
**CITY COUNCIL
REGULAR
MEETING**



**MARCH 22, 2011
7:00 PM**

AGENDA

L. Allan Songstad, Jr., Mayor

**Melody Carruth, Mayor Pro Tempore
Randal Bressette, Council Member**

**Barbara Kogerman, Council Member
Joel Lautenschleger, Council Member**

Location: City Council Chamber, 24035 El Toro Road, Laguna Hills, California 92653

CALL TO ORDER

Resolution No. 96-04-09-1 established rules of decorum for public meetings held by the City of Laguna Hills. Resolution No. 96-04-09-1 is available on the table at the back of the City Council Chamber.

PLEDGE OF ALLEGIANCE: Council Member Lautenschleger

ROLL CALL OF CITY COUNCIL MEMBERS:

1. PRESENTATIONS AND PROCLAMATIONS

- 1.1 PRESENTATION REGARDING TRAUMA INTERVENTION PROGRAM SERVICES TO THE COMMUNITY (0400-10)

RECOMMENDATION: That the City Council receive a presentation from Wayne Fortin, Founder and CEO, and Krista Fisher, Laguna Hills' resident and TIP Volunteer, regarding Trauma Intervention Program services available to the community.

- 1.2 PRESENTATION FROM ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA) TO THE CITY OF LAGUNA HILLS REGARDING MEASURE M (0410-65)

RECOMMENDATION: That the City Council receive a resolution of appreciation from OCTA for partnering with them to deliver much needed transportation solutions to Orange County residents.

2. PUBLIC COMMENTS

This is the appropriate time for members of the public to make comments regarding items listed on the Consent Calendar and issues not listed on the Agenda. Any person wishing to address the City Council on any matter, whether or not it appears on this Agenda, is asked to complete a "Request to Speak" form available on the table at the back of the Chamber. The completed form is to be submitted to the City Clerk prior to an individual being heard by the City Council. No action will be taken on any items not on the Agenda unless the City Council makes a determination that an emergency exists or that the need to take action on the item arose subsequent to posting of the Agenda.

There will be a time limitation of three minutes per person, an overall time limit of ten minutes for any one subject, and a time limit of thirty minutes for the Public Comments portion of the Agenda.

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

RECOMMENDATION: That the City Council receive an oral report from Laguna Hills High School Student Liaison Lyndsey Kaan.

3. MINUTES

3.1 REGULAR MEETING, MARCH 8, 2011 (0410-50)

RECOMMENDATION: That the City Council approve the City Council/Planning Agency minutes of the March 8, 2011, regular meeting.

3.2 ADJOURNED MEETING, MARCH 12, 2011 (0410-50)

RECOMMENDATION: That the City Council approve the City Council minutes of the March 12, 2011, adjourned regular meeting.

4. CONSENT CALENDAR

All matters listed under "CONSENT CALENDAR" are considered to be routine and will be enacted by one motion approving the recommendation listed on the Agenda. There will be no separate discussion unless Members of the City Council or Staff request specific items be removed from the Consent Calendar.

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

RECOMMENDATION: That the City Council waive reading of Ordinances and Resolutions.

4.2 APPROVAL OF WARRANT REGISTER FOR PERIOD ENDED MARCH 22, 2011 (0300-30)

RECOMMENDATION: That the City Council approve the Warrant Register in the amount of \$661,860.91.

4.3 AWARD OF CONTRACT FOR AVENIDA DE LA CARLOTA WIDENING PROJECT, CIP NO. 164 (0400-10)

RECOMMENDATION: That the City Council waive minor bid irregularities, award the contract for the Avenida de la Carlota Widening Project, CIP No. 164, to the apparent low bidder, Hillcrest Contracting, in the low base bid amount of \$716,925.00, and authorize the Mayor to sign and the City Clerk to attest to the contract documents.

4.4 BIENNIAL BUDGET CALENDAR FY 2011-13 - REVISED MEETING SCHEDULE (0410-37)

RECOMMENDATION: That the City Council revise its meeting schedule for the Budget Calendar for FY 2011-13.

ITEMS REMOVED FROM THE CONSENT CALENDAR

5. PLANNING AGENCY

5.1 ROLL CALL OF PLANNING AGENCY MEMBERS

5.2 PUBLIC COMMENTS

This is the appropriate time for members of the public to make comments regarding issues not listed on the Agenda. Any person wishing to address the Planning Agency on any matter, whether or not it appears on this Agenda, is asked to complete a "Request to Speak" form available on the table at the back of the Chamber. The completed form is to be submitted to the City Clerk prior to an individual being heard by the Planning Agency.

5.3 MINUTES OF THE MARCH 8, 2011, REGULAR MEETING (0120-10)

RECOMMENDATION: That the Planning Agency approve the minutes of the March 8, 2011, regular meeting as referenced in Item 3.1, beginning on Page 3.

5.4 PLANNING AGENCY PUBLIC HEARINGS

- 5.4.1. EXTENSION OF TIME NO. 2-11-1889 TO SITE DEVELOPMENT PERMIT/MASTER SIGN PROGRAM NO. 2008-024 - THE COURTYARD AT LA PAZ CENTER LOCATED AT 25232-25342 MCINTYRE STREET (0600-30)

RECOMMENDATION: That the Planning Agency:

1. Conduct a Public Hearing, and
2. Adopt a Resolution entitled:

A RESOLUTION OF THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING EXTENSION OF TIME NO. 2-11-1889, TO SITE DEVELOPMENT PERMIT/MASTER SIGN PROGRAM NO. 2008-024, A REQUEST FROM LA PAZ CENTER, L.P., FOR AN EXTENSION OF TIME TO COMPLETE THE RENOVATION WORK IN PROCESS AT THE COURTYARD AT LA PAZ CENTER LOCATED AT 25232-25342 MCINTYRE STREET IN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT.

5.5 PLANNING ADMINISTRATIVE REPORTS

- 5.5.1. GENERAL PLAN CONFORMITY DETERMINATION FOR AVENIDA DE LA CARLOTA WIDENING PROJECT, CIP NO. 164 (0630-05)

RECOMMENDATION: That the Planning Agency of the City of Laguna Hills approve this report and find that the proposed right-of-way acquisition for the Avenida de la Carlota Widening Project, CIP No. 164, is in conformance with the City of Laguna Hills General Plan in accordance with Government Code Section 65402.

PLANNING AGENCY ADJOURNMENT

6. CITY COUNCIL PUBLIC HEARINGS

- 6.1 ZONING TEXT AMENDMENT NO. 3-11-1891, AMENDING TITLE 9 OF THE LAGUNA HILLS MUNICIPAL CODE ENTITLED "ZONING AND SUBDIVISIONS" INCLUDING CHAPTER 9-4 (DEFINITIONS) CHAPTER 9-42 (SIGNS AND ADVERTISING DEVICES) AND CHAPTER 9-92 (APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS) TO ALLOW THE LIMITED USE OF NEON AND LIGHT-EMITTING DIODE (LED) SIGNS SUBJECT TO APPROVAL OF A MASTER SIGN PROGRAM (0610-15)

RECOMMENDATION: That the City Council:

1. Conduct a Public Hearing, and
2. Introduce an Ordinance entitled:

AN ORDINANCE OF THE CITY OF LAGUNA HILLS, CALIFORNIA, AMENDING TITLE 9 OF THE LAGUNA HILLS MUNICIPAL CODE ENTITLED "ZONING AND SUBDIVISIONS" INCLUDING CHAPTER 9-4 (DEFINITIONS) CHAPTER 9-42 (SIGNS AND ADVERTISING DEVICES) AND CHAPTER 9-92 (APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS) TO ALLOW THE LIMITED USE OF NEON AND LIGHT-EMITTING DIODE (LED) SIGNS SUBJECT TO APPROVAL OF A MASTER SIGN PROGRAM.

7. ADMINISTRATIVE REPORTS

7.1 City Manager

7.2 Assistant City Manager

- 7.2.1. COMPENSATION STUDY - LABOR MARKET RECOMMENDATIONS FROM RALPH ANDERSON & ASSOCIATES (0520-10)

RECOMMENDATION: That the City Council approve the labor market recommendations from Ralph Anderson & Associates.

- 7.2.2. CITY COUNCIL RATING OF PROPOSED MAJOR PLANS FOR THE 2011-13 BIENNIAL BUDGET (0330-40)

RECOMMENDATION: That the City Council rate proposed Major Plans.

8. OTHER BUSINESS

8.1 COUNCIL MEMBER KOGERMAN

- 8.1.1. ANNUAL DETERMINATION OF CITY MANAGER GOALS AND OBJECTIVES (0400-10)

RECOMMENDATION: That the City Council direct staff to develop a City Council Policy that requires that the City Manager's goals and objectives be established annually by the City Council by the close of the first meeting of the calendar year.

8.1.2. ANNUAL DETERMINATION AND COMMUNICATION OF THE
CITY'S GOALS AND OBJECTIVES (0100-30)

RECOMMENDATION: That the City Council direct staff to develop a City Council Policy that requires the City Council to annually determine its primary goals and objectives for each fiscal year, and that once established, these goals and objectives be made public at the start of each fiscal year, with progress toward these goals to be reviewed at the first meeting of the City Council each December.

9. MATTERS PRESENTED BY MAYOR AND COUNCIL MEMBERS

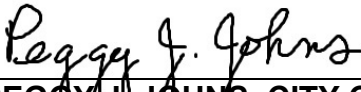
10. CLOSED SESSION

ADJOURNMENT

The next Regular Meeting of the City Council will be April 12, 2011, at 7:00 PM, in the City Council Chamber, located at 24035 El Toro Road, Laguna Hills, California.

CERTIFICATION

I, PEGGY J. JOHNS, City Clerk of the City of Laguna Hills, do hereby certify that a copy of the foregoing Agenda was posted at Laguna Hills City Hall, Laguna Hills Community Center, and La Paz Center by March 18, 2011, at 5:00PM.



PEGGY J. JOHNS, CITY CLERK

March 18, 2011

DATE

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, you should contact the office of the City Clerk at (949) 707-2635. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

Materials related to an item on this Agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 24035 El Toro Road, Laguna Hills, California, during normal business hours.

CITY OF LAGUNA HILLS

AGENDA REPORT CITY CLERK'S DEPARTMENT

**ISSUE: PRESENTATION FROM ORANGE COUNTY TRANSPORTATION
AUTHORITY (OCTA) TO THE CITY OF LAGUNA HILLS REGARDING
MEASURE M**

SUMMARY:

Measure M is Orange County's half-cent sales tax for transportation improvements that has generated \$4 billion over the past 20 years, 32 percent of which was returned to cities for local improvements. Measure M was successfully renewed in 2006 by nearly 70 percent of the voters.

As the original Measure M (M1) expires in March and the start of renewed Measure M (M2) commences in April, OCTA would like to acknowledge the accomplishments of the cities and OCTA working together over the past 20 years for Orange County residents.

Representatives from OCTA will make a presentation to the City Council and present the City with a resolution of appreciation for partnering with OCTA to deliver these much-needed transportation solutions.

**RECOMMENDATION: THAT THE CITY COUNCIL RECEIVE A RESOLUTION OF
APPRECIATION FROM OCTA FOR PARTNERING WITH THEM TO DELIVER MUCH
NEEDED TRANSPORTATION SOLUTIONS TO ORANGE COUNTY RESIDENTS.**

**CITY OF LAGUNA HILLS, CALIFORNIA
CITY COUNCIL/PLANNING AGENCY REGULAR MEETING
MINUTES
MARCH 08, 2011**

CALL TO ORDER

Mayor Songstad 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 Carruth

ROLL CALL OF CITY COUNCIL MEMBERS

Present: Mayor Songstad Jr., Mayor Pro Tempore Carruth, Council Member Bressette, Council Member Kogerman, Council Member Lautenschleger

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, Senior Management Analyst; Dan Meehan, Community Services Superintendent; and Sandi Mogan, Deputy City Clerk.

1. PRESENTATIONS AND PROCLAMATIONS

There were no Presentations and Proclamations.

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 Lyndsey Kaan.

2.2 LAGUNA HILLS HIGH SCHOOL GRAD NIGHT FUNDRAISER (0930-40)

Meg Gorham spoke regarding the Laguna Hills High School Grad Nite Fundraiser "Win-Win Wednesday".

3. MINUTES

3.1 REGULAR MEETING, FEBRUARY 22, 2011 (0410-50)

**Motion to approve minutes of the February 22, 2011, regular meeting by m/Mayor Pro Tempore Carruth, s/Council Member Bressette.
Approved by a vote of 5-0.**

4. CONSENT CALENDAR

**Motion to approve the Consent Calendar with the exception of Items No. 4.3 and No. 4.5, by m/Council Member Bressette, s/Mayor Pro Tempore Carruth.
Approved by a vote of 5-0.**

- 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 MARCH 8, 2011 (0300-30)

Approved the Warrant Register in the amount of \$174,992.31

- 4.4 COOPERATIVE AGREEMENT BETWEEN THE CITY OF LAGUNA HILLS AND THE CITY OF LAKE FOREST FOR COST SHARING OF MONTHLY ELECTRICAL CHARGES AND OCCASIONAL MAINTENANCE COSTS FOR UNDER DECK LIGHTING OF THE I-5 OVERCROSSING OF EL TORO ROAD (0400-10)

Approved the Cooperative Agreement between the City of Laguna Hills and the City of Lake Forest for cost sharing of monthly electrical charges and occasional maintenance costs for under deck lighting of the I-5 overcrossing of El Toro Road, authorize the City Manager to execute the Agreement and the City Clerk to attest thereto.

ITEMS REMOVED FROM THE CONSENT CALENDAR

- 4.3 VOLUNTEER CONNECTION DAY 2011 (0950-25)

Council Member Bressette removed this item from the Consent Calendar to inquire about expanding tree planting for Volunteer Connection Day.

Motion to approve staff's proposed projects for Volunteer Connection Day, to include planting trees at the intersection of Aliso Hills Parkway and Alicia Parkway, and if possible, to plant additional trees along Paseo de Valencia, by

**m/Council Member Bressette, s/Mayor Pro Tempore Carruth.
Approved by a vote of 5-0.**

4.5 2010 GENERAL PLAN ANNUAL REPORT (0630-05)

Council Member Kogerman removed this item from the Consent Calendar to ask Public Services Director Rosenfield to provide an update on the construction costs for the La Paz Widening Project. Council Member Kogerman inquired about the City's food waste pilot program from Deputy City Manager Reynolds.

**Motion to receive the report and direct staff to forward the 2010 General Plan Annual Report to the State of California, by m/Council Member Kogerman, s/Council Member Lautenschleger.
Approved by a vote of 5-0.**

5. PLANNING AGENCY

Mayor Songstad recessed the City Council meeting and acting in the capacity of Chair, called the regular meeting of the Planning Agency of the City of Laguna Hills, California, to order at 7:16 PM.

5.1 ROLL CALL OF PLANNING AGENCY MEMBERS

Present: Chair Songstad Jr., Vice Chair Carruth, Agency Member Bressette, Agency Member Kogerman, Agency Member Lautenschleger

5.2 PUBLIC COMMENTS

There were no Public Comments.

5.3 PLANNING AGENCY MINUTES

MINUTES OF THE REGULAR MEETING OF FEBRUARY 22, 2011 (0120-10)

**Motion to approve the minutes of the February 22, 2011, regular meeting, by m/Vice Chair Carruth, s/Agency Member Lautenschleger.
Approved by a vote of 5-0.**

5.4 PLANNING AGENCY PUBLIC HEARINGS

There were no Planning Agency Public Hearings.

PLANNING AGENCY ADJOURNMENT

Mayor Songstad reconvened the City Council meeting at 7:32 PM. All Council Members were present.

6. CITY COUNCIL PUBLIC HEARINGS

There were no City Council Public Hearings.

7. ADMINISTRATIVE REPORTS

7.1 City Manager

The City Manager made no reports.

