CITY OF LAGUNA HILLS, CALIFORNIA
CITY COUNCIL REGULAR MEETING
MINUTES
MARCH 24, 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

Councilwoman Carruth 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; John Jones, 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 PRESENTATION REGARDING TRAUMA INTERVENTION PROGRAM SERVICES TO THE COMMUNITY (0400-10)

The City Council received a presentation from Wayne Fortin, Founder, and Tracy Reid, Laguna Hills' resident and volunteer, regarding Trauma Intervention Program services to the community.

2. PUBLIC COMMENTS

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

The City Council received an oral report from Laguna Hills High School Student Liaison Lauren Buys.

3. MINUTES

3.1 REGULAR MEETING, MARCH 10, 2009 (0410-50)

IT WAS MOVED BY COUNCILMAN SONGSTAD, SECONDED BY COUNCILWOMAN CARRUTH, TO APPROVE THE MINUTES OF THE MARCH 10, 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 COUNCILWOMAN CARRUTH, SECONDED BY MAYOR PRO TEMPORE BRESSETTE, THAT THE RECOMMENDATIONS BE ACCEPTED FOR THE FOLLOWING ITEMS LISTED ON THE CONSENT CALENDAR, WITH THE EXCEPTION OF ITEM NO. 4.2.

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.

4.3 COMMUNITY SOCIAL PROGRAM FUNDING AGREEMENT – OSO PARKWAY EQUESTRIAN TRAIL FENCING PROJECT (0400-10)

Written report from the Public Services Department indicated that the County of Orange was the owner of a regional riding and hiking trail on the southerly side of Oso Parkway from Cabot Road to Nellie Gail Road. Along portions of this trail was equestrian trail fencing that had become dilapidated. Former Supervisor of the Orange County Fifth District, Thomas Wilson, committed to provide funding to the City for repair of the fencing. The City was now underway with the construction of the Oso Parkway Landscaping Project, CIP No. 604, which included the repair of the fencing. With the support of current Fifth District Supervisor, Patricia Bates, the subject Agreement had been prepared and was ready for approval to allow the City to access the funds necessary to repair the fence. The City Attorney's office reviewed the Agreement. The Community Social Program Funding Agreement for Oso Parkway Equestrian Trail Fencing Project included an allocation of $30,000 of funding from the County of Orange to the City of Laguna Hills for repair of the equestrian trail fencing.

APPROVED THE COMMUNITY SOCIAL PROGRAM FUNDING AGREEMENT NO. D07-113 WITH THE COUNTY OF ORANGE AND AUTHORIZED THE MAYOR TO SIGN AND THE CITY CLERK TO ATTEST THERETO.

4.4 PROGRESS PAYMENT NO. 2 FOR EL TORO ROAD STREETSCAPE AND MEDIAN ISLAND IMPROVEMENTS, CIP NO. 313 (0400-10)

Written report from the Public Works Department indicated that work on the El Toro Road Streetscape and Median Island Improvements, CIP No. 313, was being performed by ValleyCrest Landscape Development, Inc., and began on January 12, 2009. Work performed in February included the continuing of clearing and grubbing, water quality management, and irrigation, and the beginning work on the median pilasters and walls. The contractor had submitted the second progress payment request for approval. The progress payment was within the Capital Improvement Program Budget for the El Toro Road Streetscape and Median Island Improvements, CIP No. 313.

APPROVED PROGRESS PAYMENT NO. 2, IN THE NET AMOUNT OF $144,441.00, TO VALLEYCREST LANDSCAPE DEVELOPMENT, INC., FOR THE EL TORO ROAD STREETSCAPE AND MEDIAN ISLAND IMPROVEMENTS, CIP NO. 313.

4.5 CITY'S CONFLICT OF INTEREST CODE (0400-40)

Written report from the City Clerk's Department indicated that State law required the City's Conflict of Interest Code be amended periodically as changes occurred in State law or as changes occurred in designated positions. Adoption of the proposed Resolution would revise the City's locally adopted Conflict of Interest Code to delete the position of Controller and to add the position of Finance Manager under the * which designated those who manage public investments and were required to file Statement of Economic Interests pursuant to Government Code Section 87200 *et seq*. Also the position of Community Development Director was inadvertently deleted from the last revision to the Code approved by the City Council on April 22, 2008.

