CITY OF LAGUNA HILLS, CALIFORNIA
CITY COUNCIL REGULAR MEETING
MINUTES
APRIL 14, 2009

CALL TO ORDER

Mayor Lautenschleger called the Regular Meeting of the City Council of the City of Laguna Hills, California, to order at 7:00 p.m. in the Laguna Hills City Council Chamber, 24035 El Toro Road, Laguna Hills.

PLEDGE OF ALLEGIANCE

Mayor Pro Tempore Bressette led the Pledge of Allegiance.

ROLL CALL

Present: Joel Lautenschleger, Mayor
Randal Bressette, Mayor Pro Tempore
Melody Carruth, Council Member
R. Craig Scott, Council Member
L. Allan Songstad, Jr., Council Member

STAFF PRESENT: Bruce Channing, City Manager; Donald White, Assistant City Manager; Peggy Johns, City Clerk; Greg Simonian, City Attorney; Ken Rosenfield, Public Services Director/City Engineer; Vern Jones, Community Development Director; Steve Doan, Chief of Police Services; David Reynolds, Deputy City Manager; Roger James, Battalion Chief, Orange County Fire Authority; Melissa Au-Yeung, Management Analyst; Dan Meehan, Community Services Superintendent; and Sandi Mogan, Deputy City Clerk.

1. PRESENTATIONS AND PROCLAMATIONS

1.1 RECOGNITION FOR COURAGEOUS ACTIONS IN DOG MAULING INCIDENT (0410 -65)

Mayor Lautenschleger presented Certificates of Recognition to Jim Warren, Ed Barnard, and Lee Apel for their courageous actions and willingness to become involved in rescuing a female victim from a vicious dog mauling that occurred on December 18, 2008.

2. PUBLIC COMMENTS

2.1 BUCKBOARD LANE / BUCKSKIN DRIVE SIGNAGE (0630-50)

Irwin Berg, Laguna Hills, thanked the City Council and Public Services Director Rosenfield for the comprehensive signage that had been installed on his street delineating the boundaries for Buckboard Lane and Buckskin Drive.

2.2 LAGUNA HILLS HIGH SCHOOL STUDENT LIAISON (0930-40)

There was no oral report from Laguna Hills High School Student Liaison Lauren Buys.

3. MINUTES

3.1 ADJOURNED REGULAR MEETING, MARCH 17, 2009 (0410-50)

IT WAS MOVED BY MAYOR PRO TEMPORE BRESSETTE, SECONDED BY COUNCILWOMAN CARRUTH, TO APPROVE THE MINUTES OF THE MARCH 17, 2009, ADJOURNED REGULAR MEETING, AS PRESENTED.

The motion carried by the following vote:

AYES:	Council Members Carruth, Scott, Songstad, Mayor Pro Tempore Bressette, and Mayor Lautenschleger
NOES:	None
ABSENT:	None

3.2 REGULAR MEETING, MARCH 24, 2009 (0410-50)

IT WAS MOVED BY COUNCILWOMAN CARRUTH, SECONDED BY MAYOR PRO TEMPORE BRESSETTE, TO APPROVE THE MINUTES OF THE MARCH 24, 2009, REGULAR MEETING, AS PRESENTED.

The motion carried by the following vote:

AYES:	Council Members Carruth, Scott, Songstad, Mayor Pro Tempore Bressette, and Mayor Lautenschleger
NOES:	None
ABSENT:	None

4. CONSENT CALENDAR

IT WAS MOVED BY MAYOR PRO TEMPORE BRESSETTE, SECONDED BY COUNCILMAN SONGSTAD, THAT THE RECOMMENDATIONS BE ACCEPTED FOR THE FOLLOWING ITEMS LISTED ON THE CONSENT CALENDAR.

The motion carried by the following vote:

AYES:	Council Members Carruth, Scott, Songstad, Mayor Pro Tempore Bressette, and Mayor Lautenschleger
NOES:	None
ABSENT:	None

4.1 MOTION TO APPROVE THE READING BY TITLE OF ALL ORDINANCES AND RESOLUTIONS, SAID TITLES, WHICH APPEAR ON THE PUBLIC AGENDA, SHALL BE DETERMINED TO HAVE BEEN READ BY TITLE AND FURTHER READING WAIVED

WAIVED READING OF ORDINANCES AND RESOLUTIONS.