7.2 Public Services Director/City Engineer

- 7.2.1. ADOPTION OF A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM AND APPROVAL OF THE AGREEMENT FOR ACQUISITION OF INTERESTS IN REAL PROPERTY FOR RIGHT-OF-WAY ACQUISITION FOR THE AVENIDA DE LA CARLOTA WIDENING IMPROVEMENT PROJECT, CIP NO. 164 (0820-15)

Motion to adopt Resolution No. 2011-03-08-1, a Resolution of the City Council of the City of Laguna Hills, California, adopting a Mitigated Negative Declaration for the Avenida de la Carlota Widening Improvement Project, CIP No. 164, by m/Council Member Bressette, s/Mayor Pro Tempore Carruth. Approved by a 5-0 vote.

Motion to authorize the Mayor to sign and the City Clerk to attest to the Agreement for acquisition of interests in real property for right-of-way acquisition from 23991 El Toro Inc., for the Avenida de la Carlota Widening Improvement Project, CIP No. 164, subject to minor technical corrections to the Agreement as implemented by the City Attorney, by m/Council Member Bressette, s/Mayor Pro Tempore Carruth. Approved by a 5-0 vote.

7.3 Deputy City Manager/Community Services

- 7.3.1. 2011 LAGUNA HILLS MARATHON AND 5K EVENT UPDATE (0400-10) (0950-20)

Motion to receive and file the report, by m/Council Member Bressette, s/Council Member Lautenschleger. Approved by a 5-0 vote.

Motion to return to the City Council with a report on details how the City Council can transfer any profits realized from future Race events to Team Darkhorse Battalion, by m/Council Member Bressette, s/Mayor Pro Tempore Carruth.

Approved by a 5-0 vote.

8. OTHER BUSINESS

There was no Other Business.

9. MATTERS PRESENTED BY MAYOR AND COUNCIL MEMBERS

COUNCIL MEMBER KOGERMAN

Council Member Kogerman asked Lieutenant Doan to provide an update on the Alert OC System.

Council Member Kogerman indicated she was disappointed in the At-A-Glance tables in the recently posted Public Officials' Compensation Report. Council Member Kogerman felt it was cumbersome to negotiate her way through the Report and requested it be made more user friendly. Council Member Kogerman stated that the on-line posting of the Compensation Report was the only way the City Council was made aware of Management staff bonuses, and believed that City Council should be part of that approval process.

Council Member Kogerman made reference to the City Council Workshop scheduled for Saturday, March 12, 2011, and invited the public to attend.

Council Member Kogerman announced that her husband, Lieutenant Colonel Bill Kogerman was recently appointed as Vice Chairman of the California Parks and Recreation Commission.

COUNCIL MEMBER LAUTENSCHLEGER

Council Member Lautenschleger reviewed the newly posted Compensation Report and was very pleased with all the comprehensive data that was presented. He did not find the at-a-glance tables difficult to locate or access.

COUNCIL MEMBER BRESSETTE

Council Member Bressette reported that last Friday, he, his family, friends, and neighbors celebrated the 20th anniversary of the election of the City's Incorporation.

10. CLOSED SESSION

Mayor Songstad recessed the meeting into Closed Session at 8:25 PM.

10.1 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957(b)(1)

Public Employee Title: City Manager – Performance Evaluation

10.2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9 - 1 potential case.

Mayor Songstad reconvened the meeting at 10:28 PM. All Council Members were present.

City Attorney Simonian indicated that no reportable action was taken.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Songstad declared the meeting adjourned at 10:30 PM.

PEGGY J. JOHNS, CITY CLERK

ATTEST:

L. ALLAN SONGSTAD, JR., MAYOR

APPROVED AT MEETING OF _____

**CITY OF LAGUNA HILLS, CALIFORNIA
CITY COUNCIL ADJOURNED REGULAR MEETING
MINUTES
MARCH 12, 2011**

CALL TO ORDER

PLEDGE OF ALLEGIANCE: Council Member Kogerman

Mayor Songstad called the meeting to order at 9 AM.

ROLL CALL OF CITY COUNCIL MEMBERS:

Present: Mayor Songstad Jr., Mayor Pro Tempore Carruth, Council Member Bressette, Council Member Kogerman, Council Member Lautenschleger

PUBLIC COMMENTS

There were no Public Comments.

WORKSHOP OF THE CITY'S MISSION, VISION, VALUES, POLICIES, PRACTICES, AND PROCEDURES.

1. Welcome and Agenda Review

City Manager Channing welcomed the City Council to the workshop and gave opening comments. Mr. Channing spoke about the original vision of the City of Laguna Hills at incorporation almost 20 years ago. Mr. Channing indicated that it was a best practice after this length of time to revisit the City's guiding principles, mission, and vision, to re-visit or establish new guiding principles at this point in the City's history. Mr. Channing introduced Jan Perkins, the facilitator for the workshop. Ms. Perkins welcomed the City Council to the workshop and reviewed the Agenda and the objectives of the workshop. The City Council established and agreed to abide by the ground rules.

2. Discussion of Mission, Vision and Values.

The City Council discussed the City's primary mission and what is meant by the focus on core services offered by the City. The Council also reviewed the vision statements in the General Plan and the Council's shared values.

3. Review City Council Procedures and Practices.

Assistant City Manager White gave a PowerPoint presentation depicting the

“Building Blocks for Success” model based on the City’s eight guiding themes as identified in the City’s recent General Plan update. Several procedures and practices currently in place and of significant importance were discussed by the City Council.

4. Goal Setting for FY 2011-2013

The following Department Major Plans were presented: City Clerk, Council/Manager, Administrative Services, and Community Development.

5. Wrap Up Goal Setting

ADJOURNMENT

The meeting was adjourned at 3:45 PM.

PEGGY J. JOHNS, CITY CLERK

ATTEST:

L. ALLAN SONGSTAD, JR., MAYOR

APPROVED AT MEETING OF _____

CITY OF LAGUNA HILLS
AGENDA REPORT
ADMINISTRATIVE SERVICES DEPARTMENT

ISSUE: APPROVAL OF WARRANT REGISTER FOR PERIOD ENDED
MARCH 22, 2011.

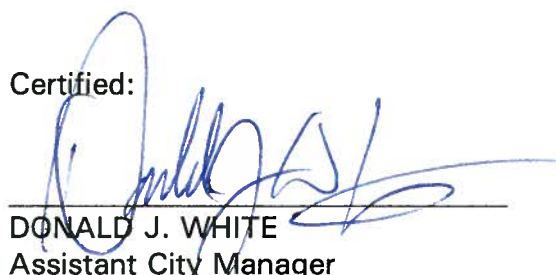
SUMMARY:

In accordance with Government Code Section 37202, the Finance Manager prepares the attached warrant register, which reflects the disbursements of the City of Laguna Hills for the period reported thereon. The Assistant City Manager certifies that funds are available for the payment thereof. These warrants are hereby submitted to the City Council for approval of payment.

Prepared by:

JANICE MATEO REYES
Finance Manager

Certified:


DONALD J. WHITE
Assistant City Manager

3-17-11
DATE

FISCAL IMPACT:

The warrant register total is \$ 661,860.91

RECOMMENDATION: THAT THE CITY COUNCIL APPROVE THE WARRANT REGISTER
IN THE AMOUNT OF \$ 661,860.91.

ATTACHMENTS:

1. **Warrant Register**

**CITY OF LAGUNA HILLS
WARRANT REGISTER
March 22, 2011**

VENDOR	DESCRIPTION	CHECK NO.	AMOUNT
PREPAID WARRANTS:			
AT&T- CALNET 2	Communication Expense, Alarm System, 2-Way Line, Switchboard, Modem, Frame Relay, T-1 Line and Traffic Control, Feb '11	8800897	\$ 2,044.41
BANK OF AMERICA	Departmental Operating Expenditures, Feb '11	8800914	7,440.05
CHEVRON	Vehicle Fuel, Feb '11	8800898	1,914.81
EL TORO WATER DISTRICT	Water Usage, Parks, Feb '11	8800928	5,440.94
HOME DEPOT	Program Supplies and Building Maintenance, Community Services, Jan '11	8800899	76.93
HUNTER, MARTY	Refund, C&D Deposit, CR# 41880	8800939	1,528.10
KEY EQUIPMENT FINANCE, INC.	Lease - Mailing Equipment, Mar '11	8800900	252.20
MOULTON NIGUEL WATER DISTRICT	Water Usage, Parks and Community Center, Jan - Feb '11	8800943	13,174.91
OC SHERIFF'S ADVISORY COUNCIL	Meeting Expense, Public Safety	8800901	650.00
OROS CONSULTING SERVICES, LLC	Professional Fees, Computer Consulting Services, Feb '11	8800902	5,005.00
REFUND, FACILITY RENTAL DEPOSIT	M. Deguzman, V# 2001833.002	8800956	318.25
REFUND, FACILITY RENTAL DEPOSIT	M. Sakach, V# 2001935.002	8800957	250.00
REFUND, FACILITY RENTAL DEPOSIT	M. Serrano, V# 2001950.002	8800958	500.00
REFUND, FACILITY RENTAL DEPOSIT	G. Ceja, V# 2001945.002	8800959	500.00
REFUND, FACILITY RENTAL DEPOSIT	K. Reiner, V# 2001944.002	8800960	250.00
REFUND, FACILITY RENTAL FEE	A. McClellan, V# 2001943.002	8800955	200.00
REYES, JANICE MATEO	Petty Cash Replenishment, Mar '11	8800962	655.94
REYNOLDS, DAVID	Petty Cash Replenishment, Community Services, Feb '11	8800904	153.26
REYNOLDS, DAVID	Mileage Reimbursement, Community Services, Dec '10 - Feb '11	8800963	76.00
SADDLEBACK GROUP INVESTMENTS	Refund, SDPM 11-10-1816, CR # 41544	8800905	1,600.00
SAN DIEGO GAS & ELECTRIC	Electric Usage, Street Lights, Feb '11	8800965	12,361.35
SOUTHERN CALIFORNIA EDISON	Electric Usage, Traffic Control and Parks, Feb '11	8800906	1,767.61
SOUTHERN CALIFORNIA EDISON	Electric Usage, Traffic Control and Parks, Feb '11	8800968	529.74
U.S. POSTAL SERVICE	Postage Meter Replenishment, Feb '11	8800973	1,000.00

**CITY OF LAGUNA HILLS
WARRANT REGISTER
March 22, 2011**

VENDOR	DESCRIPTION	CHECK NO.	AMOUNT
VERIZON WIRELESS	Communication Expense, Feb '11	8800975	860.08
WELLS FARGO FINANCIAL LEASING	Lease - Copier, Community Center, Apr '11	8800976	576.90
Total Prepaid Warrants:			\$ 59,126.48

REGULAR WARRANTS:

A. C. LANDSCAPE, INC.	Water Management Services, Miscellaneous Repairs, Feb '11	8800907	\$ 6,437.71
A.M. BEST COMPANY	Subscription, City Clerk, Mar '11	8800908	164.95
ALBERT, SOPHI	Contract Instructor Fee, Piano/Keyboard Winter Session, Community Services	8800909	319.20
ALL AROUND LIGHTING, INC.	Facility Maintenance, Lighting Supplies, Community Center, Feb '11	8800910	380.08
ALL CITY MANAGEMENT, INC.	Crossing Guard Services, 01/30/11 - 02/26/11	8800911	6,156.00
AQUA CHILL OF MISSION VIEJO, INC.	Facility Maintenance, Water Filtration System, Community Center, Mar '11	8800912	82.65
ATHALYE CONSULTING ENGINEERING	Professional Fees, La Paz Widening @ I-5 CIP # 159	8800913	6,930.00
BLAND, MIKE	Reimbursement, Postage, 3rd Battalion 5th Marines Support Committee	8800915	181.30
BRAME, MARILYN	Contract Instructor Fee, Drawing Winter Session, Community Services	8800916	420.00
C & A ATHLETICS	Uniforms and Program Supplies, Community Services, Feb '11	8800917	868.04
C2 REPROGRAPHICS	Printing Expense, La Paz Widening @ I-5 CIP # 159	8800918	1,004.60
CALIFORNIA OFFICE SYSTEMS	Usage - Copier, City Hall and Community Center, Feb '11	8800919	473.67
CARL WARREN & COMPANY	Processing Fee, Small Claims, Jun '10 - Feb '11	8800920	469.08
CDW GOVERNMENT, INC.	Computer Hardware, Agenda Management and Audio Web Access	8800921	968.26
CERVANTES, EDWARD	Contract Instructor Fee, Cooking Class Winter Session, Community Services	8800922	199.50
CROP PRODUCTION SERVICES, INC.	Program Expense, Community Services, Feb '11	8800923	158.32
DATA TICKET, INC.	Processing Fee, Parking Citations, Jan '11	8800924	576.56
DAVE COOPER TROPHIES	Program Supplies, Community Services, Feb '11	8800925	71.78
DISCOUNT WAREHOUSE	Office and Computer Supplies, Community Center, Feb '11	8800926	471.43
ECONOMICS, INC.	Professional Fees, Recycling Program, Feb '11	8800927	3,216.25
ENERGOV SOLUTIONS	Software Maintenance, Community Development, Apr - Jun '11	8800929	3,505.00

**CITY OF LAGUNA HILLS
WARRANT REGISTER
March 22, 2011**

3/22/2011 ITEM NO. 4.2

VENDOR	DESCRIPTION	CHECK NO.	AMOUNT
FAUBEL PUBLIC AFFAIRS	Professional Fees, Combined Issue, City Views/Community Services Spring 2011 Activity Guide	8800930	17,433.29
FOREST LANES	Program Expense, Deposit, Community Services, Jul '11	8800931	200.00
GOVPARTNER	Hosting Fees, Request Partner, Mar '11	8800933	500.00
GOV'T FINANCE OFFICERS ASSN	CAFR 09/10 Award Program Application Fee	8800932	435.00
GRC ASSOCIATES, INC.	Professional Fees, Aliso Meadows Rehabilitation Project, Jan '11	8800934	2,540.00
HANSEN, MARIA	Contract Instructor Fee, Zumba Winter Session, Community Services	8800935	392.00
HARRINGTON GEOTECH ENGINEERING	Professional Fees, Annual Street Maintenance CIP # 101	8800936	29,659.00
HDL, COREN & CONE	Professional Fees, Property Tax Audit, Jan - Mar '11	8800937	2,700.00
HOGLE-IRELAND, INC.	Professional Fees, General Planning Services, Jan '11	8800938	2,075.00
IRV SEAVER MOTORCYCLES	Motorcycle Maintenance, Police Services, Feb '11	8800940	4,542.18
MITSUBISHI ELECTRIC & ELECTRONIC	Facility Maintenance, Elevator, Community Center, Mar '11	8800942	310.75
NIEVES LANDSCAPE, INC.	Monthly Maintenance and Other Assorted Landscape Services, Feb - Mar '11	8800944	71,508.07
NIMMO, DAVID	Contract Instructor Fee, Clog Dancing Winter Session, Community Services	8800945	28.00
OFFICE SOLUTIONS	Computer, Office and Operating Supplies, Feb '11	8800947	1,532.71
ON TARGET VOICE AND DATA, INC.	Component Installation, Agenda Management and Audio Web Access	8800948	583.56
ORANGE COUNTY FIRE AUTHORITY	Remittance, Fire Fees Collected, Feb '11	8800949	2,176.00
ORANGE COUNTY REGISTER-FREEDOM	Legal Advertising, City Clerk, Feb '11	8800950	744.08
ORANGE COUNTY TREASURER	Law Enforcement Services, Mar '11	8800941	375,895.99
ORANGE COUNTY TREASURER	Parking Fee Surcharge, Jan '11	8800952	2,077.13
ORKIN PEST CONTROL	Facility Maintenance, Pest Control, Community Center, Nov '10	8800951	25.04
QUIKSILVER COURIER	Delivery Expense, Feb '11	8800953	118.56
RAM AIR ENGINEERING, INC.	Facility Maintenance, HVAC System, Community Center, Feb '11	8800954	1,196.00
RENEGADE RACING	Event Management Services, 1/2 Marathon and 5K Event, May '11, Partial Payment	8800961	10,000.00
SADDLEBACK FAMILY & URGENT CARE	Pre-employment Physicals, Dec '10 - Jan '11	8800964	130.00
SIMPLEX TIME RECORDER COMPANY	Equipment Maintenance, Time Stamp Machine, City Clerk, Apr '11 - Mar '12	8800966	136.00
SOUTHERN CALIF MUN ATHLETIC	Insurance, Contract Instructors and Sports League Officials, Community Services	8800967	774.40

**CITY OF LAGUNA HILLS
WARRANT REGISTER
March 22, 2011**

VENDOR	DESCRIPTION	CHECK NO.	AMOUNT
STAPLETON, VIVIAN	Contract Instructor Fee, Early Childhood Music Winter Session, Community Services	8800969	490.36
STUDIO TWO BLACK DIAMOND	Printing Expense, Feb '11	8800970	1,223.86
SUNSET PROPERTY SERVICES	Street Sweeping, Feb '11	8800971	10,126.29
SYMQUEST SERVICES	Printer Repair, Community Development, Feb '11	8800972	75.00
UPSIDE MARKETING & PROMOTIONS	Program Supplies, Community Services, Mar '11	8800974	1,838.16
WEST COAST ARBORISTS, INC.	Tree Trimming, Jan '11	8800977	3,788.00
WILLLDAN	Professional Fees, Annual Street Maintenance CIP # 101, Plan Checking and Building & Safety Services, Feb '11	8800978	23,884.69
XEROX CORPORATION	Lease - Copier, City Hall, Mar '11	8800979	540.93
		\$	602,734.43
**WARRANT REGISTER TOTAL **		\$	661,860.91

CITY OF LAGUNA HILLS

AGENDA REPORT PUBLIC SERVICES DEPARTMENT

**ISSUE: AWARD OF CONTRACT FOR AVENIDA DE LA CARLOTA WIDENING
PROJECT, CIP NO. 164**

SUMMARY:

In accordance with City Council authorization, six bids for the subject project were received on March 10, 2011. The apparent low bidder, Hillcrest Contracting, meets the contract requirements, is currently licensed, and provides satisfactory references. Award of the contract for the low Base Bid is recommended.

