT residents.

Today, however, we are being challenged again. Dark forces of extremism and violent bigotry are rearing their ugly heads. We are now seeing efforts in our states and at the highest levels of our government to weaken existing civil rights policies and reduce their enforcement. We have seen an increase in hate violence, xenophobic rhetoric, and discriminatory actions that target Muslims, Jews, and other minorities. We will not permit them to succeed.

Mayors and their cities must continue to be a beacon for inclusion, tolerance, and respect for all. We will continue to create stronger cultures of kindness and compassion in our communities, and expect our federal and state partners to join us in this endeavor.

The Anti-Defamation League and The United States Conference of Mayors are launching a new initiative to fight extremism and bigotry and to promote the fundamental principles of justice and equality that define America.

This new initiative has 10 key components:

1. EXPRESSLY REJECTING EXTREMISM, WHITE SUPREMACY AND ALL FORMS OF BIGOTRY

Mayors will use the bully pulpit to speak out against racism, extremism, xenophobia, white supremacy and all forms of bigotry, and those who espouse such ideologies, and promote community conversations around these issues as needed.

2. DENOUNCING ALL ACTS OF HATE WHEREVER THEY OCCUR

Mayors will publicly denounce specific acts of hate and support efforts to punish bias-motivated violence to the fullest extent of the law, and provide comfort and assistance to victims of hate crimes and discrimination.

3. ENSURING PUBLIC SAFETY WHILE PROTECTING FREE SPEECH AND OTHER BASIC CONSTITUTIONAL RIGHTS

Mayors will protect public safety while safeguarding free speech and other basic constitutional rights through the use of appropriate time, place, and manner restrictions. This might include encouraging alternative rally sites and placing limits on the rights of protestors to bring weapons to political rallies.

4. CALLING FOR FULLY-RESOURCED LAW ENFORCEMENT AND CIVIL RIGHTS INVESTIGATIONS OF DOMESTIC TERRORISM AND HATE CRIMES

Mayors will work to ensure that local police departments have the financial resources necessary to prevent, respond to and investigate domestic terrorism and hate crimes, and work with federal authorities when appropriate to ensure that the interests of justice are served.

5. ELEVATING AND PRIORITIZING ANTI-BIAS AND ANTI-HATE PROGRAMS IN OUR NATION'S SCHOOLS

Mayors will encourage schools to implement anti-bias and anti-hate content in their curricula and/or through extra-curricular activities. ADL and other groups have materials and training programs that can help make this happen.

6. SUPPORTING TARGETED COMMUNITIES AND BRINGING TOGETHER CIVIC AND COMMUNITY LEADERS TO BUILD TRUST

Mayors will reach out proactively to civil rights leaders, clergy and other community leaders to ensure that they are engaged and actively involved in efforts to build trust across neighborhood and community lines and minimize intergroup tensions.

7. CELEBRATING DIVERSITY, PROMOTING INCLUSIVITY AND CHALLENGING BIAS

Mayors will support the integration of immigrants and other new residents into the community, encourage community activities which celebrate diversity and educate city residents about the different cultures that compose a city's population, and work with creative partners to use various electronic and print media outlets to promote public messages celebrating inclusivity and challenging bias.

8. PROMOTING LAW ENFORCEMENT TRAINING ON RESPONDING TO AND REPORTING HATE INCIDENTS, HATE CRIMES AND DOMESTIC TERRORISM

Mayors will encourage their police departments to participate in training programs offered by ADL and others that address how to identify and respond to hate incidents, hate crimes, and domestic terrorism. Members will also encourage the collection of data on such crimes and the provision of the data to appropriate state authorities and the FBI in compliance with the Federal Hate Crime Statistics Act.

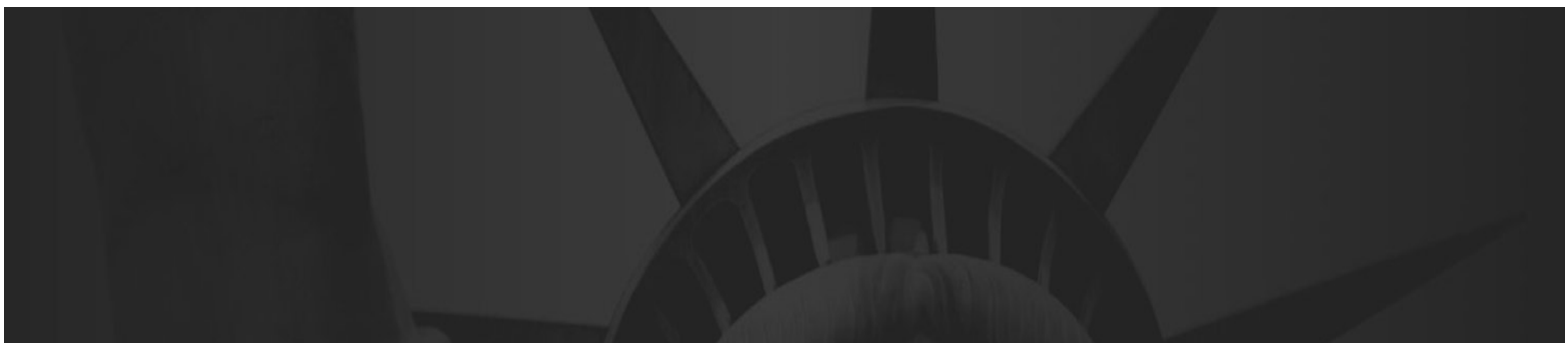
9. ENCOURAGING RESIDENTS IN THEIR COMMUNITIES TO REPORT HATE INCIDENTS AND CRIMES, INCLUDING USING HOT LINES AND ONLINE TOOLS

Mayors will encourage residents – both victims and witnesses – to report hate incidents and hate crimes to local authorities, and provide the tools necessary to facilitate such reporting, including hot lines and online tools, as possible and appropriate.

10. MAINTAINING CIVIL RIGHTS ENFORCEMENT AND STRENGTHENING HATE CRIME LAWS WHEN NECESSARY

Mayors will work with executive and legislative partners at the federal and state levels to assure that civil rights laws are aggressively enforced, existing hate crime laws are strengthened as needed, and new laws are enacted to ensure that all hate crimes are prosecutable in their jurisdictions to the greatest extent possible.

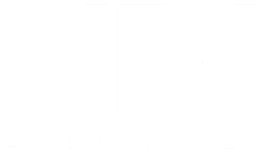
If you are or represent a mayor and would like to join the compact, please *click* (https://community.usmayors.org/login_register?startURL=%2Faction_detail%3Fid%3Da0e610000069ZH5AAM%26utm_source%3DMaster%2BList%26utm_campaign%3D1b7fec40cc-EMAIL_CAMPAIGN_2017_08_15%26utm_medium%3Demail%26utm_term%3D0_debc3849ca-1b7fec40cc-109172993)*here*
(https://community.usmayors.org/login_register?startURL=%2Faction_detail%3Fid%3Da0e610000069ZH5AAM%26utm_source%3DMaster%2BList%26utm_campaign%3D1b7fec40cc-EMAIL_CAMPAIGN_2017_08_15%26utm_medium%3Demail%26utm_term%3D0_debc3849ca-1b7fec40cc-109172993).
(https://community.usmayors.org/login_register?startURL=%2Faction_detail%3Fid%3Da0e610000069ZH5AAM%26utm_source%3DMaster%2BList%26utm_campaign%3D1b7fec40cc-EMAIL_CAMPAIGN_2017_08_15%26utm_medium%3Demail%26utm_term%3D0_debc3849ca-1b7fec40cc-109172993)



We are coming together to fight extremism and bigotry and to promote the fundamental principles of justice and equality that define America.

[See our press kit \(/press\)](#)

**HOME (/HOME) / ABOUT (/ABOUT) / THE COMPACT (/COMPACT)
/ SIGNATORIES (/SIGNATORIES) / NEWS (/NEWS) / PRESS KIT
(/PRESS)**



(<https://www.adl.org/>)

(<https://www.usmayors.org/>)

RESOLUTION NO. 17-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, JOINING THE MAYORS' COMPACT TO COMBAT HATE, EXTREMISM AND BIGOTRY, AND SUPPORTING RELATED EFFORTS

WHEREAS, the United States of America is a nation founded on principles of liberty and justice for all; and

WHEREAS, diversity, tolerance, and respect are hallmarks of a civilized society and vital to maintaining the extraordinary character of our community; and

WHEREAS, racism, extremism, xenophobia, white supremacy, all forms of bigotry, and all acts of hate, threaten the fabric of our community; and

WHEREAS, the Mayors' Compact to Combat Hate, Extremism and Bigotry is an initiative of the Anti-Defamation League and The United States Conference of Mayors intended to fight extremism and bigotry and to promote the fundamental principles of justice and equality that define America.

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

SECTION 1. The City hereby joins and supports, in principle, the Mayors' Compact to Combat Hate, Extremism and Bigotry.

SECTION 2. This resolution shall not bind the City to any particular policy action nor result in any financial obligations or commitments.

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

PASSED, APPROVED AND ADOPTED on this XX day of XX 2017.

SHARI L. HORNE, Mayor

ATTEST:

YOLIE TRIPPY, Deputy City Clerk

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

I, YOLIE TRIPPY, Deputy City Clerk of the City of Laguna Woods, do
HEREBY CERTIFY that the foregoing **Resolution No. 17-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 2017, by the following vote:

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

YOLIE TRIPPY, Deputy City Clerk

8.3 SMOKING AND TOBACCO SALES REGULATIONS

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City of Laguna Woods Agenda Report

TO: Honorable Mayor and City Councilmembers
FROM: Christopher Macon, City Manager
FOR: November 15, 2017 Regular Meeting
SUBJECT: Smoking and Tobacco Sales Regulations

Recommendation

Approve second reading and adopt an ordinance – read by title with further reading waived – entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING CHAPTER 7.16 OF THE LAGUNA WOODS MUNICIPAL CODE RELATED TO THE REGULATION AND PROHIBITION OF SMOKING, AND AMENDING SECTIONS 13.06.010, 13.08.010, 13.10.020, 13.12.020, AND 13.13.020 OF THE LAGUNA WOODS MUNICIPAL CODE RELATED TO THE SALE OF AND ZONING FOR TOBACCO AND CIGARETTES

Background

The Fiscal Years 2017-19 Budget & Work Plan includes the following significant work plan item:

- **Smoking and Tobacco Sales Regulations Update** – Review and update the City’s smoking and tobacco sales regulations in order to protect public health, safety, and welfare, as well as to promote clarity and administration.

The existing smoking regulations are included as Attachment B.

On August 1, 2017, the City Council appointed Mayor Horne and Councilmember Rainey to an Ad Hoc Smoking & Tobacco Sales Regulations Update Committee beginning immediately through December 31, 2017 to work with staff on the Smoking and Tobacco Sales Regulations Update significant work plan item.

At the City Council's regular meeting on September 20, 2017, an item was included on the agenda to allow for an opportunity for the City Council and public to provide input to the Ad Hoc Smoking & Tobacco Sales Regulations Committee and staff prior to their making recommendations to the City Council.

On October 18, 2017, a public hearing was held and the City Council introduced and approved the first reading of an ordinance (Attachment A) which, if adopted, would amend Chapter 7.16 of the Laguna Woods Municipal Code related to the regulation and prohibition of smoking, and amend sections 13.06.010, 13.08.010, 13.10.020, 13.12.020, and 13.13.020 of the Laguna Woods Municipal Code related to the sale of and zoning for tobacco and cigarettes. At the meeting on October 18, 2017, the City Council also voted to disband the Ad Hoc Smoking & Tobacco Sales Regulations Committee.

A sampling of available information regarding the impacts of smoking and tobacco use is included as attachments C and D. Complete copies of either U.S. Surgeon General report can be obtained from City Hall.

Discussion

Today's meeting is an opportunity for City Council action, as well as public input, on the proposed smoking and tobacco sales regulations (Attachment A). Staff recommends that the City Council adopt the proposed ordinance, in order to protect public health, safety, and welfare, as well as to promote clarity and administration.

The existing and proposed smoking regulations are similar in approach in that they generally prohibit smoking in multi-unit residence common areas, places of employment, and public places, as well as in unenclosed areas within 20 feet of any enclosed area in which smoking is prohibited. Significant proposed modifications include, but are not limited to, the following:

- Regulations related to smoking in places of employment would be updated to reflect changes in the California Labor Code.

- Smoking would be prohibited at any event open to the general public (the existing regulations prohibit smoking at “Sites of public events sponsored or co-sponsored by the City...”).
- The use of electronic smoking devices (e.g., electronic cigarettes) would be prohibited in all of the same areas where the use of combustible cigarettes is prohibited (state law also prohibits the use of electronic cigarettes in all of the same areas where *state law* prohibits the use of combustible cigarettes).
- Smoking would be prohibited in unenclosed areas located within the City’s fire hazard severity zones (Attachment E) during red flag warnings issued by the National Weather Service, subject to a determination of necessity by the Fire Chief. Notice would be required prior to determining that a person is in violation of this prohibition.
- “No Smoking” signs would be required to be posted at the entrances to unenclosed eating areas that are public places, as well as on each table within such areas. Staff would provide notice of this requirement to restaurants and other affected businesses prior to its effectiveness. Signage that would satisfy this requirement is readily available from a variety of retailers.
- Areas exempt from the City’s smoking regulations would be updated for increased consistency with applicable state law.
- The Zoning Code’s definition of “cigarette” would be modified to align with the new definition of “electronic smoking device” proposed to be included in the modified smoking regulations (the existing Zoning Code definition of “cigarette” includes a similar definition of “electronic cigarette”).
- The tables of permitted uses for various zoning districts would be updated to explicitly prohibit tobacco and cigarette sales (these updates would be for clarity and would not expand existing tobacco or cigarette sale restrictions).

If the City Council takes the recommended action at today’s meeting, the proposed ordinance would become effective in 30 days.

Environmental Review

This project has no possibility of directly impacting the environment, nor is it reasonably foreseeable that the adoption of this ordinance will have indirect

impacts on the environment. Therefore, the adoption of this ordinance is not a project subject to the California Environmental Quality Act (“CEQA”) pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations.

Fiscal Impact

Funds to support this project are included in the City’s budget.

- Attachments: A – Proposed Ordinance
Exhibit A – Code Amendment Text
B – Existing Laguna Woods Municipal Code Chapter 7.16 (Smoking in Public Places and Places of Employment)
C – U.S. Department of Health and Human Services, Surgeon General. *The Health Consequences of Smoking—50 Years of Progress*. Executive Summary. (2014)
D – U.S. Department of Health and Human Services, Surgeon General. *E-Cigarette Use Among Youth and Young Adults*. Executive Summary. (2016)
E – Existing Fire Hazard Severity Zones in Local Responsibility Area Map

ORDINANCE NO. 17-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING CHAPTER 7.16 OF THE LAGUNA WOODS MUNICIPAL CODE RELATED TO THE REGULATION AND PROHIBITION OF SMOKING, AND AMENDING SECTIONS 13.06.010, 13.08.010, 13.10.020, 13.12.020, AND 13.13.020 OF THE LAGUNA WOODS MUNICIPAL CODE RELATED TO THE SALE OF AND ZONING FOR TOBACCO AND CIGARETTES

WHEREAS, smoking regulations are codified at Chapter 7.16 of the Laguna Woods Municipal Code; and

WHEREAS, tobacco and cigarette sales and zoning regulations are codified at Title 13 of the Laguna Woods Municipal Code; and

WHEREAS, staff has recommended amendments to the existing smoking and tobacco and cigarettes sales and zoning regulations as set forth in the attached Exhibit A to this Ordinance (the “Code Amendments”); and

WHEREAS, the Community Development Director or his or her designee prepared an exhibit, including proposed language and terminology for the proposed Code Amendments and any additional information and documents deemed necessary for the City Council to take action, and such exhibit was available for public inspection at City Hall and, upon request, was supplied to all persons desiring a copy, at least 10 days prior to the scheduled City Council public hearing date; and

WHEREAS, on October 18, 2017, the City Council held a duly noticed public hearing on the proposed Code Amendments at which it considered all of the information, evidence, and testimony presented, both written and oral.

THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby finds and determines that (i) each of the recitals to this Ordinance are true and correct, and are adopted herein as findings; (ii) the Code Amendments comply with all applicable requirements of state law; (iii) the Code Amendments will not adversely affect the health, safety, or welfare of the residents within the community; (iv) the Code Amendments are in the public interest

of the City of Laguna Woods; and, (v) the Code Amendments are consistent with the Laguna Woods General Plan and its various elements.

SECTION 2. After reviewing the entire project record, the City Council hereby determines and certifies that there is no possibility that the Code Amendments could directly impact the environment, nor is it reasonably foreseeable that the adoption of this ordinance will have indirect impacts on the environment. Accordingly, pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations, the City Council determines and certifies that the Code Amendments are not subject to the California Environmental Quality Act (“CEQA”).

SECTION 3. Chapter 7.16 and sections 13.06.010, 13.08.010, 13.10.020, 13.12.020, and 13.13.020 of the Laguna Woods Municipal Code are hereby amended to read as set forth in Exhibit A, attached to this Ordinance and incorporated herein by this reference.

SECTION 4. This Ordinance shall take effect and be in full force and operation thirty (30) days after adoption.

SECTION 5. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase added by this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity of effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs sentences, clauses, or phrases are declared unconstitutional, invalid, or ineffective.

SECTION 6. 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.

SECTION 7. All of the above-referenced documents and information have been and are on file with the City Clerk of the City.

PASSED, APPROVED AND ADOPTED this XX day of XX 2017.

SHARI L. HORNE, Mayor

ATTEST:

YOLIE TRIPPY, Deputy City Clerk

APPROVED AS TO FORM:

DAVID B. COSGROVE, City Attorney

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

I, YOLIE TRIPPY, Deputy City Clerk of the City of Laguna Woods, do HEREBY CERTIFY that the foregoing **Ordinance No. 17-XX** was duly introduced and placed upon its first reading at a regular meeting of the City Council on the XX day of XX 2017, and that thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the XX day of XX 2017 by the following vote to wit:

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

YOLIE TRIPPY, Deputy City Clerk

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**EXHIBIT A
CODE AMENDMENTS**

Chapter 7.16 (“Smoking in Public Places and Places of Employment”) of Title 7 (“Public Safety and Welfare”) of the Laguna Woods Municipal Code is repealed in its entirety and replaced with the following:

CHAPTER 7.16 - SMOKING

Sec. 7.16.010. - Purpose and intent.

This chapter recognizes the right of persons within the city to be free from unwelcome secondhand smoke, which is deemed to be a public nuisance. The purpose and intent of this chapter is to promote and protect public health, safety, and welfare by prohibiting smoking in – and in certain locations near – multi-unit residence common areas, places of employment, and public places, as well as on governmental property and during certain hazardous fire conditions, where persons would be exposed to unwelcome secondhand smoke and also to the risks and dangers associated with fires. This chapter is further intended to ensure a cleaner and more hygienic environment for the city and its residents, businesses, visitors, and natural resources.

Sec. 7.16.020. - Definitions.

The following definitions shall govern the meaning of words and phrases used in this chapter:

(05) *Electronic smoking device* shall mean an electronic device that can be used to deliver an inhaled dose of tobacco, nicotine, marijuana, or other substance, including any component, part, or accessory of such device, whether or not sold separately. This definition includes any such device, whether manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic vaporizer, an electronic hookah, an electronic bong, an electronic waterpipe, or any other product name or descriptor, including any component, part or accessory of such device, whether or not sold separately.

(10) *Employee* shall mean any person who is employed by an employer for direct or indirect monetary wages or profit.

(15) *Employer* shall mean any person who employs the services of an individual person or persons.

(20) *Enclosed* shall mean closed in by a roof and four walls with appropriate openings for ingress and egress.

(25) *Multi-unit residence* shall mean a building or portion thereof that contains more than one dwelling space consisting of essentially complete independent living facilities for one or more persons including, but not limited to, apartments, condominiums, cooperatives, dormitories, and group homes. “Multi-unit residence” does not include single-family residences regardless of occupancy, or facilities licensed by the State of California.

(30) *Multi-unit residence common area* shall mean any enclosed area, as well as any of the following unenclosed areas, that are accessible to and usable by the occupants or their guests for more than one dwelling space: breezeways, entryways, hallways, stairways, and other common areas in a multi-unit residence, as well as covered or semi-covered parking lots or structures. “Multi-unit residence common area” shall also mean any unenclosed patio or balcony.

(35) *Place of employment* shall have the same meaning as set forth in California Labor Code Section 6404.5, as may be amended from time to time. “Place of employment” shall also include, but is not limited to, retail or wholesale tobacco shops as that term is defined in subdivision (e)(2)(B) of California Labor Code Section 6404.5, as may be amended from time to time.

(40) *Public place* shall mean any enclosed or unenclosed area publicly or privately owned and open to the general public including, but not limited to, athletic courts and fields, auditoriums, bars, bed and breakfast establishments, breezeways, bus and other transportation shelters, businesses, cinemas, eating areas, elevators, entryways, golf courses, gymnasiums, halls, health care facilities, health club facilities, hiking trails, hospitals, hotels, libraries, lobbies, meeting rooms, motels, offices, parking lots and structures, parks,

picnic areas, play areas, plazas, pools, recreation facilities, restaurants, restrooms, seating areas, shops, stairways, streets, stores, and theaters. “Public place” shall also mean any enclosed or unenclosed place being used for an event that is open to the general public including, but not limited to, a craft fair, concert or other performance venue, farmers’ market, parade, festival, or polling place, as well as City Hall and all enclosed areas owned, leased, or operated by the City of Laguna Woods.

(45) *Smoke* shall mean the gases, particles, chemicals, or vapors released into the air as a result of combustion, electrical ignition or vaporization, when the apparent or usual purpose of the combustion, electrical ignition or vaporization is human inhalation of the byproducts, except when the combusting material contains no tobacco, nicotine, or marijuana and the purpose of inhalation is solely olfactory, such as, for example, aromatherapy or smoke from incense. “Smoke” specifically includes, but is not limited, to electronic smoking device vapors of any kind, marijuana smoke, and tobacco smoke.

(50) *Smoking* shall mean the release of gases, particles, chemicals, or vapors into the air as the result of combustion, electrical ignition, or vaporization and/or inhaling, exhaling, burning or carrying any lighted, heated or ignited cigar, cigarette, cigarillo, pipe, hookah, or any combustible plant product, including but not limited to tobacco and marijuana, intended for human inhalation. “Smoking” specifically includes, but is not limited to, the use of electronic smoking devices.

(55) *Unenclosed* shall mean not closed in by a roof and four walls with appropriate openings for ingress and egress.

(60) *Unenclosed patio or balcony* shall mean patios or balconies that are attached to multi-unit residences, except where such patios or balconies are fully enclosed with all windows and doors closed.

Sec. 7.16.030. - Smoking prohibited in public areas.

(a) In addition to all places where smoking is prohibited under state or federal law, in which case those laws shall also apply, no person shall smoke in, and smoking areas shall not be established or designated in, multi-unit

residence common areas, places of employment, or public places, or in any unenclosed area within 20 feet of an entrance, exit, window, door, opening, crack, or vent to an enclosed multi-unit residence common area, place of employment, or public place, except while actively passing on the way to another destination provided that smoke does not enter any such area.

(b) Nothing in this chapter prohibits any person with control over any property from prohibiting smoking on any part of such property, even if smoking is not otherwise prohibited in that area.

Sec. 7.16.040. - Smoking prohibited on other governmental property.

Smoking is prohibited in any enclosed or unenclosed area owned, leased, or operated by other governmental bodies including, but not limited to, the State of California, the County of Orange, special districts, and school districts, when such other governmental body has consented, in writing, to the City enforcing the provisions of this chapter on such property.

Sec. 7.16.050. - Smoking prohibited in fire hazard severity zones.

When deemed necessary by the Fire Chief, for the effective duration of any red flag warning issued by the National Weather Service which includes the City, and except when precluded by applicable law, smoking is prohibited in any unenclosed area that is located within any one or more of the City's fire hazard severity zones, as set forth in Chapter 10.13 of this Code. If, after being provided with verbal or written notice of the effectiveness of this prohibition, or if notices are posted, and a person fails to cease smoking or subsequently begins to smoke in such prohibited area, he or she shall be deemed to be in violation of this chapter.

Sec. 7.16.060. - Operations and posting requirements.

(a) No employer, owner, operator, manager, employee, or other person working in or having control of an area where smoking is prohibited by this chapter shall knowingly or intentionally permit smoking in such area. This subsection does not require the physical ejection of any person who is smoking from an area in which smoking is prohibited by this chapter or the taking of any action to prevent smoking under circumstances that would involve a risk of injury, physical harm, or property damage.

(b) The employer, owner, operator, manager, or other person having control of an enclosed area where smoking is prohibited by this chapter shall cause a sign stating “No Smoking” or “Smoking is Prohibited Except in Designated Areas”, as the case may be, to be clearly and prominently posted at each entrance to the building or structure. Notwithstanding this subsection, the presence, absence, wording, or condition of any one or more signs shall not be a defense to any violation of this chapter.

(c) The employer, owner, operator, manager, or other person having control of an unenclosed eating area that is a public place shall cause a sign stating “No Smoking” to be clearly and prominently posted at each entrance to such area. The employer, owner, operator, manager, or other person having control of an unenclosed eating area that is a public place shall also cause signs not less than two inches by two inches including the international “No Smoking” symbol to be placed on each table within an unenclosed eating area that is a public place. Notwithstanding this subsection, the presence, absence, wording, or condition of any one or more signs shall not be a defense to any violation of this chapter.

(d) The employer, owner, operator, manager, employee, or other person working in or having control of an unenclosed area where smoking is prohibited by this chapter shall ensure that no ashtray or receptacle for smoking waste is located or otherwise made available to any person in such area.

Sec. 7.16.070. - Exemptions.

The following areas are exempt from the provisions of this chapter:

- (1) Inside private residences, with the exception of areas that are considered to be multi-unit residence common areas.
- (2) Inside motor vehicles, with the exception of motor vehicles regulated by California Labor Code Section 6404.5, as may be amended from time to time, and motor vehicles parked in an area where smoking is prohibited by this chapter unless such motor vehicles are fully enclosed with all windows and doors closed.
- (3) 20 percent of the guestroom accommodations in a hotel, motel, or similar transient lodging establishment.

- (4) Medical research or treatment sites, if smoking is integral to the research or treatment being conducted.
- (5) Patient smoking areas in long-term health care facilities, as that term is defined in California Health and Safety Code Section 1418, as may be amended from time to time.

Sec. 7.16.080. - Enforcement.

- (a) The provisions of this chapter may be enforced by City personnel, the Orange County Sheriff's Department, the Orange County Fire Authority, and other persons designated by the City Manager.
- (b) Causing, permitting, aiding, abetting, or concealing a violation of any provision of this chapter shall constitute a violation of this chapter.
- (c) Any person who is found to violate any provision of this chapter shall be deemed guilty of an infraction and shall be punishable by:
 - (1) A civil fine not exceeding one hundred (\$100.00) dollars for the first violation;
 - (2) A civil fine not exceeding two hundred (\$200.00) dollars for a second violation within one year from the date of the first violation; and
 - (3) A civil fine not exceeding five hundred (\$500.00) dollars for a third or subsequent violation within one year from the date of the first violation.
- (d) Any aggrieved person may enforce the provisions of this chapter by means of a civil action on his or her own behalf pursuant to California Civil Code Section 3501 et seq.

Sec. 7.16.090. - Other applicable laws.

- (a) This chapter shall not be interpreted or construed to permit smoking where it is otherwise restricted or prohibited by other applicable laws.

- (b) This chapter regulates smoking in places of employment only to the extent that such regulation is consistent with California Labor Code Section 6404.5, as may be amended from time to time.

Section 13.06.010(d)(208) of Chapter 13.06 (“Definitions”) of Title 13 (“Zoning”) of the Laguna Woods Municipal Code is amended to read as follows (additions shown with underlining and deletions shown with ~~strike through~~):

(208) *Cigarette*: Any product that contains nicotine, is intended to be burned or heated under ordinary conditions of use for smoking or ingestion, and consists of or contains (1) any roll of tobacco wrapped in paper or in any substance not containing tobacco; (2) tobacco, in any form, that is functional in the product; or, (3) any roll of tobacco wrapped in any substance containing tobacco. “Cigarette” also includes “roll-your-own” tobacco, meaning any tobacco which, because of its appearance, type, packaging, or labeling is suitable for use and likely to be offered to, or purchased by, consumers as tobacco for making cigarettes. For purposes of this definition of “cigarette,” loose leaf, 0.09 ounces or more of “roll-your-own” tobacco shall constitute one individual “cigarette.” “Cigarette” also includes ~~“Electronic cigarettes” which means a device that can provide an inhalable dose of nicotine or tobacco by delivering a vaporized solution. “E-Cigarette” includes any such device, whether manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, a vapor cigarette, or any other item that can provide for the smoking or ingestion of tobacco or products prepared from tobacco~~ any “electronic smoking device,” as that term is defined in Section 7.16.020(05) of this Code. ~~This~~ “Cigarette” does not include any product specifically approved or recognized by the State of California for use in the mitigation, treatment, or prevention of disease.

Section 13.08.010 (“Intent and permitted uses”) of Chapter 13.08 (“Residential Districts”) of Title 13 (“Zoning”) of the Laguna Woods Municipal Code is amended to read as follows (additions shown with underlining):

	Districts			
Land Use Types	RMF	RC	RT	Code References
<u>Tobacco and Cigarette Sales</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>7.16</u>

Section 13.10.020 (“Table of permitted uses”) of Chapter 13.10 (“Commercial Districts”) of Title 13 (“Zoning”) of the Laguna Woods Municipal Code is amended to read as follows (additions shown with underlining):

	Districts			
Land Use Types	NC	CC	PA	Code References
Tobacco and Cigarette Sales	X	U	X	<u>7.16</u>

Section 13.12.020 (“Table of permitted uses”) of Chapter 13.12 (“Open Space Districts”) of Title 13 (“Zoning”) of the Laguna Woods Municipal Code is amended to read as follows (additions shown with underlining):

	Districts		
Land Use Types	OS-P	OS-R	Code References
<u>Tobacco and Cigarette Sales</u>	<u>X</u>	<u>X</u>	<u>7.16</u>

Section 13.13.020 (“Table of permitted uses”) of Chapter 13.13 (“Community Facilities Districts”) of Title 13 (“Zoning”) of the Laguna Woods Municipal Code is amended to read as follows (additions shown with underlining and deletions shown with ~~strike-through~~):

	Community Facilities		
Land Use Types	Public/Institutional	Private	Code References
Tobacco, Magazine/Periodical Sales	X	X	
<u>Tobacco and Cigarette Sales</u>	<u>X</u>	<u>X</u>	<u>7.16</u>

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CHAPTER 7.16. - SMOKING IN PUBLIC PLACES AND PLACES OF EMPLOYMENT^[3]

Footnotes:

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Editor's note— Ord. No. 11-03, § 1, adopted Mar. 16, 2011, repealed the former Ch. 7.16, §§ 7.16.010—7.16.150, and enacted a new Ch. 7.16 as set out herein. The former Ch. 7.16 pertained to smoking in public places and places of employment and derived from Ord. No. 04-06, §§ 2—16, 8-12-2004; Ord. No. 06-06, § 2, 11-8-2006.

Sec. 7.16.010. - Purpose.

The purpose of this chapter is to protect the public health and welfare by regulating smoking in places available to and used by members of the public and in places of employment.

(Ord. No. 11-03, § 2, 3-16-2011)

Sec. 7.16.020. - Definitions.

The following words and phrases, whenever used in this chapter, shall be construed as defined in this section:

- (05) *Bar* means an establishment that is devoted to the serving of alcoholic beverages for consumption by guests on the premises and in which the serving of food is only incidental to the consumption of those beverages, including but not limited to, taverns, nightclubs, cocktail lounges, and cabarets.
- (10) *Business* means a sole proprietorship, partnership, joint venture, corporation, association, or other entity formed either for-profit or not-for-profit making purposes, that is open to members of the public and/or has an employee as defined in this section.
- (15) *Employee* means a person who is employed by an employer in consideration for direct or indirect monetary wages or profit, and/or a person who volunteers his or her services for an employer, association, nonprofit or volunteer entity.
- (20) *Employer* means a person, business, partnership, association, corporation, including a municipal corporation, trust, or non-profit entity that employs the services of one or more individual persons.
- (25) *Enclosed* means closed in by a roof and contiguous walls or windows, connected floor to ceiling with appropriate opening for ingress and egress.
- (30) *Health care facility* means an office or institution providing care or treatment of diseases, whether physical, mental, or emotional, or other medical, physiological, or psychological conditions, including but not limited to, hospitals, rehabilitation hospitals or other clinics, including weight

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control clinics, nursing homes, homes for the aging or chronically ill, laboratories, and offices of surgeons, chiropractors, physical therapists, physicians, dentists, and all specialists within these professions.

- (35) *Multi-unit residential facility* means a building or portion thereof that contains more than one dwelling space consisting of essentially complete independent living facilities for one or more persons and includes apartments, condominiums, cooperatives and group homes. A single family residence shared by roommates is not considered a multi-use residence for the purpose of this chapter.
- (40) *Place of employment* means an area under the control of a public or private employer that employees normally frequent during the course of employment, including, but not limited to, work areas, employee lounges, restrooms, conference rooms, meeting rooms, classrooms, employee cafeterias, hallways, and vehicles. A private residence is not a "place of employment" unless it is used as a child care, adult day care, or health care facility.
- (45) *Public place* means any enclosed area, public or private, to which the public is permitted, regardless of any fee or age requirement. A private residence is not a "public place" unless it is used as a child care, adult day care, or health care facility.
- (50) *Restaurant* means an eating establishment, including but not limited to, coffee shops, cafeterias, sandwich stands, and private and public school cafeterias, which gives or offers for sale food to the public, guests, or employees, as well as kitchens and catering facilities in which food is prepared on the premises for serving elsewhere. The term "restaurant" shall include an attached bar.
- (55) *Retail tobacco store* means a retail store utilized primarily for the sale of tobacco products and accessories and in which the sale of other products is merely incidental.
- (60) *Service area* means any area designated to be or regularly used by one or more persons to receive or wait to receive a service, enter a public place, or make a transaction whether or not the service involves the exchange of money.
- (65) *Shopping mall* means an enclosed public walkway or hall area that serves to connect retail or professional establishments.
- (70) *Smoking* means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, weed, plant, or other combustible substance in any manner or in any form.

(Ord. No. 11-03, § 2, 3-16-2011)

Sec. 7.16.030. - Prohibition of smoking in public places.

Except as otherwise hereinafter provided by this chapter, smoking shall be prohibited in all:

- (1) Enclosed areas of all public places, including lobbies, elevators, reception, waiting and service areas, hallways, and other areas used by members of the public, located within the City, including but not limited to the following:

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- a. Any portion of a museum, aquariums, gallery, library, or museums which is open to and used by members of the general public;
 - b. Any portion of a grocery store, supermarket or other retail food marketing establishment which is open to and used by the general public;
 - c. Any restroom open to and used by the general public;
 - d. Any portion of a theater, auditorium, clubhouse or hall which is open to the general public and used for exhibiting a motion picture, live theatrical performance, religious or spiritual service, banquet, lecture, musical recital or similar performance;
 - e. Hallways, examination rooms, rooms used for treatment, wards and semi-private rooms of health care facilities;
 - f. Any licensed child care or adult day care facility;
 - g. Lobbies, hallways, game rooms, meeting rooms, laundry rooms, and other common areas in multi-unit residential facilities;
 - h. Public transportation facilities, including buses and taxicabs, under the authority of the City of Laguna Woods, and ticket, boarding, and waiting areas of public transit depots;
 - i. Any restaurant or bar, including those in private clubs;
 - j. Any portion of a building owned, leased and/or operated by a public agency or entity which is open to and used by the public and is subject to the jurisdiction of the city;
 - k. Polling places;
 - l. Any recreation or sports facility, including but not limited to gymnasiums, enclosed swimming pools, roller skating and ice skating rinks, bowling alleys, pool halls, health spas, clubhouses and other similar places where members of the public assemble whether to engage in physical exercise, participate in athletic events or participate in sports events;
 - m. Any other business or establishment or portion of a business or establishment which is open to and used by the general public, including but not limited to banks, professional offices, retail stores, enclosed shopping malls, laundromats, beauty and barber shops, nails salons, professional offices, hotels and motels.
- (2) Unenclosed areas of the following public places, subject to the reasonable distance requirement in Section 7.16.050:
- a. Any service area where one or more persons are waiting for or receiving service of any kind, whether or not such service involves the exchange of money;
 - b. Outdoor dining areas of restaurants;
 - c. Unenclosed swimming pools in a multifamily residence;
 - d. Unenclosed hallways, entryways, breezeways, stairways and other common areas accessible and useable by more than one residence in a multifamily residential facility;
 - e.

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Balconies and patios in residential facilities. For the purpose of this chapter, balconies and patios shall include unenclosed and screened patios and balconies as well as enclosed patios and balconies unless windows and doors are closed to prevent the escape of smoke;

- f. Covered and semi-covered carports shared by more than one residential unit;
- g. Ticket, boarding and waiting areas for public transportation services;
- h. Entrances and exits to enclosed public areas;
- i. City parks and preserves;
- j. Sites of public events sponsored or co-sponsored by the City, including sports events, entertainment, ceremonies, speaking performances, pageants and fairs.

(Ord. No. 11-03, § 2, 3-16-2011)

Sec. 7.16.040. - Prohibition of smoking in places of employment.

- (a) Smoking shall be prohibited in all enclosed facilities within places of employment without exception. This includes common work areas, auditoriums, classrooms, conference and meeting rooms, private offices, elevators, hallways, medical facilities, cafeterias, employee lounges, stairs, restrooms, vehicles, and all other enclosed facilities.
- (b) This prohibition on smoking shall be communicated to all existing employees by the effective date of the ordinance from which this chapter is derived and to all prospective employees upon their application for employment.

(Ord. No. 11-03, § 2, 3-16-2011)

Sec. 7.16.050. - Reasonable distance.

Smoking in unenclosed areas shall be prohibited within a reasonable distance of 20 feet from any entrance, opening, crack or vent into an enclosed area where smoking is prohibited, except while actively passing on the way to another destination and so long as smoke does not enter any enclosed area in which smoking is prohibited.

(Ord. No. 11-03, § 2, 3-16-2011)

Sec. 7.16.060. - Where smoking not regulated.

Notwithstanding any other provision of this chapter to the contrary, the following areas shall be exempt from the provisions of Section 7.16.030 of this chapter:

- (1) With the exception of locations specifically identified in Section 7.16.030, private residences, except when used as a licensed child care, adult day care, or health care facility.
- (2)

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Hotel and motel rooms that are rented to guests and are designated as smoking rooms; provided, however, that not more than 20 percent of rooms rented to guests in a hotel or motel may be so designated. The status of rooms as smoking or nonsmoking may not be changed, except to add additional nonsmoking rooms.

- (3) Retail tobacco stores; provided that smoke from these places does not infiltrate into areas where smoking is prohibited under the provisions of this chapter.
- (4) Private and semiprivate rooms in nursing homes and long-term care facilities that are occupied by one or more persons, all of whom are smokers and have requested in writing to be placed in a room where smoking is permitted; provided that smoke from these places does not infiltrate into areas where smoking is prohibited under the provisions of this chapter.
- (5) Outdoor areas except those covered by the provisions of Sections 7.16.030 and 7.16.040.

(Ord. No. 11-03, § 2, 3-16-2011)

Sec. 7.16.070. - Declaration of establishment as nonsmoking.

Notwithstanding any other provision of this chapter, an owner, operator, manager, or other person in control of an establishment, facility, or outdoor area may declare that entire establishment, facility, or outdoor area as a nonsmoking place. Smoking shall be prohibited in any place in which a sign conforming to the requirements of Section 7.16.080 of this chapter is posted.

(Ord. No. 11-03, § 2, 3-16-2011)

Sec. 7.16.080. - Posting of signs.

- (a) "No Smoking" signs or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) shall be clearly and conspicuously posted in every public place and place of employment where smoking is prohibited by this chapter, by the owner, operator, manager, or other person in control of that place.
- (b) Every public place and place of employment where smoking is prohibited by this chapter shall have posted at every entrance a conspicuous sign clearly stating that smoking is prohibited.
- (c) All ashtrays shall be removed from any area where smoking is prohibited by this chapter by the owner, operator, manager, or other person having control of the area.

(Ord. No. 11-03, § 2, 3-16-2011)

Sec. 7.16.090. - Nonretaliation.

No person or employer shall discharge, refuse to hire, or in any manner retaliate against an employee, applicant for employment, or customer because that employee, applicant, or customer exercises any rights afforded by this chapter or reports or attempts to prosecute a violation of this chapter.

(Ord. No. 11-03, § 2, 3-16-2011)

Sec. 7.16.100. - Enforcement.

- (a) The provisions of this chapter shall be enforced by the City Manager and/or his or her authorized designee.
- (b) Notice of the provisions of this chapter shall be given to all applicants for a business license/permit in the City of Laguna Woods.
- (c) Any citizen who desires may register a complaint under this chapter with the City Manager and/or his or her authorized designee who will determine if enforcement is warranted based on the facts of the complaint.
- (d) The Health Department, Fire Department, or their designees shall, while an establishment is undergoing otherwise mandated inspections, inspect for compliance with this chapter.
- (e) An owner, manager, operator, or employee of an establishment regulated by this chapter shall inform persons violating this chapter of the appropriate provisions thereof.
- (f) Notwithstanding any other provision of this chapter, an employee or private citizen may bring legal action to enforce this chapter.
- (g) In addition to the remedies provided by the provisions of this section, the City Manager or any person aggrieved by the failure of the owner, operator, manager, or other person in control of a public place or a place of employment to comply with the provisions of this chapter may apply for injunctive relief to enforce those provisions in any court of competent jurisdiction.

(Ord. No. 11-03, § 2, 3-16-2011)

Sec. 7.16.110. - Violations and penalties.