ADOPTED RESOLUTION NO. 2009-03-24-1, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, REVISING THE CITY'S CONFLICT OF INTEREST CODE AND REPEALING RESOLUTION NO. 2008-04-22-1.

4.6 MEMORIAL DAY HALF MARATHON AND 5K EVENT UPDATE (0400-10)

Written report from the Community Services Department indicated that the 11th annual City of Laguna Hills Memorial Day Half Marathon and 5K would take place on Monday, May 25, 2009. This would mark the second year that the City had managed the event. Race registration currently exceeded 370 participants, well up from 2008 numbers. A course modification for the half marathon had been implemented, which would both enhance the course and result in cost savings. The finisher's award for all half marathon finishers for 2008 was a commemorative drinking glass. Staff proposed to again provide the glass as the finisher's award for the 2009 event, which the Community Services, Historical, and Arts Commission concurred with at its February 24, 2009, meeting.

RECEIVED AND FILED THE REPORT.

ITEMS REMOVED FROM THE CONSENT CALENDAR

4.2 APPROVAL OF WARRANT REGISTER FOR PERIOD ENDED MARCH 10, 2009 (0300-30)

This item was removed from the Consent Calendar by Councilwoman Carruth who inquired if it was possible to find out the detailed charges of the Bank of America Visa, EcoNomics Professional Fees Recycling program, and Goodwill Industries of Orange California program expenses. Assistant City Manager White and Deputy City Manager Reynolds stated they would provide the detailed information to Councilwoman Carruth.

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.

IT WAS MOVED BY COUNCILWOMAN CARRUTH, SECONDED BY MAYOR PRO TEMPORE BRESSETE, TO APPROVE THE WARRANT REGISTER IN THE AMOUNT OF $1,123,402.47.

The motion carried by the following vote:

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

5. CITY COUNCIL PUBLIC HEARINGS

5.1 2008 GENERAL PLAN ANNUAL REPORT (0630-05)

Community Development Director Jones gave a brief overview of the 2008 General Plan Annual report. Mr. Jones indicated that the California Government Code required that cities and counties submit to their legislative bodies an Annual Report on the status of the General Plan and progress of implementing the goals and programs in the General Plan. Senate Bill No. 375 which was adopted last year and required that the Annual Report include a section describing the actions taken by the local government to complete the programs, objectives, and deadlines specified in the Housing Element, and that the City conduct a Public Hearing for review of the Annual Report. The Annual Report was required to be submitted by April 1 of each year. The Annual Report summarized the 2000-2005 Housing Element accomplishments and some of the key implementation programs and all of the remaining elements of the General Plan. This report focused on the City's current General Plan and Housing Elements. Mr. Jones indicated that next year the City would focus on the new General Plan. Staff would forward the Annual Report to the State of California.

Mayor Lautenschleger opened the Public Hearing, and upon seeing no one rise, closed the Public Hearing.

IT WAS MOVED BY MAYOR PRO TEMPORE BRESSETTE, SECONDED BY COUNCILWOMAN CARRUTH, TO DIRECT STAFF TO FORWARD THE ANNUAL REPORT TO THE STATE OF CALIFORNIA.

The motion carried by the following vote:

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

PLANNING AGENCY

Mayor Lautenschleger recessed the City Council meeting to the Planning Agency meeting at 7:25 p.m. and reconvened the City Council at 7:26 p.m. All Council Members were present.

6. ADMINISTRATIVE REPORTS

6.1 City Manager

The City Manager made no reports.

6.2 Public Services Director/City Engineer

A. LANDSCAPE MAINTENANCE SERVICES (0730-10)

Public Services Director Rosenfield indicated that the current landscape maintenance services contract would end on June 30, 2009, and staff had prepared a Request for Proposal (RFP) to seek the continuation of services from the existing contract service provider or a new landscape maintenance services contractor. Mr. Rosenfield indicated that staff had included City Council's previous comments regarding the satisfaction, or lack thereof, in the current landscape maintenance standards and the efforts to capture those comments in the RFP. Mr. Rosenfield indicated that staff had kept in mind the current contract expenses when the City prepared the RFP. Staff refined a few items such as more frequent maintenance services, increased litter removal, and the need to have flexibility in allocating landscape crew services. Staff had prepared the RFP based substantially upon the current landscape maintenance frequencies but with more explicit descriptions of services to be provided.