4.2 APPROVAL OF WARRANT REGISTER FOR PERIOD ENDED APRIL 14, 2009 (0300-30)

Written report from the Administrative Services Department indicated that, in accordance with Government Code Section 37202, the Assistant City Manager certified to the accuracy of the Warrant Register and to the availability of funds for payment thereof.

APPROVED THE WARRANT REGISTER IN THE AMOUNT OF $573,023.04.

4.3 APPROVAL TO USE TAX INCREMENT FUNDS FOR THE EL TORO ROAD IMPROVEMENT PROJECT (0660-30)

Written report from Administrative Services Department indicated that the City sought to use Tax Increment funds for the El Toro Median Island Rehabilitation Project. Pursuant to Health and Safety Code Section 33445, a redevelopment agency was authorized to pay the cost of publicly owned improvements provided certain findings were made. Once the appropriate findings were made, the City Council recommendation would be forwarded to the Lake Forest Redevelopment Agency (the authorized agency to implement and administer the Laguna Hills' portion of the El Toro Redevelopment Project Area) for final approval. The total cost of the El Toro Island Rehabilitation Project was estimated at $1,200,000. The amount of Tax Increment funds to be utilized for this project was estimated at $237,000.

ADOPTED RESOLUTION NO. 2009-04-14-1, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING THE USE OF REDEVELOPMENT TAX INCREMENTS FUNDS FOR THE EL TORO MEDIAN ISLAND REHABILITATION PROJECT.

4.4 PROGRESS PAYMENT NO. 4 FOR OSO PARKWAY LANDSCAPE PROJECTS, NORTH SIDE CIP NO. 603 / SOUTH SIDE CIP NO. 604 (0400-10)

Written report from the Public Services Department indicated that work on the Oso Parkway Landscape Projects, North Side CIP No. 603 / South Side CIP No. 604, was being performed by Marina Landscape, Inc., and began on October 13, 2008. Work performed to date had included installation of drainage and irrigation, weed abatement, grading, and fence removal and installation. The contractor had submitted the fourth progress payment request for approval. The progress payment was within the Capital Improvement Program Budget for the Oso Parkway Landscape Projects, North Side CIP No. 603 / South Side CIP No. 604.

APPROVED PROGRESS PAYMENT NO. 4, IN THE NET AMOUNT OF $241,754.40, TO MARINA LANDSCAPE, INC., FOR OSO PARKWAY LANDSCAPE PROJECTS, NORTH SIDE CIP NO. 603 / SOUTH SIDE CIP NO. 604.

4.5 SELECTION OF CITY AUDITOR (0400-10)

Written report from the Administrative Services Department indicated that in accordance with City Council Policy No. 105, entitled Financial Policies, the City's annual financial report should be audited each year by an independent external auditor and that a new auditor should be selected competitively at least every five years. The City's audit engagement with Lance, Soll & Lunghard, LLP, expired with the conclusion of the financial audit for the fiscal year ended June 30, 2008. Accordingly, staff issued a Request for Proposal (RFP). Proposals received in response to the RFP were evaluated and the Audit Committee interviewed the three highest ranked audit firms. On the basis of the established selection criteria, the Committee recommended that City Council authorized the City Manager to execute a two-year Agreement with Moss, Levy & Hartzheim, LLP, to perform the audit of the City's financial statements for fiscal years 2008-09 and 2009-10. The total cost for the City's audit engagement with Lance, Soll & Lunghard, LLP, for the fiscal year ended June 30, 2008, was $28,000. Hence, the negotiated fees with Moss, Levy & Hartzheim presented a cost savings to the City.

AUTHORIZED THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH MOSS, LEVY, & HARTZHEIM, LLP, TO PERFORM THE FINANCIAL AUDIT FOR THE CITY FOR FISCAL YEARS 2008/09 AND 2009/10.