- (a) A person who smokes in an area where smoking is prohibited by the provisions of this chapter shall be guilty of an infraction, punishable by a fine not exceeding \$50.00.
- (b) A person who owns, manages, operates, or otherwise controls a public place or place of employment and who fails to comply with the provisions of this chapter shall be guilty of an infraction, punishable by:
 - (1) A fine not exceeding \$100.00 for a first violation.
 - (2) A fine not exceeding \$200.00 for a second violation within one year.
 - (3) A fine not exceeding \$500.00 for each additional violation within one year.
- (c) In addition to the fines established by this section, violation of this chapter by a person who owns, manages, operates, or otherwise controls a public place or place of employment may result in the suspension or revocation of any permit or license issued to the person for the premises on which the violation occurred.
- (d)

Each day on which a violation of this chapter occurs shall be considered a separate and distinct violation.

(Ord. No. 11-03, § 2, 3-16-2011)

Sec. 7.16.120. - Public education.

The City shall engage in a continuing program to explain and clarify the purposes and requirements of this chapter to citizens affected by it, and to guide owners, operators, and managers in their compliance with it. The program may include publication of a brochure for affected businesses and individuals explaining the provisions of this chapter.

(Ord. No. 11-03, § 2, 3-16-2011)

Sec. 7.16.130. - Governmental agency cooperation.

The City Manager shall annually request other governmental and educational agencies having facilities within the City to establish local operating procedures in cooperation and compliance with this chapter. This includes urging all Federal, State, County and School District agencies to update their existing smoking control regulations to be consistent with the current health findings regarding secondhand smoke.

(Ord. No. 11-03, § 2, 3-16-2011)

Sec. 7.16.140. - Other applicable laws.

This chapter shall not be interpreted or construed to permit smoking where it is otherwise restricted by other applicable laws.

(Ord. No. 11-03, § 2, 3-16-2011)

Sec. 7.16.150. - Liberal construction.

This chapter shall be liberally construed so as to further its purposes.

(Ord. No. 11-03, § 2, 3-16-2011)

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The Health Consequences of Smoking—50 Years of Progress

A Report of the Surgeon General

Executive Summary



U.S. Department of Health and Human Services

The Health Consequences of Smoking—50 Years of Progress

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2014

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
Public Health Service
Office of the Surgeon General
Rockville, MD



Suggested Citation

U.S. Department of Health and Human Services. *The Health Consequences of Smoking—50 Years of Progress: A Report of the Surgeon General*. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2014.

For more information

For more information about the Surgeon General's report, visit www.surgeongeneral.gov.

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Message from Kathleen Sebelius
Secretary of Health and Human Services

Fifty years after the release of the first Surgeon General's report warning of the health hazards of smoking, we have learned how to end the tobacco epidemic. Over the past five decades, scientists, researchers and policy makers have determined what works, and what steps must be taken if we truly want to bring to a close one of our nation's most tragic battles—one that has killed ten times the number of Americans who died in all of our nation's wars combined.

In the United States, successes in tobacco control have more than halved smoking rates since the 1964 landmark Surgeon General's report came out. Americans' collective view of smoking has been transformed from an accepted national pastime to a discouraged threat to individual and public health. Strong policies have largely driven cigarette smoking out of public view and public air space. Thanks to smokefree laws, no longer is smoking allowed on airplanes or in a growing number of restaurants, bars, college campuses and government buildings.

Evidence in this new report shows tobacco's continued, immense burden to our nation—and how essential ending the tobacco epidemic is to our work to increase the life expectancy and quality of life of all Americans. This year alone, nearly one-half million adults will still die prematurely because of smoking. Annually, the total economic costs due to tobacco are now over \$289 billion. And if we continue on our current trajectory, 5.6 million children alive today who are younger than 18 years of age will die prematurely as a result of smoking.

I believe that we can make the next generation tobacco-free. And I am extremely proud of the Obama Administration's tobacco-control record. For example, the 2009 *Children's Health Insurance Program Reauthorization Act* included an unprecedented \$0.62 tax increase that raised the federal excise tax to \$1.01 per pack of cigarettes; we know that increasing the cost of cigarettes is one of the most powerful interventions we can make to prevent smoking and reduce prevalence. Building on this knowledge, the President's Fiscal Year 2014 Budget includes a \$0.94 per pack Federal tobacco tax increase. For the first time in history, the 2009 *Family Smoking Prevention and Tobacco Control Act* (*Tobacco Control Act*) gave the U.S. Food and Drug Administration comprehensive authority to regulate tobacco products, which will play a critical role in reducing the harm caused by these products. The *Tobacco Control Act* also provided for user fees to be paid by tobacco manufacturers that can support sustained public education media campaigns targeting youth prevention and cessation. The 2010 *Affordable Care Act* (*ACA*) expands access to smoking cessation services and now requires most insurance companies to cover cessation treatments. The *Affordable Care Act's* Public Health and Prevention Fund is supporting innovative and effective community-based programs as well as public education campaigns promoting prevention and helping people to quit.

All of these tobacco control interventions are known to reduce tobacco use and, as a result, tobacco's extraordinary toll of death and disease. But in order to free the next generation from these burdens, we must redouble our tobacco control efforts and enlist nongovernmental partners—and society as a whole—to share in this responsibility. Ending the devastation of tobacco-related illness and death is not in the jurisdiction of any one entity. We must all share in this most worthwhile effort to end the tobacco epidemic.

Message from Howard Koh
Assistant Secretary for Health

The nation stands poised at the crossroads of tobacco control. On one hand, we can celebrate tremendous progress 50 years after the landmark 1964 Surgeon General's report: *Smoking and Health*. Adult smoking rates have fallen from about 43% (1965) to about 18% today. Mortality rates from lung cancer, the leading cause of cancer death in this country, are declining. Most smokers visiting health care settings are now routinely asked and advised about tobacco use. On the other hand, cigarette smoking remains the chief preventable killer in America, with more than 40 million Americans caught in a web of tobacco dependence. Each day, more than 3,200 youth (younger than 18 years of age) smoke their first cigarette and another 2,100 youth and young adults who are occasional smokers progress to become daily smokers. Furthermore, the range of emerging tobacco products complicates the current public health landscape.

In this context, the 50th Anniversary of the Surgeon General's report prompts us to pause and ask why this addiction persists when proven interventions can eliminate it. Of great concern, too many in our nation assume that past success in tobacco control guarantees future progress; nothing can be further from the truth. To rejuvenate and reinvigorate national efforts, in 2010, the U.S. Department of Health and Human Services unveiled its first ever strategic plan for tobacco control. *Ending the Tobacco Epidemic: A Tobacco Control Strategic Action Plan* provides a critical framework to guide efforts to rapidly drop prevalence rates of smoking among youth and adults. A major foundation and pillar of the plan is to encourage and promote leadership throughout all sectors of society. Now, this current 2014 Surgeon General's report can accelerate that leadership to fully implement the life-saving prevention that can make the next generation free of tobacco-related death and disease.

We have many tools that we know work. A comprehensive public policy approach emphasizing mass media campaigns to encourage prevention and quit attempts, smokefree policies, restrictions on youth access to tobacco products, and price increases can collectively drive further meaningful reductions in tobacco use. Furthermore, we can accelerate progress through full commitment to clinical and public health advances; including the widespread use of telephone quit lines and science-based counseling and medications for tobacco users. Promoting progress today also requires recognizing that tobacco use has evolved from being an equal-opportunity killer to one threatening the most vulnerable members of our society. We must confront, and reverse, the tragically higher tobacco use rates that threaten persons of low socioeconomic status, sexual minorities, high school dropouts, some racial/ethnic minority groups, and those living with mental illness and substance use disorders.

Of all the accomplishments of the 20th century, historians rank the 1964 Surgeon General's report as one of the seminal public health achievements of our time. Armed with both science and resolve, we can continue to honor the legacy of the report by completing the work it began in the last century. The current 2014 Surgeon General's report represents a national vision for getting the job done. With strategy, commitment, and action, our nation can leave the crossroads and move forward to end the tobacco epidemic once and for all.

Foreword

Fifty years have passed since publication of the landmark report of the Surgeon General's Advisory Committee on smoking and health. This report highlights both the dramatic progress our nation has made reducing tobacco use and the continuing burden of disease and death caused by smoking.

As a physician, when I think about smoking, I recall the patients I have cared for. The man who had a leg amputated. The woman who had to gasp for every single breath that she took. The man with heart disease who hoped to see his son graduate, but didn't live long enough to do so. That's the reality of smoking that health care providers see every day.

The prevalence of current cigarette smoking among adults has declined from 42% in 1965 to 18% in 2012. However, more than 42 million Americans still smoke. Tobacco has killed more than 20 million people prematurely since the first Surgeon General's report in 1964. The findings in this report show that the decline in the prevalence of smoking has slowed in recent years and that burden of smoking-attributable mortality is expected to remain at high and unacceptable levels for decades to come unless urgent action is taken.

Recent surveys monitoring trends in tobacco use indicate that more people are using multiple tobacco products, particularly youth and young adults. The percentage of U.S. middle and high school students who use electronic, or e-cigarettes, more than doubled between 2011 and 2012. We need to monitor patterns of use of an increasingly wide array of tobacco products across all of the diverse segments of our society, particularly because the tobacco industry continues to introduce and market new products that establish and maintain nicotine addiction.

Tobacco control efforts need to not only address the general population, but also to focus on populations with a higher prevalence of tobacco use and lower rates of quitting. These populations include people from some racial/ethnic minority groups, people with mental illness, lower educational levels and socioeconomic status, and certain regions of the country. We now have proven interventions and policies to reduce tobacco initiation and use among youth and adults.

With intense use of proven interventions, we can save lives and reduce health care costs. In 2012, the Centers for Disease Control and Prevention (CDC) launched the first-ever paid national tobacco education campaign — *Tips From Former Smokers (Tips)* — to raise awareness of the harms to health caused by smoking, encourage smokers to quit, and encourage nonsmokers to protect themselves and their families from exposure to secondhand smoke. It pulled back the curtain in a way that numbers alone cannot, and showed the tobacco-caused tragedies that we as health care professionals see and are saddened by every day. As a result of this campaign, an estimated 1.6 million smokers made an attempt to quit and, based on a conservative estimate, at least 100,000 smokers quit for good. Additionally, millions of nonsmokers talked with friends and family about the dangers of smoking and referred smokers to quit services. In 2013, CDC launched a new round of advertisements that helped even more people quit smoking by highlighting the toll that smoking-related illnesses take on smokers and their loved ones.

CDC has also established reducing tobacco use as one of its "Winnable Battles." These are public health priorities with large-scale impact on health that have proven effective strategies to address them. CDC believes that with additional effort and support for evidence-based, cost-effective policy and program strategies to reduce tobacco use, we can reduce smoking substantially, prevent millions of people from being killed by tobacco, and protect future generations from smoking.

While we have made tremendous progress over the past 50 years, sustained and comprehensive efforts are needed to prevent more people from having to suffer the pain, disability, disfigurement, and death that smoking causes. Most Americans who have ever smoked have already quit, and most smokers who still smoke want to quit. If we continue to implement tobacco prevention and cessation strategies that have proven effective in reducing tobacco use, people throughout our country will live longer, healthier, more productive lives.

Thomas R. Frieden, M.D., M.P.H.
Director
Centers for Disease Control and Prevention

Preface

*from the Acting Surgeon General,
U.S. Department of Health and Human Services*

On January 11, 1964, Luther L. Terry, M.D., the 9th Surgeon General of the United States, released the first report on the health consequences of smoking: *Smoking and Health: Report of the Advisory Committee of the Surgeon General of the Public Health Service*. That report marked a major step to reduce the adverse impact of tobacco use on health worldwide.

Over the past 50 years, 31 Surgeon General's reports have utilized the best available evidence to expand our understanding of the health consequences of smoking and involuntary exposure to tobacco smoke. The conclusions from these reports have evolved from a few causal associations in 1964 to a robust body of evidence documenting the health consequences from both active smoking and exposure to secondhand smoke across a range of diseases and organ systems.

The 2004 report concluded that smoking affects nearly every organ of the body, and the evidence in this report provides even more support for that finding. A half century after the release of the first report, we continue to add to the long list of diseases caused by tobacco use and exposure to tobacco smoke. This report finds that active smoking is now causally associated with age-related macular degeneration, diabetes, colorectal cancer, liver cancer, adverse health outcomes in cancer patients and survivors, tuberculosis, erectile dysfunction, orofacial clefts in infants, ectopic pregnancy, rheumatoid arthritis, inflammation, and impaired immune function. In addition, exposure to secondhand smoke has now been causally associated with an increased risk for stroke.

Smoking remains the leading preventable cause of premature disease and death in the United States. The science contained in this and prior Surgeon General's reports provide all the information we need to save future generations from the burden of premature disease caused by tobacco use. However, evidence-based interventions that encourage quitting and prevent youth smoking continue to be underutilized. This report strengthens our resolve to work together to accelerate and sustain what works—such as hard-hitting media campaigns, smokefree air policies, optimal tobacco excise taxes, barrier-free cessation treatment, and comprehensive statewide tobacco control programs funded at CDC-recommended levels. At the same time, we will explore “end game” strategies that support the goal of eliminating tobacco smoking, including greater restrictions on sales. It is my sincere hope that 50 years from now we won't need another Surgeon General's report on smoking and health, because tobacco-related disease and death will be a thing of the past. Working together, we can make that vision a reality.

Boris D. Lushniak, M.D., M.P.H.
Rear Admiral, U.S. Public Health Service
Acting Surgeon General
U.S. Department of Health and Human Services

Overview

For the United States, the epidemic of smoking-caused disease in the twentieth century ranks among the greatest public health catastrophes of the century, while the decline of smoking consequent to tobacco control is surely one of public health's greatest successes. However, the current rate of progress in tobacco control is not fast enough, and much more needs to be done to end the tobacco epidemic. Unacceptably high levels of smoking-attributable disease and death, and the associated costs, will persist for decades without changes in our approach to slowing and even ending the epidemic. If smoking persists at the current rate among young adults in this country, 5.6 million of today's Americans younger than 18 years of age are projected to die prematurely from a smoking-related illness (Chapter 12).

More than 20 million Americans have died as a result of smoking since the first Surgeon General's report on smoking and health was released in 1964 (Table 1) (Chapter 12). Most were adults with a history of smoking, but nearly 2.5 million were nonsmokers who died from heart disease or lung cancer caused by exposure to secondhand smoke. Another 100,000 were babies who died of sudden infant death syndrome (often referred to as SIDS) or complications from prematurity, low birth weight, or

other conditions caused by parental smoking, particularly smoking by the mother.

As these figures illustrate, the harms caused by the historic patterns of tobacco use in the United States, and especially by cigarette smoking, are staggering. More than 10 times as many U.S. citizens have died prematurely from cigarette smoking than have died in all the wars fought by the United States during its history. Study after study has confirmed the magnitude of the harm caused to the human body by exposure to toxicants and carcinogens found in tobacco smoke. Since 1964, the 31 previous Surgeon General's reports have chronicled a still growing but already conclusive body of evidence about the adverse impact of tobacco use on human cells and organs and on overall health. Health statistics show that all populations are affected.

Previous Surgeon General's reports have tracked the evolution of cigarettes into the current highly engineered, addictive, and deadly products containing thousands of chemicals that are harmful in themselves, but the burning of tobacco produces the complex chemical mixture of more than 7,000 compounds that cause a wide range of diseases and premature deaths as a result (U.S. Department of Health and Human Services [USDHHS] 2010). Although the prevalence of smoking has declined significantly over the past one-half century, the risks for smoking-related disease and mortality have not. In fact, today's cigarette smokers—both men and women—have a much higher risk for lung cancer and chronic obstructive pulmonary disease (COPD) than smokers in 1964, despite smoking fewer cigarettes (see Chapters 6, 7, and 11, and Figure 12.2 and Figure 13.16).

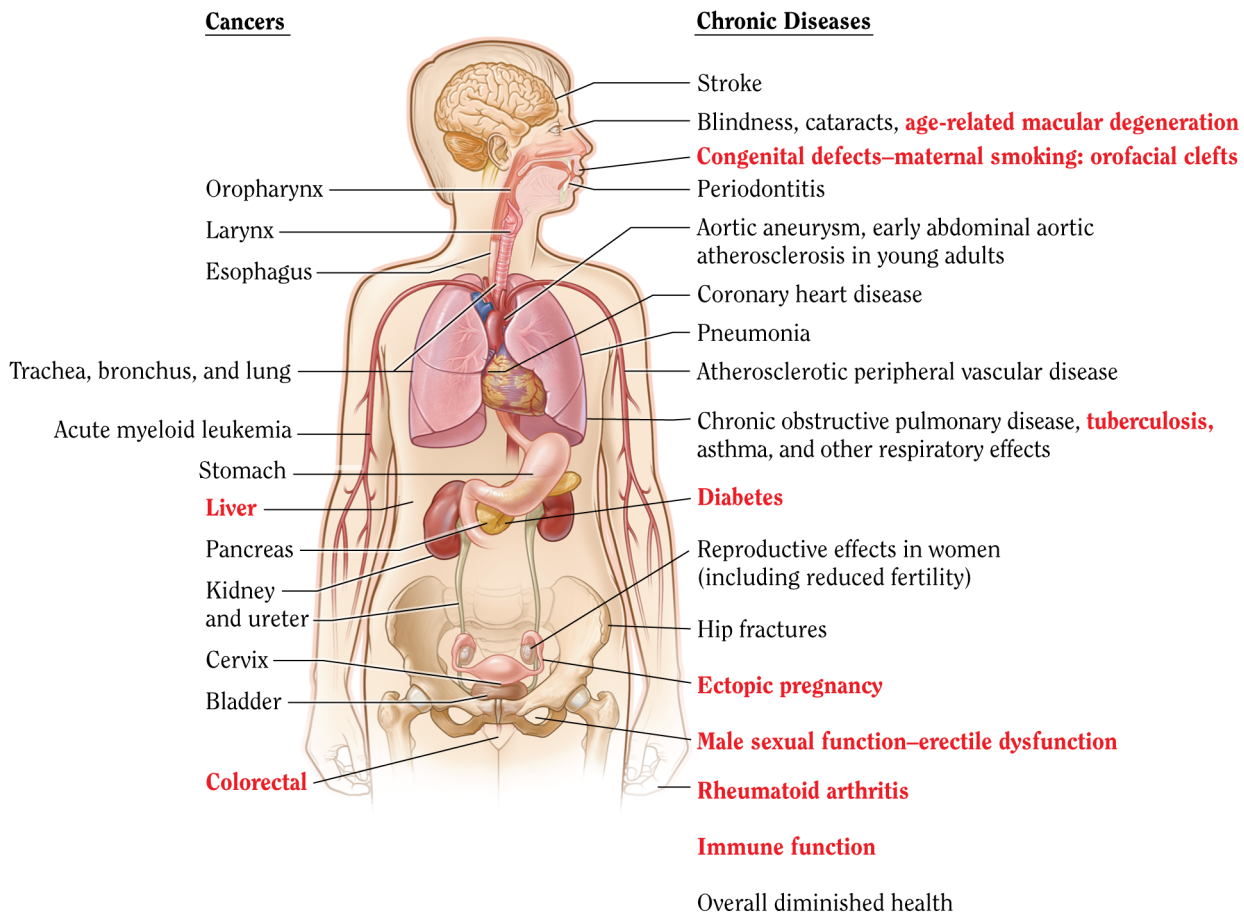
The 2004 Surgeon General's report showed that smoking impacts nearly every organ of the body (USDHHS 2004). The 2006 report concluded that the scientific evidence indicates that there is no risk-free level of exposure to secondhand smoke (USDHHS 2006). The new evidence in this report provides still more support for these conclusions. Fifty years after the first report in 1964, it is striking that the scientific evidence in this report expands the list of diseases and other adverse health effects caused by smoking and exposure of nonsmokers to tobacco smoke. Figures 1.1A and 1.1B highlight these new findings and show that the disease risks are even greater than presented in previous reports. These new findings include:

- Liver cancer and colorectal cancer are added to the long list of cancers caused by smoking;

Table 1 Premature deaths caused by smoking and exposure to secondhand smoke, 1965–2014

Cause of death	Total
Smoking-related cancers	6,587,000
Cardiovascular and metabolic diseases	7,787,000
Pulmonary diseases	3,804,000
Conditions related to pregnancy and birth	108,000
Residential fires	86,000
Lung cancers caused by exposure to secondhand smoke	263,000
Coronary heart disease caused by exposure to secondhand smoke	2,194,000
Total	20,830,000

Source: Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, unpublished data.

Figure 1A The health consequences causally linked to smoking

Source: USDHHS 2004, 2006, 2012.

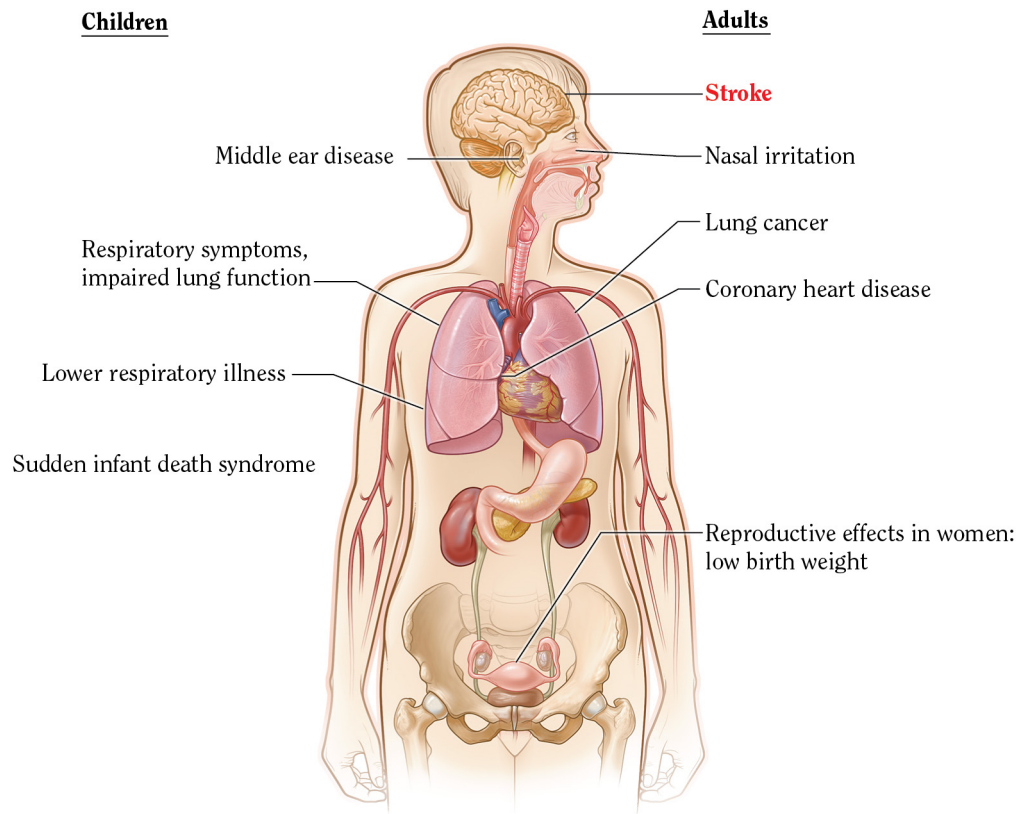
Note: The condition in **red** is a new disease that has been causally linked to smoking in this report.

- Exposure to secondhand smoke is a cause of stroke;
- Smoking increases the risk of dying from cancer and other diseases in cancer patients and survivors;
- Smoking is a cause of diabetes mellitus; and
- Smoking causes general adverse effects on the body including inflammation and it impairs immune function. Smoking is a cause of rheumatoid arthritis.

Progress has been made in tobacco control. During the 50 years since the 1964 report, approaches have moved from single measures, such as small text-only pack warnings, to implementing comprehensive control programs,

including indoor smoking bans, support for cessation, restrictions on advertising and promotion, media campaigns, and tax hikes to raise prices (Chapters 2 and 14). Smoking rates have declined, as have mortality rates for some diseases caused by smoking, such as heart disease and lung cancer for which smoking is the major cause.

Nonetheless, between 2005–2009, smoking was responsible for more than 480,000 premature deaths annually among Americans 35 years of age and older (Chapter 12). More than 87% of lung cancer deaths, 61% of all pulmonary disease deaths, and 32% of all deaths from coronary heart disease were attributable to smoking and exposure to secondhand smoke. Additionally, if current trends continue 5.6 million U.S. youth who are currently younger than 18 years of age will die prematurely during adulthood from their smoking (Chapter 12).

Figure 1B The health consequences causally linked to exposure to secondhand smoke

Source: USDHHS 2004, 2006.

Note: The condition in **red** is a new disease that has been causally linked to smoking in this report.

Many of the findings in this report have particular relevance to women who are current smokers. For the first time ever, they are as likely as men to die from many diseases caused by smoking (Chapter 12). The relative risk for dying from coronary heart disease among women 35 years of age and older is now higher than for men. Because the risks for women have increased so much in the last decades, women who smoke now have about the same high risk of death from lung cancer as men.

In addition to the impact that smoking has on health and well-being, the nation pays enormous financial costs because of smoking. Productivity losses from premature death alone now exceed \$150 billion per year (Chapter 12). Additionally, the value of lost productivity due to premature deaths caused by exposure to secondhand smoke is now estimated to be \$5.6 billion per year. The annual costs of direct medical care of adults attributable to smoking are now estimated to be over \$130 billion (Chapter 12).

This comprehensive report chronicles the devastating consequences of 50 years of tobacco use in the United States. It updates data on the numerous health effects resulting from smoking and exposure to secondhand smoke, and details public health trends, both favorable and unfavorable, in tobacco use. This report marks the steady progress achieved in reducing the prevalence of smoking and validates tobacco control strategies that have consistently proven to be effective. It also examines strategies with the potential to eradicate the death and disease caused by the tobacco epidemic at long last, and identifies specific measures that should be taken immediately to move smoking off its decades-old number one spot as the largest single cause of preventable death and disease for the citizens of the United States. Finally, the report documents that effective interventions are available and calls for their full implementation.

Major Conclusions from the Report

1. The century-long epidemic of cigarette smoking has caused an enormous avoidable public health tragedy. Since the first Surgeon General's report in 1964 more than 20 million premature deaths can be attributed to cigarette smoking.
 2. The tobacco epidemic was initiated and has been sustained by the aggressive strategies of the tobacco industry, which has deliberately misled the public on the risks of smoking cigarettes.
 3. Since the 1964 Surgeon General's report, cigarette smoking has been causally linked to diseases of nearly all organs of the body, to diminished health status, and to harm to the fetus. Even 50 years after the first Surgeon General's report, research continues to newly identify diseases caused by smoking, including such common diseases as diabetes mellitus, rheumatoid arthritis, and colorectal cancer.
 4. Exposure to secondhand tobacco smoke has been causally linked to cancer, respiratory, and cardiovascular diseases, and to adverse effects on the health of infants and children.
 5. The disease risks from smoking by women have risen sharply over the last 50 years and are now equal to those for men for lung cancer, chronic obstructive pulmonary disease, and cardiovascular diseases.
 6. In addition to causing multiple diseases, cigarette smoking has many adverse effects on the body, such as causing inflammation and impairing immune function.
 7. Although cigarette smoking has declined significantly since 1964, very large disparities in tobacco use remain across groups defined by race, ethnicity, educational level, and socioeconomic status and across regions of the country.
 8. Since the 1964 Surgeon General's report, comprehensive tobacco control programs and policies have been proven effective for controlling tobacco use. Further gains can be made with the full, forceful, and sustained use of these measures.
 9. The burden of death and disease from tobacco use in the United States is overwhelmingly caused by cigarettes and other combusted tobacco products; rapid elimination of their use will dramatically reduce this burden.
 10. For 50 years the Surgeon General's reports on smoking and health have provided a critical scientific foundation for public health action directed at reducing tobacco use and preventing tobacco-related disease and premature death.
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The 2014 Surgeon General's report is presented in three sections:

Section 1: Historical Perspective, Overview, and Conclusions;

Section 2: The Health Consequences of Active and Passive Smoking: The Evidence in 2014; and

Section 3: Tracking and Ending the Epidemic.

The following is a summary of the contents of each section.

Section 1: Historical Perspective, Overview, and Conclusions

When Dr. Luther L. Terry released the first Surgeon General's report on smoking and health in January 1964, few could have anticipated the long-term impact it would have on this nation's health. The report reviewed more than 7,000 research articles related to smoking and disease—the evidence considered dated to the early twentieth century but most came from the wave of research that started at mid-century. The initial report concluded that smoking was associated with higher all-cause mortality rates among men, was a cause of lung cancer and laryngeal cancer in men, was a probable cause of lung cancer in women, and was the most important cause of bronchitis (U.S. Department of Health, Education, and Welfare 1964). News coverage of the report was extensive, and the release of the report was ranked among the top news stories of the twentieth century (*USA Today* 1999).

Nonetheless, public attitudes about smoking and its adverse health effects were slow to change, and smoking declined slowly after the report. In 1964, more than one-half of men and nearly one-third of women were regular smokers; it took approximately 15 years for rates of smoking among men to drop by one-quarter or more (Chapter 2). The scientific evidence helped to launch public health campaigns about the dangers of smoking. The tobacco industry attempted to counter these campaigns through aggressive advertising. It used a variety of tactics to create doubt about the findings on smoking and health and launched marketing strategies that obscured the dangers of smoking by implying that certain cigarettes were safer

than others. In fact, rates of smoking among women actually increased in the years following the first Surgeon General's report.

During the decades that followed, however, a number of local, state, and federal laws and policies addressed tobacco product marketing and advertising, labeling and packaging, youth access, and exposure to secondhand smoke. Social norms that had made smoking acceptable everywhere began to change as a grassroots movement aimed at protecting nonsmokers emerged. Surgeon General's reports on the impact of tobacco use on specific populations, the changing cigarette, nicotine addiction, specific smoking-related diseases, and secondhand smoke gave impetus to a steady movement away from smoking as an acceptable social norm. The prevalence of smoking among adults is now less than one-half of what it was in 1964, and the prevalence among youth is less than one-half. A 2011 Gallup poll reported that for the first time, a majority of Americans supported a ban on smoking in all public places (Newport 2011).

The ongoing story of tobacco use covered in this Surgeon General's report illustrates the complexity and dynamic nature of the issue. This report examines smoking from a public health standpoint; as a cultural and social phenomenon; as an extension of the tobacco industry's aggressive and fraudulent campaigns to mislead the public on health hazards; and from legal, policy, and public education perspectives.

Section 2: The Health Consequences of Active and Passive Smoking: The Evidence in 2014

Since 1964, the evidence on smoking and health has expanded greatly; the list of adverse consequences of tobacco smoking has lengthened progressively; and since the 1970s, scientific research has linked the inhalation of secondhand smoke by nonsmokers to specific diseases and other adverse effects. Even in this report, a half-century following the first report, the evidence has been found sufficient to infer further causal associations of active and passive smoking with disease.

Nicotine and Addiction: Nicotine was found to be addicting in the 1988 Surgeon General's report (USDHHS

1988). That conclusion has been repeatedly reaffirmed in subsequent reports, and nicotine addiction figures centrally in initiation and in the difficulty of cessation (USDHHS 2010, 2012). Additionally, nicotine is a pharmacologically active agent that has acute toxicity and that readily enters the body and is distributed throughout. Beyond causing addiction, it activates multiple biologic pathways that are relevant to fetal growth and development, immune function, the cardiovascular system, the central nervous system, and carcinogenesis. Nicotine exposure during fetal development, a critical window

for the brain, has lasting adverse consequences for brain development. Nicotine exposure during pregnancy also contributes to adverse reproductive outcomes, such as preterm birth and stillbirth.

Cancer: Lung cancer, the first of many deadly diseases to be identified in a Surgeon General's report as being caused by smoking (Chapter 6), is now the nation's most common cancer killer among men and women. Two studies carried out by the American Cancer Society have been key sources of information on the risks of lung cancer in smokers. These two studies each followed more than 1 million U.S. men and women, starting in 1959 for the first study and then again in 1982 for the second. Results from these studies have now been compared with data combined from several large populations followed from 2000–2010 (Thun et al. 1997a,b, 2013). Although the risk of lung cancer for never smokers in all three studies stayed about the same, the risk to smokers increased steadily. Among women, risk of lung cancer went up dramatically. In the 1959 study, women smokers were 2.7 times more likely than women never smokers to develop lung cancer; by 2000–2010 that additional risk for women smokers had jumped nearly tenfold, to 25.7. For men who smoked, the risk more than doubled, from 12.2 to 25.0 between the first and last studies. These relative risks increased over the same period as the prevalence of smoking and the average number of cigarettes consumed per smoker decreased. Although the incidence of squamous cell carcinoma of the lung—the type of lung cancer most often diagnosed among smokers at the start of the lung cancer epidemic—declined as smoking rates dropped, the incidence of adenocarcinoma of the lung increased dramatically. Evidence suggests that changes in the composition and design of the cigarette itself may have had some impact on the relative risk of lung cancer, as well as on the shift in the types of lung cancer occurring in the contemporary cohorts of smokers (Thun et al. 2013).

This latest Surgeon General's report also evaluated the evidence on other cancers, and concluded that smoking is a cause of liver cancer and of colorectal cancer, the fourth most diagnosed cancer in the United States and the cancer responsible for the second largest number of cancer deaths annually (Chapter 6). The report found that the evidence is suggestive but insufficient to conclude that smoking and exposure to secondhand smoke cause breast cancer, and that smoking is not a cause for prostate cancer. The report also found that smoking increases the risk of dying from cancer and other diseases in cancer patients and survivors, including breast and prostate cancer patients.

Respiratory diseases: In the 1964 Surgeon General's report, smoking was found to be a cause of “chronic

bronchitis,” a term used then for the disease now generally referred to as chronic obstructive pulmonary disease (COPD) (Fletcher et al. 1959). Because smoke is inhaled into the lung and its components are deposited and absorbed in the lungs, it has long been linked to adverse effects on the respiratory system, causing malignant and nonmalignant diseases, exacerbating chronic lung diseases, and increasing the risk for respiratory infections. The scientific literature showing associations with multiple diseases of the respiratory tract is extensive as is the evidence supporting the biologic plausibility of smoking as a cause of these associations (Chapter 7). This report has reviewed the updated evidence on COPD. Mortality from COPD continues to rise, and smoking remains responsible for the vast majority of cases (Chapter 7). As for lung cancer, comparison of the findings of the two American Cancer Society studies with the more recent studies spanning 2000–2010 showed rising risks for COPD, particularly in women. Recent studies show that the relative risk for COPD in women has risen greatly, reaching 22.4 compared to never smokers, and similar to the risk in men (Thun et al. 2013).

For asthma, another obstructive lung disease, the evidence was found to be sufficient to infer that smoking worsens asthma in adults who smoke (Chapter 7). The benefits of implementing smokefree policies have been shown for workers with asthma (Eisner et al. 1998; Menzies et al. 2006; Ayres et al. 2009; Wilson et al. 2012). Evidence considered in this report points to a reduction in admissions for respiratory diseases following the implementation of a smokefree policy (Tan and Glantz 2012). Tuberculosis was once a leading cause of death in the United States. Now far less frequent in the United States, it remains prominent worldwide. Evidence reported over the last decade is sufficient to lead to a conclusion that smoking increases the risk for tuberculosis and for dying from tuberculosis (Chapter 7).

Cardiovascular diseases: Although lung cancer is often assumed to be the largest smoking-attributable cause of death in the United States, cardiovascular disease actually claims more lives of smokers 35 years of age and older every year compared with lung cancer (Chapter 8). Exposure to secondhand smoke causes significantly more deaths due to cardiovascular disease than due to lung cancer, and this new report finds that exposure to secondhand smoke is also a cause of stroke. Exposure to secondhand smoke increases the risk for stroke by an estimated 20–30%. Even so, the evidence is clear that reductions in smoking and exposure to secondhand smoke have contributed to the decline in death rates from cardiovascular diseases since the late 1960s. Smokefree laws and policies have been proven to reduce the incidence of heart attacks

and other coronary events among people younger than 65 years of age, and evidence suggests that there could be a relationship between such laws and policies and a reduction in cerebrovascular events.

Diabetes: Previous Surgeon General's reports have found that smoking complicates the treatment of diabetes and that smokers who have been diagnosed with diabetes are at a higher risk for kidney disease, blindness, and circulatory complications leading to amputations. This report concludes that smoking is a cause of type 2 diabetes mellitus, and that the risk of developing diabetes is 30–40% higher for active smokers than nonsmokers (Chapter 10). Furthermore, the risk of developing diabetes increases as the number of cigarettes smoked grows.

Immune and autoimmune disorders: This report finds that smoking is a cause of general adverse effects on the body, including systemic inflammation and impaired immune function (Chapter 10). One result of this altered immunity is increased risk for pulmonary infections among smokers. For example, risks for *Mycobacterium tuberculosis* and for death from tuberculosis disease are higher for smokers than nonsmokers (Chapter 7). Additionally, smoking is known to compromise the equilibrium of the immune system, increasing the risk for several immune and autoimmune disorders. This report finds that smoking is a cause of rheumatoid arthritis, and that smoking interferes with the effectiveness of certain treatments for rheumatoid arthritis (Chapter 10).

Reproductive effects: Several additional adverse reproductive effects are now found to be attributable to smoking (Chapter 9). One is ectopic pregnancy, in which the embryo implants in the Fallopian tube or elsewhere outside the uterus. Ectopic pregnancy is very rarely a survivable condition for the fetus and is a potentially fatal condition for the mother. This report finds that maternal smoking during early pregnancy is causal for orofacial clefts in infants, and evidence suggests that smoking could be associated with certain other birth defects. This report also finds that the evidence is now sufficient to conclude that there is a causal relationship between smoking and erectile dysfunction in men.

Eye disease: The retina is a delicate, light-sensitive tissue that lines the inside of the eye. The macula is the most sensitive part of the retina and is the part of the eye that supplies sharp vision. Age-related macular degeneration (AMD) gradually destroys the macula and can ultimately lead to loss of vision in the center of the eye. This report finds that smoking is a cause of AMD (Chapter 10). Evidence in the report also suggests that quitting smoking may reduce the risk for AMD, but the reduced risk may not appear for 20 or more years after smoking cessation.

General health: Smokers have long been known to suffer from poorer general health than nonsmokers, beginning at an early age and extending throughout adult life (Chapter 11). Although emphasis has been given to smoking as a cause of specific and avoidable diseases, it is a powerful cause of ill-health generally. These health deficits not only reduce the quality of life of smokers but also affect their participation in the workplace and increase their costs to the health care system.

All-cause mortality: The evidence in this report reaffirms that smoking is a major cause of premature death (Chapter 11). During the past 50 years, as generations of men and women who began smoking in adolescence and continued to smoke into middle and older ages have been stricken with the health consequences of lifetime smoking, the relative risk for all-cause mortality associated with current cigarette smoking has increased. The age-standardized relative risk, comparing the all-cause death rate in current smokers to that of never smokers, has more than doubled in men and more than tripled in women during the years since the release of the first Surgeon General's report on smoking and health. The lives of smokers are cut short by the development of the many diseases caused by smoking and by their greater risk of dying from common health events, such as complications of routine surgeries and pneumonia. Smoking shortens life far more than most other risk factors for early mortality; smokers are estimated to lose more than a decade of life. Smoking cessation by 40 years of age reduces that loss approximately 90%. Even stopping by about 60 years of age reduces that loss approximately 40%. However, reducing the number of cigarettes smoked per day is much less effective than quitting entirely for avoiding the risks of premature death from all smoking-related causes of death.

Much of this 50th anniversary Surgeon General's report is devoted to examining evidence on the myriad health effects, avoidable diseases, and all-cause mortality from smoking. Chapters highlight findings on specific health topics from previous Surgeon General's reports in addition to presenting current information. The following are chapter-specific conclusions related to the health effects of smoking from Section 2 of the report.

Chapter 5: Nicotine

1. The evidence is sufficient to infer that at high-enough doses nicotine has acute toxicity.
2. The evidence is sufficient to infer that nicotine activates multiple biological pathways through which smoking increases risk for disease.

3. The evidence is sufficient to infer that nicotine exposure during fetal development, a critical window for brain development, has lasting adverse consequences for brain development.
4. The evidence is sufficient to infer that nicotine adversely affects maternal and fetal health during pregnancy, contributing to multiple adverse outcomes such as preterm delivery and stillbirth.
5. The evidence is suggestive that nicotine exposure during adolescence, a critical window for brain development, may have lasting adverse consequences for brain development.
6. The evidence is inadequate to infer the presence or absence of a causal relationship between exposure to nicotine and risk for cancer.

Chapter 6: Cancer

Lung Cancer

1. The evidence is sufficient to conclude that the risk of developing adenocarcinoma of the lung from cigarette smoking has increased since the 1960s.
2. The evidence is sufficient to conclude that the increased risk of adenocarcinoma of the lung in smokers results from changes in the design and composition of cigarettes since the 1950s.
3. The evidence is not sufficient to specify which design changes are responsible for the increased risk of adenocarcinoma, but there is suggestive evidence that ventilated filters and increased levels of tobacco-specific nitrosamines have played a role.
4. The evidence shows that the decline of squamous cell carcinoma follows the trend of declining smoking prevalence.

Liver Cancer

1. The evidence is sufficient to infer a causal relationship between smoking and hepatocellular carcinoma.

Colorectal Cancer

1. The evidence is sufficient to infer a causal relationship between smoking and colorectal adenomatous polyps and colorectal cancer.

Prostate Cancer

1. The evidence is suggestive of no causal relationship between smoking and the risk of incident prostate cancer.
2. The evidence is suggestive of a higher risk of death from prostate cancer in smokers than in nonsmokers.
3. In men who have prostate cancer, the evidence is suggestive of a higher risk of advanced-stage disease and less-well-differentiated cancer in smokers than in nonsmokers, and—independent of stage and histologic grade—a higher risk of disease progression.

Breast Cancer

1. The evidence is sufficient to identify mechanisms by which cigarette smoking may cause breast cancer.
2. The evidence is suggestive but not sufficient to infer a causal relationship between tobacco smoke and breast cancer.
3. The evidence is suggestive but not sufficient to infer a causal relationship between active smoking and breast cancer.
4. The evidence is suggestive but not sufficient to infer a causal relationship between exposure to secondhand tobacco smoke and breast cancer.