BACKGROUND:

On March 10, 2011, the City received six bids for the Avenida de la Carlota Widening Project, CIP No. 164. The Engineer's Estimate for this project was \$700,000 for the Base Bid and \$500,000 for the Alternate Bid. The Base Bid represents the full street widening on the west side of Avenida de la Carlota and requires right-of-way acquisition. This bid also includes the replacement of the traffic signal at El Toro Road to accommodate the road widening and the Urban Village design standard. The right-of-way acquisition was the subject of a recent Acquisition Agreement approved by the City Council on March 8, 2011. The Alternate Bid provides for street widening to a lesser extent as may be necessary if the right-of-way was not acquired.

The following bids were received:

<u>COMPANY</u>	<u>BASE BID</u>	<u>ALTERNATE BID</u>
Hillcrest Contracting	\$716,925.00	\$483,962.00
MG Construction & Development	\$758,759.40	\$495,481.00
All American Asphalt	\$763,836.00	\$525,111.00
R.J. Noble Company	\$823,922.25	\$576,746.00
Excel Paving Co.	\$838,452.00	\$677,345.00
Malcon Civils Inc.	\$934,311.00	\$698,460.00

The base bid submitted by Hillcrest Contracting included a minor error. Hillcrest contracting advised the City of this error and documented that it did not change the total price bid nor have a material effect on the bid. Staff concurs with this conclusion.

**RECOMMENDATION: THAT THE CITY COUNCIL WAIVE MINOR BID
IRREGULARITIES, AWARD THE CONTRACT FOR THE AVENIDA DE LA CARLOTA
WIDENING PROJECT, CIP NO. 164, TO THE APPARENT LOW BIDDER, HILLCREST
CONTRACTING, IN THE LOW BASE BID AMOUNT OF \$716,925.00, AND
AUTHORIZE THE MAYOR TO SIGN AND THE CITY CLERK TO ATTEST TO THE
CONTRACT DOCUMENTS.**

Upon review of the bids, staff is satisfied that the bids properly reflect the value of the work. The lowest responsive and responsible bidder, Hillcrest Contracting, meets the contract requirements, is currently licensed, and provides satisfactory references. This firm has satisfactorily completed other similar projects in the region and the City. The award of contract for the Base Bid is recommended. The right-of-way acquisition is expected to be completed well before the start of construction as the escrow for the right-of-way acquisition has now past the time frame for the parties to "opt-out" of the transaction.

This project will begin construction in June 2011, and will last for a period of 70 working days. Advance notice of the project will be provided to all residents and businesses in the area that may be affected by the project. The majority of all work will be performed at night to minimize traffic impacts although some disruption is expected. Several changeable message signs will be deployed during the project to provide motorist information.

FISCAL IMPACT:

The construction bid and related construction management costs for the project are within the Fiscal Year 2010-2011 Capital Improvement Program Budget. The construction management will be provided by Bureau Veritas per their Professional Services Agreement at an estimated maximum fee of \$65,000.

CEQA:

Pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 *et seq.*, and CEQA's implementing guidelines, California Code of Regulations, Title 14, Section 15000 *et seq.*, an Initial Study was prepared by Hogle Ireland, Inc. The Initial Study analyzed both the Alternate Bid and Base Bid construction alternatives. Based on the Initial Study and supporting analyses, it was determined that all of the project's potentially adverse environmental impacts can be mitigated to a less than significant level. On this basis, an Initial Study and Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program (MMRP) was prepared. On March 8, 2011, the City Council adopted Resolution No. 2011-03-08-1 approving the Environmental Clearance document.

RECOMMENDATION: THAT THE CITY COUNCIL WAIVE MINOR BID IRREGULARITIES, AWARD THE CONTRACT FOR THE AVENIDA DE LA CARLOTA WIDENING PROJECT, CIP NO. 164, TO THE APPARENT LOW BIDDER, HILLCREST CONTRACTING, IN THE LOW BASE BID AMOUNT OF \$716,925.00, AND AUTHORIZE THE MAYOR TO SIGN AND THE CITY CLERK TO ATTEST TO THE CONTRACT DOCUMENTS.

CITY OF LAGUNA HILLS

AGENDA REPORT CITY MANAGER'S DEPARTMENT

ISSUE: BIENNIAL BUDGET CALENDAR FY 2011-13 – REVISED MEETING SCHEDULE

SUMMARY:

Staff is proposing to consolidate the two Budget Study Sessions planned for April 19, 2011, and May 17, 2011, into one Study Session to be held on April 19, 2011, in order to accommodate the unanticipated scheduling conflicts of certain Council Members on May 17, 2011. Staff also recommends starting the Study Session at 5:00 PM to allow sufficient time to cover the combined material.

BACKGROUND:

At the December 14, 2010, City Council Meeting, the City Council adopted a Schedule of Meetings for Calendar Year 2011, which included several workshops designed to receive input from the public and the City Council with regard to the development of the Fiscal Year 2011-13 Biennial Budget. Recently, staff became aware that one or more Council Members would not be able to attend two of the planned workshops due to scheduling conflicts. Staff believed that proceeding with the scheduled workshops without all five Council Members in attendance could be detrimental to the process and the successful adoption of the Biennial Budget. Consequently, the March 15, 2011, Workshop was cancelled and the presentation of Departmental Major Plans and Work Programs was incorporated into a portion of the City Council's March 12, 2011, Workshop on Mission, Vision, and Values. The completion of those presentations is scheduled for the March 22, 2011, Regular City Council Meeting. This will also be the time for the City Council to propose Major Plans for inclusion in the Biennial Budget.

The original schedule called for two Budget Study Sessions. One focused upon the Six-Year Capital Improvement Plan (April 19, 2011) and the other was devoted to the Preliminary Operating Budget (May 17, 2011). Given the existence of a scheduling conflict on May 17, 2011, staff proposes that the two Study Sessions be combined and

RECOMMENDATION: THAT THE CITY COUNCIL REVISE ITS MEETING SCHEDULE FOR THE BUDGET CALENDAR FOR FY 2011 – 13.

held on April 19, 2011. Although this will compress the preparation time, staff will be able to complete the documents for those meetings. The bigger challenge may be related to the amount of time it could take to work through all the presentation and discussion material. To that point, staff recommends that the meeting begin earlier than normal, at 5:00 pm instead of 7:00 pm.

RECOMMENDATION: THAT THE CITY COUNCIL REVISE ITS MEETING SCHEDULE FOR THE BUDGET CALENDAR FOR FY 2011 – 13.

CITY OF LAGUNA HILLS

AGENDA REPORT COMMUNITY DEVELOPMENT DEPARTMENT

ISSUE: EXTENSION OF TIME NO. 2-11-1889 TO SITE DEVELOPMENT PERMIT/MASTER SIGN PROGRAM NO. 2008-024 – THE COURTYARD AT LA PAZ CENTER LOCATED AT 25232-25342 MCINTYRE STREET

SUMMARY:

Site Development Permit/Master Sign Program No. 2008-024 was approved in 2008 allowing a major renovation of The Courtyard at La Paz Center (“Center”), located at 25232-25342 McIntyre Street in the Community Commercial (CC) zoning district. The project was approved in a series of phases, as detailed in the project’s initial Phasing Plan. **See Attachment 3.** Most of the phases have been implemented, except the final phase (Phase IV), which includes demolition of the two (2) corner buildings and the re-landscaping of portions of the parking lot and the slope areas along La Paz Road and McIntyre Street. Condition No. 35 of the project’s original Resolution of Approval required that the corner buildings be demolished by April 1, 2011.

Given the recent closures of the Claim Jumper and Spasso’s Restaurants at the Center, and the current challenge of leasing the tenant spaces during the current “down market,” the applicant, La Paz Shopping Center, L.P., is requesting that the Planning Agency grant them an extension of time (Extension of Time No. 2-11-1889) to: (1) allow the demolition of the two corner buildings to be delayed until August 31, 2011, and (2) allow the final landscape improvements to be delayed until August 31, 2012. **See Attachment 2.** The applicant has indicated that a delay in the implementation of the final phases of the project will allow the Center adequate time to reorganize their finances so that they can move forward to complete the final phases of the Center’s renovation. Staff supports the applicant’s request and Updated Phasing Plan, subject to new Condition of Approval No. 8 (as a revision to the original Condition No. 35), in the proposed Resolution of Approval. **See Attachment 1.**

RECOMMENDATION: THAT THE PLANNING AGENCY: (1) CONDUCT A PUBLIC HEARING, AND (2) ADOPT A RESOLUTION ENTITLED: “A RESOLUTION OF THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING EXTENSION OF TIME NO. 2-11-1889, TO SITE DEVELOPMENT PERMIT/MASTER SIGN PROGRAM NO. 2008-024, A REQUEST FROM LA PAZ CENTER, L.P., FOR AN EXTENSION OF TIME TO COMPLETE THE RENOVATION WORK IN PROCESS AT THE COURTYARD AT LA PAZ CENTER LOCATED AT 25232-25342 MCINTYRE STREET IN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT.”

Staff reviewed the Development Code requirements as well as the General Plan issues, goals, and strategies, evaluated the potential for environmental impacts in accordance with the California Environmental Quality Act (CEQA), and determined that the proposed project, subject to conditions of approval, will not result in any impacts to the public health, safety, and general welfare. Therefore, staff is recommending approval of Extension of Time No. 2-11-1889 to SDP/MSP No. 2008-024.

AUTHORITY:

Section 9-92.080L of the Laguna Hills Municipal Code (LHMC) provides the following mechanism for an applicant to request an Extension of Time:

1. Failure to Implement in Timely Manner. Should an applicant encounter difficulties in implementing the approvals granted by the hearing body, the applicant may file a request for an extension of time. All requests for extension under this category shall be filed not less than thirty (30) days prior to the expiration date in order to be considered valid. Such requests shall clearly identify and evidence the reason for failure to attain the implementation date and set forth a date certain by which the applicant can implement the permit. Upon review and discussion as an agenda item at a regular meeting, the hearing body who first granted the permit or approval shall approve or deny the extension request.

BACKGROUND:

On June 24, 2008, the Planning Agency approved the following renovations to the Center: (1) upgrades to the façades; (2) improvements to the existing courtyard area; (3) addition of thirty six (36) parking spaces by re-striping the parking lot and demolishing two (2) small buildings; (4) addition of one (1) new small building (to the interior portion of the property); and (5) re-landscaping of selected areas on the property. At that time, because the applicant was anxious to get the project started, the project was reviewed and approved without a Master Sign Program (MSP). Subsequently, the applicant filed a MSP, which was approved by the Planning Agency on February 10, 2009. The project approval referenced a Phasing Plan (**Attachment 3**) that identified the applicant's intent to make the Center's renovation improvements within a 9-12 month period of time, except for the demolition of the two (2) corner buildings (at La Paz Road and McIntyre Street) that were deferred until April 1, 2011 (as provided in Condition of Approval No. 35).

DISCUSSION:

Following the initial Planning Agency approval of SDP/MSP No. 2008-024 on June 24, 2008, the applicant has been diligently pursuing the implementation of the subject project, which includes the following improvements:

1. Façade upgrades to the existing buildings
2. Renovation of the existing Courtyard area
3. The addition of thirty six (36) parking spaces (by re-striping the parking lot and demolishing the two small buildings at the corner of La Paz Road and McIntyre Street)
4. New signage throughout the Center, including new Center Identification Signs along La Paz Road and McIntyre Street
5. The addition of 4,000 square foot of retail space (to the courtyard area)
6. The re-landscaping of selected areas throughout the property
7. The re-naming and re-branding of the Center to "The Courtyard at La Paz"

The majority of the renovation work at the Center has been completed. The remaining tasks include the demolition of the two corner buildings, which are required by Condition No. 35 of the Resolution of Approval to be demolished by April 1, 2011 (and the subsequent conversion of that area into additional parking), as well as the final landscaping of the slope areas along La Paz Road and McIntyre Street and a portion of the parking lot.

Due to the economic downturn since the renovation work commenced, the Center has struggled to attract and/or retain key tenants. The Claim Jumper and Spasso's Restaurants recently closed and the Courtyard area is not yet fully leased. Therefore, citing financial hardship, the applicant has requested some additional time to complete the demolition work and final landscape improvements. **See Attachment 2.** Specifically, the applicant has requested that the demolition work be extended to August 31, 2011, and that the final landscape improvements be delayed until summer of 2012. In recognition of the Center's financial commitment to improve the Center (during one of the worst economic downturns in recent memory) and the current leasing challenges, staff supports the application request. Former Condition No. 35 in the original Resolution of Approval is superseded by **Condition No. 8** in the proposed Resolution of Approval (**see Attachment 1**) in order to allow the requested delay.

PUBLIC COMMENTS:

A total of 106 public hearing notices were mailed to surrounding property owners within a 300-foot radius of the subject site, as well as all business owners on the property. No comments have been received to date.

FISCAL IMPACT:

The applicant has paid the costs associated with processing the subject request.

CEQA FINDINGS:

Staff has reviewed the Development Code requirements as well as General Plan issues, goals, and strategies, and recommends that the Planning Agency find that Amendment to SDP/MSP No. 2008-024 to be Categorically Exempt from the requirements of the California Environmental Quality Act based upon Class 1 (CEQA Guidelines Section 15301) exemption for existing facilities (minor alteration to existing private structures).

RECOMMENDATION: THAT THE PLANNING AGENCY: (1) CONDUCT A PUBLIC HEARING, AND (2) ADOPT A RESOLUTION ENTITLED: "A RESOLUTION OF THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING EXTENSION OF TIME NO. 2-11-1889, TO SITE DEVELOPMENT PERMIT/MASTER SIGN PROGRAM NO. 2008-024, A REQUEST FROM LA PAZ CENTER, L.P., FOR AN EXTENSION OF TIME TO COMPLETE THE RENOVATION WORK IN PROCESS AT THE COURTYARD AT LA PAZ CENTER LOCATED AT 25232-25342 MCINTYRE STREET IN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT."