4.6 COUNTY PROPOSITION 42 CITY AID PROGRAM FUNDING AGREEMENT (0400-10)

Written report from the Public Services Department indicated that the County of Orange was offering to share some of their road maintenance funds from Proposition 42 with all Orange County cities to improve roadway conditions and to ensure that all State provided funds were expended by specified "use it or lose it" dates. Staff had informed the County of the City's desire to participate in this funding program that would begin in Fiscal Year 2009-2010. The County had provided an enabling Agreement for the City's approval in order to access the funds. Approval of the Agreement would allow the City to access $78,003. The City Aid Program offered the City $78,003, owing to the City's 1.12% population share, for expenditure within three years beginning in Fiscal Year 2009-2010 for street maintenance. Staff identified the Zone F Pavement Rehabilitation Project, CIP No. 101-G, as the project to receive these funds.

APPROVED PROPOSITION 42 CITY AID PROGRAM FUNDING AGREEMENT WITH THE COUNTY OF ORANGE AND AUTHORIZED THE MAYOR TO SIGN AND CITY CLERK TO ATTEST THERETO.

4.7 NOTICE OF COMPLETION FOR EL CONEJO PARK IMPROVEMENTS, CIP NO. 409 (0400-10)

Written report from the Public Services Department indicated that in accordance with City Council authorization, Green Giant Landscape, Inc., began work on the subject project on April 7, 2008. The project had been substantially completed and was ready for filing of the Notice of Completion. The project was completed within budget.

AUTHORIZED THE FILING OF THE NOTICE OF COMPLETION AND RELEASE OF RETENTION 35 DAYS POST RECORDATION, IF NO LIENS HAD BEEN FILED.

4.8 MEMORANDUM OF UNDERSTANDING C-8-1403 WITH THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR THE ALICIA PARKWAY TRAFFIC LIGHT SYNCHRONIZATION PROGRAM PROJECT (0400-10)

Written report from the Public Services Department indicated that the Orange County Transportation Authority (OCTA) was offering to perform a region-wide traffic signal synchronization project over the length of Alicia Parkway with most funding being provided by Measure M and State Funds. To participate in this project, approval of a Memorandum of Understanding (MOU) was required. City participation was limited to funds budgeted within the Alicia Parkway Signal Interconnect Project, CIP No. 173.

APPROVED THE MEMORANDUM OF UNDERSTANDING C-8-1403 BY AND BETWEEN ORANGE COUNTY TRANSPORTATION AUTHORITY AND THE CITIES OF ALISO VIEJO, LAGUNA HILLS, LAGUNA NIGUEL, MISSION VIEJO, RANCHO SANTA MARGARITA, AND THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR THE ALICIA PARKWAY TRAFFIC LIGHT SYNCHRONIZATION PROGRAM PROJECT AND AUTHORIZED THE MAYOR TO SIGN THE MEMORANDUM OF UNDERSTANDING AND THE CITY CLERK TO ATTEST THERETO.

PLANNING AGENCY

Mayor Lautenschleger recessed the City Council meeting to the Planning Agency meeting at 7:06 p.m. and reconvened the City Council at 7:06 p.m. All Council Members were present.

6. ADMINISTRATIVE REPORTS

6.1 City Manager

The City Manager made no reports

6.3 Public Services Director/City Engineer

Mayor Lautenschleger took this item out of order on the Agenda.