Adverse Health Outcomes in Cancer Patients and Survivors

1. In cancer patients and survivors, the evidence is sufficient to infer a causal relationship between cigarette smoking and adverse health outcomes. Quitting smoking improves the prognosis of cancer patients.
2. In cancer patients and survivors, the evidence is sufficient to infer a causal relationship between cigarette smoking and increased all-cause mortality and cancer-specific mortality.
3. In cancer patients and survivors, the evidence is sufficient to infer a causal relationship between cigarette smoking and increased risk for second primary cancers known to be caused by cigarette smoking, such as lung cancer.

4. In cancer patients and survivors, the evidence is suggestive but not sufficient to infer a causal relationship between cigarette smoking and (1) the risk of recurrence, (2) poorer response to treatment, and (3) increased treatment-related toxicity.

Chapter 7: Respiratory Diseases

Chronic Obstructive Pulmonary Disease

1. The evidence is sufficient to infer that smoking is the dominant cause of chronic obstructive pulmonary disease (COPD) in men and women in the United States. Smoking causes all elements of the COPD phenotype, including emphysema and damage to the airways of the lung.
2. Chronic obstructive pulmonary disease (COPD) mortality has increased dramatically in men and women since the 1964 Surgeon General's report. The number of women dying from COPD now surpasses the number of men.
3. The evidence is suggestive but not sufficient to infer that women are more susceptible to develop severe chronic obstructive pulmonary disease at younger ages.
4. The evidence is sufficient to infer that severe α 1-antitrypsin deficiency and cutis laxa are genetic causes of chronic obstructive pulmonary disease.

Asthma

1. The evidence is suggestive but not sufficient to infer a causal relationship between active smoking and the incidence of asthma in adolescents.
2. The evidence is suggestive but not sufficient to infer a causal relationship between active smoking and exacerbation of asthma among children and adolescents.
3. The evidence is suggestive but not sufficient to infer a causal relationship between active smoking and the incidence of asthma in adults.
4. The evidence is sufficient to infer a causal relationship between active smoking and exacerbation of asthma in adults.

Tuberculosis

1. The evidence is sufficient to infer a causal relationship between smoking and an increased risk of *Mycobacterium tuberculosis* disease.
2. The evidence is sufficient to infer a causal relationship between smoking and mortality due to tuberculosis.
3. The evidence is suggestive of a causal relationship between smoking and the risk of recurrent tuberculosis disease.
4. The evidence is inadequate to infer the presence or absence of a causal relationship between active smoking and the risk of tuberculosis infection.
5. The evidence is inadequate to infer the presence or absence of a causal relationship between exposure to secondhand smoke and the risk of tuberculosis infection.
6. The evidence is inadequate to infer the presence or absence of a causal relationship between exposure to secondhand smoke and the risk of tuberculosis disease.

Idiopathic Pulmonary Fibrosis

1. The evidence is suggestive but not sufficient to infer a causal relationship between cigarette smoking and idiopathic pulmonary fibrosis.

Chapter 8: Cardiovascular Disease

1. The evidence is sufficient to infer a causal relationship between exposure to secondhand smoke and increased risk of stroke.
2. The estimated increase in risk for stroke from exposure to secondhand smoke is about 20–30%.
3. The evidence is sufficient to infer a causal relationship between the implementation of a smokefree law or policy and a reduction in coronary events among people younger than 65 years of age.
4. The evidence is suggestive but not sufficient to infer a causal relationship between the implementation of a smokefree law or policy and a reduction in cerebrovascular events.

5. The evidence is suggestive but not sufficient to infer a causal relationship between the implementation of a smokefree law or policy and a reduction in other heart disease outcomes, including angina and out-of-hospital sudden coronary death.

Chapter 9: Reproductive Outcomes

Congenital Malformations

1. The evidence is sufficient to infer a causal relationship between maternal smoking in early pregnancy and orofacial clefts.
2. The evidence is suggestive but not sufficient to infer a causal relationship between maternal smoking in early pregnancy and clubfoot, gastroschisis, and atrial septal heart defects.

Neurobehavioral Disorders of Childhood

1. The evidence is suggestive but not sufficient to infer a causal relationship between maternal prenatal smoking and disruptive behavioral disorders, and attention deficit hyperactivity disorder in particular, among children.
2. The evidence is insufficient to infer the presence or absence of a causal relationship between maternal prenatal smoking and anxiety and depression in children.
3. The evidence is insufficient to infer the presence or absence of a causal relationship between maternal prenatal smoking and Tourette syndrome.
4. The evidence is insufficient to infer the presence or absence of a causal relationship between maternal prenatal smoking and schizophrenia in her offspring.
5. The evidence is insufficient to infer the presence or absence of a causal relationship between maternal prenatal smoking and intellectual disability.

Ectopic Pregnancy

1. The evidence is sufficient to infer a causal relationship between maternal active smoking and ectopic pregnancy.

Spontaneous Abortion

1. The evidence is suggestive but not sufficient to infer a causal relationship between maternal active smoking and spontaneous abortion.

Male Sexual Function

1. The evidence is sufficient to infer a causal relationship between smoking and erectile dysfunction.

Chapter 10: Other Specific Outcomes

Eye Disease: Age-Related Macular Degeneration

1. The evidence is sufficient to infer a causal relationship between cigarette smoking and neovascular and atrophic forms of age-related macular degeneration.
2. The evidence is suggestive but not sufficient to infer that smoking cessation reduces the risk of advanced age-related macular degeneration.

Dental Disease

1. The evidence is suggestive but not sufficient to infer a causal relationship between active cigarette smoking and dental caries.
2. The evidence is suggestive but not sufficient to infer a causal relationship between exposure to tobacco smoke and dental caries in children.
3. The evidence is suggestive but not sufficient to infer a causal relationship between cigarette smoking and failure of dental implants.

Diabetes

1. The evidence is sufficient to infer that cigarette smoking is a cause of diabetes.
2. The risk of developing diabetes is 30–40% higher for active smokers than nonsmokers.
3. There is a positive dose-response relationship between the number of cigarettes smoked and the risk of developing diabetes.

Immune Function and Autoimmune Disease

1. The evidence is sufficient to infer that components of cigarette smoke impact components of the immune system. Some of these effects are immune activating and others are immune-suppressive.
2. The evidence is sufficient to infer that cigarette smoking compromises the immune system and that altered immunity is associated with increased risk for pulmonary infections.
3. The evidence is sufficient to infer that cigarette smoke compromises immune homeostasis and that altered immunity is associated with an increased risk for several disorders with an underlying immune diathesis.

Rheumatoid Arthritis

1. The evidence is sufficient to infer a causal relationship between cigarette smoking and rheumatoid arthritis.
2. The evidence is sufficient to infer that cigarette smoking reduces the effectiveness of the tumor necrosis factor-alpha (TNF- α) inhibitors.

Systemic Lupus Erythematosus

1. The evidence is inadequate to infer the presence or absence of a causal relationship between cigarette smoking and systemic lupus erythematosus (SLE), the severity of SLE, or the response to therapy for SLE.

Inflammatory Bowel Disease

1. The evidence is suggestive but not sufficient to infer a causal relationship between cigarette smoking and Crohn's disease.
2. The evidence is suggestive but not sufficient to infer a causal relationship between cigarette smoking and a protective effect for ulcerative colitis.

Chapter 11: General Morbidity and All-Cause Mortality

1. The evidence is sufficient to infer a causal relationship between smoking and diminished overall health. Manifestations of diminished overall health among smokers include self-reported poor health, increased absenteeism from work, and increased health care utilization and cost.
2. The evidence is sufficient to infer that cigarette smoking increases risk for all-cause mortality in men and women.
3. The evidence is sufficient to infer that the relative risk of dying from cigarette smoking has increased over the last 50 years in men and women in the United States.

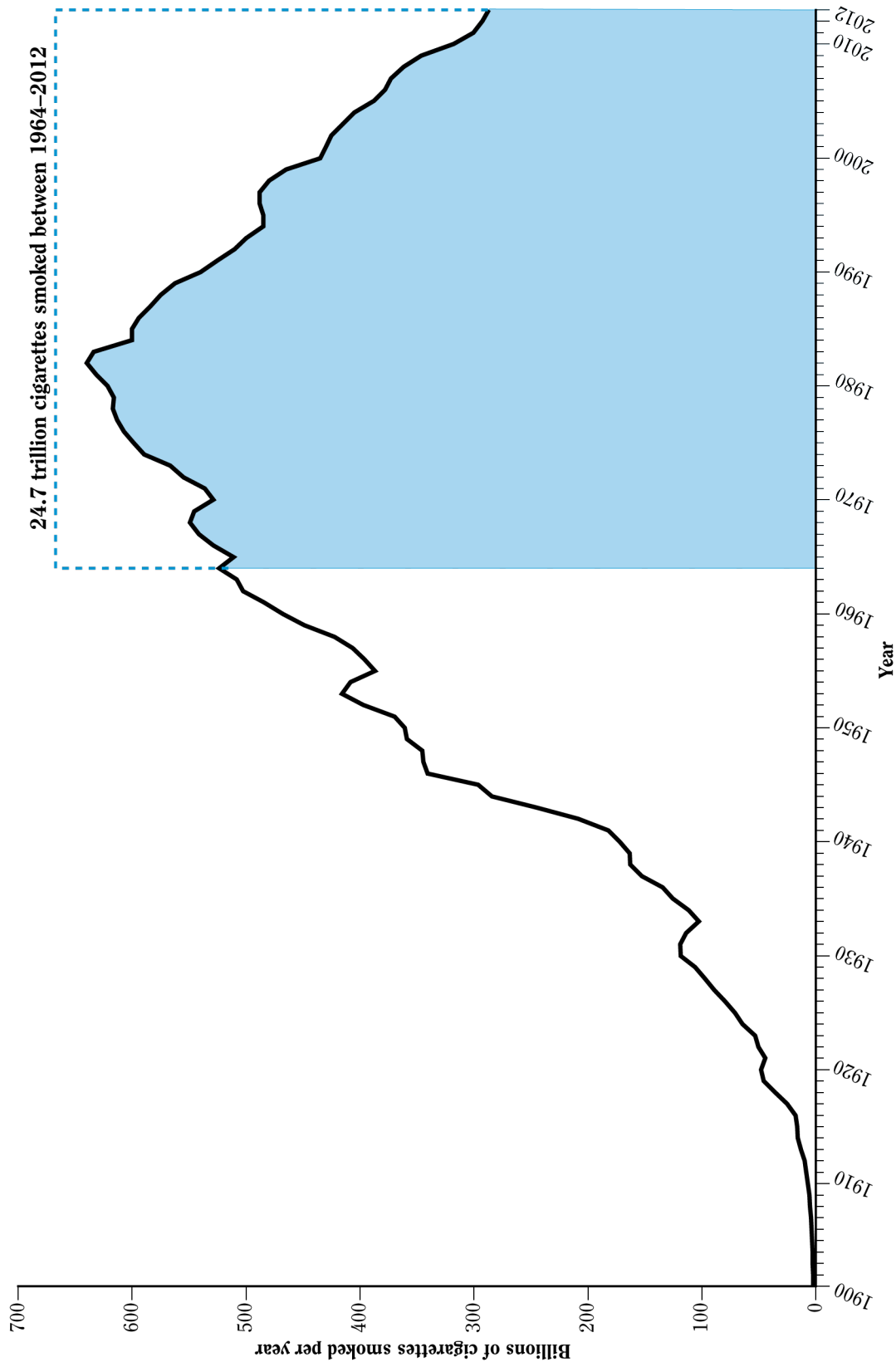
Section 3: Tracking and Ending the Epidemic

The final section of the 50th anniversary Surgeon General's report on smoking and health covers the human and economic costs of the smoking epidemic in the United States, current trends in tobacco use and tobacco control, the status of interventions and programs that address the smoking epidemic, and a vision for a future that is free of death and disease caused by tobacco use.

Throughout this report, the overwhelming harm done to this nation's health by cigarette smoking is made clear repeatedly. Accumulated data from the past 50 years graphically illustrate the devastating loss of life and the

economic waste that have flowed from the manufacture, marketing, sale, and consumption of combustible tobacco products. In this half-century, nearly 25 trillion cigarettes have been consumed, despite a significant drop in consumption per smoker (Figure 2). The annual costs attributed to smoking in the United States are between \$289 billion and \$333 billion, including at least \$130 billion for direct medical care of adults over \$150 billion for lost productivity due to premature death, and more than \$5 billion for lost productivity from premature death due to exposure to secondhand smoke (Chapter 12).

Figure 2 Total cigarette consumption, United States, 1900–2012



Source: Miller 1981; U.S. Department of Agriculture 1987, 1996, 2005, 2007a,b; Centers for Disease Control and Prevention 2012.
Note: Data shown are annual total consumption of cigarettes. This differs from Figure 2.1, which reports the annual adult (18 years of age and older) per capita consumption.

Despite decades of warnings on the dangers of smoking, nearly 42 million adults (Chapter 13) and more than 3.5 million middle and high school students continue to smoke cigarettes (USDHHS 2012). Significant disparities in tobacco use persist among certain racial/ethnic populations, and among groups defined by educational level, socioeconomic status, geographic region, sexual minorities (including individuals who are gay, lesbian, bisexual, and transgender, and individuals with same-sex relationships or attraction), and severe mental illness. The majority (88%) started smoking before 18 years of age, and nearly all first use of cigarettes occurs before 26 years of age (USDHHS 2012). The fraction of smoking initiation occurring after 18 years of age has been increasing over the past decade (Figure 3).

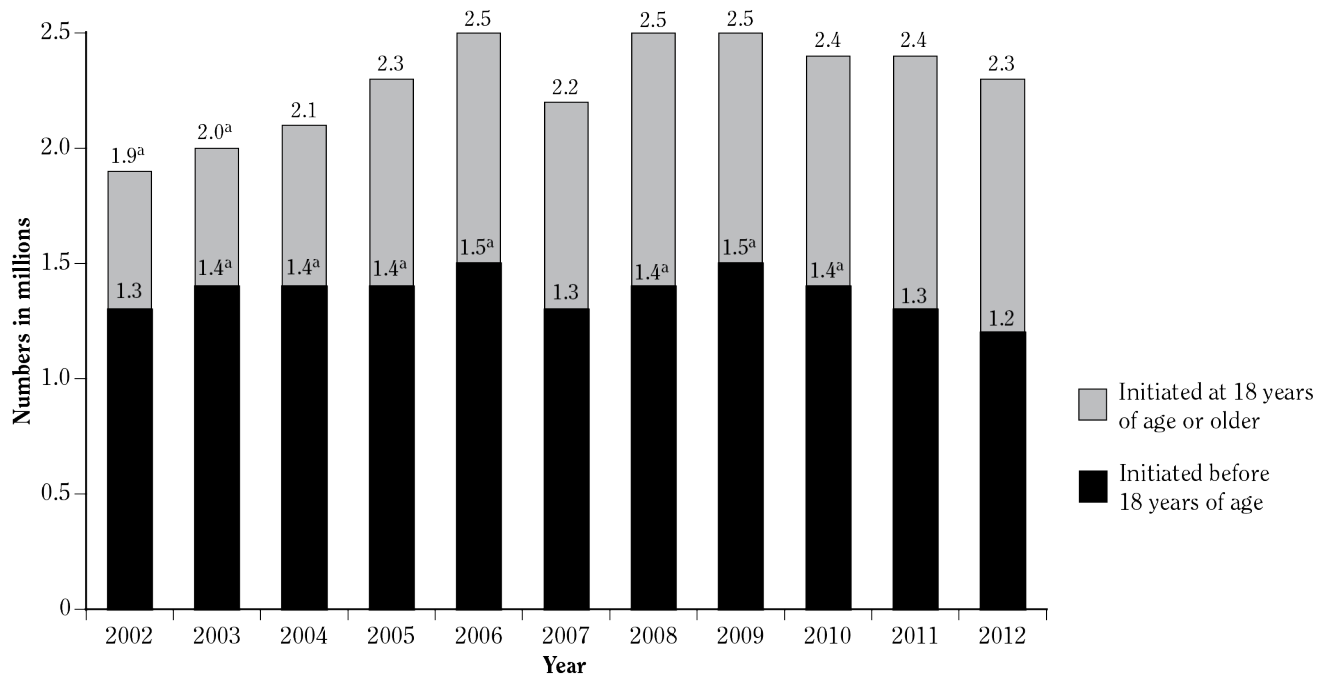
Tobacco industry advertising and promotional activities cause youth and young adults to start smoking, and nicotine addiction keeps people smoking past those ages (Chapter 14) (USDHHS 2012). Each year, for every adult who dies prematurely from a smoking-related cause, more than two youth or young adults become replacement smokers (Chapter 13) (USDHHS 2012). Although the

prevalence of current smoking among high school-aged youth has declined, the total number of youth and young adults who started smoking increased from 1.9 million in 2002 to 2.3 million in 2012 (Figure 3). However, progress has been made in reducing initiation among youth younger than 18 years of age, with the total number of youth who initiated smoking before age 18 declining from 1.5 million in 2009 down to 1.2 million in 2012.

While attention has focused primarily on cigarette smoking, this and recent Surgeon General's reports review health risks and emphasize the need to monitor patterns of use of all combusted tobacco products, particularly the use of cigarette-like cigars and roll-your-own cigarettes using pipe tobacco. Most commonly, these products are used along with cigarettes. According to recent trends, the percentage of adults, 18 years of age and older—who smoke either cigarettes, cigars, or roll-your-own cigarettes made with pipe tobacco—has remained relatively steady (25–26%) since 2009 and has declined only a small amount since 2002 (Table 2).

Although recent trends emphasize the need for continued and vigorous tobacco control efforts, significant

Figure 3 Cigarette initiation during the past year among persons 12 years of age and older, by age at first use, 2002–2012



Source: Substance Abuse and Mental Health Services Administration, Center for Behavioral Health Statistics and Quality, National Survey on Drug Use and Health, 2002–2012.

^aDifference between this estimate and the 2012 estimate is statistically significant at the 0.05 level.

Table 2 Percentage of tobacco product use in the past month among persons 18 years of age and older, 2002–2012

Substance	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
Total tobacco products ^a	30.8 ^b	30.2 ^b	29.6 ^b	29.9 ^b	30.1 ^b	29.2 ^b	28.8 ^b	28.1	27.8	26.9	27.3
Cigarettes ^c	25.8 ^b	25.2 ^b	24.7 ^b	24.7 ^b	24.8 ^b	24.1 ^b	23.7 ^b	23.0 ^d	22.6	21.7	22.0
Smokeless tobacco	3.5	3.4	3.1 ^b	3.3	3.5	3.3	3.6	3.5	3.6	3.3	3.6
Cigars	5.5	5.5	5.8	5.8	5.7	5.5	5.5	5.4	5.4	5.2	5.4
Pipe tobacco	0.8	0.7 ^b	0.8 ^d	0.9	1.0	0.8	0.8 ^d	0.8	0.9	0.8	1.0
Cigarettes ^c or cigars	28.5 ^b	27.9 ^b	27.6 ^b	27.7 ^b	27.7 ^b	27.0 ^b	26.4 ^b	25.8 ^d	25.5	24.6	24.8
Cigarettes, ^c cigars, or pipe tobacco	28.8 ^b	28.2 ^b	27.9 ^b	28.0 ^b	28.0 ^b	27.3 ^b	26.7 ^b	26.1	25.8	24.9	25.2

Source: Substance Abuse and Mental Health Services Administration, Center for Behavioral Health Statistics and Quality, National Survey on Drug Use and Health, 2002–2012.

^aTobacco products include cigarettes, smokeless tobacco (i.e., chewing tobacco or snuff), cigars, or pipe tobacco.

^bDifference between estimate and 2012 estimate is statistically significant at the 0.01 level.

^cPast month cigarette use is defined as smoking during the 30 days preceding the survey and smoking 100 cigarettes or more in a lifetime. Respondents with an unknown lifetime number of cigarettes smoked were excluded from the analysis.

^dDifference between estimate and 2012 estimate is statistically significant at the 0.05 level.

achievements have been made during the past five decades. In fact, historic success in tobacco control is considered one of the top public health achievements of the twentieth century (Centers for Disease Control and Prevention [CDC] 1999; Ward and Warren 2007). Today, in the United States there are more former smokers than current smokers, and success rates for quitting have been increasing among recent birth cohorts (Chapter 13). Interest in quitting is high across all segments of society. Patterns of tobacco use are also changing, with more people smoking intermittently and smoking fewer cigarettes; however, there is an increase in the use of tobacco products other than cigarettes, often concurrent with cigarettes.

The burden of smoking-attributable disease and premature death and its high costs to the nation will continue for decades unless smoking prevalence is reduced more rapidly than the current trajectory. The evidence in this report shows that the nation may fail to achieve the *Healthy People 2020* objective of reducing the prevalence of smoking among adults to 12%. Model estimates suggest that if the status quo in tobacco control in 2008 were maintained, the projected prevalence of smoking among adults in 2050 could still be as high as 15% (Chapter 15). Trends in smoking rates among youth and adults show progress, but the prevalence of current smoking among youth and adults is only slowly declining and the actual

number of youth and young adults starting to smoke has increased since 2002 (Figure 3). Additionally, the use of multiple tobacco products is increasingly common, especially among young smokers. Concerns remain that use of these new products may increase initiation rates among youth and young adults, delay quitting, and prolong the smoking epidemic.

The tobacco industry continues to position itself to sustain its sales by recruiting youth and young adults and by maintaining current smokers as consumers of all their nicotine-containing products including cigarettes (see Chapters 13, 14, and 15). As reviewed in Chapter 14, U.S. District Judge Gladys Kessler entered her final opinion and order on August 17, 2006, and found that the tobacco industry defendants violated the *Racketeer Influenced and Corrupt Organizations (RICO) Act* by lying, misrepresenting, and deceiving the public “including smokers and the young people they avidly sought as ‘replacement smokers,’ about the devastating health effects of smoking and environmental tobacco smoke” (*U.S. v. Philip Morris* 2006:852). The *Tobacco Control Act* incorporates as congressional findings of fact Judge Kessler’s determinations that “the major United States cigarette companies continue to target and market to youth,” that the companies sought to “encourage youth to start smoking subsequent to the signing of the Master Settlement Agreement

in 1998,” and that they “have designed their cigarettes to precisely control nicotine delivery levels and provide doses of nicotine sufficient to create and sustain addiction while also concealing much of their nicotine-related research” (*Tobacco Control Act* 2009, §2(47) – (49)).

Therefore, this report addresses the question: what steps are needed to end the tobacco epidemic? There are different ways to achieve this vision. Should the emphasis be on ending cigarette use?; ending the use of the most harmful tobacco products while reducing the harm of remaining products?; or ending the use of all tobacco products?

The scientific findings of the 2012 Surgeon General’s report (USDHHS 2012) show that there are evidence-based strategies that can rapidly drop initiation and prevalence rates of smoking among youth to single digits. To reach this target, these strategies need to be fully implemented and sustained with sufficient intensity and duration. Without such increased and sustained action, 5.6 million youth younger than 18 years of age in this country today are projected to die prematurely from a smoking-related illness. But millions of these projected deaths could be averted, making tobacco control a highest priority in our overall public health commitment and strategy.

The scientific evidence is incontrovertible: inhaling the combustion compounds from tobacco smoke, particularly from cigarettes, is deadly. It has been stated that “The cigarette is also a defective product, meaning not just dangerous but *unreasonably* dangerous, killing half its long-term users. And addictive by design” (Proctor 2013, p. i27). As the list of diseases caused by smoking has continued to increase, the updated estimate of the annual number of deaths attributable to smoking and exposure to secondhand smoke is now approaching 500,000 (Chapter 12). This increase has occurred despite decreases in per capita cigarette consumption and prevalence of smoking, emphasizing our enhanced understanding of the increased lethality of cigarettes. The high risks of cigarette smoking and the historic and current patterns of tobacco use in the United States lead to a primary conclusion of this report:

- The burden of death and disease from tobacco use in the United States is overwhelmingly caused by cigarettes and other combusted tobacco products; rapid elimination of their use will dramatically reduce this burden.

Could the use of cigarettes and other combusted tobacco products be rapidly reduced in this country? As

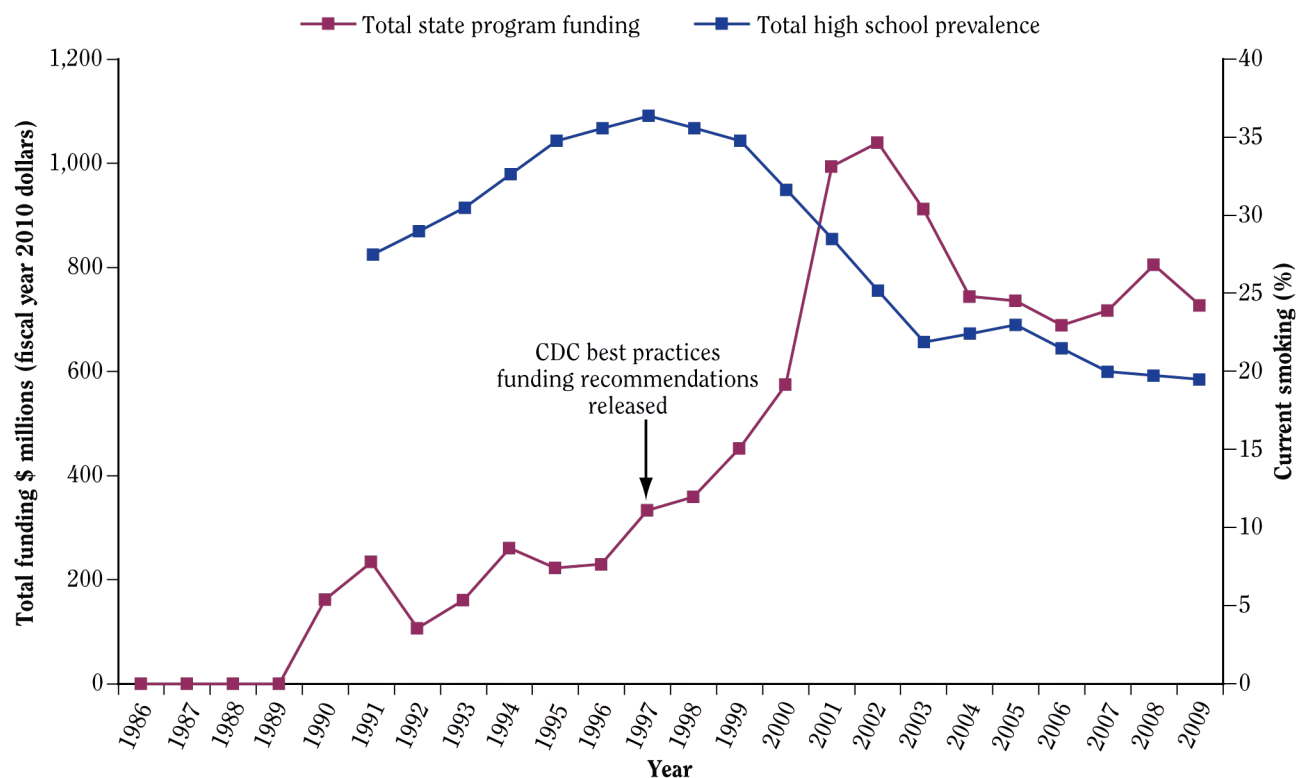
noted above, evidence-based strategies that can rapidly drop youth initiation and prevalence rates down to single digits have already been identified and used (USDHHS 2012). Chapter 14 reviews a broad range of well-defined and effective interventions proven to reduce smoking rates if implemented and sustained at funding levels consistent with CDC’s recommended levels (Figure 4).

This and previous reports outline effective programs and policies: raising the retail price of cigarettes and other tobacco products, smokefree indoor air policies, high-impact media campaigns, full access to cessation treatments, and funding of comprehensive statewide tobacco control programs at the CDC recommended levels.

However, these five actions are not all that needs to be done. In considering options for reducing the health burden caused by smoking, many additional recommended actions have been defined in evidence reviews and guidance documents discussed in this report. For example, selected state experience suggests that all levels of government can enhance revenue collection and minimize tax avoidance and evasion through several promising policy approaches, such as implementing a high-tech cigarette tax stamp, improving tobacco licensure management, and making the stamps harder to counterfeit. These state practices could also be expanded to the national level with a track and trace system. A track and trace system, in the tobacco control context, is a system that can track goods from manufacture to distribution to sale, identifying points in the supply chain where taxes should be paid and confirm payment. Implementing such systems would also simultaneously retain the positive public health effects of taxation and protect product regulation in the market.

There is no question that these proven interventions need to be fully implemented and sustained at recommended levels. In addition to initiatives of the federal government, other factors in society can significantly affect social norms. Portrayals of tobacco use in U.S. films appear to have rebounded upward in the past 2 years (Chapter 14). In 2012, youth were exposed to an estimated 14.9 billion in-theater tobacco-use impressions¹ in youth-rated films (Polansky et al. 2013). Youth who are exposed to images of smoking in movies are more likely to smoke; those who get the most exposure to onscreen smoking are about twice as likely to begin smoking as those who get the least exposure (USDHHS 2012). Actions that would eliminate the depiction of tobacco use in movies, which are produced and rated as appropriate for children and adolescents, could have a significant effect on preventing youth from becoming tobacco users.

¹One impression equals one tobacco use incident on screen viewed by one audience member.

Figure 4 Total funding for state tobacco control programs, 1986–2010 (adjusted to fiscal year 2010 dollars)

Source: Project ImpactTEEN; University of Illinois at Chicago; CDC, Youth Risk Behavior Survey, 1991–2009. Current smoking defined as high school students who smoked on ≥ 1 of the past 30 days—United States.

Note: CDC = Centers for Disease Control and Prevention.

Faced with the challenge of achieving a vision of a society free of tobacco-related death and disease, a discussion has begun within the field of tobacco control about what has come to be called the tobacco “end game” in the published literature. This literature considers strategies that could be used in addition to the expanded implementation of the proven tobacco control interventions, to accelerate declines in the use of cigarettes and other combusted tobacco products and end the epidemic of disease and premature death caused by tobacco.

Chapter 15 discusses various end game strategies; the feasibility and applicability are reviewed. It has been suggested that an integrated national tobacco control strategy should be considered—based on a foundation of enhanced implementation of the proven strategies (taxation, smokefree areas, increased barrier-free cessation support, warning labels, public health campaigns, and restrictions on advertising, promotions, and sponsorship) into which the most feasible end game strategies

are included (van der Eijk 2013). Examples of end game options which could complement the proven interventions in accomplishing our overall goal of a society free of tobacco-related death and disease include but are not limited to:

1. Reducing the nicotine content to make cigarettes less addictive (Benowitz and Henningfield 2013); and
2. Greater restrictions on sales, particularly at the local level, including bans on entire categories of tobacco products (Berrick 2013; Malone 2013).

End game strategies might be aided by future approaches and devices for nicotine delivery that better substitute for the cigarette. As discussed in Chapter 14, various new products are increasingly being introduced into the market. In 2012 Lorillard acquired Blu Electronic Cigarettes, in 2013 R.J. Reynolds Tobacco Com-

pany introduced VUSE electronic cigarettes in limited markets, and Altria announced that it will introduce an electronic cigarette in 2014 (Esterl 2013; Lorillard 2013; Reynolds American 2013; Wells Fargo Securities Research 2013). Additionally, other electronic nicotine delivery systems have been developed and marketed by companies with little or no experience in developing and marketing traditional tobacco products (WHO 2009; Henningfield and Zaatari 2010; Cobb and Abrams 2011). As these new products are entering the marketplace rapidly, significant questions remain about (1) how to assess the potential toxicity and health effects of the more than 250 electronic cigarette brands; (2) the magnitude of reduced risk from electronic cigarettes versus continuing use of conventional cigarettes for individual smokers; (3) the need to weigh the potential individual benefits versus population risks; (4) how the advertising and marketing of these new products should be regulated; and (5) even assuming that electronic cigarettes could be sufficiently safe to the users and offer net public health benefits, there are significant questions about the manner in which they should be regulated (Benowitz 2013). Further research and attention to the consequences as well as regulatory measures will be necessary to fully address these questions. However, the promotion of electronic cigarettes and other innovative tobacco products is much more likely to be beneficial in an environment where the appeal, accessibility, promotion, and use of cigarettes are being rapidly reduced.

The following are chapter-specific conclusions from Section 3 of the report.

Chapter 12: Smoking-Attributable Morbidity, Mortality, and Economic Costs

1. Since the first Surgeon General's report on smoking and health in 1964, there have been more than 20 million premature deaths attributable to smoking and exposure to secondhand smoke. Smoking remains the leading preventable cause of premature death in the United States.
2. Despite declines in the prevalence of current smoking, the annual burden of smoking-attributable mortality in the United States has remained above 400,000 for more than a decade and currently is estimated to be about 480,000, with millions more living with smoking-related diseases.
3. Due to the slow decline in the prevalence of current smoking, the annual burden of smoking-attributable mortality can be expected to remain at high levels for decades into the future, with 5.6 million youth currently 0 to 17 years of age projected to die prematurely from a smoking-related illness.
4. Annual smoking-attributable economic costs in the United States estimated for the years 2009–2012 were between \$289–332.5 billion, including \$132.5–175.9 billion for direct medical care of adults, \$151 billion for lost productivity due to premature death estimated from 2005–2009, and \$5.6 billion (in 2006) for lost productivity due to exposure to secondhand smoke.

Chapter 13: Patterns of Tobacco Use Among U.S. Youth, Young Adults, and Adults

1. In the United States, the prevalence of current cigarette smoking among adults has declined from 42% in 1965 to 18% in 2012.
2. The prevalence of current cigarette smoking declined first among men (between 1965 and the 1990s), and then among women (since the 1980s). However, declines in the prevalence of smoking among adults (18 years of age and older) have slowed in recent years.
3. Most first use of cigarettes occurs by 18 years of age (87%), with nearly all first use by 26 years of age (98%).
4. Very large disparities in tobacco use remain across racial/ethnic groups and between groups defined by educational level, socioeconomic status, and region.
5. In the United States there are now more former smokers than there are current smokers. More than half of all ever smokers have quit smoking.
6. The rate of quitting smoking among recent birth cohorts has been increasing, and interest in quitting is high across all segments of society.
7. Patterns of tobacco use are changing, with more intermittent use of cigarettes and an increase in use of other products.

Chapter 14: Current Status of Tobacco Control

1. The evidence is sufficient to conclude that there are diverse tobacco control measures of proven efficacy at the population and individual levels.
2. The evidence is sufficient to conclude that advertising and promotional activities by the tobacco companies cause the onset and continuation of smoking among adolescents and young adults.
3. Tobacco product regulation has the potential to contribute to public health through reductions in tobacco product addictiveness and harmfulness, and by preventing false or misleading claims by the tobacco industry of reduced risk.
4. The evidence is sufficient to conclude that litigation against tobacco companies has reduced tobacco use in the United States by leading to increased product prices, restrictions on marketing methods, and making available industry documents for scientific analysis and strategic awareness.
5. The evidence is sufficient to conclude that increases in the prices of tobacco products, including those resulting from excise tax increases, prevent initiation of tobacco use, promote cessation, and reduce the prevalence and intensity of tobacco use among youth and adults.
6. The evidence is sufficient to conclude that smokefree indoor air policies are effective in reducing exposure to secondhand smoke and lead to less smoking among covered individuals.
7. The evidence is sufficient to conclude that mass media campaigns, comprehensive community programs, and comprehensive statewide tobacco control programs prevent initiation of tobacco use and reduce the prevalence of tobacco use among youth and adults.

8. The evidence is sufficient to conclude that tobacco cessation treatments are effective across a wide population of smokers, including those with significant mental and physical comorbidity.

Chapter 15: The Changing Landscape of Tobacco Control—Current Status and Future Directions

1. Together, experience since 1964 and results from models exploring future scenarios of tobacco control indicate that the decline in tobacco use over coming decades will not be sufficiently rapid to meet targets. The goal of ending the tragic burden of avoidable disease and premature death will not be met quickly enough without additional action.
2. Evidence-based tobacco control interventions that are effective continue to be underutilized and implemented at far below funding levels recommended by the Centers for Disease Control and Prevention. Implementing tobacco control policies and programs as recommended by *Ending the Tobacco Epidemic: A Tobacco Control Strategic Plan* by the U.S. Department of Health and Human Services and the *Ending the Tobacco Problem: A Blueprint for the Nation* by the Institute of Medicine on a sustained basis at high intensity would accelerate the decline of tobacco use in youth and adults, and also accelerate progress toward the goal of ending the tobacco epidemic.
3. New “end game” strategies have been proposed with the goal of eliminating tobacco smoking. Some of these strategies may prove useful for the United States, particularly reduction of the nicotine content of tobacco products and greater restrictions on sales (including bans on entire categories of tobacco products).

Accelerating the National Movement to Reduce Tobacco Use

These key conclusions of this report provide evidence that calls for dramatic action:

The current rate of progress in tobacco control is not fast enough. More needs to be done.

- High levels of smoking-attributable disease and death costs will persist for decades into this twenty-first century unless more rapid progress is made in tobacco control. The current burden is unacceptable.
- The almost 500,000 annual premature deaths due to smoking and exposure to tobacco smoke are far too many. Even 100,000 or 200,000 annual attributable deaths are far too many; yet this is a realistic projection of the burden well into the middle of this twenty-first century if more rapid progress is not made in tobacco control.
- The burden of death and disease from tobacco use in the United States is overwhelmingly caused by cigarettes and other combusted tobacco products; rapid elimination of their use will dramatically reduce this burden.
- There are important lessons to be learned from other successes in public health. In confronting worldwide epidemics caused by smallpox and polio, the eradication of the diseases was the clear objective. From this single-minded focus, the best strategies and actions based on public health science and practice were applied, evaluated, refined, and sustained for decades. The results are now evident: smallpox was eradicated decades ago and polio is on the verge of elimination. The nation should firmly commit to this goal of creating a society free of tobacco-related death and disease by engaging all sectors of society to an equally single-minded focus.

In the last 50 years, the smoking rate in the United States has been cut by more than one-half (from 42.7% in 1965 to 18% in 2012). The Strategic Action Plan, *Ending the Tobacco Epidemic: A Tobacco Control Strategic Action Plan for the U.S. Department of Health and Human Ser-*

vices (USDHHS 2010a), provides a critical framework to guide and coordinate efforts to reduce the smoking rate to less than 10% for both youth and adults in 10 years, averting millions of smoking-related deaths. This national commitment will require increased and sustained action to rapidly eliminate the use of cigarettes and other forms of combustible tobacco products. As end game strategies are being developed, the following actions should be implemented:

- Counteracting industry marketing by sustaining high impact national media campaigns like the CDC's Tips from Former Smokers campaign and FDA's youth prevention campaigns at a high frequency level and exposure for 12 months a year for a decade or more;
- Raising the average excise cigarette taxes to prevent youth from starting smoking and encouraging smokers to quit;
- Fulfilling the opportunity of the Affordable Care Act to provide access to barrier-free proven tobacco use cessation treatment including counseling and medication to all smokers, especially those with significant mental and physical comorbidities;
- Expanding smoking cessation for all smokers in primary and specialty care settings by having health care providers and systems examine how they can establish a strong standard of care for these effective treatments;
- Effective implementation of FDA's authority for tobacco product regulation in order to reduce tobacco product addictiveness and harmfulness;
- Expanding tobacco control and prevention research efforts to increase understanding of the ever changing tobacco control landscape;
- Fully funding comprehensive statewide tobacco control programs at CDC recommended levels; and
- Extending comprehensive smokefree indoor protections to 100% of the U.S. population.

- Former WHO Director General Gro Brundtland was correct in 1999 in stating the need to evaluate current action from the perspective of our grandchildren and their children (Asma et al. 2002). As future generations look back on our current actions and knowledge of the tobacco epidemic, will current efforts show the commitment to public health and social justice set forth in our national plans and objectives?

This nation's decades-long battle against the tobacco epidemic has successfully prevented millions of premature deaths that would otherwise have occurred—an historic achievement by any measure. On the fiftieth anniversary of the landmark 1964 Surgeon General's report, this nation must rededicate itself not only to carrying forward the successful tobacco control efforts that have long been under way, but also to expanding and accelerating those efforts in full recognition of the challenge that remains.

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E-Cigarette Use Among Youth and Young Adults

A Report of the Surgeon General

Executive Summary



U.S. Department of Health and Human Services

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2016

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
Public Health Service
Office of the Surgeon General
Rockville, MD



Suggested Citation

U.S. Department of Health and Human Services. *E-Cigarette Use Among Youth and Young Adults: A Report of the Surgeon General—Executive Summary*. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2016.

For more information

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Message from Sylvia Burwell

Secretary, U.S. Department of Health and Human Services

The mission of the Department of Health and Human Services is to enhance and protect the health and well-being of all Americans. This report confirms that the use of electronic cigarettes (or e-cigarettes) is growing rapidly among American youth and young adults. While these products are novel, we know they contain harmful ingredients that are dangerous to youth. Important strides have been made over the past several decades in reducing conventional cigarette smoking among youth and young adults. We must make sure this progress is not compromised by the initiation and use of new tobacco products, such as e-cigarettes. That work is already underway.

To protect young people from initiating or continuing the use of e-cigarettes, actions must be taken at the federal, state, and local levels. At the federal level, the U.S. Food and Drug Administration (FDA)—under authority granted to it by Congress under the *Family Smoking Prevention and Tobacco Control Act of 2009*—took a historic step to protect America’s youth from the harmful effects of using e-cigarettes by extending its regulatory authority over the manufacturing, distribution, and marketing of e-cigarettes. Through such action, FDA now requires minimum age restrictions to prevent sales to minors and prohibits sales through vending machines (in any facility that admits youth), and will require products to carry a nicotine warning.

We have more to do to help protect Americans from the dangers of tobacco and nicotine, especially our youth. As cigarette smoking among those under 18 has fallen, the use of other nicotine products, including e-cigarettes, has taken a drastic leap. All of this is creating a new generation of Americans who are at risk of nicotine addiction.

The findings from this report reinforce the need to support evidence-based programs to prevent youth and young adults from using tobacco in any form, including e-cigarettes. The health and well-being of our nation’s young people depend on it.