ATTACHMENTS:

1. Resolution of Approval, including Exhibits 1, 2, and 3.
2. Letter of Justification from Applicant dated February 18, 2011, with Updated Phasing Plan
3. Initial Phasing Plan

RESOLUTION NO. PA2011-

A RESOLUTION OF THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING EXTENSION OF TIME NO. 2-11-1889, TO SITE DEVELOPMENT PERMIT/MASTER SIGN PROGRAM NO. 2008-024, A REQUEST FROM LA PAZ CENTER, L.P., FOR AN EXTENSION OF TIME TO COMPLETE THE RENOVATION WORK IN PROCESS AT THE COURTYARD AT LA PAZ CENTER LOCATED AT 25232-25342 MCINTYRE STREET IN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT

The Planning Agency of the City of Laguna Hills, California, hereby finds, determines, declares, and resolves as follows:

WHEREAS, an application (Extension of Time No. 2-11-1889) has been received requesting an extension of time to complete the renovation work approved by Site Development Permit/Master Sign Program (SDP/MSP) No. 2008-024 for the Courtyard at La Paz Center, including a modification to Condition of Approval No. 35 and the project's Phasing Plan; and

WHEREAS, SDP/MSP No. 2008-024 was initially approved by the City of Laguna Hills Planning Agency on June 24, 2008, which allowed the renovation and expansion of the Courtyard at La Paz Center located at 25232-25342 McIntyre Street; and

WHEREAS, revisions to SDP/MSP No. 2008-024 were approved on February 10, 2009, which allowed a new master sign program and other minor revisions to the project; and

WHEREAS, Extension of Time No. 2-11-1889, to Site Development Permit/Master Sign Program No. 2008-024, is hereby found to be Categorically Exempt from the requirements of the California Environmental Quality Act based upon Class 1 (CEQA Guidelines Section 15301 – minor alterations to existing private structures); and

WHEREAS, the Planning Agency has considered evidence presented by the Community Development Department, the applicant, and other interested parties with respect to the subject application at a Public Hearing held on March 22, 2011.

NOW, THEREFORE, THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. The above recitals are true and correct, and are incorporated herein by reference.

SECTION 2. That the required findings by the City for approval of Extension of Time No. 2-11-1889, to Site Development Permit/Master Sign Program No. 2008-024, have been met and made as follows:

A. Site Development Permit

1. That the Site Design complies with standards of the Laguna Hills Development Code;

All buildings currently comply with the City's Development Code. Additional parking stalls have been provided to meet the parking standards necessary for the additional retail space. All other code requirements are met including setbacks, height, and landscaping. All design elements associated with the submittal comply with section 9-40 of the City's Development Code.

2. The site is suitable for the proposed development in that:

The site is an existing commercial shopping center located in the Community Commercial (CC) zoning district. All buildings currently comply with the City's Development Code. As an existing shopping center, the site is suitable for the proposed renovation and expansion.

3. The project is consistent with the General Plan and applicable design guidelines in that:

The proposed project is consistent with applicable design guidelines contained within the City's Development Code. A renovation to the shopping center does comply with the City's General Plan and applicable design guidelines.

4. The site design and structural components are appropriate for the site and function of the proposed uses in that:

As an existing shopping center, the site design and structural components are appropriate for the renovation. Renovating the center will create a more aesthetically pleasing and comfortable environment for patrons.

B. Master Sign Program

1. That the design and application of the sign criteria required by the Laguna Hills' Development Code are satisfied by the proposed site plan;

The proposed Master Sign Program complies with the requirements of the Development Code. Staff believes that the proposed master sign program contains well designed consistent signage that is pleasing in appearance and compatible with community character, while recognizing the commercial communication requirement of all sectors of the business community.

2. That the sign plan provides a compatible and harmonious design between advertising, landscaping and building design;

The proposed signage features basic colors and materials that are compatible with the architectural features of the shopping center. All design regulations, as outlined in section 9-42 of the LHMC have met and/or exceeded.

NOW, THEREFORE, based upon the above findings, the Planning Agency of the City of Laguna Hills does hereby approve Extension of Time No. 2-11-1889, to SDP/MSP No. 2008-024, subject to the following conditions:

1. This approval constitutes approval of the proposed project only to the extent that it complies with the City's Development Code, any other applicable zoning regulations, and is implemented consistent with the approved plans. Approval does not include any action or findings as to compliance or approval of the project regarding any other applicable ordinance, regulation, or requirement.
2. Failure to abide by and faithfully comply with any and all conditions of approval shall constitute grounds for revocation of said Site Development Permit by the Laguna Hills' Planning Agency.
3. As a condition of issuance of this approval, the applicant/owner, La Paz Center, L.P., hereby agrees, at its sole cost and expense and to the fullest extent permitted by law, to defend, indemnify, and hold harmless the City, its officers, employees, agents, and consultants, from any claim, action, or proceeding brought by a third party against the City, its officers, employees, agents, and consultants, which seeks to attack, challenge, set aside, void, or annul an approval of the City Council, Planning Agency, or other decision-

making body, or staff action concerning this project. The City agrees to promptly notify the applicant/owner of any such claim filed against the City and to fully cooperate in the defense of any such action. The City may, but is not obligated to, at its sole cost and expense, elect to participate in the defense of any such action under this condition.

4. The applicant/owner shall agree in writing to these conditions of approval within 30 days of the Planning Agency's action.
5. The applicant/owner shall reimburse the City for any outstanding staff time spent on the processing of Extension of Time No. 2-11-1889, to SDP/MSP No. 2008-024, within 60 days of Planning Agency action.
6. Within 48 hours from project approval, the applicant shall submit to the City a check in the amount of \$50.00, made payable to the Orange County Clerk-Recorder, for filing the Notice of Exemption.
7. The applicant shall adhere to all conditions approved as part of the original approval of SDP/MSP No. 2008-024 on June 24, 2008, including Resolution No. PA2008-06-24-1 (attached as **Exhibit 2**), and as revised on February 10, 2009, by Resolution No. PA2009-02-10-1 (attached as **Exhibit 3**).
8. Approval of Extension of Time No. 2-11-1889, to SDP/MSP No. 2008-024, is expressly made on the condition that the applicant/owner shall fully demolish the two (2) existing corner buildings at La Paz Road and McIntyre Street and replace such buildings with parking and landscaping (consistent with the approved Site Plan) by no later than August 31, 2011, and complete the final landscaping phases by August 31, 2012, as provided in the Updated Phasing Plan dated February 18, 2011, attached as **Exhibit 1**.

PASSED, APPROVED, AND ADOPTED this 22nd day of March 2011.

L. ALLAN SONGSTAD, JR., CHAIR

ATTEST:

PEGGY J. JOHNS, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LAGUNA HILLS)

I, Peggy J. Johns, City Clerk of the City of Laguna Hills, California, DO
HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution
No. PA2011-_____ adopted by the City Council of the City of Laguna Hills, California,
at a Regular Meeting thereof held on the 22nd day of March 2011, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

PEGGY J. JOHNS, CITY CLERK



February 18, 2011

Mr. Vern Jones
City of Laguna Hills Planning Department
24035 El Toro Rd.
Laguna Hills, CA 92653

Re: Courtyard at La Paz – UPDATED Phasing Plan

Mr. Jones:

La Paz Shopping Center, L.P., owner of the above referenced property, would like to submit the attached change plan application to Resolution No. PA 2008-06-24-1. At this time we are requesting that the City of Laguna Hills grant an extension of time on the landscaping and the demolition of the 2 corner pad buildings (specifically Condition #35) because of financial hardship.

Two major restaurant operators, Claim Jumper Restaurants and Spassos Italian Bar & Grill, declared bankruptcy late 2010 and vacated their premises prior to their lease term expirations. Together, the two tenants represented approximately 13% of the total square footage and 20% of the monthly revenue for the property. The vacancy was unanticipated and resulted in major economic loss to the property. At this time we are using our best efforts to release the spaces and hope to have new tenants this year.

Because of the loss in rent and reduction in cash flow, we are requesting an extension on the landscape phasing and demolition of the 2 pad buildings to August 31, 2011 from the original deadline of April 1, 2011. The following table details the updated timeline for the demolition and landscaping:

	UPDATED PHASING
Spring 2011	Phase I Landscaping – Parking Lot Irrigation, Tree Planting, Ctyd Planting
Summer 2011	Phase II Landscaping - Parking Lot Planting & Tree Relocation
	Demolish 2 corner buildings
	Replace Parking
Fall 2011	Corner Center ID Sign
Spring 2012	Phase III Landscaping - All Slope Irrigation & Planting
Summer 2012	Phase IV Landscaping - McIntyre Irrigation & Planting

**See Exhibit A (Site Plan) for more details*



We hope that the above minor change to the phasing is acceptable to the City of Laguna Hills.

Please feel free to contact me with any questions or concerns at (949) 885-1154 or at hemali@haholdings.com.

Thank you

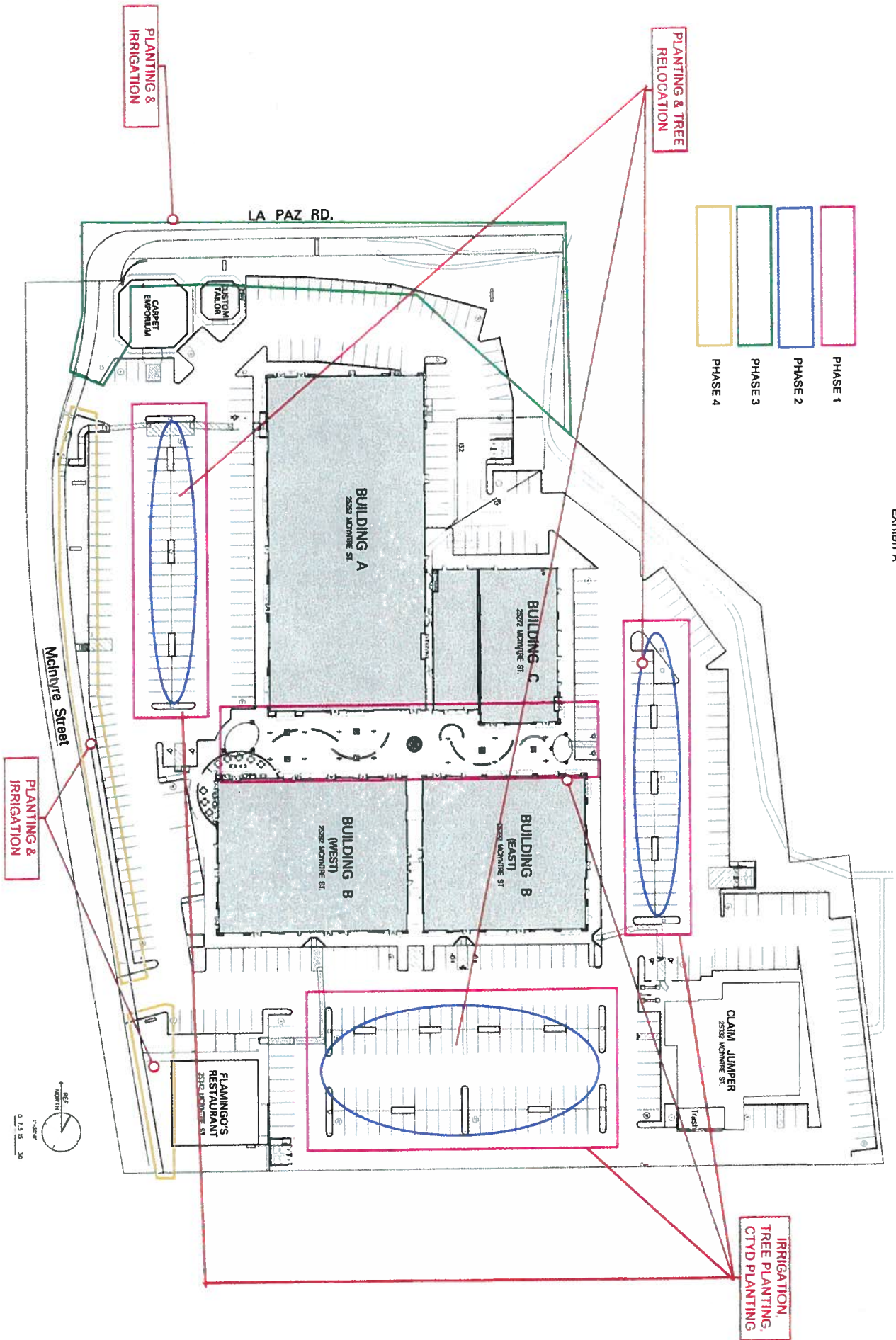
La Paz Shopping Center, L.P.

By: La Hans Real Estate Services, Inc., its General Partner

A handwritten signature in black ink, appearing to be 'Hemali Patel', written over a horizontal line.

Hemali Patel, Vice President

EXHIBIT A



RESOLUTION NO. PA2008-06-24-1

A RESOLUTION OF THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING SITE DEVELOPMENT PERMIT/MASTER SIGN PROGRAM NO. 2008-024, A REQUEST FROM LA PAZ CENTER, L.P., TO RENOVATE THE EXISTING LA PAZ SHOPPING CENTER LOCATED AT 25232-25342 MCINTYRE STREET IN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT

The Planning Agency of the City of Laguna Hills, California, hereby finds, determines, declares, and resolves as follows:

WHEREAS, an application, Site Development Permit/Master Sign Program No. 2008-024, has been received from the applicant, La Paz Center L.P., to renovate and expand an existing commercial shopping center located at 25232-25342 McIntyre Street; and

WHEREAS, Site Development Permit/Master Sign Program No. 2008-024 is hereby found to be Categorically Exempt from the requirements of the California Environmental Quality Act based upon Class 1 (CEQA Guidelines Section 15301 – minor alterations to existing private structures); and

WHEREAS, the Planning Agency has considered evidence presented by the Community Development Department, the applicant, and other interested parties with respect to the subject application at a public hearing held on June 24, 2008.

NOW, THEREFORE, THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. The above recitals are true and correct, and are incorporated herein by reference.

SECTION 2. That the required findings by the City for approval of Site Development Permit/Master Sign Program No. 2008-024 have been met and made as follows:

1. That the Site Design complies with standards of the Laguna Hills Development Code;

All buildings currently comply with the City's Development Code. Additional parking stalls have been provided to meet the parking standards necessary for the additional retail space. All other code requirements are met including setbacks, height, and landscaping. All design elements associated with the submittal comply with section 9-40 of the City's Development Code.

2. The site is suitable for the proposed development in that:

The site is an existing commercial shopping center located in the Community Commercial (CC) zoning district. All buildings currently comply with the City's Development Code. As an existing shopping center, the site is suitable for the proposed renovation and expansion.

3. The project is consistent with the general plan and applicable design guidelines in that:

The proposed project is consistent with applicable design guidelines contained within the City's Development Code. A renovation to the shopping center does comply with the City's General Plan and applicable design guidelines.

4. The site design and structural components are appropriate for the site and function of the proposed uses in that:

As an existing shopping center, the site design and structural components are appropriate for the renovation. Renovating the center will create a more aesthetically pleasing and comfortable environment for patrons.

NOW, THEREFORE, based upon the above findings, the Planning Agency of the City of Laguna Hills does hereby approve Site Development Permit/Master Sign Program No. 2008-024 subject to the following conditions:

1. This approval constitutes approval of the proposed project only to the extent that it complies with the City's Development Code, any other applicable zoning regulations, and is implemented consistent with the approved plans. Approval does not include any action or findings as to compliance or approval of the project regarding any other applicable ordinance, regulation, or requirement.
2. Failure to abide by and faithfully comply with any and all conditions of approval shall constitute grounds for revocation of said Site Development Permit by the Laguna Hills Planning Agency.
3. As a condition of issuance of this approval, the applicant/owner, La Paz Center, L.P., hereby agrees, at its sole cost and expense and to the fullest extent permitted by law, to defend, indemnify, and hold harmless the City, its officers, employees, agents, and consultants,

from any claim, action, or proceeding brought by a third party against the City, its officers, employees, agents, and consultants, which seeks to attack, challenge, set aside, void, or annul an approval of the City Council, Planning Agency, or other decision-making body, or staff action concerning this project. The City agrees to promptly notify the applicant/owner of any such claim filed against the City and to fully cooperate in the defense of any such action. The City may, but is not obligated to, at its sole cost and expense, elect to participate in the defense of any such action under this condition.