A. PERMIT PARKING PROGRAM ON INDIAN HILL LANE (0860-50)

Public Services Director Rosenfield indicated that the City Council discussed this item at length at the City Council meeting of February 24, 2009, in which there was discussion about a request from the Bella Tierra HOA, a 140-unit condominium complex at the southwest corner of Indian Hill Lane and Laguna Hills Drive to allow on-street parking. The proposal was to eliminate the current no overnight parking restriction which was enforced with no parking signage from 2 a.m. to 6 a.m. on the majority of Indian Hill Lane. At the completion of that discussion, the City Council concluded that eliminating the overnight parking ban along the entire length of the street was not in the community's best interest and directed staff to work on a permit parking program for the benefit of the Bella Tierra community. The permit parking program would include the westerly side of Indian Hill Lane from the entrance of the development to approximately the entrance of Sheep Hills Park. The matter was returned to the Traffic Commission at the meeting of March 18, 2009, where the details of the permit program were discussed and approved by the Traffic Commission. The permits would only be issued to residents of Bella Tierra, and only one parking permit would be issued for a vehicle registered for one address in that development. The parking would be limited to its current restriction of the California Vehicle Code which was a maximum of 72 hours before the vehicle had to be moved, that the vehicles would have to be moved on days and hours of street sweeping. The applicant would pay a permit fee of $15 for the cost of the permit. The permits would be issued and renewed on an annual basis. At the Traffic Commission meeting, as noted in the staff report, there were two comments of interest. One was that a resident of Bella Tierra requested that the permit decals not be affixed to a single vehicle so that they could be used for perhaps two vehicles that were addressed to the same location and they could switch the permit between vehicles depending upon which person arrived home first. Staff did not support that request because the permits would be assigned to a registered vehicle that would tie into enforcement of the permit parking program. The second comment was from a resident not from the development that suggested there should be a permit parking program for the entire length of Indian Hill Lane for the benefit of all the residents of that street. The Traffic Commission did not act specifically on that request but recommended that once the permit parking program was implemented, that it be reviewed in six months to determine its effectiveness and whether or not it should be changed, modified, or expanded.

Jim Stringham, Laguna Hills, indicated he agreed with the parking permit program on Indian Hill Lane.

Rebecca Stringham, Laguna Hills, indicated she agreed with the parking permit program and thanked the City Council for taking the time to consider the item. Ms. Stringham indicated that she and her husband drove 10 hours from Utah and could not find a parking space upon their arrival home.

Jim Bresnan, Laguna Hills, spoke in support of the permit parking program. Mr. Bresnan indicated that the HOA had taken many steps to deal with the issue and gave an overview of what the Association had done. Mr. Bresnan encouraged the City Council to approve the permit parking program on Indian Hill Lane.

Layla Stollenwerk, Laguna Hills, spoke in support of the permit parking program and thanked the City Council for taking the time to consider the item.

Phil Norman, Laguna Hills, spoke in support of the permit parking program. Mr. Norman indicated that he recently moved to the development from Chicago and indicated that there were a limited amount of parking spaces in the development. He would like to see more street parking allowed on Indian Hill Lane.

Chris Reilly, Laguna Hills, spoke in support of the permit parking program. Mr. Reilly indicated late night opportunities were often missed for fear of not being able to obtain close parking. Mr. Reilly indicated that when he returned home from his wedding, there was no parking available.

Nguyet Reilly, Laguna Hills, spoke in support of the permit parking program. Ms. Reilly indicated that she lived on Indian Hill Lane and indicated that there was not significant noise or trash in the area.

Jeff McPherson, Laguna Hills, was opposed to the permit parking program on Indian Hill Lane. Mr. McPherson indicated that he attended the last Traffic Commission meeting and suggested that the Commission consider allowing parking on half of Indian Hill Lane near the Bella Tierra development. Mr. McPherson thanked Lieutenant Doan for the great job of parking enforcement in that area. Mr. McPherson indicated that it was imperative if the permit parking program was implemented, that the program be reviewed in six months.

Angelica Johnson, Laguna Hills, spoke in favor of the permit parking program and thanked the City Council for taking the time to consider the program and indicated that this was a very important issue to the community.

Shital Patel, Laguna Hills, spoke in favor of the permit parking program and thanked the City Council for taking the time to consider the proposal. Mr. Patel indicated that the Homeowners' Association had reevaluated the development's parking needs and had done what they could to alleviate the current parking situation.

Jeff Crowder, Laguna Hills, spoke in favor of the permit parking program and urged the City Council to vote in favor of the program.

Henry Wang, Laguna Hills, spoke in favor of the permit parking program.

Adam Wayne, Laguna Hills, spoke in favor of the permit parking program and thanked the City Council for considering this item. Mr. Wang handed out pictures of the residents picking up trash around the development. Mr. Wayne indicated that the residents of Bella Tierra would do everything possible to ensure the surrounding developments were not impacted by the parking permit program.