Foreword

Tobacco use among youth and young adults in any form, including e-cigarettes, is not safe. In recent years, e-cigarette use by youth and young adults has increased at an alarming rate. E-cigarettes are now the most commonly used tobacco product among youth in the United States. This timely report highlights the rapidly changing patterns of e-cigarette use among youth and young adults, assesses what we know about the health effects of using these products, and describes strategies that tobacco companies use to recruit our nation's youth and young adults to try and continue using e-cigarettes. The report also outlines interventions that can be adopted to minimize the harm these products cause to our nation's youth.

E-cigarettes are tobacco products that deliver nicotine. Nicotine is a highly addictive substance, and many of today's youth who are using e-cigarettes could become tomorrow's cigarette smokers. Nicotine exposure can also harm brain development in ways that may affect the health and mental health of our kids.

E-cigarette use among youth and young adults is associated with the use of other tobacco products, including conventional cigarettes. Because most tobacco use is established during adolescence, actions to prevent our nation's young people from the potential of a lifetime of nicotine addiction are critical.

E-cigarette companies appear to be using many of the advertising tactics the tobacco industry used to persuade a new generation of young people to use their products. Companies are promoting their products through television and radio advertisements that use celebrities, sexual content, and claims of independence to glamorize these addictive products and make them appealing to young people.

Comprehensive tobacco control and prevention strategies for youth and young adults should address all tobacco products, including e-cigarettes. Further reductions in tobacco use and initiation among youth and young adults are achievable by regulating the manufacturing, distribution, marketing, and sales of all tobacco products—including e-cigarettes, and particularly to children—and combining those approaches with other proven strategies. These strategies include funding tobacco control programs at levels recommended by the Centers for Disease Control and Prevention (CDC); increasing prices of tobacco products; implementing and enforcing comprehensive smokefree laws; and sustaining hard-hitting media campaigns, such as CDC's *Tips from Former Smokers* that encourages smokers to quit for good, and FDA's *Real Cost* that is aimed at preventing youth from trying tobacco and reducing the number of youth who move from experimenting to regular use. We can implement these cost-effective, evidence-based, life-saving strategies now. Together with additional effort and support, we can protect the health of our nation's young people.

Thomas R. Frieden, M.D., M.P.H.
Director
Centers for Disease Control and Prevention

Preface

from the Surgeon General

E-cigarette use among U.S. youth and young adults is now a major public health concern. E-cigarette use has increased considerably in recent years, growing an astounding 900% among high school students from 2011 to 2015. These products are now the most commonly used form of tobacco among youth in the United States, surpassing conventional tobacco products, including cigarettes, cigars, chewing tobacco, and hookahs. Most e-cigarettes contain nicotine, which can cause addiction and can harm the developing adolescent brain.

Compared with older adults, the brain of youth and young adults is more vulnerable to the negative consequences of nicotine exposure. The effects include addiction, priming for use of other addictive substances, reduced impulse control, deficits in attention and cognition, and mood disorders. Furthermore, fetal exposure to nicotine during pregnancy can result in multiple adverse consequences, including sudden infant death syndrome, altered corpus callosum, auditory processing deficits, effects on behaviors and obesity, and deficits in attention and cognition. Ingestion of e-cigarette liquids containing nicotine can also cause acute toxicity and possibly death if the contents of refill cartridges or bottles containing nicotine are consumed.

This report highlights what we know and do not know about e-cigarettes. Gaps in scientific evidence do exist, and this report is being issued while these products and their patterns of use continue to change quickly. For example, the health effects and potentially harmful doses of heated and aerosolized constituents of e-cigarette liquids—including solvents, flavorants, and toxicants—are not completely understood. However, although e-cigarettes generally emit fewer toxicants than combustible tobacco products, we know that aerosol from e-cigarettes is not harmless.

Although we continue to learn more about e-cigarettes with each passing day, we currently know enough to take action to protect our nation's young people from being harmed by these products. Previous reports of the Surgeon General have established that nearly all habitual tobacco use begins during youth and young adulthood. To prevent and reduce the use of e-cigarettes by youth and young adults, we must work together as a society. We must implement proven prevention and education strategies. Health care providers, parents, teachers, and other caregivers should advise youth about the dangers of nicotine and discourage tobacco use in any form, including e-cigarettes. They can set a positive example by being tobacco-free and encouraging those who already use these products to quit. Free help is available at 1-800-QUIT-NOW or <http://www.smokefree.gov>. Preventing tobacco use in any form among youth and young adults is critical to ending the tobacco epidemic in the United States.

Vivek H. Murthy, M.D., M.B.A.
U.S. Surgeon General

Overview

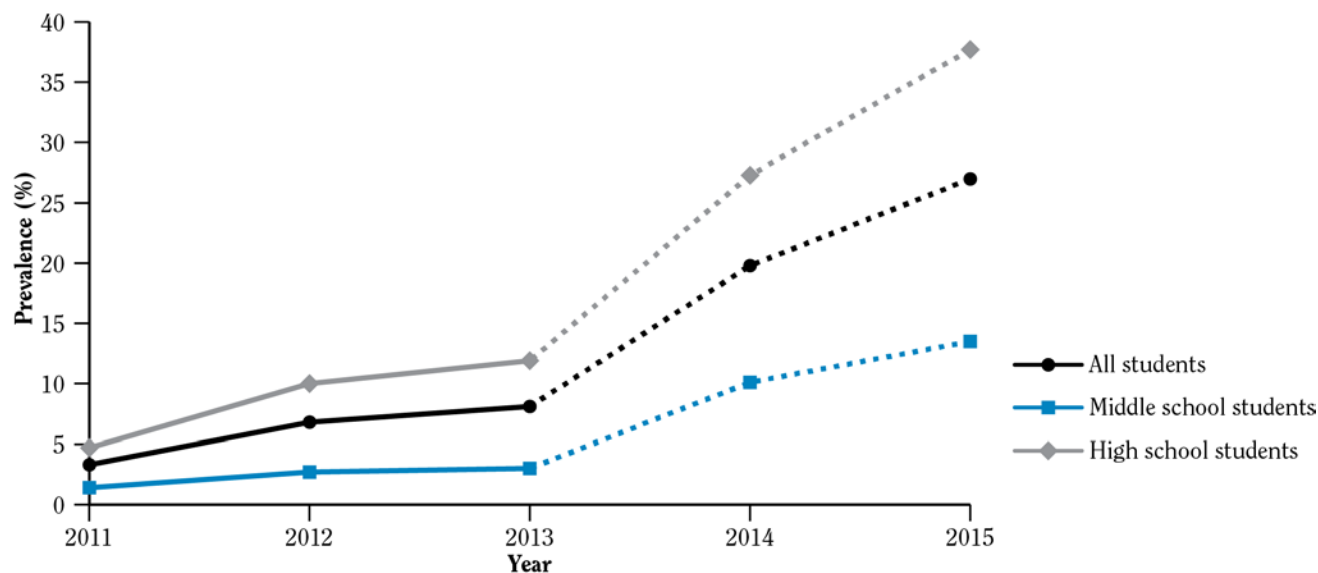
Although conventional cigarette smoking has declined markedly over the past several decades among youth and young adults in the United States (U.S. Department of Health and Human Services [USDHHS] 2012), there have been substantial increases in the use of emerging tobacco products among these populations in recent years (Centers for Disease Control and Prevention [CDC] 2015, 2016). Among these increases there has been a dramatic rise in electronic cigarette (e-cigarette) use among youth and young adults (Figures 1, 2, and 3). It is crucial that the progress made in reducing conventional cigarette smoking among youth and young adults not be compromised by the initiation and use of e-cigarettes. This Surgeon General's report focuses on the history, epidemiology, and health effects of e-cigarette use among youth and young adults; the companies involved with marketing and promoting these products; and existing and proposed public health policies regarding the use of these products by youth and young adults.

E-cigarettes include a diverse group of devices that allow users to inhale an aerosol, which typically contains nicotine, flavorings, and other additives. E-cigarettes are tobacco products and are regulated as such under the

Federal Food, Drug, and Cosmetic Act, as amended by the *Family Smoking Prevention and Tobacco Control Act of 2009*. E-cigarettes vary widely in design and appearance, but generally operate in a similar manner and are composed of similar components (Figure 4). A key challenge for surveillance of the products and understanding their patterns of use is the diverse and nonstandard nomenclature for the devices (Alexander et al. 2016). These devices are referred to, by the companies themselves, and by consumers, as “e-cigarettes,” “e-cigs,” “cigalikes,” “e-hookahs,” “mods,” “vape pens,” “vapes,” and “tank systems.” This report employs the term “e-cigarette” to represent all of the diverse products in this rapidly diversifying product category.

This report focuses on research conducted among youth and young adults because of the implications of e-cigarette use in these populations, particularly the potential for future public health problems. Understanding e-cigarette use among young people is critical because previous research suggests that about 9 in 10 adult smokers first try conventional cigarettes during adolescence (USDHHS 2012). Similarly, youth e-cigarette experimentation and use could also extend into adulthood; ongoing

Figure 1 Trends in ever e-cigarette use^a among U.S. middle and high school students; National Youth Tobacco Survey (NYTS) 2011–2015

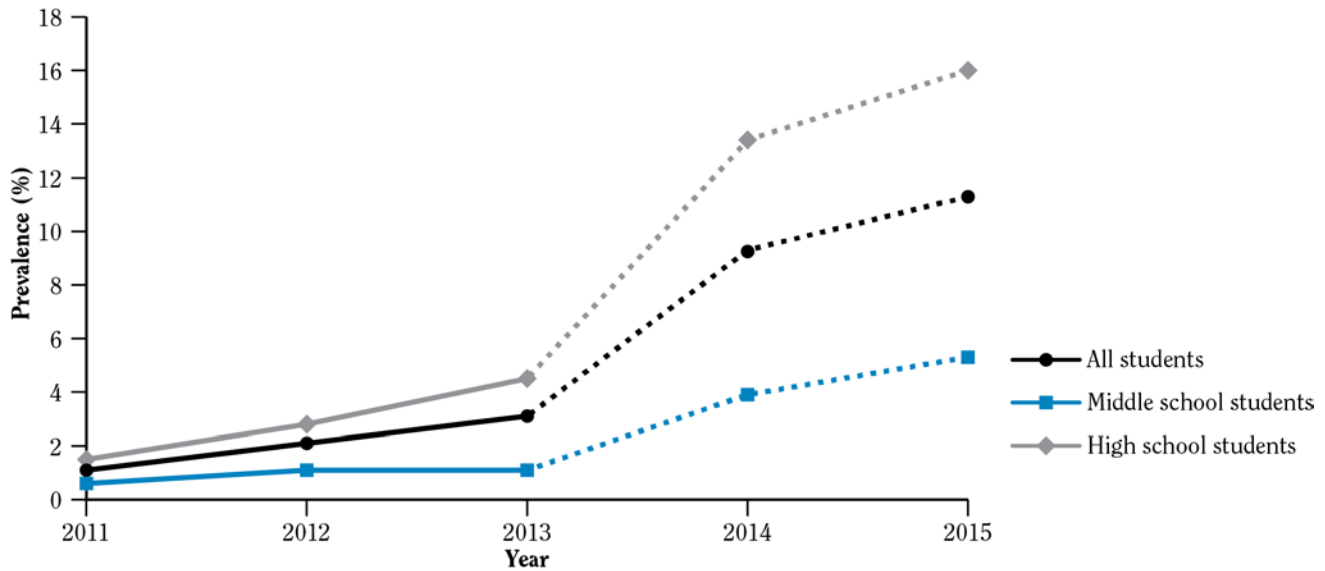


Source: Centers for Disease Control and Prevention 2013, 2014; unpublished data (data: NYTS 2015).

Note: In 2014, modifications were made to the e-cigarette measure to enhance its accuracy, which may limit the comparability of this estimate to those collected in previous years. The dotted lines from 2013 to 2015 represent these differences.

^aIncludes those who responded “yes” to the following question: “Have you ever used an electronic cigarette or e-cigarette, even once or twice?”

Figure 2 Trends in past-30-day e-cigarette use^a among U.S. middle and high school students; National Youth Tobacco Survey (NYTS) 2011–2015

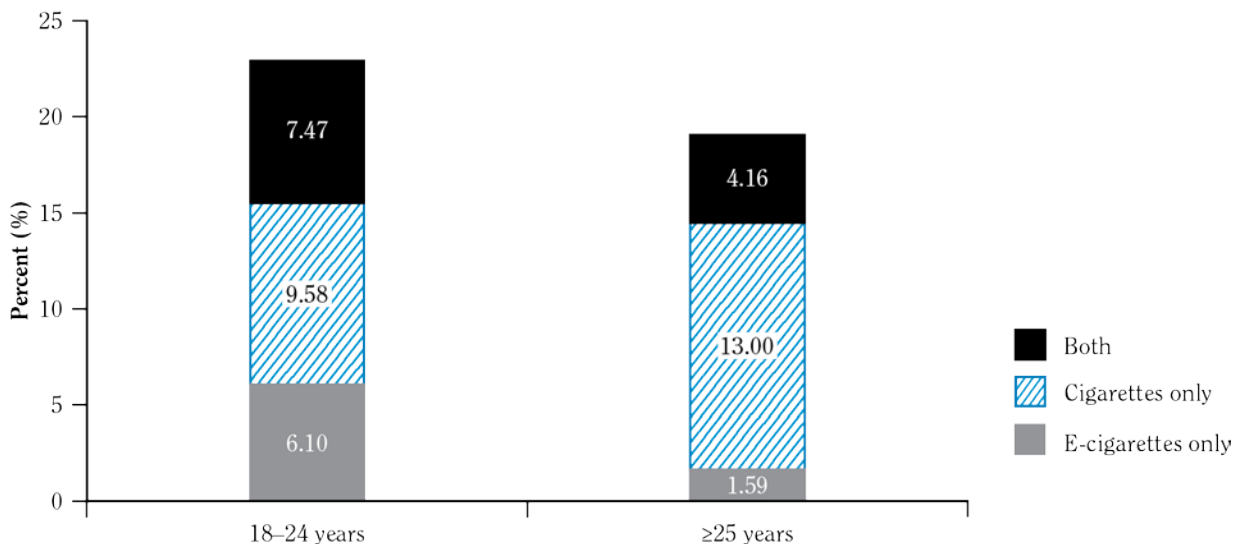


Source: Centers for Disease Control and Prevention 2013, 2014; unpublished data (data: NYTS 2015).

Note: In 2014, modifications were made to the e-cigarette measure to enhance its accuracy, which may limit the comparability of this estimate to those collected in previous years. The dotted lines from 2013 to 2015 represent these differences.

^aIncludes those who selected “1 or more” for the following question: “During the last 30 days, on how many days did you use electronic cigarettes or e-cigarettes?”

Figure 3 Percentage of young adults who currently use e-cigarettes^a and conventional cigarettes; National Adult Tobacco Survey (NATS) 2013–2014



Source: Centers for Disease Control and Prevention, unpublished data (data: NATS 2013–2014).

^aCurrent e-cigarette use was defined as those who reported they had heard of e-cigarettes and had tried e-cigarettes, and reported using e-cigarettes every day, some days, or rarely at the time of the interview.

Figure 4 Diversity of e-cigarette products

Source: Photo by Mandie Mills, CDC.

research should examine the long-term trajectories of e-cigarette use that begins in youth. The first Surgeon General's report on the health consequences of smoking was published in 1964; of the subsequent reports, those published in 1994 and 2012 focused solely on youth and young adults (USDHHS 1994, 2012). Most recently, the 2012 report documented the evidence regarding tobacco use among youth and young adults, concluding that declines in conventional cigarette smoking had slowed and that decreases in the use of smokeless tobacco had stalled. That report also found that the tobacco industry's advertising and promotional activities are causal to the onset of smoking in youth and young adults and the continuation of such use as adults (USDHHS 2012). However, that report was prepared before e-cigarettes were as widely promoted and used in the United States as they are now. Therefore, this 2016 report documents the scientific literature on these new products within the context of youth

and young adults. This report also looks to the future by examining the potential impact of e-cigarette use among youth and young adults, while also summarizing the research on current use, health consequences, and marketing as it applies to youth and young adults.

Evidence for this report was gathered from scientific research that included one or more of three age groups. These age groups included young adolescents (11–13 years of age), adolescents (14–17 years of age), and young adults (18–24 years of age). Some studies refer to the younger groups more generally as *youth*. Despite important issues related to e-cigarette use in the general adult populations, clinical and otherwise (e.g., their potential for use in quitting conventional smoking), that literature is generally not included in this report unless it also discusses youth and young adults (Farsalinos and Polosa 2014; Franck et al. 2014; Grana et al. 2014a).

Organization of the Report

Chapter 1 (“Introduction, Conclusions, and Historical Background Relative to E-Cigarettes”) presents a brief introduction to the report and includes its major conclusions, followed by the conclusions of each chapter, the historical background of e-cigarettes, descriptions of the products, a review of the marketing and promotional activities of e-cigarette companies, and the current status of regulations from the U.S. Food and Drug Administration (FDA). Chapter 2 (“Patterns of E-Cigarette Use Among U.S. Youth and Young Adults”) describes the epidemiology of e-cigarette use, including current (i.e., past 30 day) use; ever use; co-occurrence of using e-cigarettes with other tobacco products, like cigarettes; and psychosocial factors associated with using e-cigarettes. This chapter relies on data from the most recent nationally representative studies available at the time this report was prepared. Chapter 3 (“Health Effects of E-Cigarette Use Among U.S. Youth and Young Adults”) documents potential adverse health effects caused by direct exposure to aerosolized nicotine, flavorants, chemicals, and other particulates of e-cigarettes, secondhand environmental exposure to e-cigarette aerosol, and exposure to the surface-deposited aerosol contaminants. Literature regarding harmful consequences of close contact with malfunctioning e-cigarette devices and ingestion of the nicotine-containing liquids are also explored. Chapter 4 (“Activities of the E-Cigarette

Companies”) describes e-cigarette companies’ influences on e-cigarette use and considers manufacturing and price; the impact of price on sales and use; the rapid changes in the industry, particularly the e-cigarette companies; and the marketing and promotion of e-cigarettes. Chapter 5 (“E-Cigarette Policy and Practice Implications”) discusses the implications for policy and practice at the national, state, and local levels. The report ends with a Call to Action to stakeholders—including policymakers, public health practitioners and clinicians, researchers, and the public—to work to prevent harms from e-cigarette use and secondhand aerosol exposure among youth and young adults.

Because of the recency of research related to e-cigarettes (particularly in contrast with decades of research on conventional cigarette smoking) and since this report focuses on a vulnerable population for tobacco use (youth and young adults), the “precautionary principle” is employed to guide actions to address e-cigarette use among youth and young adults. This principle supports intervention to avoid possible health risks when the potential risks remain uncertain and have been, as yet, partially undefined (Bialous and Sarma 2014; Saitta et al. 2014; Hagopian et al. 2015).

The following is a brief summary of the report’s Major Conclusions, each chapter, and their subsequent chapter conclusions.

Major Conclusions

1. E-cigarettes are a rapidly emerging and diversified product class. These devices typically deliver nicotine, flavorings, and other additives to users via an inhaled aerosol. These devices are referred to by a variety of names, including “e-cigs,” “e-hookahs,” “mods,” “vape pens,” “vapes,” and “tank systems.”
2. E-cigarette use among youth and young adults has become a public health concern. In 2014, current use of e-cigarettes by young adults 18–24 years of age surpassed that of adults 25 years of age and older.
3. E-cigarettes are now the most commonly used tobacco product among youth, surpassing conventional cigarettes in 2014. E-cigarette use is strongly associated with the use of other tobacco products among youth and young adults, including combustible tobacco products.
4. The use of products containing nicotine poses dangers to youth, pregnant women, and fetuses. The use of products containing nicotine in any form among youth, including in e-cigarettes, is unsafe.
5. E-cigarette aerosol is not harmless. It can contain harmful and potentially harmful constituents, including nicotine. Nicotine exposure during adolescence can cause addiction and can harm the developing adolescent brain.
6. E-cigarettes are marketed by promoting flavors and using a wide variety of media channels and approaches that have been used in the past for marketing conventional tobacco products to youth and young adults.

7. Action can be taken at the national, state, local, tribal, and territorial levels to address e-cigarette use among youth and young adults. Actions could include incorporating e-cigarettes into smokefree policies,

preventing access to e-cigarettes by youth, price and tax policies, retail licensure, regulation of e-cigarette marketing likely to attract youth, and educational initiatives targeting youth and young adults.

Chapter 1. Introduction, Conclusions, and Historical Background Relative to E-Cigarettes

Chapter 1 presents the major conclusions of this Surgeon General's report and the conclusions of each chapter. E-cigarettes are presented within their historical context, with an overview of the components of these devices and the types of products. In May 2016, FDA published its final rule deeming e-cigarettes, among other products, to be subject to regulation under the *Federal Food, Drug, and Cosmetic Act*, as amended by the *Family Smoking Prevention and Tobacco Control Act* (*Federal Register* 2016). Chapter 1 outlines the current status of federal regulation of e-cigarettes, particularly as they relate to youth and young adults. The need to protect this population from initiating or continuing the use of tobacco products forms a strong basis for the need to regulate e-cigarettes at the local, state, and national levels, both now and in the future.

Conclusions

1. E-cigarettes are devices that typically deliver nicotine, flavorings, and other additives to users via an inhaled aerosol. These devices are referred to by a variety of names, including "e-cigs," "e-hookahs," "mods," "vape pens," "vapes," and "tank systems."
2. E-cigarettes represent an evolution in a long history of tobacco products in the United States, including conventional cigarettes.
3. In May 2016, the Food and Drug Administration issued the deeming rule, exercising its regulatory authority over e-cigarettes as a tobacco product.

Chapter 2. Patterns of E-Cigarette Use Among U.S. Youth and Young Adults

Among youth and young adults, rates of ever and past-30-day use of e-cigarettes have increased since the earliest e-cigarette surveillance efforts in 2011. According to the National Youth Tobacco Survey (NYTS), both ever use and past-30-day use of e-cigarettes have increased greatly among youth from 2011 to 2015 (Figures 1 and 2) (CDC 2013; Ambrose et al. 2014; Lippert 2015). Among young adults (18–24 years of age), the prevalence of ever use more than doubled from 2013 to 2014 (Figure 3; National Adult Tobacco Survey [NATS], 2013–2014, unpublished data). Figures 5 and 6 compare the prevalence of ever and current e-cigarette use among middle school students, high school students, young adults (18–24 years of age), and adults (≥25 years of age). Data for 2015 were not available for young adults and adults at the time this report was prepared; however, these trends are alarming and warrant continued surveillance.

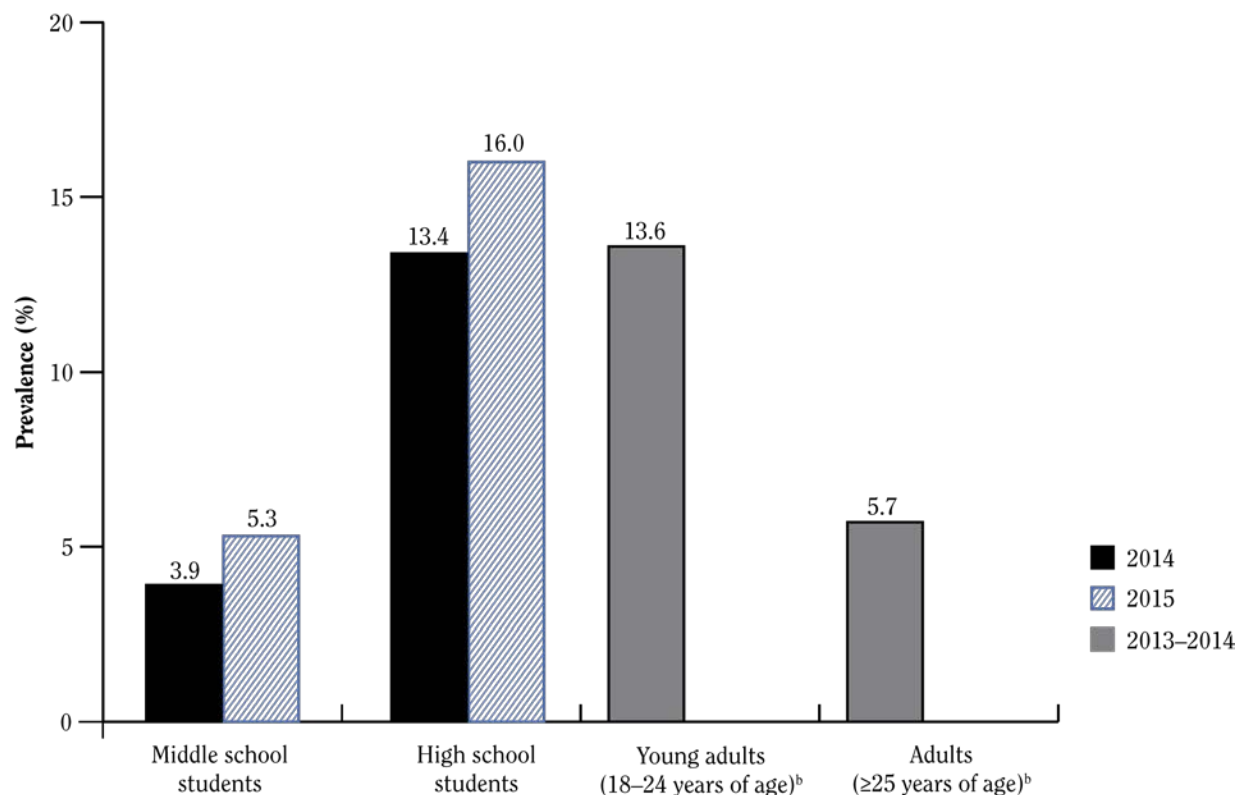
Among youth, e-cigarette use increases with age and is highest among Hispanics and Whites (Tables 2.1a,

2.1b).¹ Among young adults, e-cigarette use is higher among males than females and lowest among Blacks and those with a college education (Table 2.4a). Continued research is necessary to monitor patterns of e-cigarette use across population groups by gender, age, race/ethnicity, and education, as well as sociodemographic characteristics for which disparities in tobacco use have previously been noted, including geography (e.g., subnational data at the state or local levels), sexual orientation and gender identity (e.g., lesbian, gay, bisexual, and transgender), disability/limitation, and socioeconomic status (e.g., household income, poverty status) (CDC 2014; Johnson et al. 2016).

According to data from the Monitoring the Future (MTF) study, in 2015, among youth, past-30-day exclusive use of e-cigarettes (6.7%, 10.4%, and 10.4% in 8th, 10th, and 12th grades, respectively) is more common than exclusive use of conventional cigarettes (1.4%, 2.2%, and 5.3% in those grades) or dual use of e-cigarettes and

¹All tables that are cross-referenced in this Executive Summary can be found in the full report

Figure 5 Percentage of middle school students, high school students, young adults (18–24 years of age), and adults (≥25 years of age) who currently^a use e-cigarettes



Source: Centers for Disease Control and Prevention, unpublished data (NYTS 2014, 2015; data: NATS 2013–2014).

^aFor middle school and high school students (NYTS 2014, 2015), current use included those who reported using e-cigarettes on 1 or more days in the past 30 days. For young adults and adults (NATS 2013–2014), current use included those who reported they had heard of, tried, and used e-cigarettes every day, some days, or rarely at the time of the interview.

^b2013–2014 NATS data for young adults and adults were the latest data available when this Surgeon General's report was prepared.

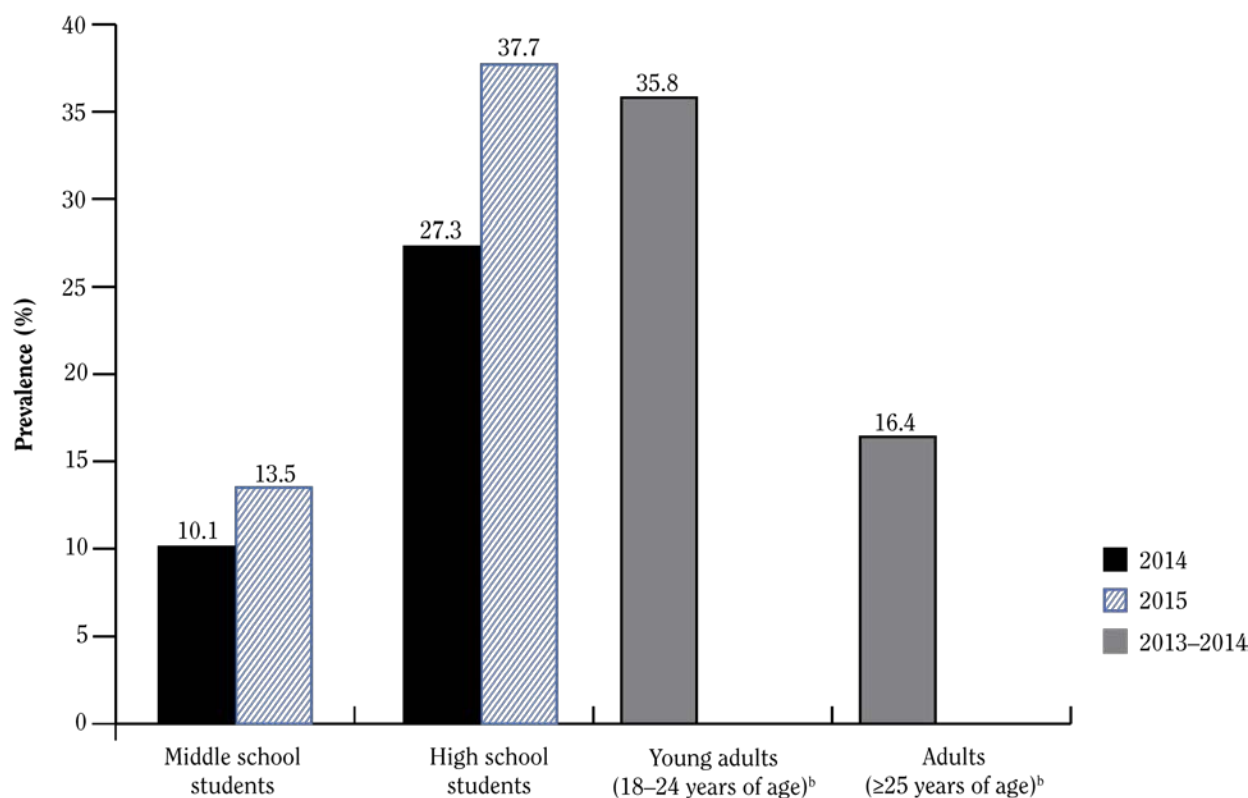
conventional cigarettes (2.4%, 3.5%, and 5.8%) (Figure 7). However, among young adults 18–24 years of age, exclusive use of conventional cigarettes surpasses exclusive use of e-cigarettes and dual use of both products, according to data from the NATS (Figure 3; Table 2.8b). In 2013–2014, 9.6% of young adults were exclusive past-30-day conventional cigarette smokers, compared to 6.1% who were exclusive past-30-day e-cigarette users, and 7.5% who were past-30-day dual users.

Five longitudinal studies to date (Leventhal et al. 2015; Primack et al. 2015; Wills et al. 2016; Barrington-Trimis et al. 2016; Unger et al. 2016) suggest that e-cigarette use is related to the onset of other tobacco product use among youth and young adults, including cigarette smoking and other combustible tobacco product use (e.g., cigar and hookah use). However, these studies are limited in their ability to distinguish experimental

conventional cigarette smokers from regular conventional cigarette smokers at follow-up. Therefore, more studies are needed to elucidate the nature of any true causal relationship between e-cigarette and combustible tobacco product use. Additionally, investigation of whether e-cigarette use is related to other types of substance use (e.g., marijuana, alcohol) might help distinguish the extent to which e-cigarette use may precede or follow other forms of substance use in the context of the common liability/vulnerability model (Vanyukov et al. 2012).

The most commonly cited reasons that youth and young adults report using e-cigarettes include curiosity (Schmidt et al. 2014; Biener and Hargraves 2015; Biener et al. 2015; Kong et al. 2015; McDonald and Ling 2015; Suris et al. 2015; Sutfin et al. 2015), flavorings/taste (Ambrose et al. 2015; University of Michigan 2015), use as a less harmful/less toxic alternative to conventional cigarettes

Figure 6 Percentage of middle school students, high school students, young adults (18–24 years of age), and adults (≥25 years of age) who have ever^a used e-cigarettes



Source: Centers for Disease Control and Prevention, unpublished data (NYTS 2014, 2015; data: NATS 2013–2014).

^aFor middle school and high school students (NYTS 2014, 2015), ever use included those who reported using an e-cigarette, even once or twice. For young adults and adults (NATS 2013–2014), ever use included those who reported they had heard of and tried e-cigarettes.

^b2013–2014 NATS data for young adults and adults were the latest data available when this Surgeon General's report was prepared.

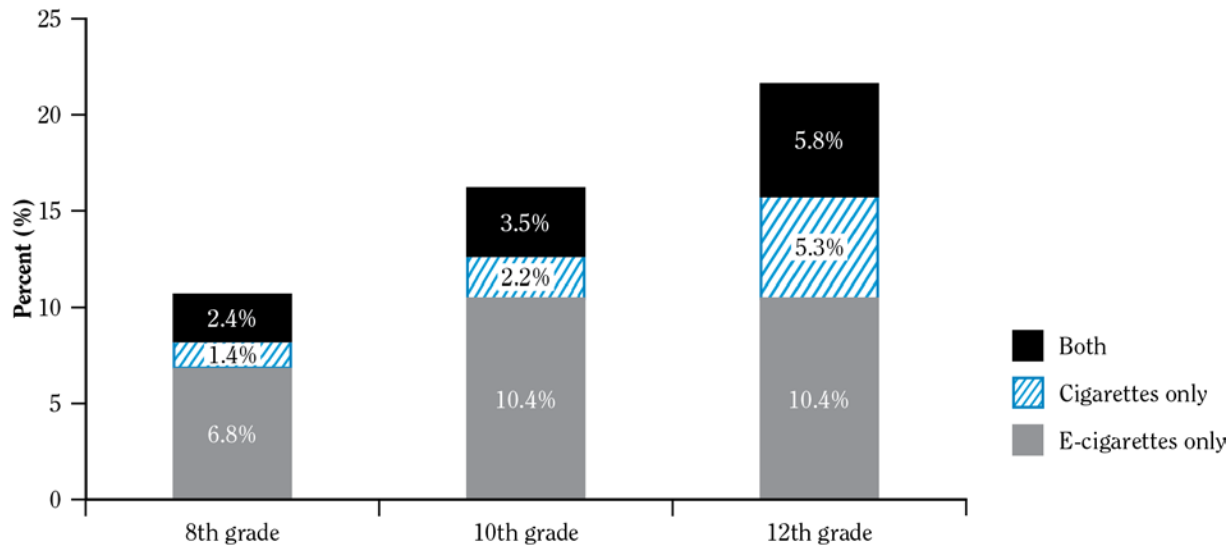
(Peters et al. 2013; Tucker et al. 2014; Ambrose et al. 2015; Kong et al. 2015; McDonald and Ling 2015; Sutfin et al. 2015), and avoidance of indoor smoking restrictions or disturbing people with secondhand smoke from conventional cigarettes (Tucker et al. 2014; Ambrose et al. 2015; Kong et al. 2015; McDonald and Ling 2015; Suris et al. 2015; Sutfin et al. 2015). Using e-cigarettes as an aid to conventional cigarette smoking reduction/cessation (Li et al. 2013; Schmidt et al. 2014; Tucker et al. 2014) does not appear to be a primary reason for use among youth and young adults. Youth and young adult smokers cite lack of satisfaction (Kong et al. 2015), poor taste (Pepper et al. 2014; Kong et al. 2015), and cost (Pepper et al. 2014; Kong et al. 2015) as reasons for discontinuing e-cigarette use. Additional research is needed to examine how reasons for use, including the appeal of flavored e-cigarettes, are

causally related to the onset and progression of e-cigarette use among youth and young adults.

Conclusions

1. Among middle and high school students, both ever and past-30-day e-cigarette use have more than tripled since 2011. Among young adults 18–24 years of age, ever e-cigarette use more than doubled from 2013 to 2014 following a period of relative stability from 2011 to 2013.
2. The most recent data available show that the prevalence of past-30-day use of e-cigarettes was similar among high school students (16% in 2015, 13.4% in 2014) and young adults 18–24 years of age (13.6%

Figure 7 Percentage of students in grades 8, 10, and 12 who used e-cigarettes and cigarettes in the past 30 days; Monitoring the Future (MTF) 2015



Source: University of Michigan, Institute for Social Research, unpublished data (data: MTF 2015).

Note: Questions on e-cigarette use were asked on four of six questionnaire forms. Data presented here are based on those four forms only.

in 2013–2014) compared to middle school students (5.3% in 2015, 3.9% in 2014) and adults 25 years of age and older (5.7% in 2013–2014).

3. Exclusive, past-30-day use of e-cigarettes among 8th-, 10th-, and 12th-grade students (6.8%, 10.4%, and 10.4%, respectively) exceeded exclusive, past-30-day use of conventional cigarettes in 2015 (1.4%, 2.2%, and 5.3%, respectively). In contrast—in 2013–2014 among young adults 18–24 years of age—exclusive, past-30-day use of conventional cigarettes (9.6%) exceeded exclusive, past-30-day use of e-cigarettes (6.1%). For both age groups, dual use of these products is common.
4. E-cigarette use is strongly associated with the use of other tobacco products among youth and young adults, particularly the use of combustible tobacco products. For example, in 2015, 58.8% of high school students who were current users of combustible tobacco products were also current users of e-cigarettes.
5. Among youth—older students, Hispanics, and Whites are more likely to use e-cigarettes than younger students and Blacks. Among young

adults—males, Hispanics, Whites, and those with lower levels of education are more likely to use e-cigarettes than females, Blacks, and those with higher levels of education.

6. The most commonly cited reasons for using e-cigarettes among both youth and young adults are curiosity, flavoring/taste, and low perceived harm compared to other tobacco products. The use of e-cigarettes as an aid to quit conventional cigarettes is not reported as a primary reason for use among youth and young adults.
7. Flavored e-cigarette use among young adult current users (18–24 years of age) exceeds that of older adult current users (25 years of age and older). Moreover, among youth who have ever tried an e-cigarette, a majority used a flavored product the first time they tried an e-cigarette.
8. E-cigarette products can be used as a delivery system for cannabinoids and potentially for other illicit drugs. More specific surveillance measures are needed to assess the use of drugs other than nicotine in e-cigarettes.

Chapter 3. Health Effects of E-Cigarette Use Among U.S. Youth and Young Adults

There is little doubt that the use of e-cigarettes by youth and young adults represents self-administration of the drug nicotine, and this self-administration of nicotine puts youth at risk for addiction and many related harmful consequences. Animal research indicates adolescent brains are particularly sensitive to nicotine's effects, such that subsequent self-administration is more likely, and that same literature indicates that this age group is at risk for a constellation of nicotine-induced neural and behavioral alterations (Table A3.1-4 in Appendix 3.1). Studies of the effects of maternal smoking of conventional cigarettes during pregnancy, coupled with preclinical literature (e.g., animal studies) examining the effects of administration of nicotine during pregnancy, suggest that e-cigarette use by mothers during pregnancy could present a wide variety of risks to fetal, infant, and child brain development.

Users of e-cigarettes risk respiratory exposure to a variety of aerosolized chemicals, including solvents and flavorants added intentionally to e-liquids, adulterants added unintentionally, and other toxicants produced during the heating/aerosolization process (see the section on "Effects of the Inhalation of Aerosol Constituents Other than Nicotine" in Chapter 3). The health impacts of frequent exposure to the toxicants in e-cigarette aerosol are not well understood, though several are known carcinogens. The detection and level of these carcinogens depend on several factors, including the concentration of the e-liquid and the strength of the heating device. Although adults report using e-cigarettes as a cessation device, the evidence supporting the effectiveness of e-cigarettes as an aid for quitting conventional cigarettes remains unproven (Bullen et al. 2013; Caponnetto et al. 2013; Grana et al. 2014b) and nonexistent among youth (Bullen et al. 2013; Caponnetto et al. 2013; Grana et al. 2014b).

Further research is warranted to focus on the characteristics of e-cigarette devices, the constituents of e-liquids, and the user behaviors that can influence the yield of nicotine and other toxicants (Shihadeh and Eissenberg 2015). This close focus includes providing details of devices (e.g., voltage of the power supply, heating element resistance) and components of e-liquids (e.g., propylene glycol, vegetable glycerin, other additives), and measuring user puff topography. Standardization of procedures for producing and delivering the aerosol is likely a necessary component of at least some in vivo and in vitro work. Preclinical work examining the effects of e-cigarette aerosols is a clear research need and, again, the standardization of procedures for production and delivery of the

aerosol is necessary. To enhance relevance, the parameters of aerosol production should span the range of those seen with humans (Shihadeh and Eissenberg 2011).

The huge variety of products of different origin and design, the rapid appearance of new products, and the varied ways in which consumers use these products make the development of standard measurement conditions challenging (Famele et al. 2015). Accordingly, more research is needed to understand how different design features relate to potential toxicity—for example, how various compounds in e-cigarettes are affected by heating, changes in chemical composition, or pH; to what extent these compounds are absorbed into the bloodstream; and how additives to the e-liquid affect the bioavailability of these compounds, among other considerations. Research is also needed to understand whether potential health risks may be ameliorated by changes in product engineering.

Conclusions

1. Nicotine exposure during adolescence can cause addiction and can harm the developing adolescent brain.
2. Nicotine can cross the placenta and has known effects on fetal and postnatal development. Therefore, nicotine delivered by e-cigarettes during pregnancy can result in multiple adverse consequences, including sudden infant death syndrome, and could result in altered corpus callosum, deficits in auditory processing, and obesity.
3. E-cigarettes can expose users to several chemicals, including nicotine, carbonyl compounds, and volatile organic compounds, known to have adverse health effects. The health effects and potentially harmful doses of heated and aerosolized constituents of e-cigarette liquids, including solvents, flavorants, and toxicants, are not completely understood.
4. E-cigarette aerosol is not harmless "water vapor," although it generally contains fewer toxicants than combustible tobacco products.
5. Ingestion of e-cigarette liquids containing nicotine can cause acute toxicity and possibly death if the contents of refill cartridges or bottles containing nicotine are consumed.