4. The applicant/owner shall agree in writing to these conditions of approval within 30 days of the Planning Agency's action.
5. The applicant/owner shall reimburse the City for any outstanding staff time spent on the processing of SDP No. 2008-024 within 60 days of Planning Agency action.
6. Site Development Permit/Master Sign Program No. 2008-024 shall expire and be of no further force or effect if the permit is not established within two years from June 24, 2008.
7. The applicant/owner shall secure any applicable building permits.
8. All plans shall be accurately labeled and reflect all work.
9. The applicant/owner shall secure any required approvals from the Engineering and Planning Departments prior to issuance of a building permit.
10. The applicant/owner shall comply with California Disabled Accessibility requirements.
11. The applicant/owner shall comply with all Uniform Building Code energy requirements.
12. The applicant/owner shall submit Construction and Demolition Waste Recycling, if applicable.
13. All construction shall comply with 2007 CBC codes in regards to mixed occupancies.
14. Prior to the issuance of any permits, the applicant shall submit plans and obtain approval from the Fire Chief for fire lanes on required fire access roads less than 36 feet in width. The plans shall indicate the locations of red curbs and signage and include a detail of the proposed signage including the height, stroke, and colors of the lettering and its contrasting background. The plan needs to show locations of all buildings on the site as a reference. The plans shall

show locations of existing fire hydrants on the site. The applicant may contact the OCFA at (714) 573-6100 or visit the OCFA website to obtain a copy of the "Guidelines for Emergency Access Roadways and Fire Lane Requirements."

15. All outdoor patios/eating areas shall comply with Section 5-28 of the Laguna Hills Municipal Code.
16. All vendor deliveries including trash service and property maintenance activities shall take place between 7:00 am and 8:00 pm on any day except Sunday or a federal holiday, or between the hours of 9:00 am and 8:00 pm on Sunday or a federal holiday.
17. The applicant/owner shall not grant any easements or licenses over any portion of the property subject to a requirement of dedication, irrevocable offer of dedication, or reservation to the City unless such easements or licenses are expressly made subordinate to such dedications or other conveyances made to the City. Prior to granting such an easement, the applicant/owner shall submit a copy of the proposed easement, or license, to the City Engineer for approval.
18. The applicant/owner shall dedicate, in fee, certain real property described generally as a fourteen (14) foot wide strip of land located along the southerly right-of-way of La Paz Road from McIntyre Street to the easterly portion of the applicant's property line, along the length of the La Paz Road frontage of the subject property including a corner cut-off at McIntyre Street, to the satisfaction of the City Engineer, which dedication in fee shall be used for public road right-of-way purposes. Applicant shall make such offer of dedication, in a form acceptable to the City Attorney, prior to the issuance of any building permit and such real property transaction shall be concluded prior to the issuance of any Certificate of Use and Occupancy.
19. Prior to commencing grading at the site, the applicant/owner shall obtain all necessary grading and encroachment permits in conjunction with the development on the site, if applicable.
20. Prior to issuance of grading or encroachment permits, the applicant/owner shall pay all City fees to the satisfaction of the City Engineer.
21. The applicant shall submit a final grading plan and erosion control plan to the City Engineer along with a soils/geotechnical report, including an evaluation of seismic hazard mapping zones, and a hydrology study, all prepared by a registered civil engineer. The grading plan shall show the street, sewer, water, storm drain facility,

and all proposed grading. Also, the plans shall show the extent of topography of the grading plan and shall be sufficient to determine drainage impacts to the surrounding area. All grading shall be designed and constructed in accordance with the City's Grading and Excavation Code. No drainage shall be allowed to drain over driveways or sidewalks. Any increases in drainage flow resultant from the new development shall be retained on site to the extent practical.

22. The applicant/owner shall submit a written Water Quality Management Plan for the parking lot and private streets specifically identifying Best Management Practices, both structural and non-structural, that will be used on site to control predictable pollutant run-off, stamped and signed by a registered civil engineer.
23. The applicant/owner shall submit a Storm Water Pollution Prevention Plan (SWPPP) identifying construction-related Best Management Practices (BMP's) that will be used on site to control predictable pollutant run-off, prior to the construction of parking lot and private street improvements.
24. Project Improvement Plans and related documents shall be reviewed and approved by the City Engineer; said plans shall be prepared by a registered civil engineer and shall conform to City standards.
25. No work shall be performed within the public right-of-way, by the applicant/owner or his or her agents, until a public property encroachment permit is applied for and issued by the City Engineer.
26. The applicant/owner shall provide a site review of existing pathways, sidewalks and access ramps for both on site access and adjacent to the site access along the accessible pathways in conformance with the Americans with Disabilities Act (ADA). The report shall be prepared by a professional whose expertise lies in the field and shall include an implementation plan to correct all deficiencies noted. The accessible pathway shall not include a path within any drive aisle, except as necessary to cross a drive aisle at 90° to the drive aisle.
27. Construction traffic shall not access or depart the site during morning or evening peak periods, which are 7:00 am to 9:00 am and 4:00 pm to 6:00 pm, Monday through Friday. The applicant shall provide a construction vehicle routing plan for approval by the City Engineer prior to the commencement of any demolition or construction work.

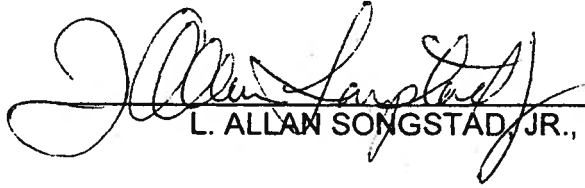
28. It shall be the applicant's responsibility to protect in place existing public improvements. Public improvements that are damaged as a result of the proposed construction shall be the responsibility of the applicant and/or contractor of record to repair or replace to the satisfaction of the City Engineer. Exiting driveway access points shall be re-constructed by the applicant/owner to comply with ADA access standards for the public sidewalk parallel to McIntyre Street.
29. All parking lots and drive aisles shall be constructed of asphalt concrete over crushed aggregate base over subgrade, or equal, constructed to a relative compaction of 95% or equivalent. The structural pavement thickness shall be no less than 4" AC over 4" AB, or more, and as required by the project soils engineer and approved by the City Engineer.
30. During Phase I of the site improvements, all open trash enclosures on-site shall be brought up to current City and State standards. The trash enclosures shall be constructed per the City of Laguna Hills standards, including supplied with a roof and sewer connection (as required) to the satisfaction of the City Engineer and Community Development Director.
31. Changes, if any, to lot lines and the process of creating parcels of the site shall be accomplished by the submission of a Tentative Parcel Map or Tentative Tract Map (as appropriate) for review and approval of the City's Subdivision Committee. Once approved, a final map shall be submitted to the City Engineer and the County Surveyor for plan check. The applicant shall pay all fees for this plan check to each agency.
32. Prior to the issuance of the Certificate of Use and Occupancy for Building D, the applicant shall submit, and have approved by the Planning Agency, a new Master Sign Program for the La Paz Shopping Center.
33. Within 48 hours from project approval, the applicant shall submit to the City a check in the amount of \$50.00, made payable to the Orange County Clerk-Recorder, for filing the Notice of Exemption.
34. Any and all outdoor entertainment and/or live entertainment conducted at the Center, including any conducted by any business located within the Center, shall first obtain City approval through a Temporary Use Permit or other City Permit, as may be required by the Laguna Hills Municipal Code.
35. Building D shall not be issued a Certificate of Use and Occupancy unless and until the two (2) existing corner buildings at La Paz Road and McIntyre Street are fully demolished and replaced with parking

(consistent with the approved site plan) and/or it is demonstrated to the satisfaction of the Community Development Director that the La Paz Shopping Center, including any proposed tenant of new Building D, complies with the City's Development Code parking requirements. Notwithstanding the forgoing, the applicant/owner shall fully demolish the two (2) existing corner buildings at La Paz Road and McIntyre Street and replace such buildings with parking (consistent with the approved site plan) by no later than April 1, 2011. Approval of this Site Development Permit is expressly made on the condition that the applicant/owner shall fully demolish the two (2) existing corner buildings at La Paz Road and McIntyre Street and replace such buildings with parking (consistent with the approved site plan) by no later than April 1, 2011.

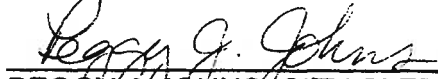
SECTION 3. Pursuant to Government Code Section 66020, the applicant/owner is hereby notified that that 90-day period in which the applicant may protest the fees, dedications, reservation, or other exaction imposed on this project through the conditions of approval set forth herein has begun.

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PASSED, APPROVED, AND ADOPTED this 24th day of June 2008.


L. ALLAN SONGSTAD, JR., CHAIR

ATTEST:


PEGGY J. JOHNS, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LAGUNA HILLS)

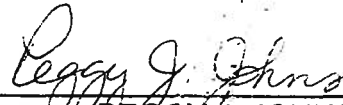
I, Peggy J. Johns, City Clerk of the City of Laguna Hills, California, DO
HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution
No. PA2008-06-24-1 adopted by the City Council of the City of Laguna Hills, California,
at a Regular Meeting thereof held on the 24th day of June 2008, by the following vote:

AYES: Agency Members Bressette, Carruth, Scott, Vice Chair
Lautenschleger, and Chair Songstad

NOES: None

ABSENT: None

ABSTAIN: None


PEGGY J. JOHNS, CITY CLERK

RESOLUTION NO. PA2009-02-10-1

A RESOLUTION OF THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING REVISED SITE DEVELOPMENT PERMIT/MASTER SIGN PROGRAM NO. 2008-024, A REQUEST FROM LA PAZ CENTER, L.P., TO REVISE PREVIOUSLY APPROVED RENOVATION PLANS AND ESTABLISH A MASTER SIGN PROGRAM FOR THE COURTYARD AT LA PAZ SHOPPING CENTER LOCATED AT 25232-25342 MCINTYRE STREET IN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT

The Planning Agency of the City of Laguna Hills, California, hereby finds, determines, declares, and resolves as follows:

WHEREAS, an application, Site Development Permit/Master Sign Program No. 2008-024, has been received from the applicant, La Paz Center L.P., to revise previously approved plans and establish a master sign program for the existing shopping center located at 25232-25342 McIntyre Street; and

WHEREAS, Site Development Permit/Master Sign Program No. 2008-024 is hereby found to be Categorically Exempt from the requirements of the California Environmental Quality Act based upon Class 1 (CEQA Guidelines Section 15301 – minor alterations to existing private structures); and

WHEREAS, the Planning Agency has considered evidence presented by the Community Development Department, the applicant, and other interested parties with respect to the subject application at a public hearing held on February 10, 2009.

NOW, THEREFORE, THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. The above recitals are true and correct, and are incorporated herein by reference.

SECTION 2. That the required findings by the City for approval of Site Development Permit/Master Sign Program No. 2008-024 have been met and made as follows:

A. Site Development Permit

1. That the Site Design complies with standards of the Laguna Hills Development Code;

All existing buildings currently comply with the City's Development Code. All proposed signage and landscape improvements comply with the LHMC. All

modifications to previously approved materials on buildings facades are relatively minor, and is seen by staff as a positive change to the center's architectural design.

2. The site is suitable for the proposed development in that:

The site is an existing commercial shopping center located in the Community Commercial (CC) zoning district. All buildings currently comply with the City's Development Code. As an existing shopping center, the site is suitable for the proposed Master Sign Program, as well as the proposed landscape plan along La Paz Road.

3. The project is consistent with the general plan and applicable design guidelines in that:

The proposed project is consistent with applicable design guidelines contained within the City's Development Code. Establishment of Master Sign Program, as well as a renovation to the shopping center, does comply with the City's General Plan and applicable design guidelines.

4. The site design and structural components are appropriate for the site and function of the proposed uses in that:

As an existing shopping center, the site design and structural components are appropriate for the renovation. Renovating the center will create a more aesthetically pleasing and comfortable environment for patrons.

B. Master Sign Program

1. That the design and application of the sign criteria required by the Laguna Hills Development Code are satisfied by the proposed site plan;

The proposed Master Sign Program complies with the requirements of the Development Code. Staff believes that the proposed master sign program contains well designed consistent signage that is pleasing in appearance and compatible with community character, while recognizing the commercial communication requirement of all sectors of the business community.

2. That the sign plan provides a compatible and harmonious design between advertising, landscaping and building design;

The proposed signage features basic colors and materials that are compatible with the architectural features of the shopping center. All design regulations, as outlined in section 9-42 of the LPMC have met and/or exceeded.

NOW, THEREFORE, based upon the above findings, the Planning Agency of the City of Laguna Hills does hereby approve revised Site Development Permit/Master Sign Program No. 2008-024 subject to the following conditions:

1. This approval constitutes approval of the proposed project only to the extent that it complies with the City's Development Code, any other applicable zoning regulations, and is implemented consistent with the approved plans. Approval does not include any action or findings as to compliance or approval of the project regarding any other applicable ordinance, regulation, or requirement.
2. Failure to abide by and faithfully comply with any and all conditions of approval shall constitute grounds for revocation of said Site Development Permit by the Laguna Hills Planning Agency.
3. As a condition of issuance of this approval, the applicant/owner, La Paz Center, L.P., hereby agrees, at its sole cost and expense and to the fullest extent permitted by law, to defend, indemnify, and hold harmless the City, its officers, employees, agents, and consultants, from any claim, action, or proceeding brought by a third party against the City, its officers, employees, agents, and consultants, which seeks to attack, challenge, set aside, void, or annul an approval of the City Council, Planning Agency, or other decision-making body, or staff action concerning this project. The City agrees to promptly notify the applicant/owner of any such claim filed against the City and to fully cooperate in the defense of any such action. The City may, but is not obligated to, at its sole cost and expense, elect to participate in the defense of any such action under this condition.
4. The applicant/owner shall agree in writing to these conditions of approval within 30 days of the Planning Agency's action.
5. The applicant/owner shall reimburse the City for any outstanding staff time spent on the processing of revisions to SDP/MSP No. 2008-024 within 60 days of Planning Agency action.
6. SDP/MSP No. 2008-024 shall expire and be of no further force or effect if the permit is not established within two years from February 10, 2009.

7. The applicant shall adhere to all relevant guidelines specified in Section 9-46.090 (Landscape Maintenance Standards) of the LPMC.
8. All existing, previously approved, tenant wall signs at the site may remain. All signs proposed after project approval shall adhere to the Center's new Master Sign Program.
9. The applicant shall adhere to all conditions approved as part of the original approval of SDP/MSP No. 2008-024, including Resolution No. PA2008-06-24-1.
10. If the Planning Agency requires changes to the Master Sign Program (MSP), the applicant shall submit to the Community Development Director for approval a final draft of the MSP reflecting all requested changes and/or modifications within thirty (30) days of approval. Included as part of any changes directed by the Planning Agency is a universal change to the specifications covering wall signs (on pages 6-19 of the MSP), which require that all tenant wall signs shall not exceed seventy (70) percent coverage of a tenant's leasehold frontage.
11. Within thirty (30) days of Planning Agency approval of SDP/MSP No. 2008-024, the Applicant/Owner shall submit a temporary sign program for each building undergoing improvements outlining the specifics for allowing tenants to maintain signage during construction.
12. The applicant shall ensure that the Tower Elements are not too bright or reflective, as observed or measured during day time or at night. Following construction of the Tower Elements, the applicant agrees to make any adjustments (including replacement of existing materials with new, non-reflective materials) that may be required to address any "night glow" or "reflection" complaints that the Planning Agency deems have merit.

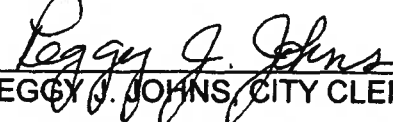
SECTION 3. Pursuant to Government Code Section 66020, the applicant/owner is hereby notified that that 90-day period in which the applicant may protest the fees, dedications, reservation, or other exaction imposed on this project through the conditions of approval set forth herein has begun.

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PASSED, APPROVED, AND ADOPTED this 10th day of February 2009.