Gene Sugita, Laguna Hills, spoke in favor of the permit parking program.

Kris Hritz, Laguna Hills, spoke in favor of the permit parking program and thanked the City Council for the time they had spent working on the issue.

Ihimu Ukpo, Laguna Hills, spoke in favor of the permit parking program.

Anna Beuckman, Laguna Hills, spoke in favor of the permit parking program.

IT WAS MOVED BY COUNCILMAN SONGSTAD, SECONDED BY MAYOR LAUTENSCHLEGER, TO ADOPT RESOLUTION NO. 2009-04-14-2, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, ESTABLISHING A RESIDENTIAL PERMIT PARKING ZONE ON A PORTION OF THE WESTERLY SIDE OF INDIAN HILL LANE, AS AMENDED TO INCLUDE PARAGRAPH L TO READ: "NO GUEST PERMIT PARKING PLACARDS SHALL BE ISSUED"; AND INCLUDED A SIX-MONTH REVIEW OF THE PERMIT PARKING PROGRAM.

The motion carried by the following vote:

AYES:	Council Members Scott, Songstad, Mayor Pro Tempore Bressette, and Mayor Lautenschleger
NOES:	Council Member Carruth
ABSENT:	None

6.2 Assistant City Manager

A. RESULTS OF CITIZENS SURVEY REPORT (0330-40)

Assistant City Manager White gave a PowerPoint presentation and highlighted the raw data that had been received regarding the Citizen Survey.

IT WAS MOVED BY COUNCILMAN SCOTT, SECONDED BY MAYOR PRO TEMPORE BRESSETTE, TO RECEIVE AND FILE THE 2009 CITIZEN SURVEY.

The motion carried by the following vote:

AYES:	Council Members Carruth, Scott, Songstad, Mayor Pro Tempore Bressette, and Mayor Lautenschleger
NOES:	None
ABSENT:	None

6.4 Deputy City Manager/Community Services

A. 2009 FOURTH OF JULY CELEBRATION (0400-10)

Community Services Superintendent Meehan indicated that the annual Fourth of July Celebration would take place Saturday, July 4, 2009, at the Laguna Hills Community Center and Sports Complex. Mr. Meehan highlighted the activities that would take place in addition to the fireworks show. Mr. Meehan discussed the elimination of the low level fireworks in favor of the larger aerial shells that would be more visible for those in attendance. Staff's original recommendation was to select the Program "B" fireworks show at a cost of $19,500 in duration of approximately 14 to 16 minutes. After further review of the event budget and additional cost saving and revenue opportunities, including the elimination of the rock climbing wall, and increasing the carnival ride ticket prices from $1 to $2, staff revised the recommendation and selected Program "A" at a cost of $21,450 and duration of 16 to 18 minutes to include 93 additional shells. Mr. Meehan indicated per City Council's direction at the March 17, 2009, meeting, the costs associated with the tarps previously utilized to cover a portion of the Laguna Hills High School track and football field would not be factored into the event budget. After thorough inspection by City staff and Saddleback Valley Unified School District personnel, no significant damage occurred on either surface. Staff planned to discuss moving forward without the tarps with the School District.

IT WAS MOVED BY MAYOR PRO TEMPORE BRESSETTE, SECONDED BY COUNCILMAN SCOTT, TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT WITH PYRO SPECTACULARS, INC., FOR PROGRAM A, APPROVED AS TO FORM BY THE CITY ATTORNEY; AND TO INCREASE RIDE TICKET PRICES TO $2 EACH.