Chapter 4. Activities of the E-Cigarette Companies

Although the e-cigarette marketplace is complicated by the differences in brands that are owned by tobacco companies versus independent brands, e-cigarette companies continue to change and influence the manufacturing, price, marketing and promotion, and distribution of e-cigarette products and accessories. The e-cigarette market continues to grow, with projected sales of \$3.5 billion in 2015. Consolidation of e-cigarette companies has been rapid, with the first major merger taking place in 2012. These mergers and acquisitions are likely to continue, but the rate of consolidation may slow down as sales of “cigalikes” (products that resemble cigarettes) have recently decelerated, and “vape shops” could have the potential to influence the e-cigarette marketplace based on the current structure of the marketplace and regulatory landscape. Chapter 4 shows that many of the marketing techniques used by e-cigarette companies are similar to those used by the tobacco industry for conventional cigarettes, and that awareness by youth and young adults of this marketing, and their levels of exposure to it, is high. Further, tracking marketing expenditures and product sales is difficult because of the rapidly changing venues, including “vape shops,” use of social media and online advertising, and limited regulation of marketing.

Conclusions

1. The e-cigarette market has grown and changed rapidly, with notable increases in total sales of e-cigarette products, types of products, consolidation of companies, marketing expenses, and sales channels.
2. Prices of e-cigarette products are inversely related to sales volume: as prices have declined, sales have sharply increased.
3. E-cigarette products are marketed in a wide variety of channels that have broad reach among youth and young adults, including television, point-of-sale, magazines, promotional activities, radio, and the Internet.
4. Themes in e-cigarette marketing, including sexual content and customer satisfaction, are parallel to themes and techniques that have been found to be appealing to youth and young adults in conventional cigarette advertising and promotion.

Chapter 5. E-Cigarette Policy and Practice Implications

Chapters 1–4 document the particular challenges posed by the rapid emergence and dynamic nature of e-cigarette use among youth and young adults. The principles and strategies articulated in the 2014 Surgeon General’s report and prior reports are also relevant to e-cigarettes. The 2014 report was written not long after the use of e-cigarettes began to surge dramatically; that report emphasized the need for rapid elimination of conventional cigarettes and other combustible tobacco products, but did not discuss strategies to minimize adverse effects among youth and young adults (USDHHS 2014). Building on this foundation, Chapter 5 sets out an evidence-based strategy for the future. It describes recommendations related to e-cigarettes that can be taken at the state and local levels to address e-cigarette use among youth and young adults, such as:

- Incorporating e-cigarettes into smokefree policies;
- Preventing access to e-cigarettes by youth;

- Significant increases in tax and price;
- Retail licensure;
- Regulation of e-cigarette marketing that is likely to attract youth and young adults, to the extent feasible under the law; and
- Educational initiatives targeting this population.

Conclusions

1. The dynamic nature of the e-cigarette landscape calls for expansion and enhancement of tobacco-related surveillance to include (a) tracking patterns of use in priority populations; (b) monitoring the characteristics of the retail market; (c) examining policies at the national, state, local, tribal, and territorial levels; (d) examining the channels and messaging for marketing e-cigarettes in order to more

- fully understand the impact future regulations could have; and (e) searching for sentinel health events in youth and young adult e-cigarette users, while longer-term health consequences are tracked.
2. Strategic, comprehensive research is critical to identify and characterize the potential health risks from e-cigarette use, particularly among youth and young adults.
 3. The adoption of public health strategies that are precautionary to protect youth and young adults from adverse effects related to e-cigarettes is justified.
 4. A broad program of behavioral, communications, and educational research is crucial to assess how youth perceive e-cigarettes and associated marketing messages, and to determine what kinds of tobacco control communication strategies and channels are most effective.
 5. Health professionals represent an important channel for education about e-cigarettes, particularly for youth and young adults.
 6. Diverse actions, modeled after evidence-based tobacco control strategies, can be taken at the state, local, tribal, and territorial levels to address e-cigarette use among youth and young adults, including incorporating e-cigarettes into smoke-free policies; preventing the access of youth to e-cigarettes; price and tax policies; retail licensure; regulation of e-cigarette marketing that is likely to attract youth and young adults, to the extent feasible under the law; and educational initiatives targeting youth and young adults. Among others, research focused on policy, economics, and the e-cigarette industry will aid in the development and implementation of evidence-based strategies and best practices.

The Call to Action

Finally, the Call to Action is issued to accelerate policies and approaches that can reduce the public health threat posed by e-cigarette use among young people. It offers a list of goals and evidence-based strategies designed to reduce the public health threat posed by e-cigarette use among youth and young adults.

Goal 1. First, Do No Harm

- **Strategy 1A.** Implement a comprehensive strategy to address e-cigarettes that will avoid adverse consequences and give careful consideration to the risks for youth and young adults. This can be done by including e-cigarettes in policies and programs related to conventional cigarette smoking at the national, state, local, tribal, and territorial levels.
- **Strategy 1B.** Provide consistent and evidence-based messages about the health risks of e-cigarette use and exposure to secondhand aerosol from e-cigarettes.

Goal 2. Provide Information About the Dangers of E-Cigarette Use Among Youth and Young Adults

- **Strategy 2A.** Educate parents, teachers, coaches, and other influencers of youth about the risks of e-cigarette use among youth and young adults.
- **Strategy 2B.** Educate health professionals about the risks of e-cigarette use among youth and young adults.

Goal 3. Continue to Regulate E-Cigarettes at the Federal Level to Protect Public Health

- **Strategy 3A.** Implement FDA regulatory authority over the manufacturing, marketing, and distribution of e-cigarettes.
- **Strategy 3B.** Reinforce other federal agencies as they implement programs and policies to address e-cigarettes.

Goal 4. Promote Programs and Policies at the State and Local Levels to Prevent E-Cigarette Use Among Youth and Young Adults

- **Strategy 4A.** State, local, tribal, and territorial governments should implement population-level strategies to reduce e-cigarette use among youth and young adults, such as including e-cigarettes in smokefree indoor air policies, restricting youth access to e-cigarettes in retail settings, licensing retailers, and establishing specific package requirements.
- **Strategy 4B.** Coordinate, evaluate, and share best practices from state and local entities that have implemented programs and policies to address e-cigarette use among youth and young adults.

Goal 5. Curb Advertising and Marketing that Encourages Youth and Young Adults to Use E-Cigarettes

- **Strategy 5A.** Curb e-cigarette advertising and marketing that are likely to attract youth and young adults.
- **Strategy 5B.** Urge the e-cigarette companies to stop advertising and marketing that encourages and glamorizes e-cigarette use among youth and young adults.

Goal 6. Expand Surveillance, Research, and Evaluation Related to E-Cigarettes

- **Strategy 6A.** Improve the quality, timeliness, and scope of e-cigarette surveillance, research, and evaluation.
- **Strategy 6B.** Address surveillance, research, and evaluation gaps related to e-cigarettes.

Summary

We know a great deal about what works to effectively prevent tobacco use among young people (USDHHS 2012). Now we must apply these strategies to e-cigarettes—and continue to apply them to other tobacco products. To achieve success, we must work together, aligning and coordinating efforts across a wide range of stakeholders, including individuals and families; public health professionals and

clinicians; federal, state, local, tribal, and territorial governments; public health agencies; and researchers. We must protect our nation's young people from a lifetime of nicotine addiction and associated problems by immediately addressing e-cigarettes as an urgent public health problem. Now is the time to take action.

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CITY OF LAGUNA WOODS



FIRE HAZARD SEVERITY ZONES IN LOCAL RESPONSIBILITY AREA

Updated: August 25, 2017

Legend

--- City Limit

Fire Hazard Severity Zones in Local Responsibility Area (LRA)

- Very High / Incorporated LRA
- High / Incorporated LRA
- Moderate / Incorporated LRA

Reference: Laguna Woods Municipal Code
Chapter 10.13

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8.4

SPEED LIMITS ON CITY STREETS

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City of Laguna Woods Agenda Report

TO: Honorable Mayor and City Councilmembers
FROM: Christopher Macon, City Manager
FOR: November 15, 2017 Regular Meeting
SUBJECT: Speed Limits on City Streets

Recommendation

Approve second reading and adopt an ordinance – read by title with further reading waived – entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING SECTION 8.06.010 OF THE LAGUNA WOODS MUNICIPAL CODE RELATED TO THE ADOPTION AND ESTABLISHMENT OF SPEED LIMITS ON EL TORO ROAD, MOULTON PARKWAY, RIDGE ROUTE DRIVE, AND SANTA MARIA AVENUE, INCLUDING AN INCREASED SPEED LIMIT ON EL TORO ROAD BETWEEN AVENIDA SEVILLA AND PASEO DE VALENICA, AND RE-ADOPTION AND RE-ESTABLISHMENT OF OTHER EXISTING SPEED LIMITS

Background

The process by which cities must establish and periodically review speed limits is set forth in the California Vehicle Code. In general, the law is based on the premise that the majority of motorists (85%) drive in a reasonable manner intended to avoid collisions and dangerous conditions. Therefore, speed limits are typically required to be established at the closest five mile per hour increment to the speed traveled by the majority of motorists (the “85th percentile speed”), unless unusual conditions – such as limited sight distance – exist. Cities are not able to simply lower speed limits based on perceptions that motorists are driving “too fast” or at unsafe speeds,

unless an engineering and traffic survey is performed in accordance with state law and yields data that validates those perceptions.

Earlier this fiscal year, staff solicited proposals from several traffic engineering consultants and selected Hartzog & Crabill, Inc. to perform an engineering and traffic survey for speed limits on City streets (Attachment B). Hartzog & Crabill, Inc. has performed similar work for the City in the past, as well as for the cities of Laguna Hills, Laguna Niguel, Lake Elsinore, San Juan Capistrano, and others.

The engineering and traffic survey studied the following City street segments:

Table 1: City Street Segments Surveyed

Street	Segment
El Toro Road	Aliso Creek Road to Calle Corta
El Toro Road	Calle Corta to Calle Sonora
El Toro Road	Calle Sonora to Moulton Parkway
El Toro Road	Moulton Parkway to Avenida Sevilla
El Toro Road	Avenida Sevilla to Paseo de Valencia
Moulton Parkway	Santa Maria Avenue to El Toro Road
Moulton Parkway	El Toro Road to Calle Cortez
Moulton Parkway	Calle Cortez to South City Limits
Ridge Route Drive	Moulton Parkway to East City Limits
Santa Maria Avenue	Moulton Parkway to Via Vista
Santa Maria Avenue	Santa Vittoria to Avenida Sosiega

The engineering and traffic survey included the review of three years of accident information provided by the Orange County Sheriff's Department for each of the City street segments surveyed.

On October 18, 2017, a public hearing was held and the City Council introduced and approved the first reading of an ordinance (Attachment A) which, if adopted, would amend Section 8.06.010 of the Laguna Woods Municipal Code related to the establishment of speed limits on El Toro Road, Moulton Parkway, Ridge Route Drive, and Santa Maria Avenue, including an increased speed limit on El Toro Road between Avenida Sevilla and Paseo de Valencia, and re-adoption and re-establishment of other existing speed limits.

Discussion

Today's meeting is an opportunity for City Council action, as well as public input, on the proposed amendments to Section 8.06.010 of the Laguna Woods Municipal Code related to the establishment of speed limits on El Toro Road, Moulton Parkway, Ridge Route Drive, and Santa Maria Avenue, including an increased speed limit on El Toro Road between Avenida Sevilla and Paseo de Valenica, and re-adoption and re-establishment of other existing speed limits (Attachment A). Staff recommends that the City Council adopt the proposed ordinance, in order to ensure compliance with state law.

Based on the engineering and traffic survey, City staff, the City Traffic Engineer, and Hartzog & Crabill, Inc. recommend that the City Council increase the speed limit on El Toro Road between Avenida Sevilla and Paseo de Valencia from 35 to 40 miles per hour. The speed limit on El Toro Road immediately west of Avenida Sevilla is 40 miles per hour. The speed limit on El Toro Road immediately east of Paseo de Valencia (in the City of Laguna Hills) is 35 miles per hour. If approved, the proposed speed limit change would result in a consistent 40 mile per hour speed limit along El Toro Road between Moulton Parkway and Paseo de Valencia.

With the exception of the speed limit on El Toro Road between Avenida Sevilla and Paseo de Valencia, all other speed limits are proposed to remain unchanged.

If the City Council takes the recommended action at today's meeting, the proposed ordinance would become effective in 30 days.

Environmental Review

This project is exempt from review under the California Environmental Quality Act ("CEQA") pursuant to sections 15061(b)(3) and 15078(b) of Title 14 of the California Code of Regulations, in that the project is not a project which has the potential for causing a significant effect on the environment and is a governmental activity that will not result in direct or indirect physical changes in the environment.

Fiscal Impact

Funds to support this project are included in the City's budget. The cost to purchase and install signage related to the recommended speed limit change is estimated at less than \$1,000 and could be accommodated within existing budgets.

Attachments: A – Proposed Ordinance
 Exhibit A – Code Amendment Text
 B – Engineering and Traffic Survey (dated September 2017)

ORDINANCE NO. 17-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING SECTION 8.06.010 OF THE LAGUNA WOODS MUNICIPAL CODE RELATED TO THE ADOPTION AND ESTABLISHMENT OF SPEED LIMITS ON EL TORO ROAD, MOULTON PARKWAY, RIDGE ROUTE DRIVE, AND SANTA MARIA AVENUE, INCLUDING AN INCREASED SPEED LIMIT ON EL TORO ROAD BETWEEN AVENIDA SEVILLA AND PASEO DE VALENICA, AND RE-ADOPTION AND RE-ESTABLISHMENT OF OTHER EXISTING SPEED LIMITS

WHEREAS, the California Vehicle Code sets forth the process by which speed limits must be established and periodically reviewed; and

WHEREAS, speed limits for El Toro Road, Moulton Parkway, Ridge Route Drive, and Santa Maria Avenue are codified at Section 8.06.010 of the Laguna Woods Municipal Code; and

WHEREAS, an Engineering and Traffic Survey has been performed by the engineering consulting firm of Hartzog & Crabill, Inc. (dated September 2017), in accordance with applicable state law, to determine whether changes in pre-existing conditions have occurred where older speed limits should be modified; and

WHEREAS, the Engineering and Traffic Survey performed by Hartzog & Crabill, Inc. (dated September 2017) recommends no change in the speed limits for 10 of the 11 street segments studied, and an increase in the speed limit for El Toro Road between Avenida Sevilla and Paseo de Valencia from 35 miles per hour to 40 miles per hour; and

WHEREAS, City staff and the City Traffic Engineer have reviewed and concur with the recommendations contained in the Engineering and Traffic Survey performed by Hartzog & Crabill, Inc. (dated September 2017), and recommend amendments to the existing speed limits as set forth in the attached Exhibit A to this Ordinance (the “Code Amendments”); and

WHEREAS, on October 18, 2017, the City Council was presented with the Engineering and Traffic Survey performed by Hartzog & Crabill, Inc. (dated September 2017) and had an opportunity to consider all of the information, evidence, and comments presented, both written and oral.

THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby finds and determines that (i) each of the recitals to this Ordinance are true and correct, and are adopted herein as findings; (ii) the Code Amendments comply with all applicable requirements of state law; (iii) the Code Amendments will not adversely affect the health, safety, or welfare of the residents within the community; (iv) the Code Amendments are in the public interest of the City of Laguna Woods; and, (v) the Code Amendments are consistent with the Laguna Woods General Plan and its various elements.

SECTION 2. After reviewing the entire project record, the City Council hereby determines and certifies that the Code Amendments are exempt from review under the California Environmental Quality Act (“CEQA”) pursuant to sections 15061(b)(3) and 15078(b) of Title 14 of the California Code of Regulations, in that the Code Amendments are not a project which has the potential for causing a significant effect on the environment and are a governmental activity that will not result in direct or indirect physical changes in the environment.

SECTION 3. Section 8.06.010 of the Laguna Woods Municipal Code is hereby amended to read as set forth in Exhibit A, attached to this Ordinance and incorporated herein by this reference.

SECTION 4. This Ordinance shall take effect and be in full force and operation thirty (30) days after adoption.

SECTION 5. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase added by this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity of effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs sentences, clauses, or phrases are declared unconstitutional, invalid, or ineffective.

SECTION 6. 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.

SECTION 7. All of the above-referenced documents and information have been and are on file with the City Clerk of the City.

PASSED, APPROVED AND ADOPTED this XX day of XX 2017.

SHARI L. HORNE, Mayor

ATTEST:

YOLIE TRIPPY, Deputy City Clerk

APPROVED AS TO FORM:

DAVID B. COSGROVE, City Attorney

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

I, YOLIE TRIPPY, Deputy City Clerk of the City of Laguna Woods, do HEREBY CERTIFY that the foregoing **Ordinance No. 17-XX** was duly introduced and placed upon its first reading at a regular meeting of the City Council on the XX day of XX 2017, and that thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the XX day of XX 2017 by the following vote to wit:

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

YOLIE TRIPPY, Deputy City Clerk

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**EXHIBIT A
CODE AMENDMENTS**

Section 8.06.010 (“Speed limits”) of Chapter 8.06 (“Vehicle Operation”) of Title 8 (“Traffic Control”) of the Laguna Woods Municipal Code is repealed in its entirety and replaced with the following:

Sec. 8.06.010. - Speed limits.

The following speed limits are established:

Street	Segment	Speed Limit
El Toro Road	Aliso Creek Road to Calle Corta	50 miles per hour
El Toro Road	Calle Corta to Calle Sonora	50 miles per hour
El Toro Road	Calle Sonora to Moulton Parkway	45 miles per hour
El Toro Road	Moulton Parkway to Avenida Sevilla	40 miles per hour
El Toro Road	Avenida Sevilla to Paseo de Valencia	40 miles per hour
Moulton Parkway	Santa Maria Avenue to El Toro Road	45 miles per hour
Moulton Parkway	El Toro Road to Calle Cortez	45 miles per hour
Moulton Parkway	Calle Cortez to South City Limits	45 miles per hour
Ridge Route Drive	Moulton Parkway to East City Limits	45 miles per hour
Santa Maria Avenue	Moulton Parkway to Via Vista	40 miles per hour
Santa Maria Avenue	Santa Vittoria to Avenida Sosiega	40 miles per hour

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**ENGINEERING AND TRAFFIC SURVEY
FOR SPEED LIMITS**

CITY OF LAGUNA WOODS

SEPTEMBER 2017

PREPARED FOR:

**CITY OF LAGUNA WOODS
24264 EL TORO ROAD
LAGUNA WOODS, CALIFORNIA 92637**

PREPARED BY:

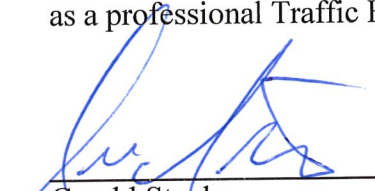
**HARTZOG & CRABILL, INC.
17852 EAST 17TH STREET, SUITE 101
TUSTIN, CA 92780
(714) 731-9455**

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CERTIFICATION

I, Gerald Stock, do hereby certify that this Engineering and Traffic Survey for the City of Laguna Woods was performed under my supervision and is accurate and complete. I certify that I am both experienced in performing surveys of this type and duly registered in the State of California as a professional Traffic Engineer.


Gerald Stock
RTE # 2049



**CITY OF LAGUNA WOODS
ENGINEERING AND TRAFFIC SURVEY FOR SPEED LIMITS**

In accordance with procedures established by the State of California, this Engineering and Traffic Survey has been developed for the City of Laguna Woods as the basis for the establishment and enforcement of speed limits for selected streets within the City. The work provided herein was authorized by the City and was performed by the engineering consulting firm of Hartzog & Crabill, Inc. The goal of the survey was to determine whether changes in pre-existing conditions have occurred where older speed limits should be modified.

The requirement to perform Engineering and Traffic surveys for speed limits is based on the California Vehicle Code (CVC). CVC Section 40802 states that at least once every five (5), seven (7) or ten (10) years, States and local agencies should re-evaluate non-statutory speed limits on segments of their roadways. Engineering and Traffic Surveys must be performed with the use of radar or other approved electronic devices if the use of radar is to be employed to enforce speed limits. If such a survey is not performed within five years (or seven years, or 10 years as stated previously) of the date of the preceding survey, then the new data and its use will constitute a speed trap. Hence, evidence using such would not be admissible in court. From the Vehicle Code, a "speed trap" is either of the following:

- (a) A particular section of a highway measured as to distance and with boundaries marked, designated, or otherwise determined in order that the speed of a vehicle may be calculated by securing the time it takes the vehicle to travel the known distance.
- (b) A particular section of a highway with a prima facie speed limit provided by this code or by local ordinance under sub-paragraph (A) of paragraph (2) of subdivision (a) of Section 22352, or established pursuant to Section 22354, 22357, 22358, or 22358.3 if that prima facie speed limit is not justified by an engineering and traffic survey conducted within five years prior to the date of the alleged violation, and where enforcement involves the use of radar or other electronic devices that measures the speed of moving objects. This paragraph does not apply to a local street, road, or school zone.

The definition of a Traffic and Engineering Survey is contained in Section 627 of the Vehicle Code and is as follows:

Engineering and Traffic survey, as used in this code, means a survey of highway and traffic conditions in accordance with methods determined by the California Department of Transportation (Caltrans) for use by State and local authorities. An Engineering and Traffic survey shall include, among other requirements deemed necessary by the State Department of Transportation, consideration of the following:

- (a) Prevailing speeds as determined by traffic engineering measurements.
- (b) Accident records.
- (c) Highway, traffic and roadside conditions not readily apparent to the driver.

The California Vehicle code has set certain regulations regarding the posting and enforcement of speed zones. These regulations generally reflect the viewpoint that speed zoning should be based on traffic conditions and natural driver behavior and not because of an arbitrary response to a traffic event or occurrence. Therefore, it is important to have a general understanding of the "Basic Speed Law", "Prima Facie Speed Limits" and "Intermediate Speed Zones".

Basic Speed Law (CVC 22350)

All fifty states base their speed regulations on the Basic Speed Law. In California, CVC 22350 defines the basic speed law as:

"No Person shall drive a vehicle upon a highway at a speed greater than is reasonable or prudent having due regard for weather, visibility, the traffic on, and the surface and width of the highway, and in no event at a speed which endangers the safety of persons or property."

This law recognizes that driving conditions vary widely from time-to-time and place-to-place and, therefore, no set of fixed driving rules will adequately serve all conditions. The motorist will constantly adjust their driving behavior to fit the conditions encountered, and must learn to do this with a minimum of assistance from the police. The Basic Speed Law is founded on the belief that a majority of motorists are able to modify their driving behavior properly, as long as they are aware of the conditions around them.

Prima Facie Speed Limits (CVC 22352)

All other speed limits are prima facie limits which, "on the face of it", are reasonable and prudent under normal conditions. The opportunity given to the driver to exceed a prima facie speed limit when it is safe to do so recognizes the fact that any posted speed limit cannot adequately reflect the many different conditions of traffic, weather, visibility, etc., that may be found on the same highway at different times.

Certain prima facie limits are automatically established by law (CVC 22352), including a 15 mph limit in alleys, blind intersections, blind railroad crossing, and the 25 mph limit in business and residence districts. There is also a part time 25 mph limit in school zones when children are present in route to or from school.

Business and residence districts are defined in the Vehicle Code as specific areas meeting a specified minimum density of roadside development. CVC Sections 235 and 515 define these regulations. A count of houses or active businesses facing on a highway must be made to determine whether or not a valid business or residence district exists. The law does not require posting these prima facie limits that are readily apparent.

Establishment of Speed Zones

The reason that speed limit areas and their required postings are done is to guard reasonable drivers from the unreasonable behavior of reckless, unreliable, or otherwise dangerous drivers. As with other similar laws, the limits identified are based on the consensus of the majority of

those who drive the highway as to what speed is reasonable and safe. It is this type of information that is reflected in the analysis section of this report. Namely, posted speed limits are a reflection of that speed which most people deem to be safe as opposed to a minority of drivers who do not drive in a reasonable manner.

Speed zones are also established to advise drivers of road conditions or hazards that may not be readily apparent to a reasonable driver. For that reason, a field review of related road/traffic variables is conducted which considers the analytical data and accident history of a particular roadway segment to determine a safe and reasonable speed limit.

Data Collection Procedures

Speed evaluation data was collected at 11 different segments on four different roadways in the Community of Laguna Woods. These areas and the number of segments on each are described as follows:

- | | | |
|-----|--------------------|--------------------------------------|
| 1. | El Toro Road | Aliso Creek to Calle Corta |
| 2. | | Calle Corta to Calle Sonora |
| 3. | | Calle Sonora to Moulton Pkwy |
| 4. | | Moulton Pkwy to Avenida Sevilla |
| 5. | | Avenida Sevilla to Paseo De Valencia |
| 6. | Moulton Parkway | Santa Maria Ave to El Toro Rd |
| 7. | | El Toro Rd to Calle Cortez |
| 8. | | Calle Cortez to South City Limits |
| 9. | Ridge Route Road | Moulton Pkwy to East City Limits |
| 10. | Santa Maria Avenue | Moulton Pkwy to Via Vista |
| 11. | | Santa Vittoria To Avenida Sosiega |

As described in various traffic engineering documents - including information provided by the State of California, the individual locations on which radar data collection procedures were used involved considerations for the following:

- a. Stop sign or traffic signal locations;
- b. Visibility issues;
- c. Traffic flow at intersections, cross-traffic, major driveways, crosswalks, railroad crossings and unusual turning movements; and
- d. The influence of other traffic factors on the speed of cars: such as on street parking, roadway features, adjacent land uses, and lighting.

Speed Zoning Methodology

The California Manual on Uniform Traffic Control Devices (California MUTCD) specifies a "short method" of determining speed limits in cities and counties through Highways, Arterial and Collector Roads Procedures.

Introduction - This short method of speed zoning is based on the premise that the reasonable speed limit is one that conforms to the actual behavior of the majority of motorists, and that by measuring motorist's speeds, one will be able to select a speed limit that is both reasonable and effective. Other factors that need to be considered include, but are not limited to: the most recent two-year collision record, roadway design speed, safe stopping sight distance, superelevation, shoulder conditions, profile conditions, intersection spacing and offsets, commercial driveway characteristics, and pedestrian traffic in the roadway without sidewalks.

Speed Zone Survey

- Only one person is required for the fieldwork. Speeds can be read directly from a radar speed meter.
- A section of road should be selected with representative operating speeds. If speeds vary on a given road, additional surveys should be conducted. In this case, it may be necessary to establish additional speed zones with different speed limits. The section selected should be straight and should have no traffic signal, stop sign or intersection with a major cross street.
- Speed measurements should be taken during off-peak hours on weekdays. The weather should be fair with no unusual conditions prevailing. It is important that the surveyor and the equipment be so inconspicuous as not to affect traffic speeds. For this reason, an unmarked car is recommended, with the radar speed meter located as inconspicuously as possible. It should be placed so as to be able to survey traffic in both directions, and should not make an angle greater than 15 degrees with the roadway centerline.
- It is desirable to have a minimum sample of 100 automobiles in each survey. This may result in excessive survey periods for low-volume roads. Under these conditions, the survey should be conducted for a minimum of two hours, but in no case should the sample for any survey contain less than 50 automobiles.
- The California MUTCD states that speed limits are established at or near the 85th percentile speed, which is defined as that speed at or below which 85 percent of the traffic is moving. This speed can be selected directly from the data sheet. However, roadway conditions not readily apparent to the motorist such as vertical or horizontal curves or other roadway conditions that may impact sight distance may result in a further reduction of 5 mph in the recommended speed limit.
- As a check on the validity of the proposed speed limit, an analysis should be made of the two-year accident record for the section of roadway under consideration. If this record shows an abnormally high percentage of accidents normally associated with excessive speeds, the proposed speed limit should be further reduced. This is a judgment situation, and will not usually be a factor.

- Short speed zones of less than half a mile should be avoided, except in transition areas.
- Speed zone changes should be coordinated with changes in roadway conditions or roadway development.
- Speed zoning in 5 mile per hour increments should be avoided if possible. A 10-mile per hour increment is preferable.
- Speed zoning should be coordinated between adjacent jurisdictions.

Local Street Exemptions (CVC 40802)

Many streets are designated as "Local" streets per CVC 40802. These streets are exempt from the radar study. Therefore, the speed limit for these streets does not require an Engineering and Traffic Survey. The code is as follows:

"For the purpose of this section, local streets and roads shall be defined by the latest functional usage and federal aid system maps as submitted to the Federal Highway Administration. When these maps have not been submitted, the following definition shall be used: A local street or road primarily provides access to abutting residential property and shall meet the following three conditions:

1. Roadway width of not more than 40 feet.
2. Not more than one half mile of uninterrupted length.
3. Not more than one traffic lane in each direction.

Other Considerations

Every street should be inspected for unusual traffic, roadway and roadside conditions not readily apparent to a motorist. A check should be made of the adequacy of traffic control devices, roadway alignment, width surface conditions, accident history and any unique traffic hazards that may exist. Any of these conditions may warrant the selection of a speed lower than the 85th percentile speed for speed zoning.

Radar Collection Time-Frames

The hours of radar operation were restricted to off-peak periods (when possible) for heavily traveled streets and to uncongested peak periods on lightly traveled streets. All surveys were conducted in fair weather.

The radar unit was mounted at the top of the front dash of an unmarked vehicle with the meter-reading unit sustained inside the vehicle. The radar unit's calibration was checked periodically using a tuning fork. The radar operator and assistant recorded the speed meter readings for each location on Radar Speed Survey Field Sheets included in Appendix A of this report. A representative sampling of at least 50 vehicles were surveyed in each direction or a cumulative sample of 100 vehicles for both directions where possible. On low volume roads, where a total

sample of 100 vehicles would result in an excessive time period, sampling was continued until a representative bell-shaped frequency distribution was attained.

Analysis Factors

Several factors were used as input to our recommendations for speed limits. These include the 85th Percentile, the 10 MPH Pace and others. These are described in detail below.

1. The **CRITICAL SPEED**, or the 85th percentile is defined as that speed at or below which 85 % of the traffic is moving. This is one of the key factors in determining appropriate speed limits and complies with State of California requirements.

Hence, the accepted practice, and one that has been used in this case is to set the speed limit at or near the critical speed. This recognizes that other factors could be present where the above may not be appropriate. When this procedure is used, it not only conforms to that required by the State but it also provides a strong base for law enforcement personnel to properly enforce speed limits.

2. The **10 MPH PACE** is that continuous 10 mph incremental range of speeds in which the largest number of recorded vehicles is contained. It is a measure of the dispersion of speeds within the sample surveyed. For this element, the accepted practice to the greatest extent possible, is to try and keep the recommended speed limit within the 10 mph pace after considering the critical speed and any factors requiring a speed lower than the critical speed.
3. The **MEDIAN (MIDDLE) SPEED**, or 50th percentile speed, represents the mid-point value within the range of recorded speeds for a particular roadway location. In other words, 50% of the vehicles travel faster than, and 50% travel slower than the median speeds. This value is another measure of the central tendency of the vehicle speed distribution.
4. The **15th PERCENTILE SPEED** is that speed at or below which 15% of the vehicles are traveling. This value is important in determining the minimum allowable speed limit, given that the vehicles traveling below this speed tend to obstruct the flow of traffic, thereby increasing the accident potential.
5. **MODAL SPEED**: The modal speed is the speed, which occurs most frequently in the distribution (the most). It serves as another useful measure in verifying the correct recommendation for speed limits.
6. **STANDARD DEVIATION**: This is a mathematical element, which relates to measures of dispersion of data. It is used to assist in describing the center of speed distribution information around the arithmetic mean or the time mean speed. It also is used in the overall review of recommended speed limits and serves to verify the level of confidence of data used in making recommendations.
7. The **MEAN (AVERAGE)** is the sum of the speeds of the samples divided by the number of samples.

The numerical values of the above factors are derived from the speed distribution curves calculated for each survey location. These distribution curves represent a method of graphic analysis that compares the cumulative percentage of vehicles to the speed at which the vehicles are traveling.

Field Review

In addition to the availability of the above statistical data, a significant aspect of speed limit recommendations is based on the field review. Its importance is that existing conditions may warrant a lower speed than is actually indicated by the application of survey data. Examples of the field data collected for the purposes of analyzing related roadway characteristics as they pertain to the determination of appropriate speed limits are listed below:

1. Segment length, width and alignment.
2. Level of pedestrian activity.
3. Traffic flow characteristics.
4. Vertical and/or horizontal curves.
5. Driver sight distance constraints.
6. Adjacent residential/commercial/industrial etc. zoning.
7. Number of lanes and other channelization/stripping factors.
8. Frequency of intersections, driveways and on street parking.
9. Location of stop signs, traffic signals, and other regulatory traffic control devices.
10. Roadway conditions, bumps and dips.
11. Obstructions to pedestrian visibility.
12. Land use and proximity of schools.
13. Uniformity with existing speed zones to/with adjacent jurisdictions.
14. Any other unusual conditions not readily apparent to the driver.

The results of the field review of related road/traffic variables are summarized on the Engineering and Traffic Survey forms found in Appendix A of this report.

Accident History

The Engineering and Traffic Survey forms summarize the available three-year accident information for the subject streets rather than the required twenty-four months. The accident information includes the total number of accidents within each street segment and of those accidents, the number that are speed-related. The annual accident rate figures represent the number of speed-related accidents divided by years of accident records. The evaluation of accidents is useful as a check on the accuracy of recommended or existing speed limits. Should this review show a high percentage of accidents associated with excessive speeds, then consideration based on professional traffic engineering judgement should be directed toward reducing the posted or recommended speed limit.

Results and Recommendations

The following Summaries: No Speed Limit Changes, New Speed Limit Postings, Speed Limit Increases, Speed Limit Reductions and Summary of Recommendations presents the results of the radar survey for the selected four streets. As shown, the Summary of Recommendations chart presents the necessary analysis elements that in addition to the field review of a registered traffic engineer, led to the recommendations indicated.

Locations of “No Speed Limit Changes”

Ten of the 11 segments studied are recommended for no speed limit changes. The reason centers mostly on the fact that the newly measured values of the 85th percentile and the 10 mph pace are still within the parameters of the existing speed limits. Additional factors such as the presence of horizontal or vertical curves reducing sight distance form the basis in some instances of our recommendation. Therefore, the current postings should remain as is. The segments recommended for “No Change” are listed below:

El Toro Road

Aliso Creek Rd to Calle Corta	Remain posted at 50 mph
Calle Corta to Calle Sonora	Remain posted at 50 mph
Calle Sonora to Moulton Pkwy	Remain posted at 45 mph
Moulton Pkwy to Avenida Sevilla	Remain posted at 40 mph

Moulton Parkway

Santa Maria Ave to El Toro Rd	Remain posted at 45 mph
El Toro Rd to Calle Cortez	Remain posted at 45 mph
Calle Cortez to South City Limits	Remain posted at 45 mph

Ridge Route Drive

Moulton Pkwy to East City Limits	Remain posted at 45 mph
----------------------------------	-------------------------

Santa Maria Avenue

Moulton Parkway to Via Vista	Remain posted at 40 mph
Santa Vittoria to Avenida Sosiega	Remain posted at 40 mph

Location of Speed Limit Increase

At one location, the Engineering and Traffic Survey data indicates a need for a speed limit increase. The newly measured values of the 85th percentile speeds, the 10 mph pace range, and existing roadway characteristics were factors used to make this recommendation. This segment and reasons for the recommendations are explained below:

El Toro Road

Avenida Sevilla to Paseo de Valencia	Increase from 35 mph to 40 mph
--------------------------------------	--------------------------------

Support Explanation for “Speed Limit Increase”

El Toro Road

Avenida Sevilla to Paseo de Valencia

This section of El Toro Road is a six lane divided roadway. The adjacent land uses are non-fronting residential gated communities and commercial at Paseo de Valencia. Field observations include a wide off-street pedestrian walkway and bicycle path along south-side of the roadway (golf carts are also permitted to travel on this off-street area between Avenida Sevilla and the commercial at Paseo de Valencia), and a golf cart crossing at Avenida Sevilla.

There are no intersections between the intersection of Avenida Sevilla and Paseo de Valencia, two driveways near the intersection of Paseo de Valencia, and "No Stopping Anytime" due to no shoulders on both sides of the roadway. The speed survey resulted with an 85th percentile speed of 41.5 mph and a 10 mph pace range of 33 to 42 mph. With that, it is recommended that the existing 35 mph speed limit be increased to 40 mph.

SUMMARY OF RECOMMENDATIONS 2017

STREET LOCATION	EXISTING SPEED LIMIT	RECOMMENDED SPEED LIMIT	85 TH PERCENTILE SPEED	AVERAGE SPEED	10 MPH PACE RANGE	PERCENT OF VEHICLES IN PACE	JUSTIFICATION / COMMENTS
<u>EL TORO ROAD</u>							
ALISO CREEK TO CALLE CORTA	50	50	49.3	42.9	38-47	59.7	NO CHANGE – 85 TH PERCENTILE
CALLE CORTA TO CALLE SONORA	50	50	52.6	48.7	44-53	78.0	NO CHANGE – 85 TH PERCENTILE
CALLE SONORA TO MOULTON PKWY	45	45	44.2	39.4	36-45	72.6	NO CHANGE – 85 TH PERCENTILE
MOULTON PKWY TO AVENIDA SEVILLA	40	40	43.9	38.5	34-43	66.5	NO CHANGE – 85 TH PERCENTILE
AVENIDA SEVILLA TO PASEO DE VALENCIA	35	40	41.5	36.1	33-42	68.2	INCREASE – 85 TH PERCENTILE
<u>MOULTON PARKWAY</u>							
SANTA MARIA AVE TO EL TORO RD	45	45	46.2	42.1	37-46	72.6	NO CHANGE – 85 TH PERCENTILE
EL TORO RD TO CALLE CORTEZ	45	45	47.2	42.8	39-48	75.9	NO CHANGE – 85 TH PERCENTILE
CALLE CORTEZ TO SOUTH CITY LIMITS	45	45	48.4	44.4	40-49	77.1	NO CHANGE – 85 TH PERCENTILE
<u>RIDGE ROUTE DRIVE</u>							
MOULTON PKWY TO EAST CITY LIMITS	45	45	47.4	41.9	39-48	68.1	NO CHANGE – 85 TH PERCENTILE
<u>SANTA MARIA AVENUE</u>							
MOULTON PKWY TO VIA VISTA	40	40	43.9	39.1	36-45	80.6	NO CHANGE – 85 TH PERCENTILE
SANTA VITTORIA TO AVENIDA SOSIEGA	40	40	41.2	37.1	32-41	75.0	NO CHANGE – 85 TH PERCENTILE

APPENDIX A

ENGINEERING AND TRAFFIC SURVEY

CITY OF LAGUNA WOODS

HCI**EL TORO ROAD****ALISO CREEK RD TO CALLE CORTA**

DATE: 8/28/2017

SURVEY BY: HCI - C.BUENDIA

TIME: 12:15 PM - 12:50 PM

CHECKED BY: JERRY STOCK

PREVAILING SPEED DATA	
LOCATION OF SURVEY	EAST OF ALISO CREEK
DATE OF SURVEY	8/28/2017
85th PERCENTILE	49.3 MPH
10 MPH PACE	38 - 47 MPH
PERCENT IN PACE	59.7 %
POSTED SPEED LIMIT	50 MPH

ACCIDENT HISTORY	
NO. OF MONTHS OBSERVED	36
SPEED-RELATED ACCIDENTS	1
TOTAL ACCIDENTS	5
ANNUAL ACCIDENT RATE	0.33 ACCIDENTS PER YEAR (SPEED RELATED ONLY)
ACC./MILLION VEH. MILES	0.23 ACCIDENTS PER MVM (SPEED RELATED ONLY)

TRAFFIC FACTORS	
AVERAGE DAILY TRAFFIC	16,000
LANE CONFIGURATION	3 LANES PER DIRECTION
TRAFFIC CONTROLS	SIGNAL - CALLE CORTA / ALISO CREEK
CROSSWALKS	AT CALLE CORTA / ALISO CREEK
PEDESTRIAN/BICYCLES	FEW / YES
TRUCK TRAFFIC	YES
ON-STREET PARKING	NO STOPPING ANYTIME
OTHER	PAINTED BIKE LANES BUS STOPS

ROADWAY FACTORS	
LENGTH OF SEGMENT (MILES)	0.25
VERTICAL CURVE	SLIGHT UPHILL GRADES (EB)
HORIZONTAL CURVE	GRADUAL "S" CURVES
LATERAL VISIBILITY	LIMITED SIGHT DISTANCE (areas of)
ROAD CONDITIONS	GOOD
SIDEWALKS / DRIVEWAYS	YES / NO
STREET LIGHTING	YES
DRIVEWAY DENSITY	NOMINAL
OTHER	RAISED MEDIAN ISLAND

ADJACENT LAND USE	RESIDENTIAL (NF)
-------------------	------------------

RECOMMENDED SPEED LIMIT	50 MPH
-------------------------	--------

SPEED LIMIT CHANGE	NO CHANGE
--------------------	-----------

JUSTIFICATION:

The recommended speed is within 0.7 mph of the 85th percentile speed and meets CVC standards.