JOEL LAUTENSCHLEGER, CHAIR

ATTEST:


PEGGY J. JOHNS, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LAGUNA HILLS)

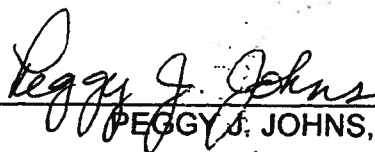
I, Peggy J. Johns, City Clerk of the City of Laguna Hills, California, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. PA2009-02-10-1 adopted by the Planning Agency of the City of Laguna Hills, California, at a Regular Meeting thereof held on the 10th day of February, 2009, by the following vote:

AYES: Agency Members Carruth, Scott, Songstad, Vice Chair Bressette, and Chair Lautenschleger

NOES: None

ABSENT: None

ABSTAIN: None


PEGGY J. JOHNS, CITY CLERK



February 18, 2011

Mr. Vern Jones
City of Laguna Hills Planning Department
24035 El Toro Rd.
Laguna Hills, CA 92653

Re: Courtyard at La Paz – UPDATED Phasing Plan

Mr. Jones:

La Paz Shopping Center, L.P., owner of the above referenced property, would like to submit the attached change plan application to Resolution No. PA 2008-06-24-1. At this time we are requesting that the City of Laguna Hills grant an extension of time on the landscaping and the demolition of the 2 corner pad buildings (specifically Condition #35) because of financial hardship.

Two major restaurant operators, Claim Jumper Restaurants and Spassos Italian Bar & Grill, declared bankruptcy late 2010 and vacated their premises prior to their lease term expirations. Together, the two tenants represented approximately 13% of the total square footage and 20% of the monthly revenue for the property. The vacancy was unanticipated and resulted in major economic loss to the property. At this time we are using our best efforts to release the spaces and hope to have new tenants this year.

Because of the loss in rent and reduction in cash flow, we are requesting an extension on the landscape phasing and demolition of the 2 pad buildings to August 31, 2011 from the original deadline of April 1, 2011. The following table details the updated timeline for the demolition and landscaping:

	UPDATED PHASING
Spring 2011	Phase I Landscaping – Parking Lot Irrigation, Tree Planting, Ctyd Planting
Summer 2011	Phase II Landscaping - Parking Lot Planting & Tree Relocation
	Demolish 2 corner buildings
	Replace Parking
Fall 2011	Corner Center ID Sign
Spring 2012	Phase III Landscaping - All Slope Irrigation & Planting
Summer 2012	Phase IV Landscaping - McIntyre Irrigation & Planting

*See Exhibit A (Site Plan) for more details



We hope that the above minor change to the phasing is acceptable to the City of Laguna Hills.

Please feel free to contact me with any questions or concerns at (949) 885-1154 or at hemali@haholdings.com.

Thank you

La Paz Shopping Center, L.P.

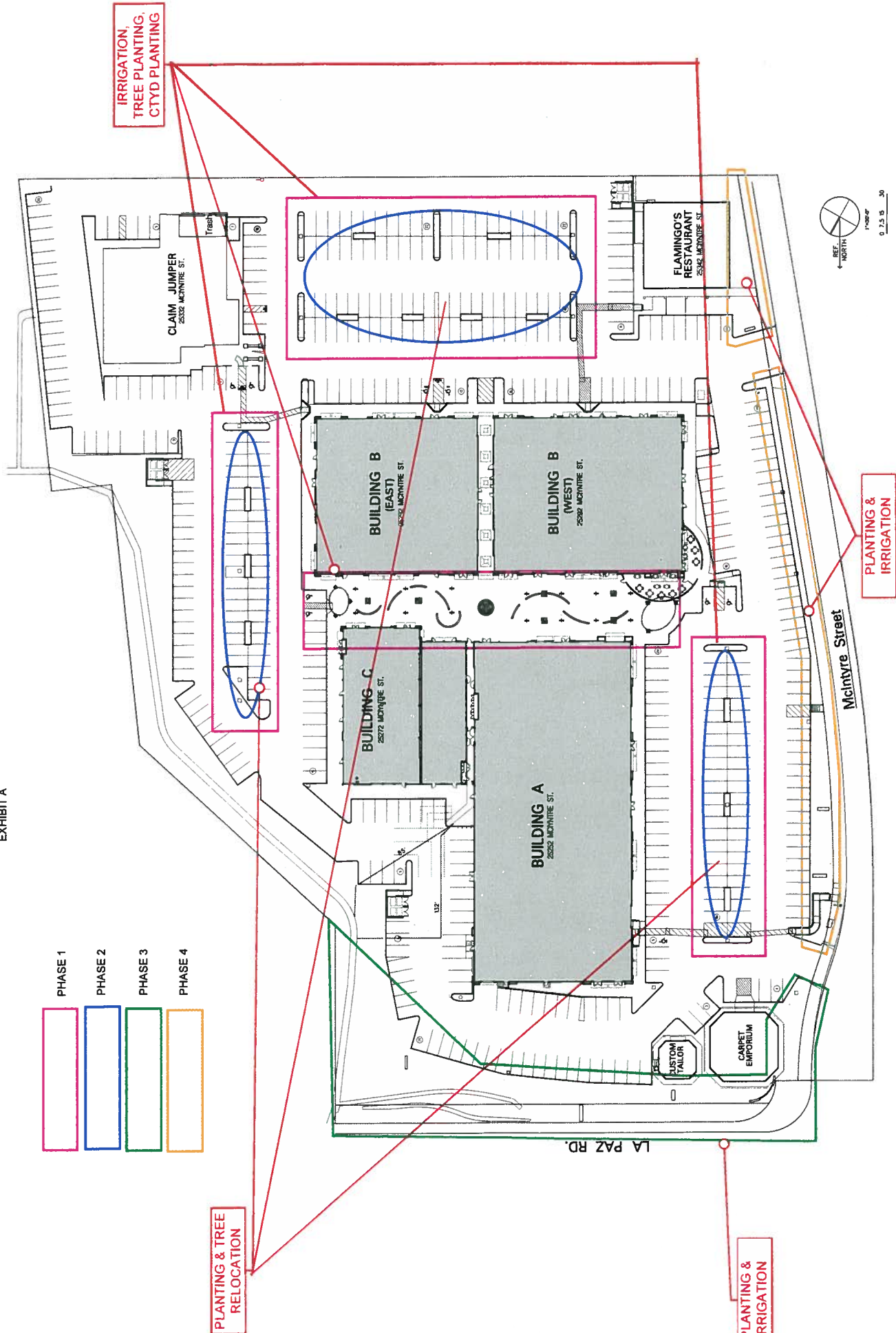
By: La Hans Real Estate Services, Inc., its General Partner

A handwritten signature in black ink, appearing to be 'Hemali Patel', written over a horizontal line.

Hemali Patel, Vice President

EXHIBIT A

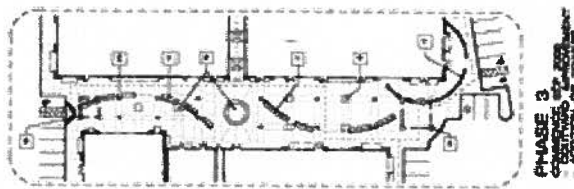
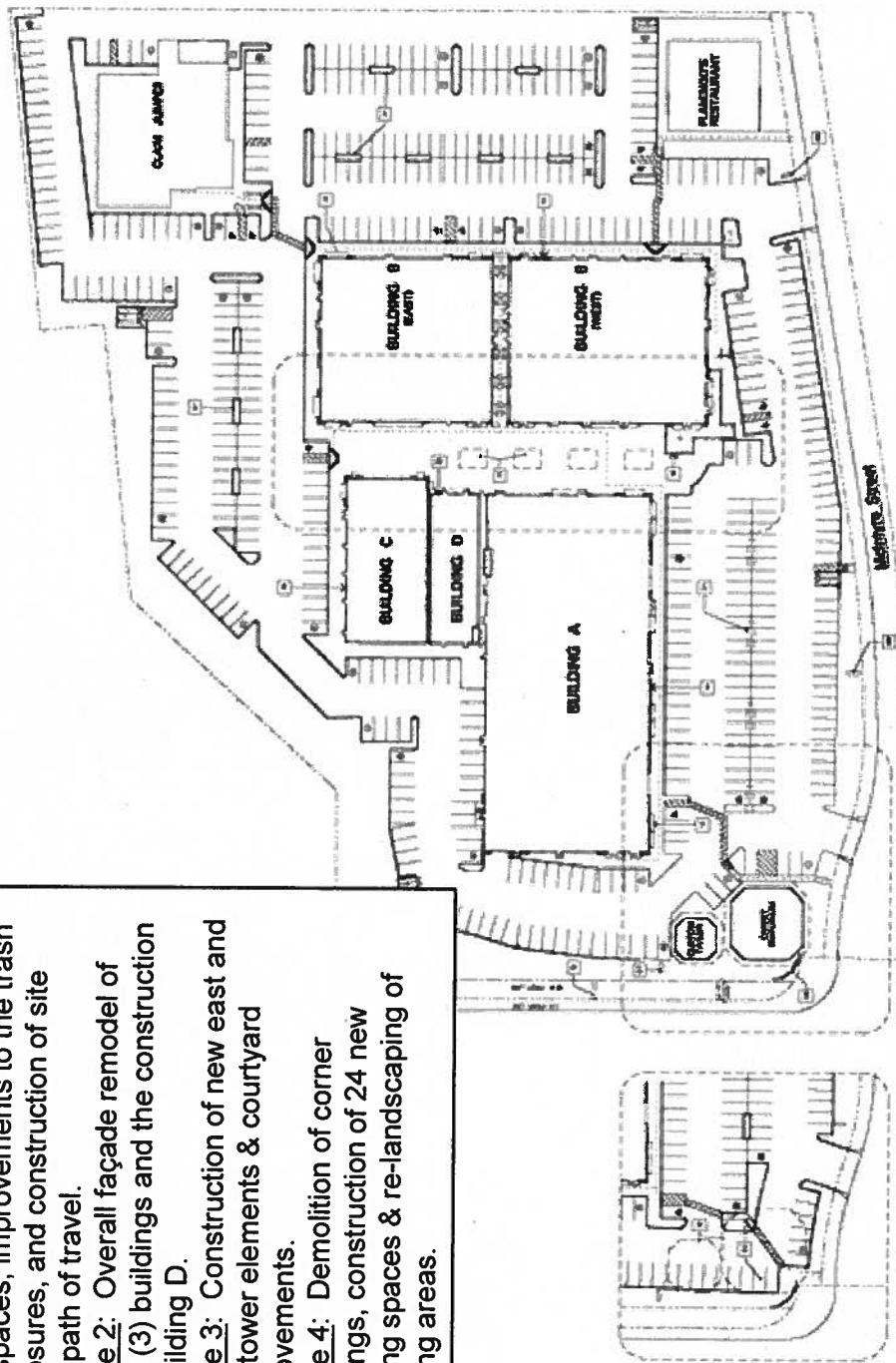
- PHASE 1
- PHASE 2
- PHASE 3
- PHASE 4



Initial Phasing Plan

(9-12 months)

- Phase 1: Re-striping parking lot to increase the parking count from 487 to 499 spaces, improvements to the trash enclosures, and construction of site ADA path of travel.
- Phase 2: Overall facade remodel of three (3) buildings and the construction of Building D.
- Phase 3: Construction of new east and west tower elements & courtyard improvements.
- Phase 4: Demolition of corner buildings, construction of 24 new parking spaces & re-landscaping of parking areas.



Note: Condition No. 35 requires demo of corner buildings by April 1, 2011.

Developed By: M & A Properties
25292 Molokini St.
Laguna Hills, CA 92653

Phasing Plan



PHASE 3: DEMOLITION OF CORNER BUILDINGS AND RE-LANDSCAPING OF PARKING AREAS

PHASE 3: DEMOLITION OF CORNER BUILDINGS AND RE-LANDSCAPING OF PARKING AREAS

CITY OF LAGUNA HILLS
PLANNING AGENCY
AGENDA REPORT
PUBLIC SERVICES DEPARTMENT

ISSUE: GENERAL PLAN CONFORMITY DETERMINATION FOR AVENIDA DE LA CARLOTA WIDENING PROJECT, CIP NO. 164

SUMMARY:

The Avenida de la Carlota Widening Project, CIP No. 164, requires acquisition of public right-of-way to allow for construction of the full widening of the street. Government Code Section 65402 provides that no real property may be acquired by an Agency for “street, square, park, or other public purposes” until the Planning Agency of that Agency renders a report as to the conformity of such actions with the Agency’s General Plan. The Avenida de la Carlota Widening Project is in conformance with the City of Laguna Hills General Plan as adopted on July 14, 2009, as further described herein. It is recommended that the Planning Agency approve of this report finding the proposed acquisition of public right-of-way for the Avenida de la Carlota Widening Project is consistent with the General Plan.

BACKGROUND:

On March 8, 2011, the City Council adopted Resolution No. 2011-03-08-1, approving the Initial Study and Mitigated Negative Declaration for the Avenida de la Carlota Widening Project, CIP No.164. The City Council also approved, at the same meeting, the Agreement for Acquisition of Interests in Real Property for the proposed acquisition of a roadway easement and a temporary construction easement along the westerly side of Avenida de la Carlota from the property owner, 23991 El Toro Inc., and from the Lessee, G & M Oil Company. The City has opened an escrow to process the acquisition of the public right-of-way. Government Code Section 65402 provides that no real property may be acquired by an Agency for “street, square, park, or other public purposes” until the

RECOMMENDATION: THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS APPROVE THIS REPORT AND FIND THAT THE PROPOSED RIGHT-OF-WAY ACQUISITION FOR THE AVENIDA DE LA CARLOTA WIDENING PROJECT, CIP NO. 164, IS IN CONFORMANCE WITH THE CITY OF LAGUNA HILLS GENERAL PLAN IN ACCORDANCE WITH GOVERNMENT CODE SECTION 65402.

Planning Agency of that Agency renders a report as to the conformity of such actions with the Agency's General Plan.

The widening of Avenida de la Carlota to its full width requires right-of-way acquisition. The full width improvements are necessary to accommodate the heavy traffic flow. The City's General Plan, adopted July 14, 2009, established Goals and supporting Policy statements necessary to meet the objectives of the Plan. The proposed right-of-way acquisition for the widening of Avenida de la Carlota is in conformance with the General Plan as supported by the following General Plan Goals:

Goal M-1: Provide a safe and efficient local transportation system consistent with the general County standards and the regional system.

Goal M-2: Implement improvements that foster improved traffic safety on the circulation system for all drivers, pedestrians, and cyclists.

Goal M-4: Enhance the City's streetscape and beautify the overall driving experience in Laguna Hills.

CEQA:

Pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 *et seq.*, and CEQA's implementing guidelines, California Code of Regulations, Title 14, Section 15000 *et seq.*, an Initial Study was prepared by Hogle Ireland, Inc. The Initial Study analyzed both the Alternate Bid and Base Bid construction alternatives. Based on the Initial Study and supporting analyses, it was determined that all of the project's potentially adverse environmental impacts can be mitigated to a less than significant level. On this basis, an Initial Study and Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program (MMRP) was prepared and approved by the City Council on March 8, 2011.

RECOMMENDATION: THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS APPROVE THIS REPORT AND FIND THAT THE PROPOSED RIGHT-OF-WAY ACQUISITION FOR THE AVENIDA DE LA CARLOTA WIDENING PROJECT, CIP NO. 164, IS IN CONFORMANCE WITH THE CITY OF LAGUNA HILLS GENERAL PLAN IN ACCORDANCE WITH GOVERNMENT CODE SECTION 65402.

CITY OF LAGUNA HILLS
CITY COUNCIL
AGENDA REPORT
COMMUNITY DEVELOPMENT DEPARTMENT

ISSUE: **ZONING TEXT AMENDMENT NO. 03-11-1891, AMENDING TITLE 9 OF THE LAGUNA HILLS MUNICIPAL CODE ENTITLED "ZONING AND SUBDIVISIONS" INCLUDING CHAPTER 9-4 (DEFINITIONS) CHAPTER 9-42 (SIGNS AND ADVERTISING DEVICES) AND CHAPTER 9-92 (APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS) TO ALLOW THE LIMITED USE OF NEON AND LIGHT-EMITTING DIODE (LED) SIGNS SUBJECT TO APPROVAL OF A MASTER SIGN PROGRAM.**

SUMMARY:

In response to direction received at the January 11, 2011 City Council meeting, staff has prepared a Zoning Text Amendment that will amend the City's Development Code ("Code") to allow for the limited use of exposed neon and light-emitting diode ("LED") signs subject to approval of a Master Sign Program ("MSP"). In total, nine (9) Code sections are being proposed for amendment which will fully integrate LED signs, provide more flexibility for future advances in lighting and sign technology, and will promote internal consistency and clarity throughout. The proposed Ordinance and red-lined sections of the Code showing the modifications and additions to the existing Code are attached.