The motion carried by the following vote:

AYES:	Council Members Carruth, Scott, Songstad, Mayor Pro Tempore Bressette, and Mayor Lautenschleger
NOES:	None
ABSENT:	None

B. RECREATION NEEDS ASSESSMENT FINAL REPORT (0400-10)

Deputy City Manager Reynolds indicated that this item began in the later part of December 2008. Mr. Reynolds indicated that the original Request for Proposal (RFP) identified three goals of the Recreation Facilities Needs Assessment project; 1) to identify the actual recreation facility needs in the community; 2) to compare Laguna Hills recreation facilities with surrounding cities and also to benchmark the City's facilities to industry standards; and 3) to complete the Needs Assessment document in time for the City's biennial budget process, specifically with the prioritization of capital projects. The draft report Recreation Needs Assessment was presented to the Community Services, Historical, and Arts Commission at its April 1, 2009, meeting and the Commission concurred with GreenPlay's identified priorities. Mr. Reynolds introduced Mr. O'Toole, from GreenPlay, who gave a PowerPoint presentation and highlighted the findings and priorities of the Recreation Needs Assessment.

IT WAS MOVED BY COUNCILMAN SONGSTAD, SECONDED BY MAYOR PRO TEMPORE BRESSETTE, TO RECEIVE AND FILE THE RECREATION FACILITIES NEEDS ASSESSMENT FINAL REPORT.

The motion carried by the following vote:

AYES:	Council Members Carruth, Scott, Songstad, Mayor Pro Tempore Bressette, and Mayor Lautenschleger
NOES:	None
ABSENT:	None

7. OTHER BUSINESS

There was no Other Business.

8. MATTERS PRESENTED BY MAYOR AND COUNCIL MEMBERS

8.1 Mayor Lautenschleger

A. LAGUNA HILLS HIGH SCHOOL WRESTLING AWARDS BANQUET (0410-65)

Mayor Lautenschleger reported he had attended the Laguna Hills High School Wrestling Awards Banquet and presented Certificates of Recognition to the team and coaches. For the 22nd consecutive season, Coach Cliff Jarmie had won the League Championship, and 10th consecutive year CIF Championship. Coach Jarmie had sent six players on to the State playoffs who had placed in the top five or six, and had even sent a player on to Nationals. Mayor Lautenschleger indicated it had been a tremendous season for the team, and Coach Jarmie had not lost a Dual Meet since 1987, had not lost a league match, and would likely pass the State record this coming year.

B. TRANSPORTATION CORRIDOR AGENCY (0150-95)

Mayor Lautenschleger stated he had attended the Transportation Policy Committee on April 3, 2009, in Los Angeles. He spoke in support of AB 295 which was to delay AB 32 and SB 375, until a full economic assessment could be completed. Mayor Lautenschleger indicated that he also spoke in opposition to a Senate Bill where motor vehicle license fees could be increased by local government agencies to help support AB 32, which was defeated by the Committee. Also introduced was a bill to allow local governments to make the determination to go higher or lower when setting the 85th percentile speed limits, which was approved by the Committee.

8.2 Council Member Carruth

A. TEEN AT RISK PROGRAM (0270-30)

Council Member Carruth indicated that Deputy Ray Botta and Lieutenant Doan would be organizing another "Teen At Risk" night on April 29, 2009, in the Laguna Hills High School multipurpose room and attendance would be limited to LHHS parents only.

B. LEAGUE PLACEMENT FOR HAWKS FOOTBALL TEAM (0930-40)

Council Member Carruth reported that the Laguna Hills High School Hawks would be placed in the same league with much larger high schools, such as San Clemente, Dana Hills, Tesoro, Mission, and El Toro for the 2010 Season. Ms. Carruth indicated that Principal Bolton would most likely be appealing that process. School officials were hopeful that the High School would be placed in the Pacific League with comparable size schools.

C. ORANGE COUNTY VECTOR CONTROL DISTRICT (0250-60)

Council Member Carruth reported that the Vector Control District had performed a south county aerial survey to identify swimming pools that were in need of mosquito fish or spraying. This was a program designed to identify foreclosed homes with swimming pools that could lead to mosquito infestations increasing the risk of West Nile Virus.

9. CLOSED SESSION

There was no Closed Session.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Lautenschleger declared the meeting adjourned at 9:41 p.m.

Peggy J. Johns

PEGGY J. JOHNS, CITY CLERK

ATTEST:

Joel Lautenschleger

JOEL LAUTENSCHLEGER, MAYOR

APPROVED AT MEETING OF APRIL 28, 2009.