RADAR SPEED DISTRIBUTION SHEET

HCI **CITY OF LAGUNA WOODS**
EL TORO ROAD **ALISO CREEK RD TO CALLE CORTA**
 DATE: 8/28/2017 SURVEY BY: HCI - C.BUENDIA
 TIME: 12:15 PM - 12:50 PM CHECKED BY: JERRY STOCK

SPEED	CUMMULATIVE PERCENT					
	20	40	60	80	100	
60					X	100.0%
59					X	99.5%
58					X	99.1%
57					X	97.6%
56					X	96.7%
55					X	95.3%
54					X	92.4%
53					X	91.9%
52					X	90.5%
51					X	88.6%
50					X	87.7%
49				X		83.9%
48				X		79.1% ---85PCT
47				X		76.3% }PACE
46				X		70.1% }PACE
45				X		64.5% }PACE
44			X			59.2% }PACE
43			X			50.7% }PACE
42		X				46.0% }PACE ---MEAN
41		X				37.9% }PACE
40		X				30.8% }PACE
39		X				25.6% }PACE
38		X				21.8% }PACE
37		X				16.6%
36		X				13.7% ---15PCT
35		X				10.4%
34		X				8.5%
33		X				6.2%
32	X					3.8%
31	X					2.8%
30	X					1.9%
29	X					0.5%
28	X					0.5%
27	X					0.5%
26	X					0.0%
25	X					0.0%
24	X					0.0%
23	X					0.0%
22	X					0.0%
21	X					0.0%
20	X					0.0%
19	X					0.0%
18	X					0.0%
17	X					0.0%
16	X					0.0%
15	X					0.0%

UPPER LIMIT 10 MPH PACE: 47 MPH
 LOWER LIMIT 10 MPH PACE: 38 MPH
 PERCENT OVER PACE: 23.7 %
 PERCENT IN PACE: 59.7 %
 PERCENT UNDER PACE: 16.6 %

85th PERCENTILE SPEED: 49.3 MPH
 MEDIAN SPEED: 42.9 MPH
 15th PERCENTILE SPEED: 36.4 MPH

Radar Speed Survey Field Sheet

AGENCY: CITY OF LAGUNA WOODS
STREET: EL TORO ROAD
LOCATION: ALISO CREEK RD TO CAUVE CORTA

WEATHER: SUNNY

ROAD CONDITION: DRY

OBSERVER: CATHY BUENDIA

DATE: 08/28/17

START TIME: 12:15 PM

END TIME: 12:50 PM

DIRECTION:		WESTBOUND		NUMBER OF VEHICLES		TOTAL	
MPH							
60							
59							
58							
57							
56							
55							
54							
53							
52							
51							
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18							
17							
16							
15							

[illegible]

AVERAGE SPEED: _____ PACE SPEED: _____
CRITICAL SPEED: _____
CUMULATIVE (BOTH DIRECTIONS) _____

AVERAGE SPEED: _____

CRITICAL SPEED: _____

PAGE SPEED: _____

PACE
SPEED:

ENGINEERING AND TRAFFIC SURVEY**CITY OF LAGUNA WOODS****HCI****EL TORO ROAD****CALLE CORTA TO CALLE SONORA**

DATE: 8/28/2017

SURVEY BY: HCI - C.BUENDIA

TIME: 11:30 AM - 12:05 PM

CHECKED BY: JERRY STOCK

PREVAILING SPEED DATA	
LOCATION OF SURVEY	WEST OF CALLE WREN
DATE OF SURVEY	8/28/2017
85th PERCENTILE	52.6 MPH
10 MPH PACE	44 - 53 MPH
PERCENT IN PACE	78.0 %
POSTED SPEED LIMIT	50 MPH

ACCIDENT HISTORY	
NO. OF MONTHS OBSERVED	36
SPEED-RELATED ACCIDENTS	2
TOTAL ACCIDENTS	8
ANNUAL ACCIDENT RATE	0.67 ACCIDENTS PER YEAR (SPEED RELATED ONLY)
ACC./MILLION VEH. MILES	0.11 ACCIDENTS PER MVM (SPEED RELATED ONLY)

TRAFFIC FACTORS	
AVERAGE DAILY TRAFFIC	19,000
LANE CONFIGURATION	3 LANES PER DIRECTION
TRAFFIC CONTROLS	SIGNAL - CALLE SONORA / CALLE CORTA / CANYON WREN
CROSSWALKS	AT CALLE SONORA / CALLE CORTA / CANYON WREN
PEDESTRIAN/BICYCLES	YES / YES
TRUCK TRAFFIC	FEW
ON-STREET PARKING	NO STOPPING ANYTIME
OTHER	PAINTED BIKE LANES BUS STOPS

ROADWAY FACTORS	
LENGTH OF SEGMENT (MILES)	0.91
VERTICAL CURVE	GRADUAL UP/DOWNHILL GRADES
HORIZONTAL CURVE	GRADUAL-MODERATE "S" CURVES
LATERAL VISIBILITY	LIMITED SIGHT DISTANCE (areas of)
ROAD CONDITIONS	GOOD
SIDEWALKS / DRIVEWAYS	YES / NO
STREET LIGHTING	YES
DRIVEWAY DENSITY	NOMINAL
OTHER	GOLF CART XING AT INTERSECTIONS RAISED MEDIAN ISLAND

ADJACENT LAND USE	RESIDENTIAL (NF) / COMMERCAL (at Calle Sonora) / CHURCH
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RECOMMENDED SPEED LIMIT	50 MPH
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SPEED LIMIT CHANGE	NO CHANGE
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JUSTIFICATION:

The recommended speed limit is within 2.6 mph of the 85th percentile speed as meets CVC standards.

RADAR SPEED DISTRIBUTION SHEET

HCI
CITY OF LAGUNA WOODS
EL TORO ROAD
DATE: 8/28/2017
TIME: 11:30 AM - 12:05 PM
CALLE CORTA TO CALLE SONORA
SURVEY BY: HCI - C.BUENDIA
CHECKED BY: JERRY STOCK

SPEED	CUMMULATIVE PERCENT					
	20	40	60	80	100	
60					X	100.0%
59					X	97.4%
58					X	96.9%
57					X	95.8%
56					X	94.2%
55					X	92.1%
54					X	90.6%
53					X	88.0% } PACE
52				X		79.6% } PACE ---85PCT
51				X		73.8% } PACE
50				X		66.0% } PACE
49			X			52.9% } PACE
48			X			44.5% } PACE ---MEAN
47		X				35.6% } PACE
46		X				26.2% } PACE
45		X				22.0% } PACE
44		X				16.2% } PACE
43	X					9.9% ---15PCT
42	X					7.9%
41	X					5.8%
40	X					4.2%
39	X					3.1%
38	X					2.1%
37	X					1.6%
36	X					0.5%
35	X					0.0%
34	X					0.0%
33	X					0.0%
32	X					0.0%
31	X					0.0%
30	X					0.0%
29	X					0.0%
28	X					0.0%
27	X					0.0%
26	X					0.0%
25	X					0.0%
24	X					0.0%
23	X					0.0%
22	X					0.0%
21	X					0.0%
20	X					0.0%
19	X					0.0%
18	X					0.0%
17	X					0.0%
16	X					0.0%
15	X					0.0%

UPPER LIMIT 10 MPH PACE: 53 MPH
 LOWER LIMIT 10 MPH PACE: 44 MPH
 PERCENT OVER PACE: 12.0 %
 PERCENT IN PACE: 78.0 %
 PERCENT UNDER PACE: 9.9 %

85th PERCENTILE SPEED: 52.6 MPH
 MEDIAN SPEED: 48.7 MPH
 15th PERCENTILE SPEED: 43.8 MPH

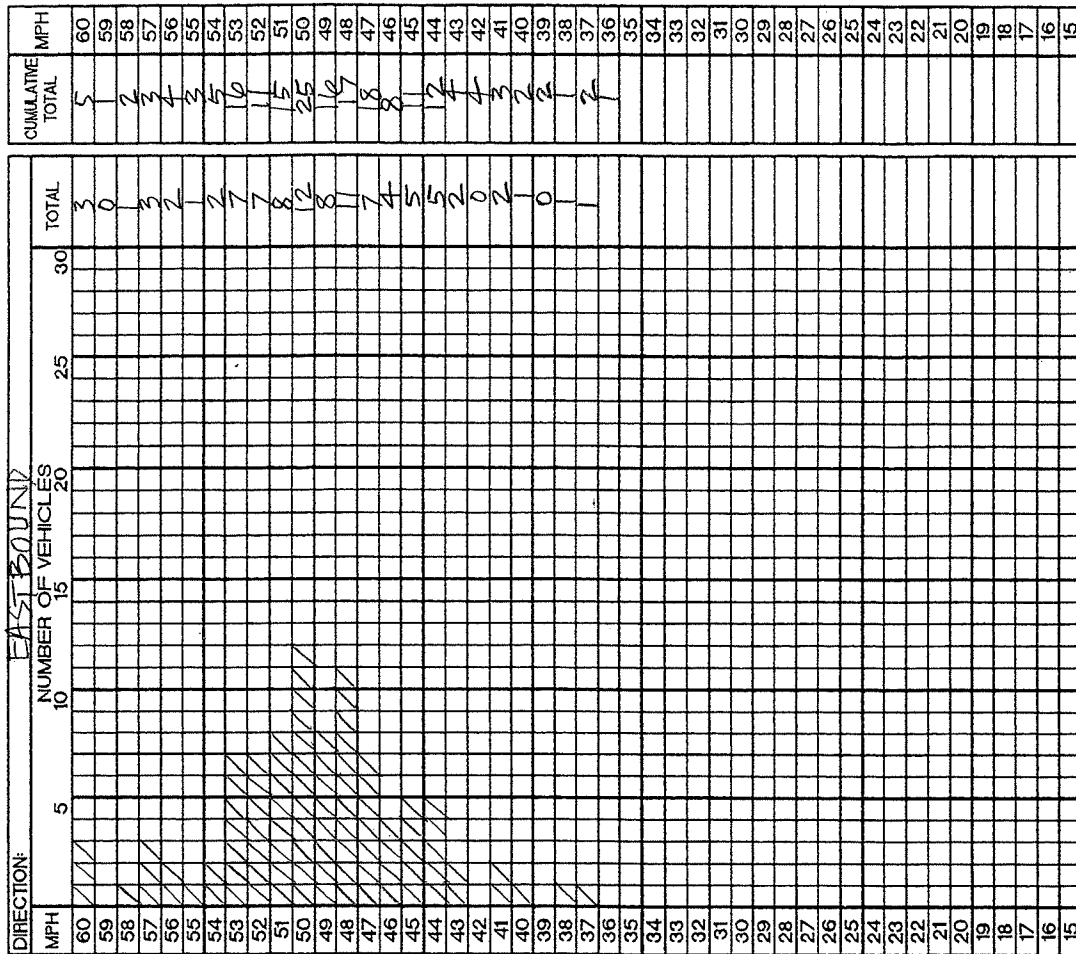
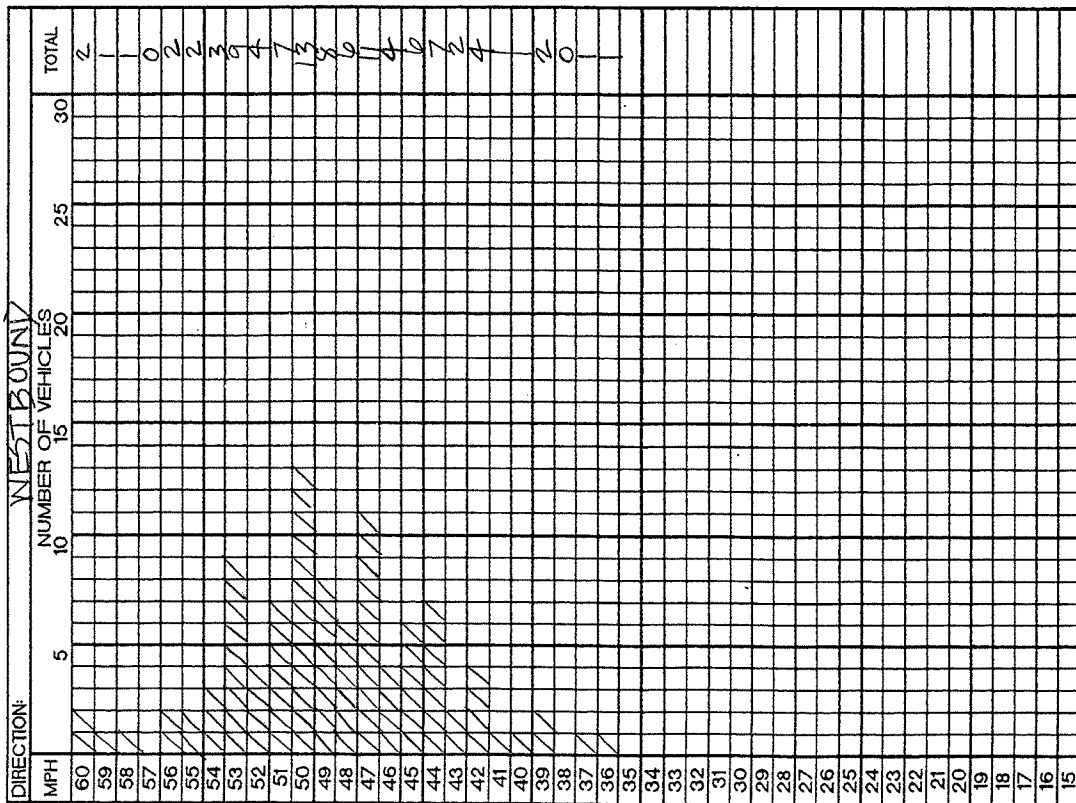
Radar Speed Survey Field Sheet

HARTZOG AND CRABELL INC.
Consulting Traffic Engineers
13322 E. 1st Ave., Suite 100, Aurora, CO 80012
(303) 751-5455

AGENCY: CITY OF LAGUNA WOODS
STREET: EL TORO ROAD
LOCATION: CALLE CORTA TO CALLE SONORA

WEATHER: SUNNY
ROAD CONDITION: DRY
OBSERVER: CATHY BUENDIA

DATE: 08/28/17
START TIME: 11:30 AM
END TIME: 12:05 PM



ENGINEERING AND TRAFFIC SURVEY**CITY OF LAGUNA WOODS****HCI****EL TORO ROAD****CALLE SONORA TO MOULTON PARKWAY**

DATE: 8/28/2017

SURVEY BY: HCI - C.BUENDIA

TIME: 10:45 AM - 11:20 AM

CHECKED BY: JERRY STOCK

PREVAILING SPEED DATA	
LOCATION OF SURVEY	EAST OF TOWN CENTER
DATE OF SURVEY	8/28/2017
85th PERCENTILE	44.2 MPH
10 MPH PACE	36 - 45 MPH
PERCENT IN PACE	72.6 %
POSTED SPEED LIMIT	45 MPH

ACCIDENT HISTORY	
NO. OF MONTHS OBSERVED	36
SPEED-RELATED ACCIDENTS	2
TOTAL ACCIDENTS	13
ANNUAL ACCIDENT RATE	0.67 ACCIDENTS PER YEAR (SPEED RELATED ONLY)
ACC./MILLION VEH. MILES	0.16 ACCIDENTS PER MVM (SPEED RELATED ONLY)

TRAFFIC FACTORS	
AVERAGE DAILY TRAFFIC	27,000
LANE CONFIGURATION	3 LANES PER DIRECTION
TRAFFIC CONTROLS	SIGNAL - CALLE SONORA / TOWN CTR / MOULTON
CROSSWALKS	AT CALLE SONORA / TOWN CTR / MOULTON
PEDESTRIAN/BICYCLES	YES / YES
TRUCK TRAFFIC	FEW
ON-STREET PARKING	NO STOPPING ENTIRE BLOCK
OTHER	PAINTED BIKE LANES / BUS STOPS
	GOLF CART XINGS AT INTERSECTIONS / DENSE TRAFFIC

ROADWAY FACTORS	
LENGTH OF SEGMENT (MILES)	0.43
VERTICAL CURVE	GRADUAL UPHILL GRADE (WB)
HORIZONTAL CURVE	SLIGHT "S" CURVES
LATERAL VISIBILITY	GOOD
ROAD CONDITIONS	GOOD
SIDEWALKS / DRIVEWAYS	YES / YES
STREET LIGHTING	YES
DRIVEWAY DENSITY	LIGHT
OTHER	RAISED MEDIAN ISLAND
	SHORT DISTANCE BTWN INTERSECTIONS - SURVEYED ON GREENS ONLY

ADJACENT LAND USE	COMMERCAL / BUSINESS
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RECOMMENDED SPEED LIMIT	45 MPH
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SPEED LIMIT CHANGE	NO CHANGE
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JUSTIFICATION:	
	The recommended speed limit is within 0.8 mph of the 85th percentile speed and meets CVC standards.

RADAR SPEED DISTRIBUTION SHEET

HCI**CITY OF LAGUNA WOODS**EL TORO ROAD

DATE: 8/28/2017

TIME: 10:45 AM - 11:20 AM

CALLE SONORA TO MOULTON PARKWAY

SURVEY BY: HCI - C.BUENDIA

CHECKED BY: JERRY STOCK

SPEED	CUMMULATIVE PERCENT					
	20	40	60	80	100	
60					X	100.0%
59					X	100.0%
58					X	100.0%
57					X	100.0%
56					X	100.0%
55					X	100.0%
54					X	100.0%
53					X	100.0%
52					X	100.0%
51					X	100.0%
50					X	100.0%
49					X	98.6%
48					X	97.7%
47					X	95.8%
46					X	93.5%
45					X	92.1%
44				X	X	83.7% }PACE
43				X		78.1% }PACE ---85PCT
42			X			68.4% }PACE
41			X			63.3% }PACE
40			X			56.3% }PACE
39		X				45.6% }PACE ---MEAN
38		X				36.7% }PACE
37		X				32.6% }PACE
36		X				26.0% }PACE
35		X				19.5%
34		X				14.9% ---15PCT
33		X				11.2%
32		X				7.9%
31		X				6.5%
30	X					5.1%
29	X					3.3%
28	X					2.8%
27	X					1.9%
26	X					0.9%
25	X					0.9%
24	X					0.5%
23	X					0.5%
22	X					0.0%
21	X					0.0%
20	X					0.0%
19	X					0.0%
18	X					0.0%
17	X					0.0%
16	X					0.0%
15	X					0.0%

UPPER LIMIT 10 MPH PACE: 45 MPH

LOWER LIMIT 10 MPH PACE: 36 MPH

PERCENT OVER PACE: 7.9 %

PERCENT IN PACE: 72.6 %

PERCENT UNDER PACE: 19.5 %

85th PERCENTILE SPEED: 44.2 MPH

MEDIAN SPEED: 39.4 MPH

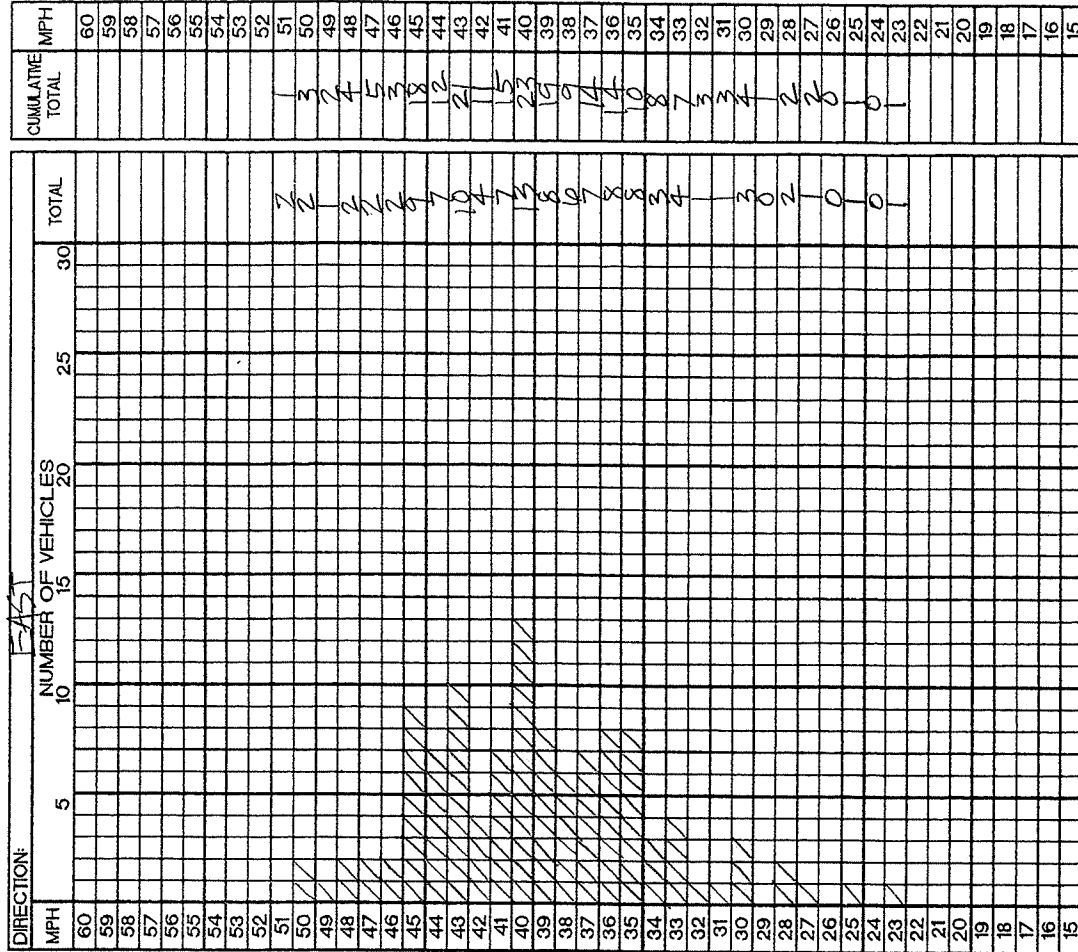
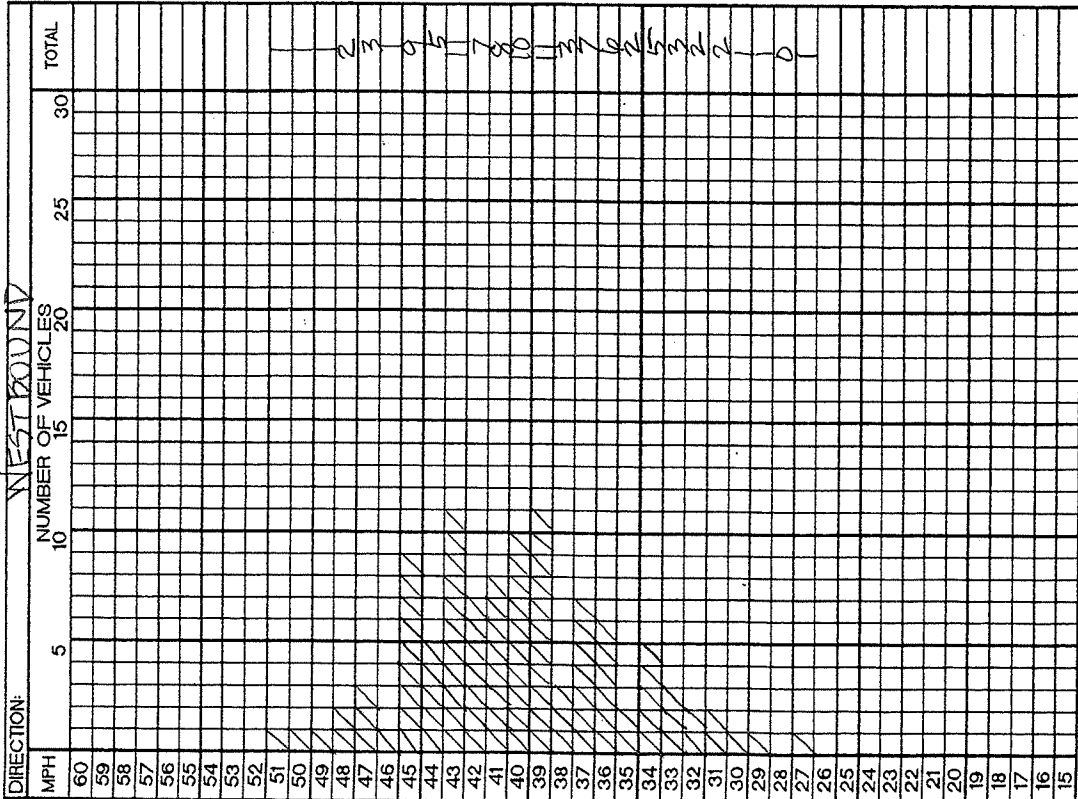
15th PERCENTILE SPEED: 34.0 MPH

Radar Speed Survey Field Sheet

HARTZOG AND CRABILL INC.
COUNTY TRAIL, COLORADO
1832 East Blvd, Suite 102, Aspen, CO 81611
(970) 925-5452

AGENCY: CITY OF LAGUNA WOODS
STREET: EL TORO ROAD
LOCATION: CALLE SONORA TO MOUNTAIN PKWY

WEATHER: SUNNY - HOT DATE: 08/28/17
ROAD CONDITION: DRY START TIME: 10:45 AM
OBSERVER: CATHY BUENDIA END TIME: 11:20 AM ✓ GL



AVERAGE SPEED: _____ CRITICAL SPEED: _____ PACE SPEED: _____
CUMULATIVE (BOTH DIRECTIONS) _____

AVERAGE SPEED: _____ CRITICAL SPEED: _____ PACE SPEED: _____

ENGINEERING AND TRAFFIC SURVEY**CITY OF LAGUNA WOODS****HCI****EL TORO ROAD****MOULTON PARKWAY TO AVENIDA SEVILLA**

DATE: 8/28/2017

SURVEY BY: HCI - C.BUENDIA

TIME: 10:00 AM - 10:40 AM

CHECKED BY: JERRY STOCK

PREVAILING SPEED DATA	
LOCATION OF SURVEY	EAST OF MOULTON
DATE OF SURVEY	8/28/2017
85th PERCENTILE	43.9 MPH
10 MPH PACE	34 - 43 MPH
PERCENT IN PACE	66.5 %
POSTED SPEED LIMIT	40 MPH

ACCIDENT HISTORY	
NO. OF MONTHS OBSERVED	36
SPEED-RELATED ACCIDENTS	2
TOTAL ACCIDENTS	8
ANNUAL ACCIDENT RATE	0.67 ACCIDENTS PER YEAR (SPEED RELATED ONLY)
ACC./MILLION VEH. MILES	0.13 ACCIDENTS PER MVM (SPEED RELATED ONLY)

TRAFFIC FACTORS	
AVERAGE DAILY TRAFFIC	32,000
LANE CONFIGURATION	3 LANES PER DIRECTION
TRAFFIC CONTROLS	SIGNAL - MOULTON / CHURCH ENTRANCE / AVD SEVILLA
CROSSWALKS	AT MOULTON / CHURCH ENTRANCE / AVD SEVILLA
PEDESTRIAN/BICYCLES	YES / YES
TRUCK TRAFFIC	FEW
ON-STREET PARKING	NO STOPPING ANYTIME
OTHER	BUS STOPS / GOLF CART XINGS AT INTERSECTIONS DENSE TRAFFIC-INTERSECTIONS BACK UP

ROADWAY FACTORS	
LENGTH OF SEGMENT (MILES)	0.43
VERTICAL CURVE	SLIGHT UP/DOWNHILL GRADES
HORIZONTAL CURVE	SLIGHT-GRADUAL "S" CURVES
LATERAL VISIBILITY	GOOD
ROAD CONDITIONS	GOOD
SIDEWALKS / DRIVEWAYS	YES / YES (EB) - YES / MINIMAL (WB)
STREET LIGHTING	YES
DRIVEWAY DENSITY	LIGHT
OTHER	RAISED MEDIAN ISLAND / NO SHOULDERS "NO GOLF CARTS ON PED WALK (EB)"

ADJACENT LAND USE	RESIDENTIAL ON GOLF COURSE (NF) / COMMERCAL / BUSINESS / CITY HALL
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RECOMMENDED SPEED LIMIT	40 MPH
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SPEED LIMIT CHANGE	NO CHANGE
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JUSTIFICATION:	The recommended speed is within 3.9 mph of the 85th percentile speed and meets CVC standards.
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RADAR SPEED DISTRIBUTION SHEET

HCI **CITY OF LAGUNA WOODS**
EL TORO ROAD **MOULTON PARKWAY TO AVENIDA SEVILLA**
 DATE: 8/28/2017 SURVEY BY: HCI - C.BUENDIA
 TIME: 10:00 AM - 10:40 AM CHECKED BY: JERRY STOCK

SPEED	CUMMULATIVE PERCENT					
	20	40	60	80	100	
60					X	100.0%
59					X	100.0%
58					X	100.0%
57					X	100.0%
56					X	100.0%
55					X	100.0%
54					X	100.0%
53					X	100.0%
52					X	99.5%
51					X	99.5%
50					X	99.0%
49					X	98.1%
48					X	98.1%
47					X	96.2%
46					X	93.8%
45					X	90.0%
44					X	85.6%
43					X	79.9% } PACE ---85PCT
42					X	74.2% } PACE
41					X	70.3% } PACE
40					X	62.7% } PACE
39					X	52.6% } PACE
38					X	47.4% } PACE ---MEAN
37					X	39.2% } PACE
36					X	32.5% } PACE
35					X	26.3% } PACE
34					X	19.6% } PACE ---15PCT
33					X	13.4%
32					X	9.6%
31					X	6.7%
30					X	3.3%
29					X	2.4%
28					X	1.0%
27					X	0.5%
26					X	0.5%
25					X	0.5%
24					X	0.0%
23					X	0.0%
22					X	0.0%
21					X	0.0%
20					X	0.0%
19					X	0.0%
18					X	0.0%
17					X	0.0%
16					X	0.0%
15					X	0.0%

UPPER LIMIT 10 MPH PACE: 43 MPH
 LOWER LIMIT 10 MPH PACE: 34 MPH
 PERCENT OVER PACE: 20.1 %
 PERCENT IN PACE: 66.5 %
 PERCENT UNDER PACE: 13.4 %

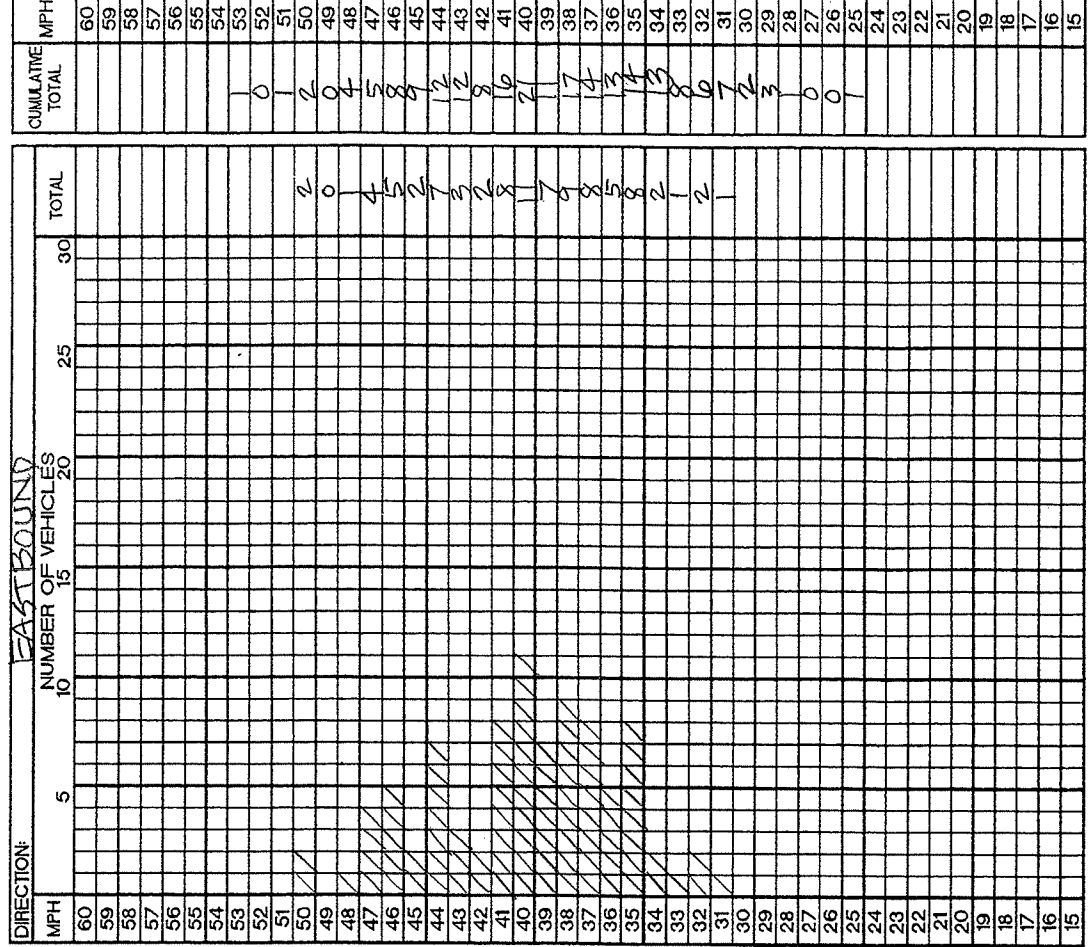
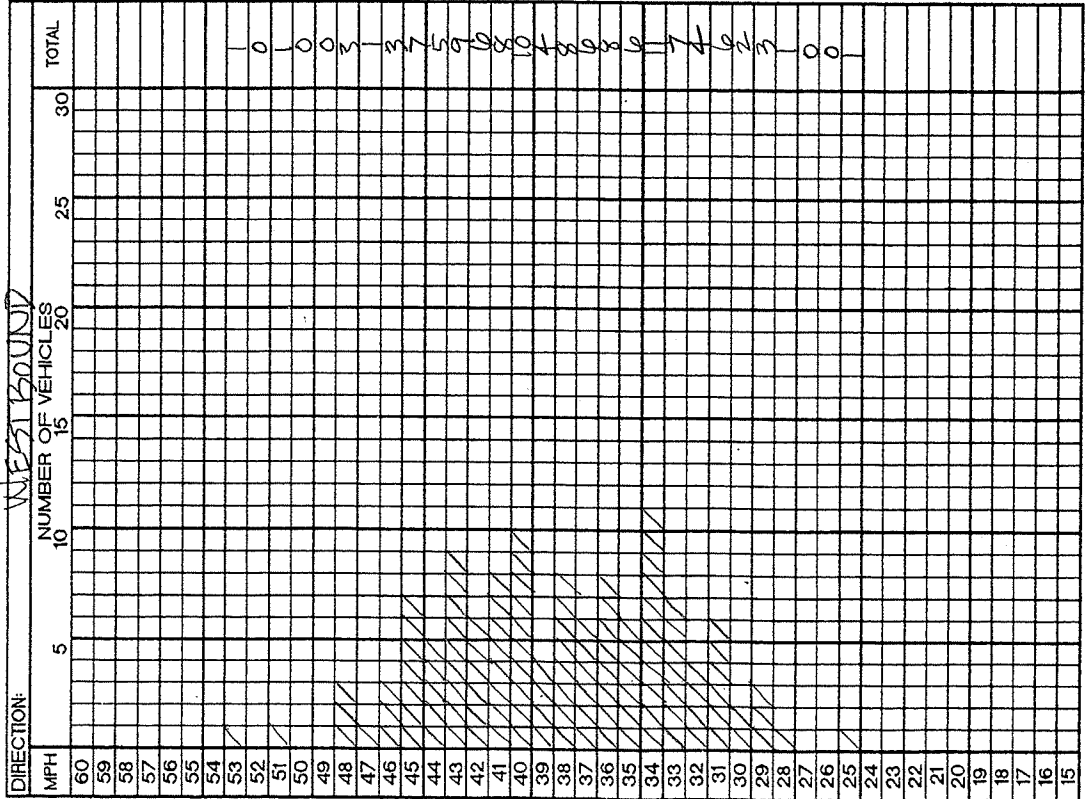
85th PERCENTILE SPEED: 43.9 MPH
 MEDIAN SPEED: 38.5 MPH
 15th PERCENTILE SPEED: 33.3 MPH

Radar Speed Survey Field Sheet

HARTZOG AND CRABELL INC.
Consulting Traffic Engineers
15332 64th Rd., Suite 101, Eden, CA 94530
(916) 731-1582

AGENCY: LAGUNA WOODS
STREET: EL TORO ROAD
LOCATION: MOUTON PKWY TO AVENIDA SEVILLA

WEATHER: SUNNY DATE: 08/28/17
ROAD CONDITION: DRY START TIME: 10:00 AM
OBSERVER: CATHY BUENDIA END TIME: 10:40 AM / cal



AVERAGE SPEED: _____ CRITICAL SPEED: _____ PACE SPEED: _____
CUMULATIVE (BOTH DIRECTIONS) _____

AVERAGE SPEED: _____ CRITICAL SPEED: _____ PACE SPEED: _____

ENGINEERING AND TRAFFIC SURVEY

ITEM #4 - Attachment B

CITY OF LAGUNA WOODS

HCI

EL TORO ROAD

AVENIDA SEVILLA TO PASEO DE VALENCIA

DATE: 8/25/2017

SURVEY BY: HCI - C.BUENDIA

TIME: 10:00 AM - 10:45 AM

CHECKED BY: JERRY STOCK

PREVAILING SPEED DATA	
LOCATION OF SURVEY	WEST OF PASEO DE VALENCIA
DATE OF SURVEY	8/25/2017
85th PERCENTILE	41.5 MPH
10 MPH PACE	33 - 42 MPH
PERCENT IN PACE	68.2 %
POSTED SPEED LIMIT	35 MPH

ACCIDENT HISTORY	
NO. OF MONTHS OBSERVED	36
SPEED-RELATED ACCIDENTS	3
TOTAL ACCIDENTS	11
ANNUAL ACCIDENT RATE	1.00 ACCIDENTS PER YEAR (SPEED RELATED ONLY)
ACC./MILLION VEH. MILES	0.28 ACCIDENTS PER MVM (SPEED RELATED ONLY)

TRAFFIC FACTORS	
AVERAGE DAILY TRAFFIC	32,000
LANE CONFIGURATION	3 LANES PER DIRECTION
TRAFFIC CONTROLS	SIGNAL - AVD SEVILLA / PASEO DE VALENCIA
CROSSWALKS	AT AVD SEVILLA / PASEO DE VALENCIA
PEDESTRIAN/BICYCLES	YES / YES
TRUCK TRAFFIC	FEW
ON-STREET PARKING	NO STOPPING ANYTIME
OTHER	NO SHOULDERS / BUS STOPS GOLF CART XINGS AT INTERSECTIONS DENSE TRAFFIC-INTERSECTIONS BACK UP AT INTERSECTIONS

ROADWAY FACTORS	
LENGTH OF SEGMENT (MILES)	0.31
VERTICAL CURVE	NONE
HORIZONTAL CURVE	SLIGHT "C" CURVES
LATERAL VISIBILITY	GOOD
ROAD CONDITIONS	GOOD
SIDEWALKS / DRIVEWAYS	YES / YES (EB) - NO / NO (WB)
STREET LIGHTING	YES
DRIVEWAY DENSITY	LIGHT (at Paseo De Valencia)
OTHER	"NO GOLF CARTS ON PED WALK (EB)" / RAISED MEDIAN ISLAND SHORT DISTANCE BTWN INTERSECTIONS - SURVEYED ON GREENS ONLY

ADJACENT LAND USE	RESIDENTIAL ON GOLF COURSE (NF) / COMMERCIAL
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RECOMMENDED SPEED LIMIT	40 MPH
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SPEED LIMIT CHANGE	INCREASE
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JUSTIFICATION:	
This section of El Toro Road is a six lane divided roadway. The adjacent land uses are non-fronting residential gated communities and commercial at Paseo de Valencia. Field observations include a wide pedestrian walkway along south-side of the roadway, one driveway near intersection of Paseo de Valencia, "No Stopping Anytime" due to no shoulders on both sides of the roadway, and golf cart crossings at Avenida Sevilla. The speed survey resulted with an 85th percentile speed of 41.5 mph and a 10 mph pace range of 33 to 42 mph. With that, it is recommended that the existing 35 mph speed limit be increased to 40 mph.	

