

Boards Talk of Frivolous Law Suits – Here's GRF at the "HART" Of It!



CITY of LAGUNA WOODS

Bob Ring
Mayor

July 10, 2009

Milt Robbins
Mayor Pro Tem

Cynthia Conners
Councilmember

Carol Moore, President
Third Laguna Hills Mutual

Bert Hack
Councilmember

Martin Rhodes
Councilmember

Lloyd Foster, President
United Laguna Hills Mutual
P. O. Box 2220
Laguna Hills, CA 92654

Leslie A. Keane
City Manager

Dear Presidents Moore and Foster:

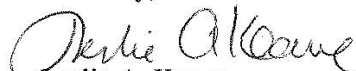
The City is in receipt of your respective letters asking the City to proceed with a pilot streetlight retrofit project in your mutuals. As you will recall, we propose to test induction and LED lights at selected locations in your communities. The goal of the test is to determine if we can identify a more cost efficient light fixture that does not reduce illumination.

As you may be aware, there was pedestrian/automobile accident last year at Clubhouse 1 that resulted in the death of the pedestrian. Both the City and the Golden Rain Foundation were sued by the decedent's family based on a theory of inadequate lighting in the immediate area of the accident. The City of Laguna Woods was released from the suit by the court, but the Golden Rain Foundation subsequently sued the City for failure to meet contractual responsibilities associated with our ownership of streetlights. In a recent development, the law firm representing the Golden Rain Foundation's insurance carrier has alleged that the City of Laguna Woods never replaced the old lights with new poles and fixtures. The City has documentation that the City-owned lights in front of Clubhouse 1 were, in fact, replaced in October 2006 in conformance with a written agreement.

I am sorry to inform you that we have been advised by our legal counsel that in light of these recent allegations, we cannot proceed with the pilot program at this time. After the lawsuit has been resolved, the City will reassess its options with respect to streetlights in the Village.

Although we are unable to comment on any specifics of the lawsuit, please do not hesitate to contact City staff if you have questions or concerns regarding the existing streetlights in your Mutual.

Sincerely,


Leslie A. Keane
City Manager