BACKGROUND:

At the City Council meeting on September 14, 2010, a public comment was received from Michael Mofid, General Manager of the Hills Hotel at 25205 La Paz Road. Mr.

RECOMMENDATION: THAT THE CITY COUNCIL: (1) CONDUCT A PUBLIC HEARING, AND (2) INTRODUCE AN ORDINANCE ENTITLED: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, AMENDING TITLE 9 OF THE LAGUNA HILLS MUNICIPAL CODE ENTITLED "ZONING AND SUBDIVISIONS" INCLUDING CHAPTER 9-4 (DEFINITIONS) CHAPTER 9-42 (SIGNS AND ADVERTISING DEVICES) AND CHAPTER 9-92 (APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS) TO ALLOW THE LIMITED USE OF NEON AND LIGHT-EMITTING DIODE (LED) SIGNS SUBJECT TO APPROVAL OF A MASTER SIGN PROGRAM."

Mofid requested the City Council's consideration in permitting him to use LED lighting along the roofline of his hotel in an effort to increase the visibility of the hotel from the I-5 Freeway. In response, the City Council requested an administrative report examining the flexibility and constraint of the City Code regarding the use of exposed neon or LED lights to accentuate a building.

Staff returned with this report at the January 11, 2011 City Council meeting with the determination that LED lights used in the manner requested by Mr. Mofid constituted a form of signage. Staff's presentation included additional relevant information, such as: when lighting becomes a sign; the differences between neon and LED technology; the practices of nearby cities in permitting neon and LED lights; and finally, examples of neon, LED, and other light sources used to accentuate buildings in Orange County. At the end of this report, staff's opinion was that the Code does not provide enough flexibility to allow consideration of exposed neon or LED signs along windows, roof lines, or buildings. The City Council directed staff to prepare a Code amendment that would allow the limited use of exposed neon or LED signs, subject to approval of a MSP.

DISCUSSION:

As directed by the City Council, the primary goal of this Zoning Text Amendment is to allow the limited use of exposed neon or LED signs through approval of a MSP. Staff is proposing to amend a total of ten (10) sections in Title 9 "Zoning and Subdivisions" of the Laguna Hills Municipal Code. These amendments will fully integrate LED signs into the Code and update sections pertaining to neon signs while also providing flexibility for addressing future lighting technologies. These amendments will also provide increased clarity to the MSP permitting process.

Purpose and Approval Authority of a MSP

Most shopping centers, professional office centers, industrial parks, and other commercial sites in Laguna Hills have an approved MSP on-file with the City that provides regulatory standards for sign characteristics, such as sign types, quantity, color, location, etc. The purpose of a MSP is intended to ensure that: (1) the initial proposed signs comply with the City's Development and Sign Regulations, (2) are well designed and compatible with their surroundings, and (3) assist new businesses (that are replacing a former tenant at the site) in quickly obtaining approval for their new proposed signs that comply with the approved MSP. A MSP can also be used by a business to request consideration for signs that deviate from the sign section of the Code.

Currently, both the Planning Agency and the Community Development Director have the authority to approve MSPs, depending on the size and scope of the proposal. The Community Development Director's authority to review and approve MSPs is limited to

properties containing less than five (5) nonresidential units and minor changes to any previously approved MSP, provided the change does not exceed ten (10) percent of the gross square footage of the original project. All other MSPs are reviewed and approved by the Planning Agency.

Update of Code Definitions

Staff is proposing to add new definitions and make changes to existing Code definitions in order to make all Code sections internally consistent. In order to incorporate LED signs into the Code, a definition for “LED sign” has been added to §9-04 “Definitions.” This is a new definition since the Code previously did not address LED technology. A new definition for “MSP” has been added to replace the definition “Sign program.” This change was made because the Code references a “Master Sign Program” throughout, rather than a “sign program,” creating an inconsistency in terminology.

Update to the Neon Sign Section

§9-42.240 “Neon signs” is the primary Code section requiring revision in order to allow the limited use of exposed neon or LED signs. Staff has proposed revisions that will allow exposed neon or LED signs in commercial districts, and will allow the use of exposed neon or LED to outline individual windows, roof lines, or buildings subject to approval of a MSP. This change will allow Mr. Mofid to request approval of his LED roof line lighting at the Hills Hotel through the MSP process. An important distinction is that approval of this Zoning Text Amendment will not thereby approve the LED lights at the Hills Hotel. It will instead provide a vehicle for which the Planning Agency can, presumably, review Mr. Mofid’s request in greater detail through the MSP process. In addition, staff has added design criteria encouraging the use of the colors white and clear, or other colors that are complimentary to the building design. Staff recognizes that exposed neon and LED signs have the potential to negatively impact residents located close to commercial zones. For this reason, the neon sign section has also been amended to prohibit the use of these signs if they are located and visible within one hundred fifty (150) feet of any residentially zoned property.

Amendments for Consistency and Clarity

The remaining Code amendments proposed are necessary to fully implement the use of exposed neon or LED signs into other sections of the Code that relate to lighting and signage. For example, the sign type “LED” has been added to the table in §9-42.030 listing permitted and prohibited signs. A new “situation” has been added to §9-42.160 requiring a MSP for any sign proposal that requests exposed neon or LED lights to outline individual windows, roof lines, or buildings. Table 9-92.030 has been amended for clarity by consolidating the application types “Master Sign Program” and “Sign program amendment” into one (1) “Master Sign Program” application type with “Major”

and “Minor” categories. Please refer the attached Ordinance and red-lined Code sections for a full list of amendments.

CONCLUSION:

Staff believes that the current Code restrictions on neon are neither responsive to changes in lighting technology nor friendly towards businesses looking to implement exposed neon or LED lights in a professional and tasteful manner. Therefore, staff is recommending that the City Council approve the attached Zoning Text Amendment, which will allow the limited use of exposed neon or LED signs, subject to approval of a MSP. Lighting used on signs and buildings is a sensitive issue and has the potential to adversely impact nearby residences, businesses, or other neighbors. Allowing the limited use of exposed neon or LED signs through the MSP process will ensure that the City has the opportunity to weigh all of these impacts, prior to granting an approval for these types of signs.

CEQA FINDINGS:

The Zoning Text Amendment is exempt from the California Environmental Quality Act, Public Resources Code Section 21000 *et seq.* and its implementing guidelines set forth in the California Code of Regulations, Title 14, Section 15000 *et seq.* ("CEQA"), under the general rule that CEQA only applies to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. (CEQA Guidelines § 15061(b)(3).) Any sign permitted in the future under the Zoning Text Amendment will be subject to the restrictions and conditions of the Zoning Text Amendment and the City's Municipal Code which will preclude any significant effect on the environment. The Zoning Text Amendment is further exempt from CEQA as a minor alteration in land use limitations. (CEQA Guidelines § 15305.)

RECOMMENDATION: THAT THE CITY COUNCIL: (1) CONDUCT A PUBLIC HEARING, AND (2) INTRODUCE AN ORDINANCE ENTITLED: “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, AMENDING TITLE 9 OF THE LAGUNA HILLS MUNICIPAL CODE ENTITLED "ZONING AND SUBDIVISIONS" INCLUDING CHAPTER 9-4 (DEFINITIONS) CHAPTER 9-42 (SIGNS AND ADVERTISING DEVICES) AND CHAPTER 9-92 (APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS) TO ALLOW THE LIMITED USE OF NEON AND LIGHT-EMITTING DIODE (LED) SIGNS SUBJECT TO APPROVAL OF A MASTER SIGN PROGRAM.”

ATTACHMENTS:

1. Proposed Ordinance with Exhibit A
2. Strikethrough/underlined sections of Municipal Code

ORDINANCE NO. 2011-____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, AMENDING TITLE 9 OF THE LAGUNA HILLS MUNICIPAL CODE ENTITLED "ZONING AND SUBDIVISIONS" INCLUDING CHAPTER 9-4 (DEFINITIONS) CHAPTER 9-42 (SIGNS AND ADVERTISING DEVICES) AND CHAPTER 9-92 (APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS) TO ALLOW THE LIMITED USE OF NEON AND LIGHT-EMITTING DIODE (LED) SIGNS SUBJECT TO APPROVAL OF A MASTER SIGN PROGRAM.

WHEREAS, the California Constitution and Section 65800 of the California Government Code gives cities the power to adopt and administer zoning laws, ordinances, rules, and regulations; and

WHEREAS, Section 65300 of the California Government Code requires that the City adopt a comprehensive, long-term General Plan for the development of the City and any land outside the City which bears relationship to the City's planning; and

WHEREAS, Section 65860 of the California Government Code requires that zoning ordinances are consistent with the adopted General Plan; and

WHEREAS, the City of Laguna Hills was incorporated on December 20, 1991, and adopted its current General Plan on July 14, 2009, and its first Development Code on November 14, 1995; and

WHEREAS, the City General Plan contains policies, goals, and strategies that affect community growth and development; and

WHEREAS, the General Plan requires that the City develop a comprehensive approach to zoning and development review which implements the community vision statement contained in the General Plan; and

WHEREAS, the proposed amendments adopted by this Ordinance pertaining to neon and light-emitting diode signs will provide standards, guidelines, and regulations to aid the City in achieving its stated community vision (the "Amendments"); and

WHEREAS, the Amendments are the minimum provisions necessary to ensure the implementation of the community development and zoning objectives of the General Plan; and

WHEREAS, the Amendments are intended to: (a) provide reasonable regulations to enhance the public safety, health, and general welfare of the community; (b) facilitate the administration of land use policy by City staff; (c) clarify the development standards

of the community so that they are more easily understandable to the public and responsive to public desires and concerns; (d) provide design standards for developments, public or private, which enhance the aesthetics of the community and create a sense of community; and (e) implement policies and strategies of the General Plan and provide the legislative framework for consistency between the General Plan and Zoning.

THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Title 9 of the City of Laguna Hills Municipal Code, "Zoning and Subdivisions" is hereby amended to incorporate the text revisions set forth in Exhibit A attached hereto and incorporated herein by reference.

SECTION 2. Upon the effective date of this Ordinance, the provisions hereof shall supersede Title 9 "Zoning and Subdivisions" of the Municipal Code of the City of Laguna Hills, California, adopted on November 14, 1995.

SECTION 3. The City Council finds that this Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) (it can be seen with certainty that the activity will not have a significant effect on the environment) and Section 15305 (minor alterations in land use limitations) of the CEQA Guidelines, California Code of Regulations, Title 14, Sections 15000 *et seq.*

SECTION 4. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more section, subsection, subdivision, sentence, clause, phrase, or portion thereof be declared invalid or unconstitutional.

SECTION 5. The City Clerk shall certify to the adoption of this Ordinance and cause the same to be posted at the duly designated posting places within the City and published once within fifteen days after passage and adoption as may be required by law; or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the Office of the City Clerk five days prior to the date of adoption of this Ordinance; and, within fifteen days after adoption, the City Clerk shall cause to be published, the aforementioned summary and shall post a certified copy of this Ordinance, together with the vote for and against the same, in the Office of the City Clerk.

PASSED, APPROVED, AND ADOPTED this _____, 2011.

L. ALLEN SONGSTAD, JR., MAYOR

ATTEST:

PEGGY J. JOHNS, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LAGUNA HILLS)

I, Peggy J. Johns, City Clerk of the City of Laguna Hills, California, DO
HEREBY CERTIFY that the foregoing Ordinance No. _____ was duly introduced
and placed upon its first reading at a Regular Meeting of the City Council on the
_____, 2011, and that thereafter, said Ordinance was duly adopted and passed
at a Regular Meeting of the City Council held on the _____, 2011, by the
following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

(SEAL)

PEGGY J. JOHNS, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LAGUNA HILLS)

AFFIDAVIT OF POSTING
AND PUBLICATION

PEGGY J. JOHNS, being first duly sworn, deposes and says:

That she is the duly appointed and qualified City Clerk of the City of Laguna Hills;

That in compliance with State Laws of the State of California, ORDINANCE NO. _____, being:

AN ORDINANCE OF THE CITY OF LAGUNA HILLS, CALIFORNIA, AMENDING TITLE 9 "ZONING AND SUBDIVISIONS" OF THE MUNICIPAL CODE OF THE CITY OF LAGUNA HILLS, CALIFORNIA, TO ALLOW THE LIMITED USE OF NEON AND LIGHT-EMITTING DIODE SIGNS SUBJECT TO APPROVAL OF A MASTER SIGN PROGRAM.

on the _____, 2011, was published in summary in The Register and on the _____, 2011, was published in summary in the Saddleback Valley News; and was, in compliance with City Resolution No. _____, on the _____, 2011 and the _____, 2011, caused to be posted in summary in three places in the City of Laguna Hills, to wit:

Laguna Hills City Hall
Laguna Hills Community Center
Courtyard at La Paz Center

PEGGY J. JOHNS, CITY CLERK
Laguna Hills, California

Zoning Text Amendment No. 3-11-1891
Laguna Hills Municipal Code
Title 9 “Zoning and Subdivisions”

9-04.130 “M” definitions

“Master sign program” means a program to provide incentive, latitude, and variety in order to achieve aesthetically appealing and compatible signage for shopping and professional office centers, industrial parks and other commercial sites.

9-04.190 “S” definitions

Sign, Light Emitting Diode. “Light Emitting Diode sign” or “LED sign” means a sign consisting of one or more semiconductor diodes that emit light when a voltage is applied to it, or other similar illumination technologies.

“Sign program.” See “Master sign program.”

9-42.030 Permitted and prohibited signs.

Table 9-42.030 provides a list of permitted and prohibited signs by zone. Signs not contained in this matrix shall be considered as prohibited.

Table 9-42.030
SIGNS PERMITTED BY ZONES

Sign Type	Zones																
	E R	L D R	MLDR	MDR	HDR	OP	VC	FC	CC	MXU	NMU	C/PI	OS- 1	OS- 2	OS- 3	PC	PCR
A-frame	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Addresses	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E
Animated	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Audio	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Awning	X	X	X	X	X	P	P	P	P	P	P	X	X	X	X	X	X
Balloons (Small helium filled)	X	X	X	T	T	T	T	T	T	T	T	T	T	X	X	T	T
Banner	X	X	X	X	X	T	T	T	T	T	T	T	T	X	X	X	X
Bench	X	X	X	X	X	P	P	P	P	P	P	X	X	X	X	X	X
Billboard	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Bulletin	X	X	X	P	P	P	P	P	P	P	P	P	P	X	X	P	P

EXHIBIT A

board																	
Canopy	X	X	X	X	X	P	P	P	P	P	P	X	X	X	X	X	X
Center identification	X	X	X	X	X	P	P	P	P	P	P	X	X	X	X	X	X
Construction	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T
Directional	P	P	P	P	P	P	P	P	P	P	P	P	P	X	X	P	P
Directory	X	X	X	P	P	P	P	P	P	P	P	P	P	X	X	P	P
Emergency	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E
Flag1 (nations)	E	E	E	E	E	E	E	E	E	E	E	E	E	X	X	E	E
Flashing	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Holiday decoration	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T
Building identification	P	P	P	P	P	P	P	P	P	P	P	P	P	X	X	P	P
Inflatable	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
LED	X	X	X	X	X	P	P	P	P	P	P	X	X	X	X	X	X
Marquee	X	X	X	X	X	P	P	P	P	P	P	P	X	X	X	X	X
Menu board	X	X	X	X	X	P	P	P	P	P	P	P	X	X	X	X	X
Monument	X	X	X	P	P	P	P	P	P	P	P	P	P	X	X	P	P
Neon	X	X	X	X	X	P	P	P	P	P	P	X	X	X	X	X	X
Noncommercial	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T
Off-site	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Pennant	X	X	X	X	X	T	T	T	T	T	T	T	X	X	X	X	X
Pole	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Political election	T	T	T	T	T	T	T	T	T	T	T	T	X	X	X	T	T
Portable	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Projecting	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Real estate	T	T	T	T	T	T	T	T	T	T	T	X	X	X	X	T	T
Riders	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Roof	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Rotating	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

EXHIBIT A

Suspended	X	X	X	X	X	P	P	P	P	P	P	X	X	X	X	X	X
Temporary	T	T	T	T	T	T	T	T	T	T	T	T	T	X	X	T	T
Time & temp	X	X	X	X	X	P	P	P	P	X	X	X	X	X	X	X	X
Vehicle	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Wall	X	X	X	P	P	P	P	P	P	P	P	P	P	X	X	X	P
Window	X	X	X	X	X	P	P	P	P	P	P	X	X	X	X	X	X

1 Flags of nations, states or nonprofit, charitable or philanthropic organizations are only subject to height limits of the zone in which erected or displayed.