RADAR SPEED DISTRIBUTION SHEET

HCI
CITY OF LAGUNA WOODS
EL TORO ROAD
DATE: 8/25/2017
TIME: 10:00 AM - 10:45 AM
AVENIDA SEVILLA TO PASEO DE VALENCIA
SURVEY BY: HCI - C.BUENDIA
CHECKED BY: JERRY STOCK

SPEED	CUMMULATIVE PERCENT					
	20	40	60	80	100	
60					X	100.0%
59					X	100.0%
58					X	100.0%
57					X	100.0%
56					X	100.0%
55					X	100.0%
54					X	100.0%
53					X	100.0%
52					X	100.0%
51					X	100.0%
50					X	100.0%
49					X	100.0%
48					X	100.0%
47					X	99.5%
46					X	99.1%
45					X	98.6%
44					X	95.3%
43					X	91.0%
42					X	87.7%
41					X	82.0%
40					X	76.3%
39					X	70.6%
38					X	63.0%
37					X	56.9%
36					X	49.3%
35					X	42.2%
34					X	31.3%
33					X	24.2%
32					X	19.4%
31					X	13.7%
30					X	9.0%
29					X	4.7%
28					X	3.8%
27					X	1.9%
26					X	0.9%
25					X	0.5%
24					X	0.0%
23					X	0.0%
22					X	0.0%
21					X	0.0%
20					X	0.0%
19					X	0.0%
18					X	0.0%
17					X	0.0%
16					X	0.0%
15					X	0.0%

UPPER LIMIT 10 MPH PACE: 42 MPH
 LOWER LIMIT 10 MPH PACE: 33 MPH
 PERCENT OVER PACE: 18.0 %
 PERCENT IN PACE: 68.2 %
 PERCENT UNDER PACE: 19.4 %

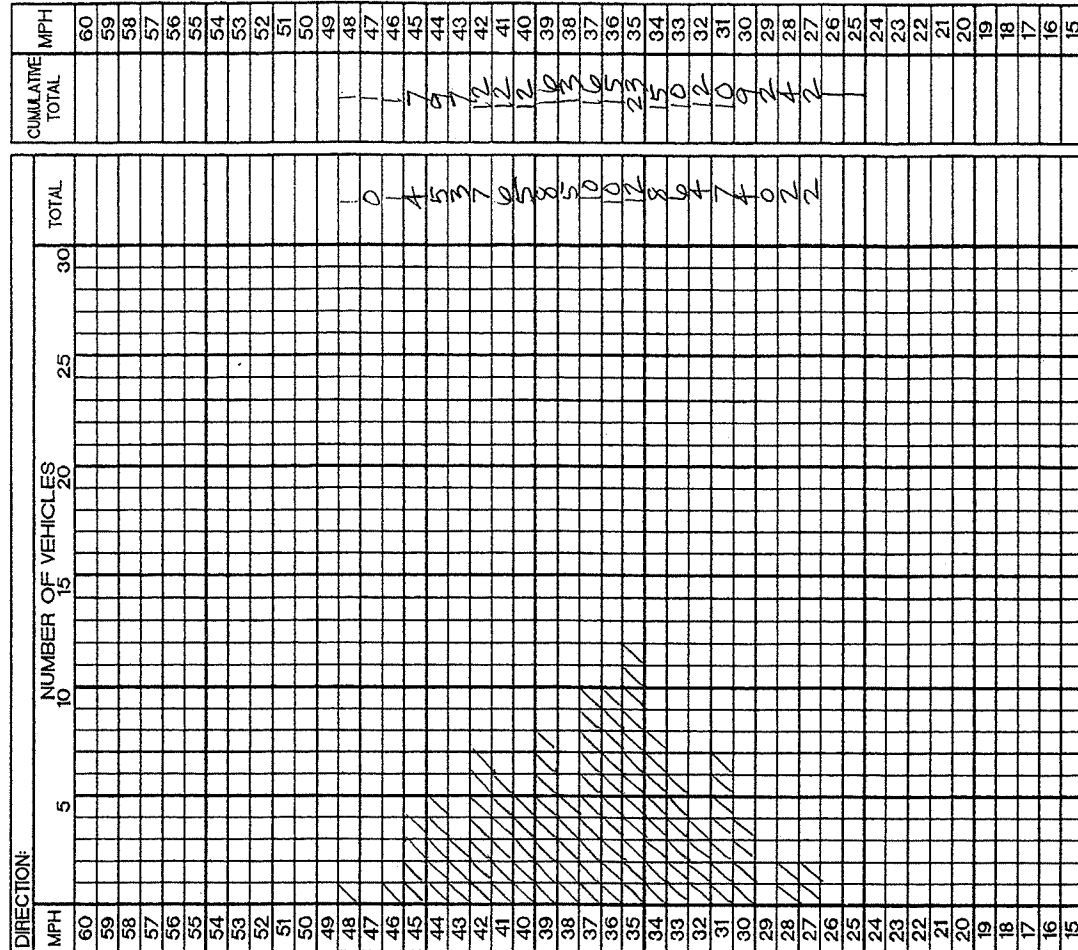
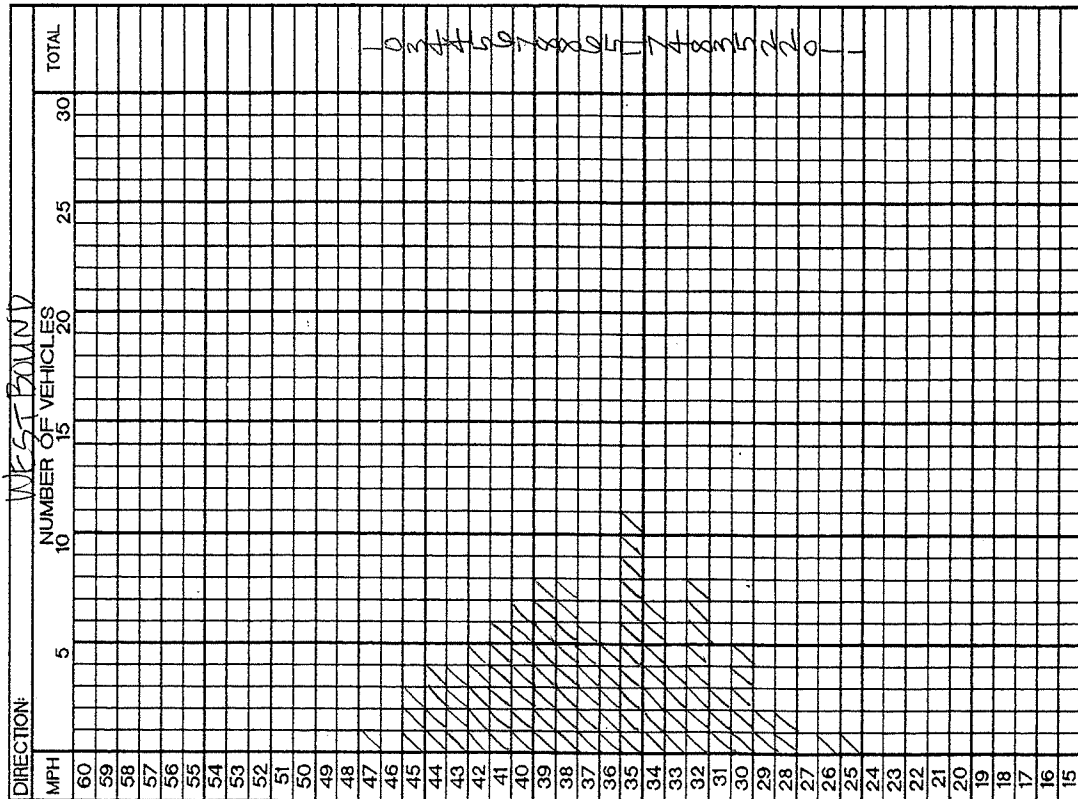
85th PERCENTILE SPEED: 41.5 MPH
 MEDIAN SPEED: 36.1 MPH
 15th PERCENTILE SPEED: 31.2 MPH

Radar Speed Survey Field Sheet

HARTZOG AND CABELL INC.
Consulting Traffic Engineers
10331 Santa Rita Rd., Suite 102, Dallas, TX 75243
(214) 721-1442

AGENCY: CITY OF LAGUNA WOODS
STREET: EL TORO ROAD
LOCATION: AVENIDA SEVILLA TO PASEO DE VALENCIA

WEATHER: SUNNY - HOT
ROAD CONDITION: DRY
OBSERVER: CATHY BUENDIA
DATE: 8/25/17
START TIME: 10:00 AM
END TIME: 10:45 AM



ENGINEERING AND TRAFFIC SURVEY

CITY OF LAGUNA WOODS

HCI**MOULTON PARKWAY****SANTA MARIA AVE TO EL TORO RD**

DATE: 8/25/2017

SURVEY BY: HCI - C.BUENDIA

TIME: 12:40 PM - 1:15 PM

CHECKED BY: JERRY STOCK

PREVAILING SPEED DATA	
LOCATION OF SURVEY	SOUTH OF SANTA MARIA
DATE OF SURVEY	8/25/2017
85th PERCENTILE	46.2 MPH
10 MPH PACE	37 - 46 MPH
PERCENT IN PACE	72.6 %
POSTED SPEED LIMIT	45 MPH

ACCIDENT HISTORY	
NO. OF MONTHS OBSERVED	36
SPEED-RELATED ACCIDENTS	8
TOTAL ACCIDENTS	15
ANNUAL ACCIDENT RATE	2.67 ACCIDENTS PER YEAR (SPEED RELATED ONLY)
ACC./MILLION VEH. MILES	0.35 ACCIDENTS PER MVM (SPEED RELATED ONLY)

TRAFFIC FACTORS	
AVERAGE DAILY TRAFFIC	32,000
LANE CONFIGURATION	3 LANES PER DIRECTION
TRAFFIC CONTROLS	SIGNAL - SANTA MARIA / GATE NO.12 + 16 / EL TORO
CROSSWALKS	AT SANTA MARIA / GATE NO.12+16 / EL TORO
PEDESTRIAN/BICYCLES	YES / FEW
TRUCK TRAFFIC	YES
ON-STREET PARKING	NO STOPPING ANYTIME
OTHER	NO SHOULDERS
	BUS STOPS / BIKE LANES

ROADWAY FACTORS	
LENGTH OF SEGMENT (MILES)	0.66
VERTICAL CURVE	GRADUAL-MODERATE UP/DOWNHILL GRADES
HORIZONTAL CURVE	MODERATE "S" CURVES
LATERAL VISIBILITY	LIMITED SIGHT DISTANCE (areas of)
ROAD CONDITIONS	GOOD
SIDEWALKS / DRIVEWAYS	YES / FEW
STREET LIGHTING	YES
DRIVEWAY DENSITY	NOMINAL
OTHER	RAISED MEDIAN ISLAND

ADJACENT LAND USE	GOLF COURSE / COMMERCAL
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RECOMMENDED SPEED LIMIT	45 MPH
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SPEED LIMIT CHANGE	NO CHANGE
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JUSTIFICATION:

The recommended speed is within 1.2 mph of the 85th percentile speed and meets CVC standards.

RADAR SPEED DISTRIBUTION SHEET

HCI**CITY OF LAGUNA WOODS**MOULTON PARKWAYSANTA MARIA AVE TO EL TORO RD

DATE: 8/25/2017

SURVEY BY: HCI - C.BUENDIA

TIME: 12:40 PM - 1:15 PM

CHECKED BY: JERRY STOCK

SPEED	CUMMULATIVE PERCENT					
	20	40	60	80	100	
60					X	100.0%
59					X	100.0%
58					X	100.0%
57					X	100.0%
56					X	100.0%
55					X	100.0%
54					X	100.0%
53					X	100.0%
52					X	100.0%
51					X	99.0%
50					X	98.5%
49					X	95.5%
48					X	91.0%
47					X	88.1%
46				X		84.1% } PACE ---85PCT
45				X		77.6% } PACE
44			X			66.7% } PACE
43			X			56.7% } PACE
42		X				49.3% } PACE ---MEAN
41		X				40.8% } PACE
40		X				33.8% } PACE
39	X					23.9% } PACE
38	X					19.4% } PACE
37	X					17.4% } PACE
36	X					11.4% ---15PCT
35	X					8.5%
34	X					5.0%
33	X					5.0%
32	X					4.0%
31	X					2.0%
30	X					0.5%
29	X					0.0%
28	X					0.0%
27	X					0.0%
26	X					0.0%
25	X					0.0%
24	X					0.0%
23	X					0.0%
22	X					0.0%
21	X					0.0%
20	X					0.0%
19	X					0.0%
18	X					0.0%
17	X					0.0%
16	X					0.0%
15	X					0.0%

UPPER LIMIT 10 MPH PACE: 46 MPH

LOWER LIMIT 10 MPH PACE: 37 MPH

PERCENT OVER PACE: 15.9 %

PERCENT IN PACE: 72.6 %

PERCENT UNDER PACE: 11.4 %

85th PERCENTILE SPEED: 46.2 MPH

MEDIAN SPEED: 42.1 MPH

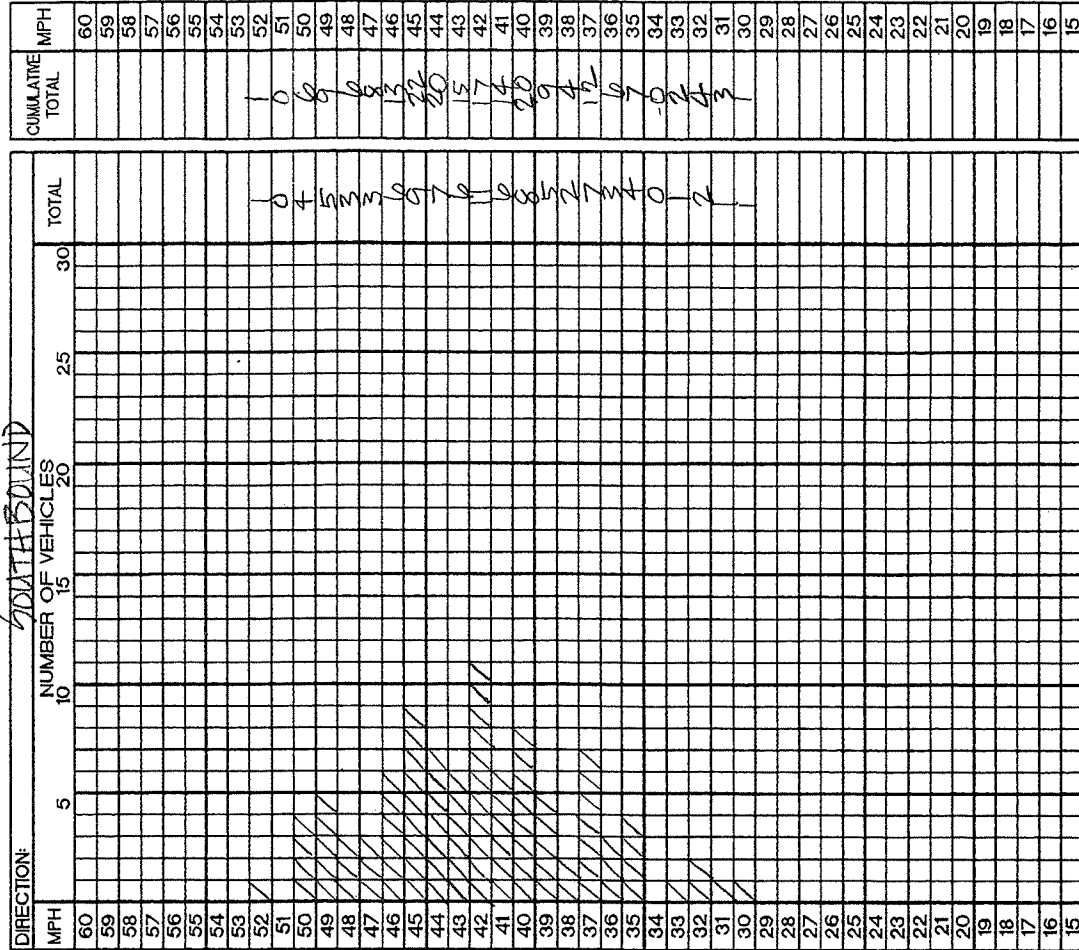
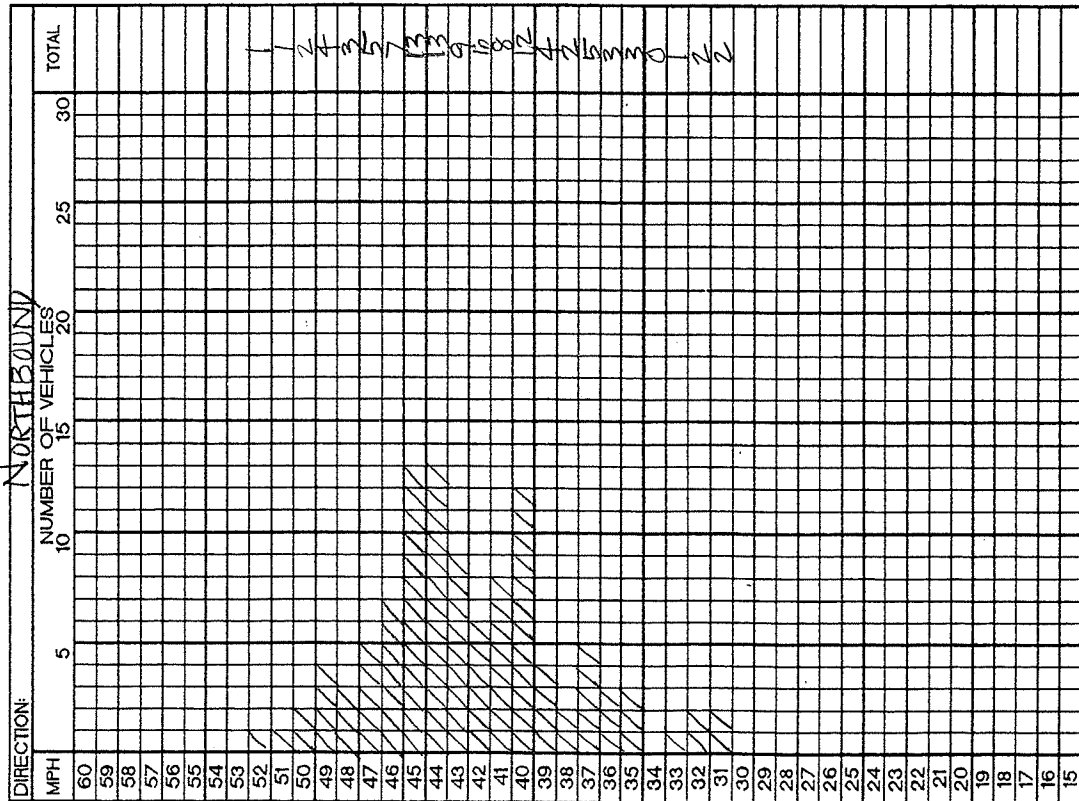
15th PERCENTILE SPEED: 36.6 MPH

Radar Speed Survey Field Sheet

HARTZOG AND CRABELL INC.
 Consulting Traffic Engineers
 1932 East Blvd., Suite 102, Redwood City, CA 94063
 (415) 731-5452

AGENCY: CITY OF LAGUNA WOODS
 STREET: MOULTON PARKWAY
 LOCATION: SANTA MARIA AVE TO EL TORO RD

WEATHER: SUNNY DATE: 08/25/17
 ROAD CONDITION: DRY START TIME: 12:40 PM
 OBSERVER: CATHY BUENDIA END TIME: 1:15 PM ✓



AVERAGE SPEED: _____ CRITICAL SPEED: _____ PACE SPEED: _____
 CUMULATIVE (BOTH DIRECTIONS) _____

ENGINEERING AND TRAFFIC SURVEY**CITY OF LAGUNA WOODS****HCI****MOULTON PARKWAY****EL TORO RD TO CALLE CORTEZ**

DATE: 8/25/2017

SURVEY BY: HCI - C.BUENDIA

TIME: 11:45 AM - 12:30 PM

CHECKED BY: JERRY STOCK

PREVAILING SPEED DATA	
LOCATION OF SURVEY	NORTH OF CALLE CORTEZ
DATE OF SURVEY	8/25/2017
85th PERCENTILE	47.2 MPH
10 MPH PACE	39 - 48 MPH
PERCENT IN PACE	75.9 %
POSTED SPEED LIMIT	45 MPH

ACCIDENT HISTORY	
NO. OF MONTHS OBSERVED	36
SPEED-RELATED ACCIDENTS	3
TOTAL ACCIDENTS	11
ANNUAL ACCIDENT RATE	1.00 ACCIDENTS PER YEAR (SPEED RELATED ONLY)
ACC./MILLION VEH. MILES	0.14 ACCIDENTS PER MVM (SPEED RELATED ONLY)

TRAFFIC FACTORS	
AVERAGE DAILY TRAFFIC	34,000
LANE CONFIGURATION	3 LANES PER DIRECTION
TRAFFIC CONTROLS	SIGNAL - EL TORO / VIA CAMPO VERDE / CALLE CORTEZ
CROSSWALKS	AT EL TORO / VIA CAMPO VERDE / CALLE CORTEZ
PEDESTRIAN/BICYCLES	YES / FEW
TRUCK TRAFFIC	YES
ON-STREET PARKING	NO STOPPING ANYTIME
OTHER	PAINTED BIKE LANES BUS STOPS

ROADWAY FACTORS	
LENGTH OF SEGMENT (MILES)	0.56
VERTICAL CURVE	GRADUAL UP/DOWNHILL GRADES
HORIZONTAL CURVE	GRADUAL-MODERATE "S" CURVES
LATERAL VISIBILITY	LIMITED SIGHT DISTANCE (areas of)
ROAD CONDITIONS	GOOD
SIDEWALKS / DRIVEWAYS	YES / YES
STREET LIGHTING	YES
DRIVEWAY DENSITY	LIGHT
OTHER	RAISED MEDIAN ISLAND NARROW SHOULDERS

ADJACENT LAND USE	CHURCHES / BUSINESS / COMMERCIAL
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RECOMMENDED SPEED LIMIT	45 MPH
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SPEED LIMIT CHANGE	NO CHANGE
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JUSTIFICATION:	
The recommended speed is within 2.2 mph of the 85th percentile speed and meets CVC standards.	

RADAR SPEED DISTRIBUTION SHEET

HCI**CITY OF LAGUNA WOODS****MOULTON PARKWAY**

DATE: 8/25/2017

TIME: 11:45 AM - 12:30 PM

EL TORO RD TO CALLE CORTEZ

SURVEY BY: HCI - C.BUENDIA

CHECKED BY: JERRY STOCK

SPEED	CUMMULATIVE PERCENT					
	20	40	60	80	100	
60					X	100.0%
59					X	100.0%
58					X	100.0%
57					X	100.0%
56					X	100.0%
55					X	100.0%
54					X	100.0%
53					X	100.0%
52					X	99.5%
51					X	97.6%
50					X	95.8%
49					X	91.0%
48					X	88.7% }PACE
47				X	X	84.0% }PACE ---85PCT
46				X	X	79.2% }PACE
45				X	X	71.7% }PACE
44			X	X		62.7% }PACE
43			X			52.4% }PACE
42			X			42.5% }PACE ---MEAN
41		X				31.6% }PACE
40		X				23.1% }PACE
39		X				16.0% }PACE
38		X				12.7% ---15PCT
37		X				9.0%
36		X				6.6%
35	X					3.8%
34	X					2.8%
33	X					1.9%
32	X					1.4%
31	X					0.5%
30	X					0.5%
29	X					0.0%
28	X					0.0%
27	X					0.0%
26	X					0.0%
25	X					0.0%
24	X					0.0%
23	X					0.0%
22	X					0.0%
21	X					0.0%
20	X					0.0%
19	X					0.0%
18	X					0.0%
17	X					0.0%
16	X					0.0%
15	X					0.0%

UPPER LIMIT 10 MPH PACE: 48 MP

LOWER LIMIT 10 MPH PACE: 39 MPH

PERCENT OVER PACE: 11.3 %

PERCENT IN PACE: 75.9 %

PERCENT UNDER PACE: 12.7 %

85th PERCENTILE SPEED: 47.2 MPH

MEDIAN SPEED: 42.8 MPH

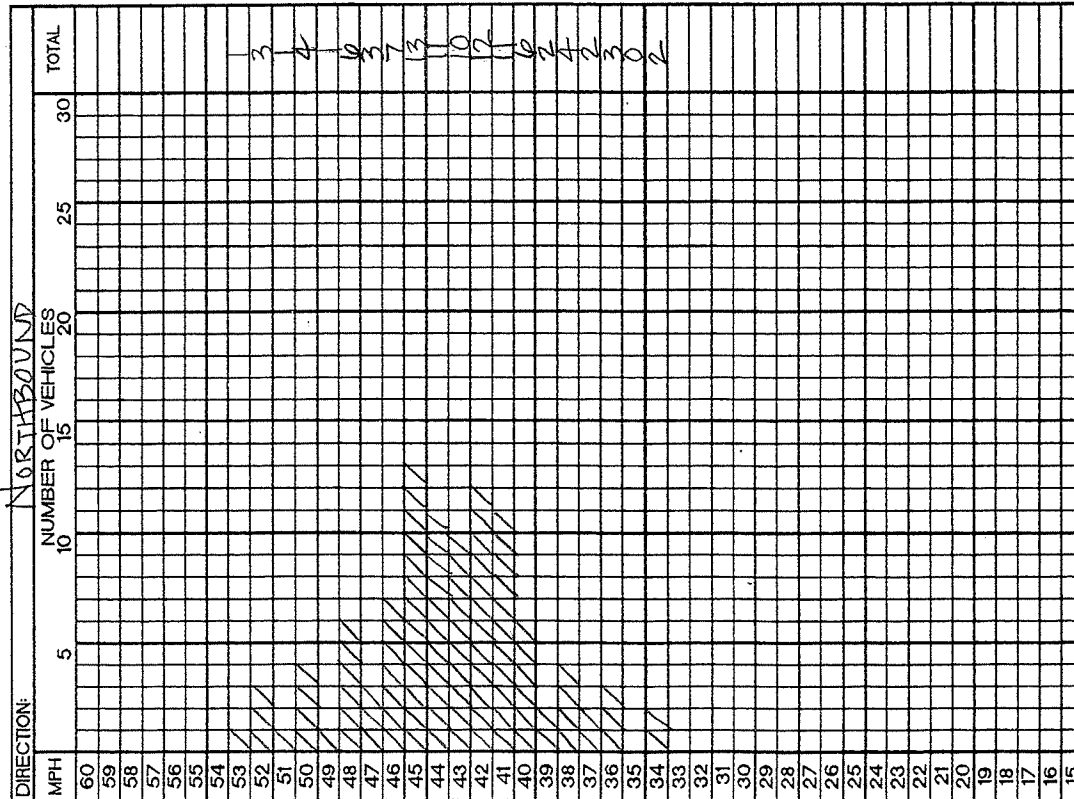
15th PERCENTILE SPEED: 38.7 MPH

HARTZOG AND CRABILL INC.
 Consulting Traffic Engineers
 10321 Villa Road, Suite 125, Irvine, CA 92618
 (949) 261-5452

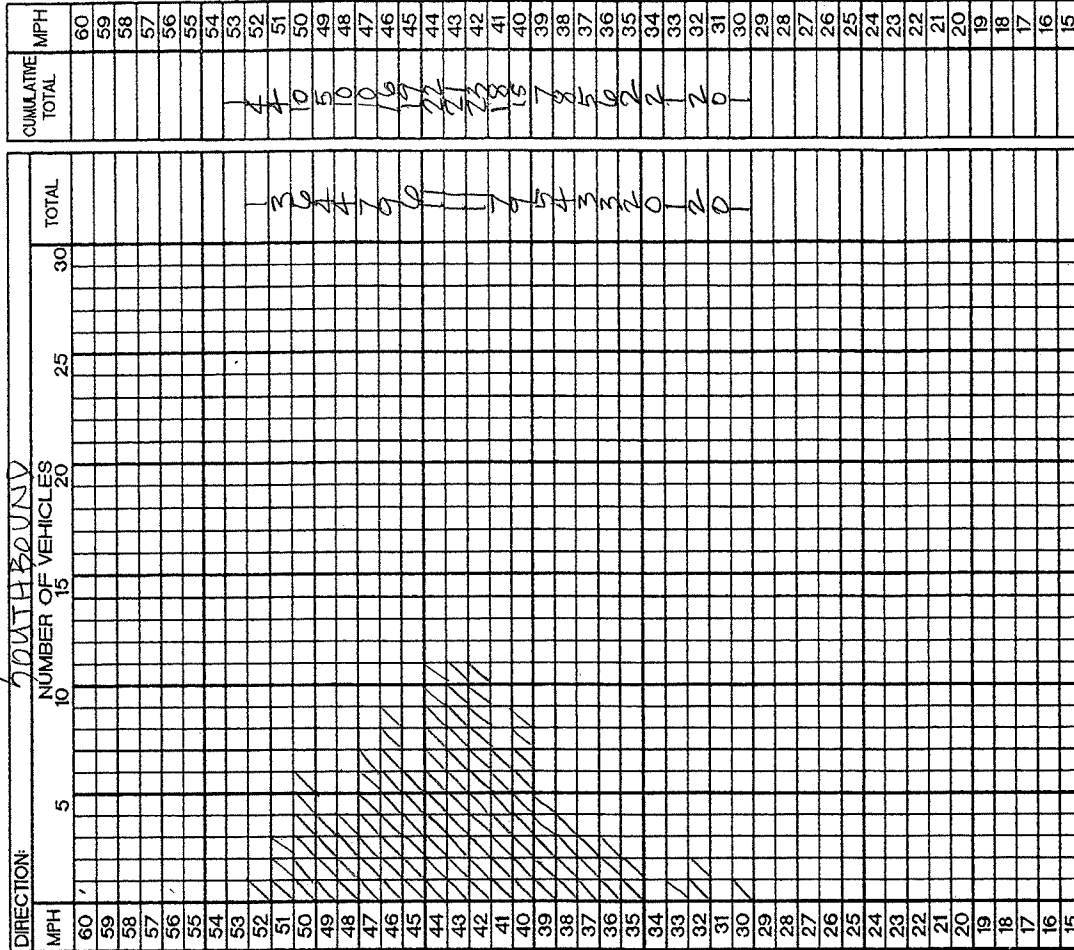
Radar Speed Survey Field Sheet

AGENCY: CITY OF LAGUNA WOODS
 STREET: MOULTON PARKWAY
 LOCATION: EL TORO RD TO CAULE CORTEZ

WEATHER: SUNNY DATE: 08/25/17
 ROAD CONDITION: DRY START TIME: 11:45 AM
 OBSERVER: CATHY BUENDIA END TIME: 12:30 PM VCM



AVERAGE SPEED: _____ CRITICAL SPEED: _____ PACE SPEED: _____
 CUMULATIVE (BOTH DIRECTIONS) _____



AVERAGE SPEED: _____ CRITICAL SPEED: _____ PACE SPEED: _____
 CUMULATIVE (BOTH DIRECTIONS) _____

ENGINEERING AND TRAFFIC SURVEY

CITY OF LAGUNA WOODS

HCI**MOULTON PARKWAY****CALLE CORTEZ TO SOUTH CITY LIMITS**

DATE: 8/25/2017
 TIME: 11:00 AM - 11:35 AM

SURVEY BY: HCI - C.BUENDIA
 CHECKED BY: JERRY STOCK

PREVAILING SPEED DATA	
LOCATION OF SURVEY	NORTH OF CALLE CORTEZ
DATE OF SURVEY	8/25/2017
85th PERCENTILE	48.4 MPH
10 MPH PACE	40 - 49 MPH
PERCENT IN PACE	77.1 %
POSTED SPEED LIMIT	45 MPH

ACCIDENT HISTORY	
NO. OF MONTHS OBSERVED	36
SPEED-RELATED ACCIDENTS	2
TOTAL ACCIDENTS	10
ANNUAL ACCIDENT RATE	0.67 ACCIDENTS PER YEAR (SPEED RELATED ONLY)
ACC./MILLION VEH. MILES	0.12 ACCIDENTS PER MVM (SPEED RELATED ONLY)

TRAFFIC FACTORS	
AVERAGE DAILY TRAFFIC	31,000
LANE CONFIGURATION	3 LANES PER DIRECTION
TRAFFIC CONTROLS	SIGNAL - CALLE CORTEZ / VIA IGLESIA / CALLE ARAGON
CROSSWALKS	AT CALLE CORTEZ / VIA IGLESIA / CALLE ARAGON
PEDESTRIAN/BICYCLES	YES / YES
TRUCK TRAFFIC	YES
ON-STREET PARKING	NO STOPPING ANYTIME
OTHER	PAINTED BIKE LANES BUS STOPS

ROADWAY FACTORS	
LENGTH OF SEGMENT (MILES)	0.48
VERTICAL CURVE	SLIGHT UP/DOWNHILL GRADES
HORIZONTAL CURVE	GRADUAL "S" CURVES
LATERAL VISIBILITY	LIMITED SIGHT DISTANCE (areas of)
ROAD CONDITIONS	GOOD
SIDEWALKS / DRIVEWAYS	YES / FEW
STREET LIGHTING	YES
DRIVEWAY DENSITY	NOMINAL
OTHER	RAISED MEDIAN ISLAND NARROW SHOULDERS

ADJACENT LAND USE	RESIDENTIAL (NF) / GOLF COURSE / BUSINESS / COMMERCIAL
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RECOMMENDED SPEED LIMIT	45 MPH
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SPEED LIMIT CHANGE	NO CHANGE
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JUSTIFICATION:

The recommended speed is within 3.4 mph of the 85th percentile speed and meets CVC standards.

RADAR SPEED DISTRIBUTION SHEET

HCI **CITY OF LAGUNA WOODS**
MOULTON PARKWAY **CALLE CORTEZ TO SOUTH CITY LIMITS**
 DATE: 8/25/2017 SURVEY BY: HCI - C.BUENDIA
 TIME: 11:00 AM - 11:35 AM CHECKED BY: JERRY STOCK

SPEED	CUMMULATIVE PERCENT					
	20	40	60	80	100	
60					X	100.0%
59					X	100.0%
58					X	100.0%
57					X	99.5%
56					X	99.5%
55					X	99.1%
54					X	98.1%
53					X	97.7%
52					X	95.8%
51					X	93.9%
50					X	92.1%
49					X	87.9% } PACE
48				X	X	82.7% } PACE ---85PCT
47				X	X	76.6% } PACE
46				X	X	69.2% } PACE
45				X	X	60.7% } PACE
44			X	X	X	49.5% } PACE ---MEAN
43			X	X	X	41.6% } PACE
42		X	X	X	X	31.8% } PACE
41		X	X	X	X	22.4% } PACE
40		X	X	X	X	16.4% } PACE
39		X	X	X	X	10.7% ---15PCT
38		X	X	X	X	7.9%
37		X	X	X	X	7.0%
36	X	X	X	X	X	3.3%
35	X	X	X	X	X	2.8%
34	X	X	X	X	X	0.9%
33	X	X	X	X	X	0.5%
32	X	X	X	X	X	0.0%
31	X	X	X	X	X	0.0%
30	X	X	X	X	X	0.0%
29	X	X	X	X	X	0.0%
28	X	X	X	X	X	0.0%
27	X	X	X	X	X	0.0%
26	X	X	X	X	X	0.0%
25	X	X	X	X	X	0.0%
24	X	X	X	X	X	0.0%
23	X	X	X	X	X	0.0%
22	X	X	X	X	X	0.0%
21	X	X	X	X	X	0.0%
20	X	X	X	X	X	0.0%
19	X	X	X	X	X	0.0%
18	X	X	X	X	X	0.0%
17	X	X	X	X	X	0.0%
16	X	X	X	X	X	0.0%
15	X	X	X	X	X	0.0%

UPPER LIMIT 10 MPH PACE: 49 MPH
 LOWER LIMIT 10 MPH PACE: 40 MPH
 PERCENT OVER PACE: 12.1 %
 PERCENT IN PACE: 77.1 %
 PERCENT UNDER PACE: 10.7 %

85th PERCENTILE SPEED: 48.4 MPH
 MEDIAN SPEED: 44.0 MPH
 15th PERCENTILE SPEED: 39.8 MPH

Radar Speed Survey Field Sheet

AGENCY: CITY OF LAGUNA WOODS

STREET: MOULTON PARKWAY

LOCATION: CALLE CORTE TO SOUTH CITY LIMITS

WEATHER: SUNNY

ROAD CONDITION: DRY

OBSERVER: CATHY BUENDIA

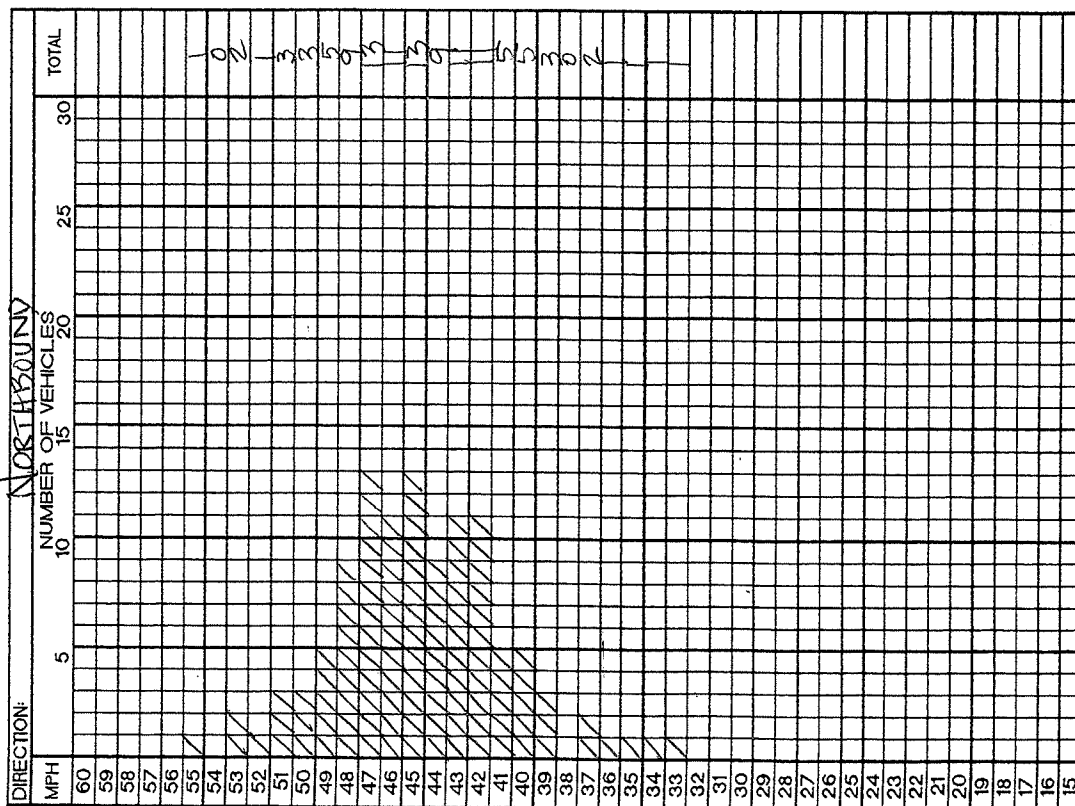
DATE: 8/25/17

START TIME: 11:00 AM

END TIME: 11:35 AM ✓

HARTZOG AND CRABILL INC.
Consulting Traffic Engineers
17532 Vaina Blvd., Suite 122, Irvine, CA 92630
(714) 751-5455

ITEM 8.4 - Attachment B



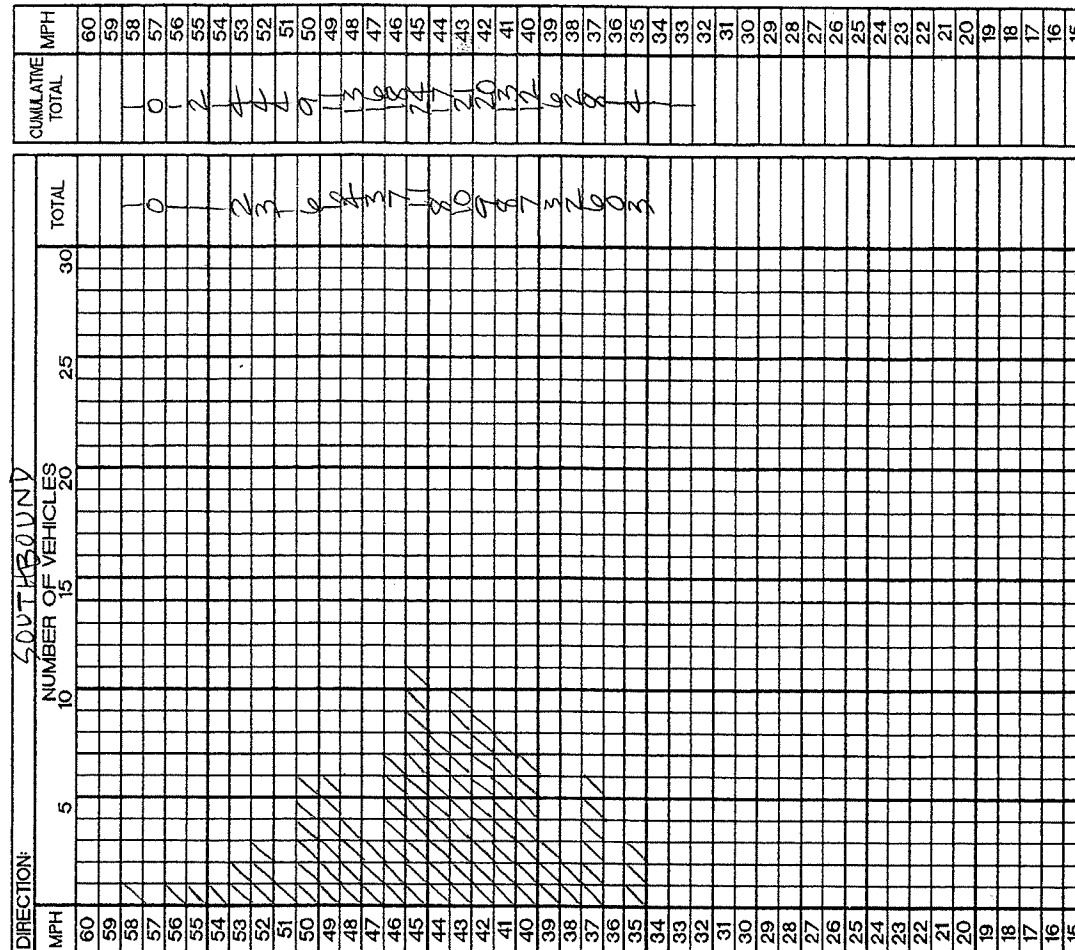
AVERAGE
SPEED: _____

**CRITICAL
SPEED:**

PACE
SPEED

I

CUMULATIVE (BOTH DIRECTIONS) _____



AVERAGE
SPEED:

CRITICAL
SPEED:

PACE
SPEED:

ENGINEERING AND TRAFFIC SURVEY

CITY OF LAGUNA WOODS

HCI**RIDGE ROUTE DRIVE****MOULTON PKWY TO EAST CITY LIMITS**

DATE: 8/28/2017

SURVEY BY: HCI - C.BUENDIA

TIME: 1:30 PM - 2:20 PM

CHECKED BY: JERRY STOCK

PREVAILING SPEED DATA	
LOCATION OF SURVEY	WEST OF PERALTA
DATE OF SURVEY	8/28/2017
85th PERCENTILE	47.4 MPH
10 MPH PACE	39 - 48 MPH
PERCENT IN PACE	68.1 %
POSTED SPEED LIMIT	45 MPH

ACCIDENT HISTORY	
NO. OF MONTHS OBSERVED	36
SPEED-RELATED ACCIDENTS	1
TOTAL ACCIDENTS	2
ANNUAL ACCIDENT RATE	0.33 ACCIDENTS PER YEAR (SPEED RELATED ONLY)
ACC./MILLION VEH. MILES	0.17 ACCIDENTS PER MVM (SPEED RELATED ONLY)

TRAFFIC FACTORS	
AVERAGE DAILY TRAFFIC	7,000
LANE CONFIGURATION	1 LANE PER DIRECTION
TRAFFIC CONTROLS	SIGNAL - MOULTON / PERALTA
CROSSWALKS	AT MOULTON / PERALTA
PEDESTRIAN/BICYCLES	YES / YES
TRUCK TRAFFIC	FEW
ON-STREET PARKING	NO STOPPING ANYTIME ENTIRE BLOCK
OTHER	

ROADWAY FACTORS	
LENGTH OF SEGMENT (MILES)	0.77
VERTICAL CURVE	SLIGHT UP/DOWNHILL GRADES
HORIZONTAL CURVE	NONE
LATERAL VISIBILITY	GOOD
ROAD CONDITIONS	GOOD
SIDEWALKS / DRIVEWAYS	YES / NO (WB) - NO / NO (EB)
STREET LIGHTING	YES
DRIVEWAY DENSITY	NOMINAL
OTHER	SOLID DBL YELLOW CENTERLINE NO SHOULDERS (WB) / DIRT PEDESTRIAN TRAIL-DOG WALK (EB)

ADJACENT LAND USE	RESIDENTIAL (NF) / BUSINESS / COMMERCIAL
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RECOMMENDED SPEED LIMIT	45 MPH
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SPEED LIMIT CHANGE	NO CHANGE
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JUSTIFICATION:	
	The recommended speed is within 2.4 mph of the 85th percentile speed and meets CVC standards.