IT WAS MOVED BY COUNCILMAN SCOTT, SECONDED BY COUNCILMAN SONGSTAD, TO RECEIVE AND FILE THE 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

6.3 Chief of Police Services

A. 2008 POLICE SERVICES ANNUAL REPORT (0260-05)

Chief of Police Services Doan gave a PowerPoint presentation and discussed some of the major highlights of the 2008 Police Services Annual Report. Lieutenant Doan indicated that the presentation gave him the opportunity to point out the statistics and the accomplishments of Police Services staff throughout the last calendar year. Public safety had been a top priority for the City of Laguna Hills since incorporation. Lieutenant Doan indicated that the crime rate in the City of Laguna Hills remained one of the lowest in the nation. Lieutenant Doan indicated that the new School Resource Officer at Laguna Hills High School was doing an excellent job and was well-liked by staff, parents, and the community. Lieutenant Doan highlighted the successes in the Department, as well as taking notice of services that could be improved.

IT WAS MOVED BY COUNCILMAN SONGSTAD, SECONDED, BY MAYOR LAUTENSCHLEGER, TO RECEIVE AND FILE THE 2008 ANNUAL 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. PRINCIPAL OF THE DAY – VALENCIA ELEMENTARY SCHOOL (0930-40)

Mayor Lautenschleger indicated that he had the honor of being Principal of the Day at Valenica Elementary School. Mayor Lautenschleger stated that Valenica Elementary School was ranked 8th in the county, which was quite remarkable considering their financial situation. He enjoyed his time at the school.

B. TENTH ANNIVERSARY OF THE INCORPORATION OF LAGUNA WOODS (0150-10)

Mayor Lautenschleger reported that he had attended the tenth anniversary of the incorporation of Laguna Woods and that he presented a Certificate of Recognition to the City. Mayor Pro Tempore Bressette and Councilwoman Carruth also attended the event. The City of Laguna Woods was very appreciative to receive the Certificate as it had been the only one given at the event.

C. CITY COUNCIL ADJOURNMENT IN MEMORY OF LAGUNA WOODS' COUNCILWOMAN BRENDA ROSS (0410-65)

Mayor Lautenschleger indicated that he would adjourn tonight's meeting in honor of Laguna Woods' Councilwoman Brenda Ross.

8.2 Councilwoman Carruth

A. VECTOR CONTROL (0250-60)

Councilwoman Carruth gave an update on the status of the Orange County Vector Control District and the good job they were performing for the City of Laguna Hills and other Orange County cities. Councilwoman Carruth encouraged the City Council and the community to support Vector Control District.

9. CLOSED SESSION

Mayor Lautenschleger recessed the meeting into Closed Session at 8:08 p.m.

9.1 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Subdivision (a) of Government Code Section 54956.9
Name of Case: Kathleen E. Hurley v. Abdullah K. Al-Dabal, City of Laguna Hills, Nellie Gail Ranch Owners Association, Inc., et al.; Orange County Superior Court, Case No. 30-2008-00108357

9.2 CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to Government Code § 54956.8

Property:	24031 El Toro Road, Suite No. 201, Laguna Hills
Agency Negotiator:	Donald J. White, Assistant City Manager
Negotiating Parties:	City of Laguna Hills and Anna Carno
Item Under Negotiation:	Price and Terms of Lease

9.3 CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to Government Code § 54956.8
Property: 24031 El Toro Road, Suite No. 320, Laguna Hills
Agency Negotiator: Donald J. White, Assistant City Manager
Negotiating Parties: City of Laguna Hills and Carol Behrens
Item Under Negotiation: Price and Terms of Lease

Mayor Lautenschleger reconvened the meeting at 9:05 p.m. All Council Members were present.

ADJOURNMENT

Mayor Lautenschleger adjourned the meeting in memory of Laguna Woods' City Councilwoman Brenda Ross.

There being no further business before the City Council at this session, Mayor Lautenschleger declared the meeting adjourned at 9:10 p.m.

Peggy J. Johns
PEGGY J. JOHNS, CITY CLERK

ATTEST:

Joel Lautenschleger
JOEL LAUTENSCHLEGER, MAYOR

APPROVED AT MEETING OF APRIL 14, 2009.