RADAR SPEED DISTRIBUTION SHEET

HCI **CITY OF LAGUNA WOODS**
RIDGE ROUTE DRIVE **MOULTON PKWY TO EAST CITY LIMITS**
 DATE: 8/28/2017 SURVEY BY: HCI - C.BUENDIA
 TIME: 1:30 PM - 2:20 PM CHECKED BY: JERRY STOCK

SPEED	CUMMULATIVE PERCENT					
	20	40	60	80	100	
60					X	100.0%
59					X	100.0%
58					X	100.0%
57					X	100.0%
56					X	100.0%
55					X	100.0%
54					X	100.0%
53					X	98.9%
52					X	97.3%
51					X	95.7%
50					X	94.1%
49					X	91.0%
48					X	88.8% } PACE
47					X	81.9% } PACE ---85PCT
46					X	78.2% } PACE
45					X	69.7% } PACE
44					X	61.2% } PACE
43					X	57.4% } PACE
42					X	51.1% } PACE
41					X	43.1% } PACE ---MEAN
40					X	35.1% } PACE
39					X	25.0% } PACE
38					X	20.7% ---15PCT
37					X	14.4%
36					X	10.6%
35					X	10.1%
34					X	6.4%
33					X	3.7%
32					X	3.7%
31					X	1.1%
30					X	1.1%
29					X	1.1%
28					X	0.5%
27					X	0.0%
26					X	0.0%
25					X	0.0%
24					X	0.0%
23					X	0.0%
22					X	0.0%
21					X	0.0%
20					X	0.0%
19					X	0.0%
18					X	0.0%
17					X	0.0%
16					X	0.0%
15					X	0.0%

UPPER LIMIT 10 MPH PACE: 48 MPH
 LOWER LIMIT 10 MPH PACE: 39 MPH
 PERCENT OVER PACE: 11.2 %
 PERCENT IN PACE: 68.1 %
 PERCENT UNDER PACE: 20.7 %

85th PERCENTILE SPEED: 47.4 MPH
 MEDIAN SPEED: 41.9 MPH
 15th PERCENTILE SPEED: 37.1 MPH

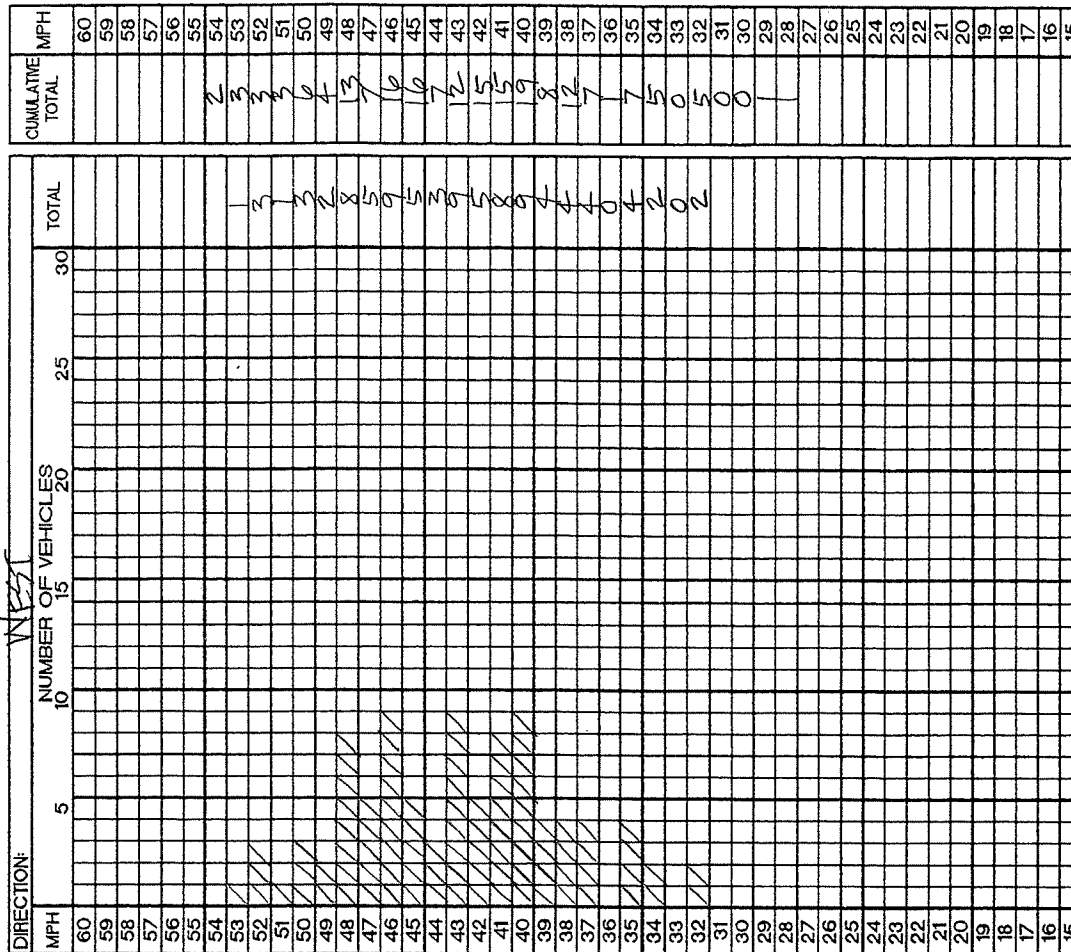
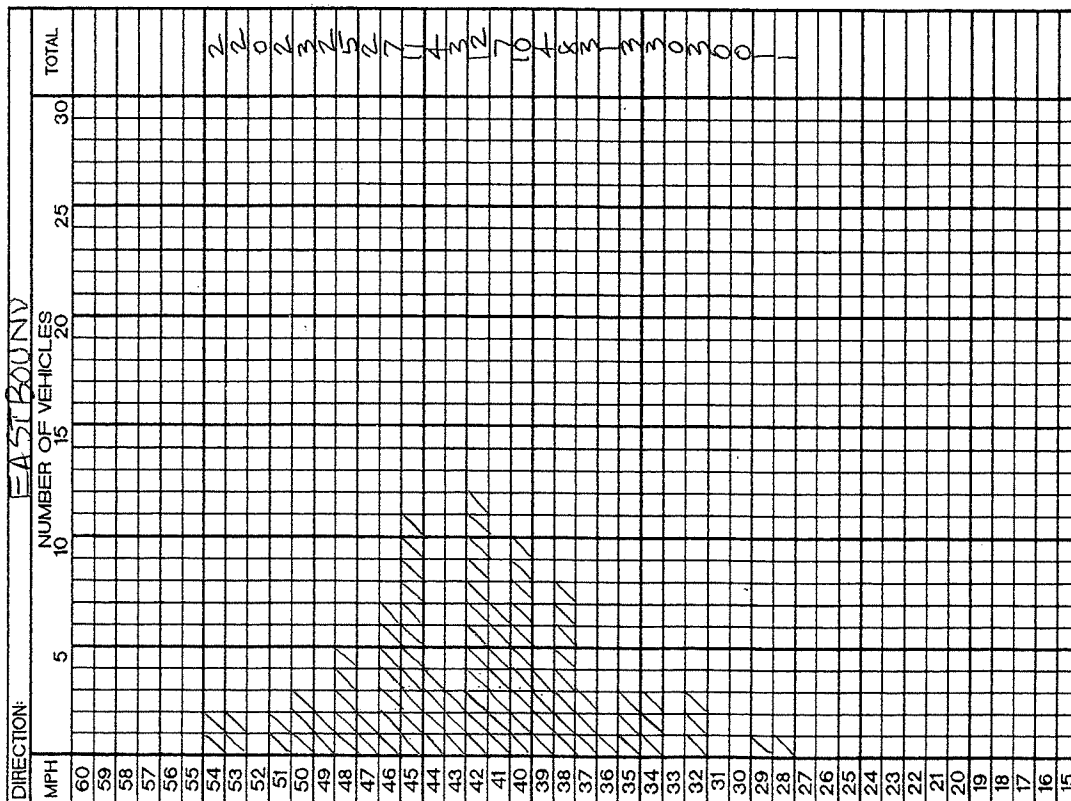
HARTZOG AND CRABILL INC.
Consulting Traffic Engineers
 17528 Main Road, Suite 102, Irvine, CA 92614
 (949) 251-5400

Radar Speed Survey Field Sheet

ITEM 8.4 - Attachment B

AGENCY: CITY OF LAGUNA WOODS DATE: 08/28/17
 STREET: RIDGE ROUTE DRIVE START TIME: 1:30 PM
 LOCATION: MOULTON PKWY TO EAST CITY LIMITS OBSERVER: CATHY BUENDIA END TIME: 2:20 PM ✓

WEATHER: SUNNY
 ROAD CONDITION: DRY
 OBSERVER: CATHY BUENDIA



AVERAGE SPEED: _____ CRITICAL SPEED: _____ PACE SPEED: _____
 CUMULATIVE (BOTH DIRECTIONS) _____

AVERAGE SPEED: _____ CRITICAL SPEED: _____ PACE SPEED: _____

ENGINEERING AND TRAFFIC SURVEY

CITY OF LAGUNA WOODS

HCI**SANTA MARIA AVENUE****MOULTON PKWY TO VIA VISTA**

DATE: 8/28/2017

SURVEY BY: HCI - C.BUENDIA

TIME: 2:30 PM - 3:40 PM

CHECKED BY: JERRY STOCK

PREVAILING SPEED DATA	
LOCATION OF SURVEY	EAST OF SAN REMO
DATE OF SURVEY	0/28/2017
85th PERCENTILE	43.9 MPH
10 MPH PACE	36 - 45 MPH
PERCENT IN PACE	80.6 %
POSTED SPEED LIMIT	40 MPH

ACCIDENT HISTORY	
NO. OF MONTHS OBSERVED	36
SPEED-RELATED ACCIDENTS	0
TOTAL ACCIDENTS	7
ANNUAL ACCIDENT RATE	0.00 ACCIDENTS PER YEAR (SPEED RELATED ONLY)
ACC./MILLION VEH. MILES	0.00 ACCIDENTS PER MVM (SPEED RELATED ONLY)

TRAFFIC FACTORS	
AVERAGE DAILY TRAFFIC	7,000
LANE CONFIGURATION	2 LANES PER DIRECTION
TRAFFIC CONTROLS	SIGNAL - MOULTON / STOP - VIA VISTA
CROSSWALKS	AT MOULTON / VIA VISTA
PEDESTRIAN/BICYCLES	FEW / FEW
TRUCK TRAFFIC	NO
ON-STREET PARKING	NO STOPPING ANYTIME
OTHER	NO SHOULDERS

ROADWAY FACTORS	
LENGTH OF SEGMENT (MILES)	0.42
VERTICAL CURVE	SLIGHT-GRADUAL UP/DOWNHILL GRADES
HORIZONTAL CURVE	GRADUAL "S" CURVES
LATERAL VISIBILITY	LIMITED SIGHT DISTANCE (areas of)
ROAD CONDITIONS	GOOD
SIDEWALKS / DRIVEWAYS	YES / NO
STREET LIGHTING	YES
DRIVEWAY DENSITY	NONE
OTHER	RAISED MEDIAN ISLAND
	NO SHOULDERS

ADJACENT LAND USE	RESIDENTIAL (NF) / COMMERCIAL (at Moulton)
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RECOMMENDED SPEED LIMIT	40 MPH
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SPEED LIMIT CHANGE	NO CHANGE
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JUSTIFICATION:

The recommended speed limit is within 3.9 mph of the 85th percentile speed and meets CVC standards.

NF = NON FRONTING TO ROADWAY

File: Santa Maria 2017-10

Note: Santa Maria Avenue has shared jurisdiction with the City of Laguna Hills and speed limit is 40 mph.

RADAR SPEED DISTRIBUTION SHEET

HCI**CITY OF LAGUNA WOODS****SANTA MARIA AVENUE**

DATE: 0/28/2017

TIME: 2:30 PM - 3:40 PM

MOULTON PKWY TO VIA VISTA

SURVEY BY: HCI - C.BUENDIA

CHECKED BY: JERRY STOCK

SPEED	CUMMULATIVE PERCENT					
	20	40	60	80	100	
60						X 100.0%
59						X 100.0%
58						X 100.0%
57						X 100.0%
56						X 100.0%
55						X 100.0%
54						X 100.0%
53						X 100.0%
52						X 100.0%
51						X 100.0%
50						X 99.4%
49						X 98.8%
48						X 98.8%
47					X	97.0%
46					X	95.2%
45					X	91.5% }PACE
44				X		85.5% }PACE
43				X		80.0% }PACE ---85PCT
42				X		74.5% }PACE
41			X			67.9% }PACE
40			X			61.2% }PACE
39			X			49.1% }PACE ---MEAN
38		X				37.6% }PACE
37		X				28.5% }PACE
36	X					21.8% }PACE
35	X					10.9% ---15PCT
34	X					5.5%
33	X					2.4%
32	X					1.2%
31	X					0.6%
30	X					0.0%
29	X					0.0%
28	X					0.0%
27	X					0.0%
26	X					0.0%
25	X					0.0%
24	X					0.0%
23	X					0.0%
22	X					0.0%
21	X					0.0%
20	X					0.0%
19	X					0.0%
18	X					0.0%
17	X					0.0%
16	X					0.0%
15	X					0.0%

UPPER LIMIT 10 MPH PACE: 45 MPH
 LOWER LIMIT 10 MPH PACE: 36 MPH
 PERCENT OVER PACE: 8.5 %
 PERCENT IN PACE: 80.6 %
 PERCENT UNDER PACE: 10.9 %

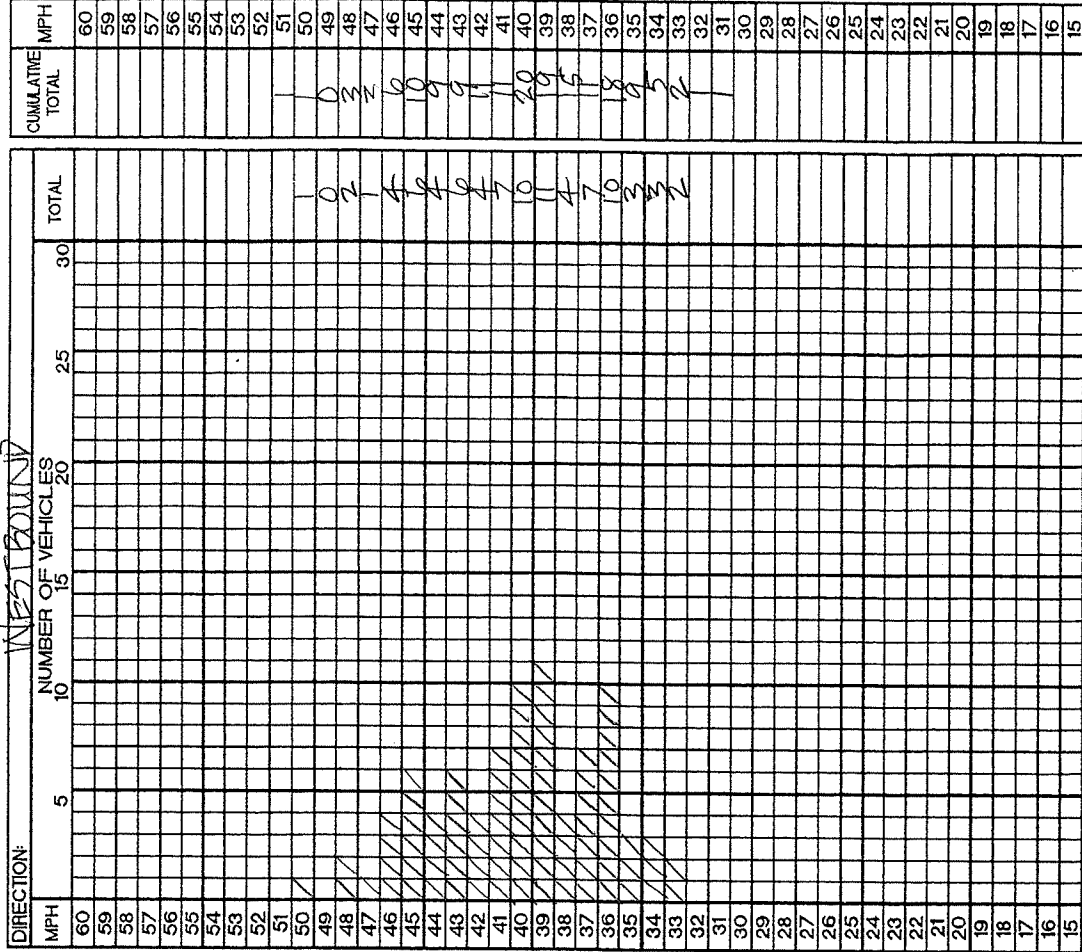
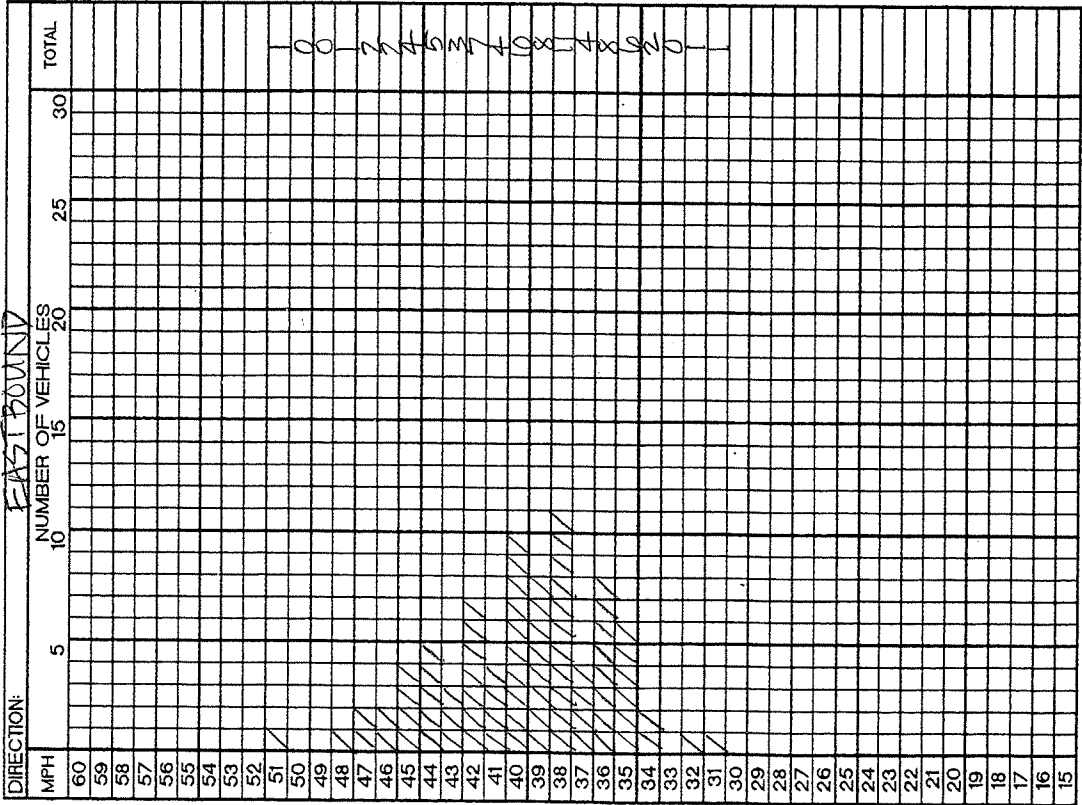
85th PERCENTILE SPEED: 43.9 MPH
 MEDIAN SPEED: 39.1 MPH
 15th PERCENTILE SPEED: 35.4 MPH

Radar Speed Survey Field Sheet

HARTZOG AND CRABILL INC.
Consulting Traffic Engineers
11521 New Blvd, Suite 112, Dallas, TX 75243
(972) 751-5400

AGENCY: CITY OF LAGUNA WOODS
STREET: SANTA MARIA AVENUE
LOCATION: MOUNTAIN PKWY TO VIA VISTA

WEATHER: SUNNY DATE: 08/28/17
ROAD CONDITION: DRY START TIME: 2:30 PM
OBSERVER: CATHY BUENDIA END TIME: 3:40 PM VUL



AVERAGE SPEED: _____ CRITICAL SPEED: _____ PACE SPEED: _____
CUMULATIVE (BOTH DIRECTIONS) _____

ENGINEERING AND TRAFFIC SURVEY

CITY OF LAGUNA WOODS

HCI**SANTA MARIA AVENUE****SANTA VITTORIA TO AVENIDA SOSIEGA**

DATE: 8/25/2017

SURVEY BY: HCI - C.BUENDIA

TIME: 1:30 PM - 2:30 PM

CHECKED BY: JERRY STOCK

PREVAILING SPEED DATA	
LOCATION OF SURVEY	WEST OF MOULTON
DATE OF SURVEY	8/25/2017
85th PERCENTILE	41.2 MPH
10 MPH PACE	32 - 41 MPH
PERCENT IN PACE	75.0 %
POSTED SPEED LIMIT	40 MPH

ACCIDENT HISTORY	
NO. OF MONTHS OBSERVED	36
SPEED-RELATED ACCIDENTS	0
TOTAL ACCIDENTS	0
ANNUAL ACCIDENT RATE	0.00 ACCIDENTS PER YEAR (SPEED RELATED ONLY)
ACC./MILLION VEH. MILES	0.00 ACCIDENTS PER MVM (SPEED RELATED ONLY)

TRAFFIC FACTORS	
AVERAGE DAILY TRAFFIC	7,000
LANE CONFIGURATION	2 LANES PER DIRECTION
TRAFFIC CONTROLS	STOP - AVENIDA SOSIEGA
CROSSWALKS	AT AVENIDA SOSIEGA
PEDESTRIAN/BICYCLES	FEW / FEW
TRUCK TRAFFIC	NO
ON-STREET PARKING	NO STOPPING ANYTIME
OTHER	NO SHOULDERS

ROADWAY FACTORS	
LENGTH OF SEGMENT (MILES)	0.14
VERTICAL CURVE	SLIGHT UP/DOWNHILL GRADES
HORIZONTAL CURVE	VERY SLIGHT CURVE
LATERAL VISIBILITY	GOOD
ROAD CONDITIONS	GOOD
SIDEWALKS / DRIVEWAYS	YES / NO
STREET LIGHTING	YES
DRIVEWAY DENSITY	NONE
OTHER	RAISED MEDIAN ISLAND NO SHOULDERS

ADJACENT LAND USE	RESIDENTIAL (NF) / ELEMENTARY SCHOOL / COMMERCIAL (at Moulton)
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RECOMMENDED SPEED LIMIT	40 MPH
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SPEED LIMIT CHANGE	NO CHANGE
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JUSTIFICATION:	The recommended 40 mph is within 1.2 mph of the 85th percentile speed and meets CVC standards.
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NF = NON FRONTING TO ROADWAY

File: Santa Maria 2017-11

Note: Santa Maria Avenue has shared jurisdiction with the City of Laguna Hills

RADAR SPEED DISTRIBUTION SHEET

HCI
CITY OF LAGUNA WOODS
SANTA MARIA AVENUE
DATE: 8/25/2017
TIME: 1:30 PM - 2:30 PM
SANTA VITTORIA TO AVENIDA SOSIEGA
SURVEY BY: HCI - C.BUENDIA
CHECKED BY: JERRY STOCK

SPEED	CUMMULATIVE PERCENT					
	20	40	60	80	100	
60						X 100.0%
59						X 100.0%
58						X 100.0%
57						X 100.0%
56						X 100.0%
55						X 100.0%
54						X 100.0%
53						X 100.0%
52						X 100.0%
51						X 100.0%
50						X 100.0%
49						X 99.4%
48						X 99.4%
47						X 98.8%
46						X 98.3%
45						X 95.3%
44						X 92.4%
43						X 90.1%
42						X 89.5%
41						X 83.7% }PACE ---85PCT
40						X 76.7% }PACE
39						X 66.9% }PACE
38						X 61.6% }PACE
37						X 48.8% }PACE ---MEAN
36						X 43.0% }PACE
35						X 38.4% }PACE
34						X 27.3% }PACE
33						X 18.0% }PACE
32						X 15.1% }PACE
31						X 8.7% ---15PCT
30						X 7.0%
29						X 2.9%
28						X 2.3%
27						X 0.6%
26						X 0.0%
25						X 0.0%
24						X 0.0%
23						X 0.0%
22						X 0.0%
21						X 0.0%
20						X 0.0%
19						X 0.0%
18						X 0.0%
17						X 0.0%
16						X 0.0%
15						X 0.0%

UPPER LIMIT 10 MPH PACE: 41 MPH

LOWER LIMIT 10 MPH PACE: 32 MPH

PERCENT OVER PACE: 16.3 %

PERCENT IN PACE: 75.0 %

PERCENT UNDER PACE: 8.7 %

85th PERCENTILE SPEED: 41.2 MPH

MEDIAN SPEED: 37.1 MPH

15th PERCENTILE SPEED: 32.0 MPH

Radar Speed Survey Field Sheet

HARTZOG AND CRABILL INC.
Consulting Traffic Engineers
17532 Banta Blvd., Suite 172, Irvine, CA 92610
(714) 731-5432

AGENCY: CITY OF LAGUNA WOODS

STREET: SANTA MARIA AVENUE

LOCATION: SANTA VITTORIA DR. TO AVENIDA SOSIEGA

WEATHER: SUNNY

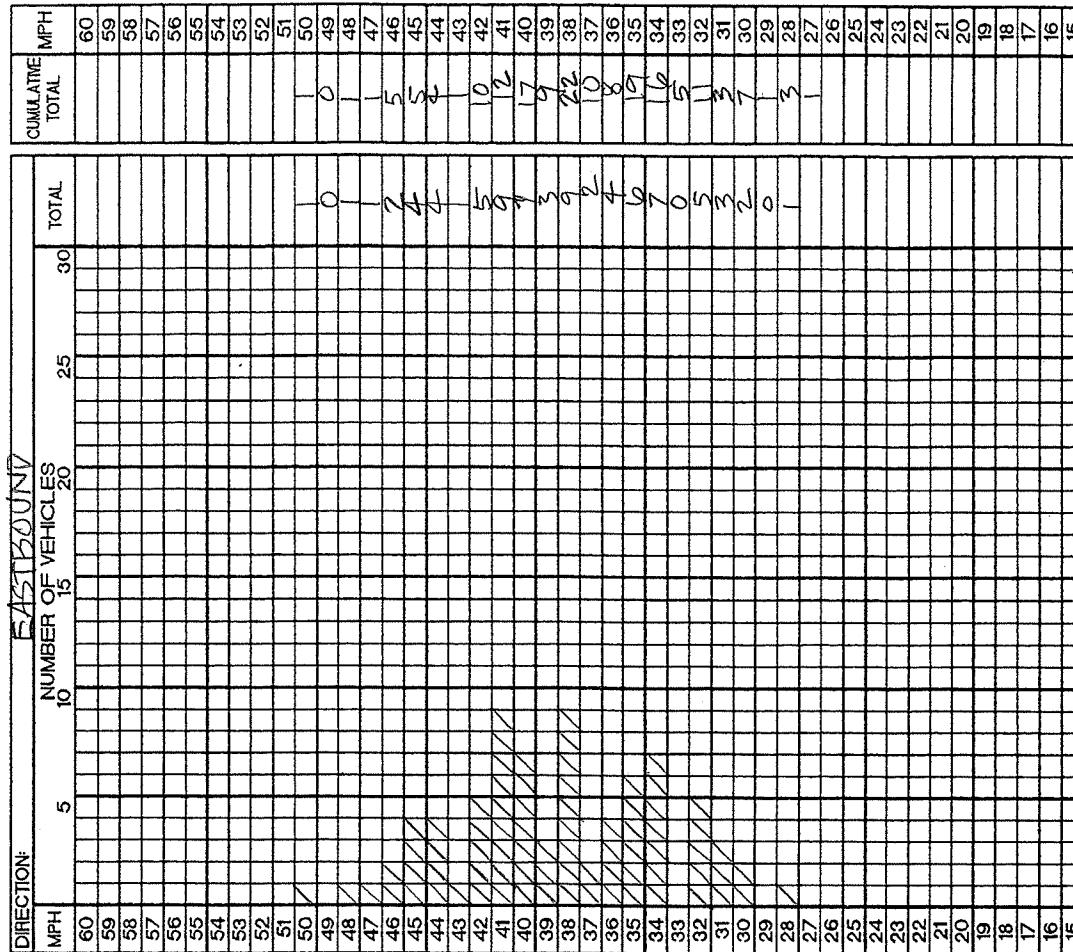
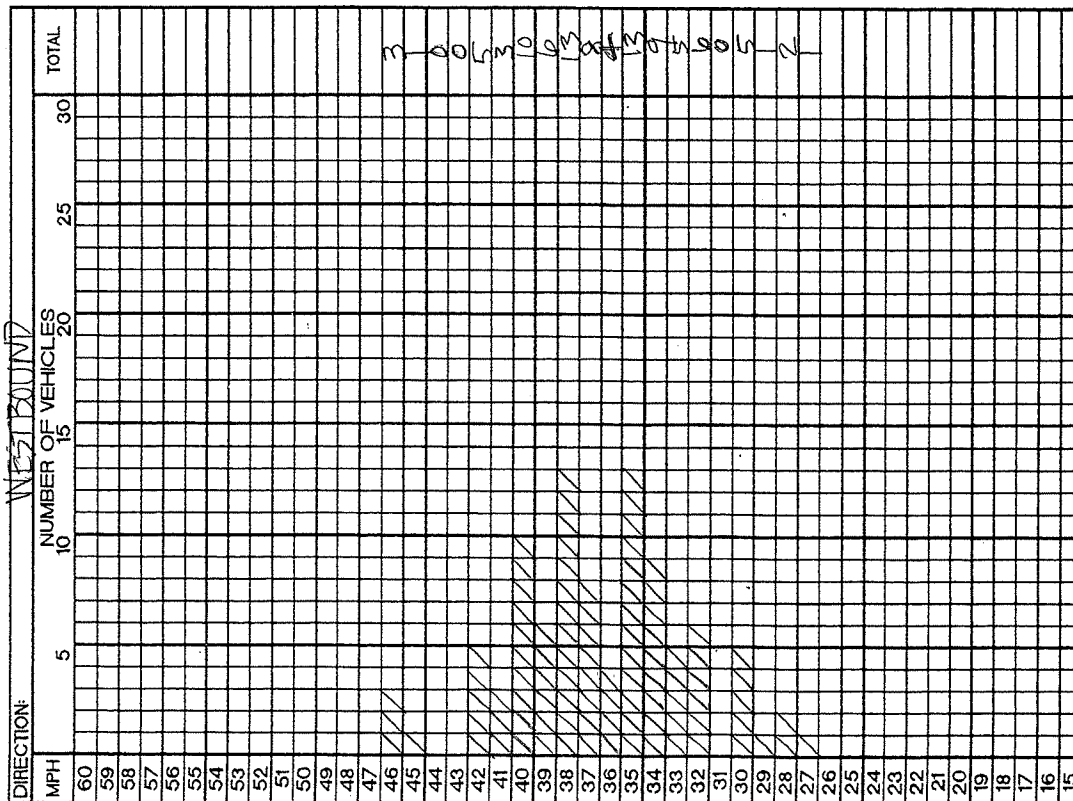
ROAD CONDITION: DRY

OBSERVER: CATHY BUENDIA

DATE: 8/25/17

START TIME: 1:30 PM

END TIME: 2:30 PM / call



AVERAGE SPEED: _____ CRITICAL SPEED: _____ PACE SPEED: _____
 CUMULATIVE (BOTH DIRECTIONS) _____

AVERAGE SPEED:	CRITICAL SPEED:	PACE SPEED:

APPENDIX B



16202 Keats Circle
Westminster, Calif. 92683

TRAFFIC RADAR CERTIFICATION

TESTED TO NHTSA SPECIFICATIONS / IACP CRITICAL PERFORMANCE STANDARDS
(NHTSA) National Highway and Traffic Safety Administration.
(IACP) International Association of Chiefs of Police.

R.H.F. is a certified independent testing and repair facility.

1	TEST ID	Date Received 11-18-16	Certification Number 71142						
2	DEVICE ID	Manufacturer MPH	Model: K-15	Type (I-IV) III	Directional radar ☐ Yes ☒ No	Same direction ☐ Yes ☒ No			
		Counting unit S/N 12145	Antenna-1 S/N N/A	Antenna-2 S/N N/A					
3	§ 2.4 / § 5.4 TUNING FORK CALIBRATION	Low speed fork S/N 25560	Last date calib.	Freq. (Hz)	Speed (mph) 35	Measured (Hz) 2525	PASS	FAIL	
		High speed fork S/N	Last date calib.	Freq. (Hz)	Speed (mph)	Measured (Hz)			
4	§ 2.5 / § 5.5 RADAR DEVICE TUNING FORK TESTS	Stationary mode		Fork speed (mph) 35	High fork 65		PASS	FAIL	
				Disp. Speed (mph) 35	65				
		Moving mode Opposite Direction	TARGET SPEED (Hi fork - Lo fork)	Expected. (mph) N/A	Displayed. (mph) N/A				
		Moving mode Same Direction	TARGET SPEED Hi fork + Lo fork Ho fork - Lo fork	Expected. (mph) N/A	Displayed. (mph) N/A				
5	§ 2.6.1 / § 5.6.1 TRANSMISSION FREQUENCY STABILITY	Standard supply Voltage (V) 13.6 V	Antenna 1 Freq. GHz 24.160	Antenna 2 Freq. GHz N/A		PASS	FAIL		
		Standard supply Voltage - 20% (V) 10.8 V	Antenna 1 Freq. GHz 24.160	Antenna 2 Freq. GHz N/A					
		Standard supply voltage + 20% (V) 16.3 V	Antenna 1 Freq. GHz 24.160	Antenna 2 Freq. GHz N/A					
6	§ 2.6.5 / § 5.6.5 POWER DENSITY	Mfg. Spec. (max mW/cm) ≤ 5	Antenna 1 Power (mW/cm) .6	Antenna 2 Power (mW/cm) N/A		PASS	FAIL		
7	§ 2.8 / § 5.8 LOW VOLTAGE	Mfg. spec. (V) ≤ 10.8V	LVA activates (V) N/A	LVA deactivates (V) N/A		PASS	FAIL		
8	§ 2.9.1 / § 5.9.1 DOPPLER AUDIO	A. Audio tone correlates with received Doppler signal ☐ Yes ☐ No B. Functioning audio volume-adjustment control ☒ Yes ☐ No				PASS	FAIL		
9	§ 2.12.4 / § 5.12.4 INTERNAL CIRCUIT	Mfg. Spec. 32	Test results 32			PASS	FAIL		
10	§ 2.12.6.5 / § 5.12.6.5 DIRECTIONAL	A. Selects only targets moving towards radar ☐ Yes ☐ No ☒ N.A. B. Selects only targets moving away from radar ☐ Yes ☐ No ☒ N.A.				PASS	FAIL		
11	§ 2.12.7 / § 2.12.8 / 5.12.7 / 5.12.8 LOW AND HIGH SPEED DISPLAY TEST	Stationary mode: target channel (mph)	Low speed spec. 20	Lo speed disp. 20		PASS	FAIL		
			Hi speed spec. 199	Hi speed disp. 199					
		Moving Mode target channel (mph)	Low speed spec. N/A	Lo speed disp. N/A					
			Hi speed spec. N/A	Hi speed disp. N/A					
		Moving Mode: patrol channel (mph)	Low speed spec. N/A	Lo speed disp. N/A					
			Hi speed spec. N/A	Hi speed disp. N/A					
12	§ 2.13 / § 5.13 RFI TEST	N/A				PASS	FAIL		
13	LABORATORY COMMENTS								
14	NHTSA/IACP CERTIFICATION	This radar device meets or exceeds the minimal operational standards of the National Traffic Highway Safety Administration. California Vehicle Code Section 40802 ☒ PASS ☐ FAIL							
		Certified by: Ford T. Burman				Date: 11-18-16			
15	INVENTORY	☐ Fork Cert ☐ Manual ☐ 2 nd Ant. ☐ Remote ☐ Bat. ☐ Carrying Case ☐ Other: (please list)							



16202 Keats Circle
Westminster, Calif. 92683

TRAFFIC RADAR CERTIFICATION

TESTED TO NHTSA SPECIFICATIONS / IACP CRITICAL PERFORMANCE STANDARDS
(NHTSA) National Highway and Traffic Safety Administration.
(IACP) International Association of Chiefs of Police.

R.H.F. is a certified independent testing and repair facility.

1	TEST ID	Date Received <i>11-18-16</i>	Certification Number <i>71143</i>					
2	DEVICE ID	Make: Kustom Electronics	Model: KR-10SP	Type (I-IV) IV	Directional radar ☐ Yes ☒ No	Same direction ☐ Yes ☒ No		
		Counting unit S/N <i>EE 8364</i>	Antenna-1 S/N <i>CC 9108</i>	Antenna-2 S/N				
3	§ 2.4 / § 5.4 TUNING FORK CALIBRATION	Low speed fork S/N <i>6359</i>	Last date calib.	Freq. (Hz)	Speed (mph) <i>35</i>	Measured (Hz) <i>2343</i>	PASS	FAIL
		High speed fork S/N <i>15751</i>	Last date calib.	Freq. (Hz)	Speed (mph) <i>65</i>	Measured (Hz) <i>4732</i>		
4	§ 2.5 / § 5.5 RADAR DEVICE TUNING FORK TESTS	Stationary mode		Fork speed (mph) <i>35</i>	High fork <i>65</i>		PASS	FAIL
				Disp. Speed (mph) <i>35</i>	<i>65</i>			
		Moving mode Opposite Direction	TARGET SPEED (Hi fork - Lo fork)	Expected. (mph) <i>30</i>	Displayed. (mph) <i>30</i>			
		Moving mode Same Direction	TARGET SPEED Hi fork + Lo fork Ho fork - Lo fork	Expected. (mph) <i>N/A</i>	Displayed. (mph) <i>N/A</i>			
5	§ 2.6.1. / § 5.6.1 TRANSMISSION FREQUENCY STABILITY	Standard supply Voltage (V) <i>13.6 V</i>	Antenna 1 Freq. GHz <i>24.166</i>	Antenna 2 Freq. GHz		PASS	FAIL	
		Standard supply Voltage - 20% (V) <i>10.8 V</i>	Antenna 1 Freq. GHz <i>24.166</i>	Antenna 2 Freq. GHz				
		Standard supply voltage + 20% (V) <i>16.3 V</i>	Antenna 1 Freq. GHz <i>24.166</i>	Antenna 2 Freq. GHz				
6	§ 2.6.5 / § 5.6.5 POWER DENSITY	Mfg. Spec. (max mW/cm) <i>≤ 5</i>	Antenna 1 Power (mW/cm) <i>0.9</i>	Antenna 2 Power (mW/cm)		PASS	FAIL	
7	§ 2.8 / § 5.8 LOW VOLTAGE	Mfg. spec. (V) <i>≤ 10.8 V</i>	LVA activates (V) <i>9.9</i>	LVA deactivates (V) <i>10.6</i>		PASS	FAIL	
8	§ 2.9.1 / § 5.9.1 DOPPLER AUDIO	A. Audio tone correlates with received Doppler signal ☐ Yes ☐ No B. Functioning audio volume-adjustment control ☒ Yes ☐ No				PASS	FAIL	
9	§ 2.12.4 / § 5.12.4 INTERNAL CIRCUIT	Mfg. Spec. <i>32</i>	Test results <i>32</i>			PASS	FAIL	
10	§ 2.12.6.5 / § 5.12.6.5 DIRECTIONAL	A. Selects only targets moving towards radar ☐ Yes ☐ No ☒ N.A. B. Selects only targets moving away from radar ☐ Yes ☐ No ☒ N.A.				PASS	FAIL	
11	§ 2.12.7 / § 5.12.8 / 5.12.7 / 5.12.8 LOW AND HIGH SPEED DISPLAY TEST	Stationary mode: target channel (mph)	Low speed spec. <i>15</i>	Lo speed disp. <i>15</i>		PASS	FAIL	
			Hi speed spec. <i>175</i>	Hi speed disp. <i>175</i>				
		Moving Mode target channel (mph)	Low speed spec. <i>20</i>	Lo speed disp. <i>20</i>				
			Hi speed spec. <i>155</i>	Hi speed disp. <i>155</i>				
		Moving Mode: patrol channel (mph)	Low speed spec. <i>20</i>	Lo speed disp. <i>20</i>				
			Hi speed spec. <i>80</i>	Hi speed disp. <i>80</i>				
12	§ 2.13 / § 5.13 RFI TEST						PASS	FAIL
13	LABORATORY COMMENTS							
14	NHTSA/IACP CERTIFICATION	<i>This radar device meets or exceeds the minimal operational standards of the National Traffic Highway Safety Administration. California Vehicle Code Section 40802</i> ☒ PASS ☐ FAIL Certified by: <i>Fred Bauman</i> Date: <i>11-18-16</i>						
15	INVENTORY	☐ Fork Cert ☐ Manual ☐ 2 nd Ant. ☐ Remote ☐ Bat. ☐ Carrying Case ☐ Other: (please list)						

Radar Certification

Certificate of Completion and Competency DOPPLER RADAR OPERATION	
Name & Title	Cathy Buendia Technician
Department	Transportation
has successfully completed a course of instruction in the operation of Moving Car and Stationary Doppler Radar and is deemed competent to utilize the same Doppler Radar to de- termine the velocity of motor vehicles.	
Date	7/23/91
Instructor	<i>[Signature]</i>
EMI MIPH Subsidiaries of MPD, Inc.	
310 East Ninth Street Owensboro, KY 42301 (502) 605-6200	

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