Notes: E = Exempt P = Permitted

T = Temporary X = Prohibited

9-42.060 Lighting requirements.

All lighting devices on signs, or providing illumination to a sign, shall not create glare, conflict with vehicular traffic, or spill-over to adjacent land uses. Except where otherwise specified, signs may be internally or externally illuminated. Internal illumination includes any source from the interior of a sign, behind letters (back lighting), channel lighting, LED or neon, incandescent or fluorescent. Exterior illumination must be focused to illuminate only the face of the sign. External lighting shall be designed so as not to reflect glare or visually disturb surrounding land uses.

Illumination shall be considered excessive when it prevents the normal perception of buildings or structures beyond or in the vicinity of the sign or when it is disruptive to residential zones or any public or private right-of-way. Internally illuminated signs which use the technique known as “push through” as well as individually illuminated channel lettering or halo lighting are preferred. Externally illuminated freestanding and monument signs are preferred. The following limitations shall apply to all lighted signs:

- A. Except for low intensity, internally illuminated directory or address signs, illuminated signs shall be prohibited in residential and open space zones.
- B. Illuminated signs located and visible within one hundred fifty (150) feet of any residential use shall not be illuminated between the hours of ten p.m. and six a.m.
- C. Sign illumination shall not result in glare being directed toward surrounding properties or upon abutting streets.
- D. Exterior lighting directed at a sign shall be shielded to insure that the light is projected only upon the sign.
- E. Flashing, twinkling, racing, rotating, or changing intensities of light value shall not be permitted on any electrical sign.
- F. The intensity of any lighted sign shall not exceed a lumen value of .5 footcandles at ten feet from the sign or a maximum of four hundred thirty (430) milliamperes cool-white radiance or as otherwise approved by a master sign program.
- G. Lighted signs shall not contain colors or symbols that create confusion or interfere with the observance of traffic safety lights or signage. (Ord. 98-8 § 2 (part): prior code § 9-25.060)

9-42.160 Master sign program required.

A master sign program shall be required in any of the following situations:

- A. For each new or remodeled center with three or more tenants on a single development site, regardless of parcelization;
- B. For any new or remodeled single enterprise which proposes any combination of signs upon the site equalling three or more signs;
- C. For any highrise building, new or existing, that proposes signage revisions;
- D. For any sign proposal that requests the use of exposed neon or LED to outline individual windows, roof lines, or buildings;
- E. For any revision to a sign program previously approved. (Ord. 98-8 § 2 (part): prior code § 9-25.160)

9-42.170 Master sign program inclusions.

An application for a site development permit shall be required for a master sign program. Approval of the site development permit shall be in accordance with Chapter 9-92 of this title.

A master sign program shall consist of the following:

- A. A comprehensive written and graphic plan depicting the relationship of the signs proposed with architectural and landscape elements of the development;
- B. A map, drawn to scale, delineating the site and denoting the area to which the sign program or modification of an existing sign program will occur;
- C. Plans, drawn to scale, including the following:
 - 1. A site plan indicating the specific location of all existing and proposed signs within the area subject to the sign program,
 - 2. Comprehensive plans depicting sign area, dimensions, colors, materials, letter style, letter height, method of illumination, and illumination intensity measured in footcandles or milliamperes for each sign type proposed for use under the plan,
 - 3. Comprehensive architectural building elevational plans depicting the proposed sign placement upon the intended elevation,
 - 4. The method of attachment for the proposed signs,
 - 5. Proposed or revised landscape plans to show corrections and or improvements related to the sign program;
- D. The written portion of the plan shall identify special criteria and design issues that are different than standard sign criteria. Signs prohibited by this chapter shall be prohibited within sign programs as well;
- E. Special sign varieties such as small helium filled balloons, pennants, flags, and banners may be approved as permanent signage under the master sign program. (Ord. 98-8 § 2 (part): prior code § 9-25.170)

9-42.240 Light Emitting Diode and Neon signs.

This section applies to exposed neon signs whose housing or structure had not been permanently affixed to its intended premises by November 13, 1998 and to the use of exposed LED, or similar lighting technology, in a manner that constitutes a sign. The use of exposed neon or LED will be considered on a limited basis subject to the issuance of a sign permit. The use of exposed neon or LED signs shall be evaluated against the following criteria:

- A. The use of exposed neon or LED signs shall be permitted only in commercial districts. Further, the use of exposed neon or LED signs shall be prohibited if located and visible within one hundred fifty (150) feet of any residentially zoned property.
- B. The use of exposed neon or LED to outline individual windows, roof lines or buildings is permitted subject to approval of a master sign program.
- C. Signage shall be compatible with other signs displayed for the business and building, through the use of similar colors and design styles.
- D. The use of colors that are complimentary to the building design is encouraged. Brighter colors of the spectrum should be avoided, or utilized on a limited basis. The colors white or clear are preferred.
- E. Signage shall be designed to enhance a stylistic architectural theme, or create a unique quality or character that distinguishes a business in a manner that is compatible with the overall community character.
- F. Exposed neon or LED lettering styles should be consistent with the style of any other sign lettering associated with the business. (Ord. 98-8 § 2 (part): prior code § 9-25.240)

9-92.030 Applications.

Applications submitted pursuant to this code are listed in Table 9-92.030. The table also shows general information related to the various applications.

Any permit or project approved according to this code may be revoked or suspended in the same manner in which it was approved upon conduct of required review and/or hearing to consider revocation or suspension.

Each review and hearing body has the right to approve, approve with conditions or deny any development permit. Decisions of the Community Development Director are appealable to the Planning Agency. Decisions shall be final ten calendar days after the hearing date unless appealed.

Table 9-92.030
APPLICATION INFORMATION

Application Type	Notice Required	Radius Map Distance	Review Body	How Adopted/Granted
Accessory living quarters/second unit housing	No	N/A	CDD	Letter
Appeal	Yes	300' by state law	PA	Resolution
Certificate of compliance	See subdivision			

EXHIBIT A

	code			
Certificate of use and occupancy	No	N/A	BO CDD	Sign-off on building permit
Changed plan	No	N/A	CDD	Letter
Conditional use permit	Yes	300'	PA	Resolution
Conditional use permit for large family day care facilities	Yes	100'	CDD PA (if hearing requested)	Letter Resolution
Development agreement	Yes	300'	CC	Ordinance
Development code amendment	Yes	300' when map change involved	CC	Ordinance
Extension of time (maps)	See subdivision code			
Extension of time (zoning)	Yes	300'	PA	Resolution
General plan amendment:				
Major	Yes	300'	CC	Resolution
Minor	Yes	300'	CC	Resolution
Technical	No	N/A	CDD	Memo
General plan interpretation	No	N/A	PA	Letter or memo
Home occupation permit	No	N/A	CDD	Sign-off on home occupation permit form
Landscape plan	No	N/A	CDD	Letter
Lot line adjustment	No	N/A	CDD/CE	Letter
Parking use permit	Yes	300'	PA	Resolution
Precise plan	Yes	300'	PA	Resolution
Preliminary project review	No	N/A	CDD	Review only no decision
Master sign program				
Major	Yes	300'	PA	Resolution
Minor	No	N/A	CDD	Letter
Site development				

EXHIBIT A

permit:				
Major	Yes	300'	PA	Resolution
Minor	No	N/A	CDD	Letter
Specific plan	Yes	300'	CC	Resolution or ordinance
Specific plan amendment	Yes	300'	CC	Resolution or ordinance
Special animal permit	Yes	Abutting properties	CDD	Letter
Special use permit	Yes	300'	PA	Resolution
Temporary sign permit	No	N/A	CDD	Application form sign-off
Temporary use permit	No	N/A	CDD	Application form sign-off
Tentative parcel map			See subdivision code	
Tentative tract map			See subdivision code	
Variance	Yes	300'	PA	Resolution

Notes:

PA = Planning Agency CE = City Engineer

CC = City Council CDD = Community Development Director

BO = Building Official

N/A = Not applicable

(Ord. 2003-5 Exh. A § D; Ord. 2001-3 § 2 (part), 2001; Ord. 98-8 § 2 (part): prior code § 9-41.030)

9-92.080 Types of applications and findings.

H. Master Sign Programs. Sections 9-42.160 and 9-42.170 of this title describe the content and requirement for master sign programs. Sign plans are always evaluated in relationship with the site development permit and are an integral portion of comprehensive architectural plans for major projects. In approving a master sign program or changes to an existing program, the following findings in addition to those for a site development permit shall be made.

1. That the design and application of the sign criteria required by the development code are satisfied by the proposed sign program;
2. That the sign program provides a compatible and harmonious design between advertising, landscaping and building design.

Zoning Text Amendment No. 3-11-1891
Laguna Hills Municipal Code
Title 9 “Zoning and Subdivisions”

Key: ~~Strikethrough~~ text indicates text that has been deleted.
Underlined text indicates text that has been inserted.

9-04.130 “M” definitions

“Master sign program” means a program to provide incentive, latitude, and variety in order to achieve aesthetically appealing and compatible signage for shopping and professional office centers, industrial parks and other commercial sites.

9-04.190 “S” definitions

Sign, Light Emitting Diode. “Light Emitting Diode sign” or “LED sign” means a sign consisting of one or more semiconductor diodes that emit light when a voltage is applied to it, or other similar illumination technologies.

“Sign program.” See “Master sign program.”

9-42.030 Permitted and prohibited signs.

Table 9-42.030 provides a list of permitted and prohibited signs by zone. Signs not contained in this matrix shall be considered as prohibited.

Table 9-42.030
SIGNS PERMITTED BY ZONES

Sign Type	Zones																
	E R	L D R	MLDR	MDR	HDR	OP	VC	FC	CC	MXU	NMU	C/PI	OS- 1	OS- 2	OS- 3	PC	PCR
A-frame	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Addresses	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E
Animated	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Audio	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Awning	X	X	X	X	X	P	P	P	P	P	P	X	X	X	X	X	X
Balloons (Small helium filled)	X	X	X	T	T	T	T	T	T	T	T	T	T	X	X	T	T
Banner	X	X	X	X	X	T	T	T	T	T	T	T	T	X	X	X	X
Bench	X	X	X	X	X	P	P	P	P	P	P	X	X	X	X	X	X

ATTACHMENT NO. 2

Billboard	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Bulletin board	X	X	X	P	P	P	P	P	P	P	P	P	P	X	X	P	P
Canopy	X	X	X	X	X	P	P	P	P	P	P	X	X	X	X	X	X
Center identification	X	X	X	X	X	P	P	P	P	P	P	X	X	X	X	X	X
Construction	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T
Directional	P	P	P	P	P	P	P	P	P	P	P	P	P	X	X	P	P
Directory	X	X	X	P	P	P	P	P	P	P	P	P	P	X	X	P	P
Emergency	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E
Flag1 (nations)	E	E	E	E	E	E	E	E	E	E	E	E	E	X	X	E	E
Flashing	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Holiday decoration	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T
Building identification	P	P	P	P	P	P	P	P	P	P	P	P	P	X	X	P	P
Inflatable	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
<u>LED</u>	X	X	X	X	X	P	P	P	P	P	P	X	X	X	X	X	X
Marquee	X	X	X	X	X	P	P	P	P	P	P	P	X	X	X	X	X
Menu board	X	X	X	X	X	P	P	P	P	P	P	P	X	X	X	X	X
Monument	X	X	X	P	P	P	P	P	P	P	P	P	P	X	X	P	P
Neon	X	X	X	X	X	P	P	P	P	P	P	X	X	X	X	X	X
Noncommercial	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T
Off-site	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Pennant	X	X	X	X	X	T	T	T	T	T	T	T	X	X	X	X	X
Pole	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Political election	T	T	T	T	T	T	T	T	T	T	T	T	X	X	X	T	T
Portable	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Projecting	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Real estate	T	T	T	T	T	T	T	T	T	T	T	X	X	X	X	T	T
Riders	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

ATTACHMENT NO. 2

Roof	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Rotating	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Suspended	X	X	X	X	X	P	P	P	P	P	P	X	X	X	X	X	X
Temporary	T	T	T	T	T	T	T	T	T	T	T	T	T	X	X	T	T
Time & temp	X	X	X	X	X	P	P	P	P	X	X	X	X	X	X	X	X
Vehicle	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Wall	X	X	X	P	P	P	P	P	P	P	P	P	P	X	X	X	P
Window	X	X	X	X	X	P	P	P	P	P	P	X	X	X	X	X	X

1 Flags of nations, states or nonprofit, charitable or philanthropic organizations are only subject to height limits of the zone in which erected or displayed.

Notes: E = Exempt P = Permitted

T = Temporary X = Prohibited

9-42.060 Lighting requirements.

All lighting devices on signs, or providing illumination to a sign, shall not create glare, conflict with vehicular traffic, or spill-over to adjacent land uses. Except where otherwise specified, signs may be internally or externally illuminated. Internal illumination includes any source from the interior of a sign, behind letters (back lighting), channel lighting, LED or neon, incandescent or fluorescent. Exterior illumination must be focused to illuminate only the face of the sign. External lighting shall be designed so as not to reflect glare or visually disturb surrounding land uses.

Illumination shall be considered excessive when it prevents the normal perception of buildings or structures beyond or in the vicinity of the sign or when it is disruptive to residential zones or any public or private right-of-way. Internally illuminated signs which use the technique known as "push through" as well as individually illuminated channel lettering or halo lighting are preferred. Externally illuminated freestanding and monument signs are preferred. The following limitations shall apply to all lighted signs:

- A. Except for low intensity, internally illuminated directory or address signs, illuminated signs shall be prohibited in residential and open space zones.
- B. Illuminated signs located and visible within one hundred fifty (150) feet of any residential use shall not be illuminated between the hours of ten p.m. and six a.m.
- C. Sign illumination shall not result in glare being directed toward surrounding properties or upon abutting streets.
- D. Exterior lighting directed at a sign shall be shielded to insure that the light is projected only upon the sign.
- E. Flashing, twinkling, racing, rotating, or changing intensities of light value shall not be permitted on any electrical sign.
- F. The intensity of any lighted sign shall not exceed a lumen value of .5 footcandles at ten feet from the sign or a maximum of four hundred thirty (430) milliamperes cool-white radiance or as otherwise approved by a master sign program.

ATTACHMENT NO. 2

- G. Lighted signs shall not contain colors or symbols that create confusion or interfere with the observance of traffic safety lights or signage. (Ord. 98-8 § 2 (part): prior code § 9-25.060)

9-42.160 Master sign program required.

A master sign program shall be required in any of the following situations:

- A. For each new or remodeled center with three or more tenants on a single development site, regardless of parcelization;
- B. For any new or remodeled single enterprise which proposes any combination of signs upon the site equalling three or more signs;
- C. For any highrise building, new or existing, that proposes signage revisions;
- D. For any sign proposal that requests the use of exposed neon or LED to outline individual windows, roof lines, or buildings;
- E. For any revision to a sign program previously approved. (Ord. 98-8 § 2 (part): prior code § 9-25.160)

9-42.170 Master sign program inclusions.

An application for a site development permit shall be required for a master sign program. Approval of the site development permit shall be in accordance with Chapter 9-92 of this title.

A master sign program shall consist of the following:

- A. A comprehensive written and graphic plan depicting the relationship of the signs proposed with architectural and landscape elements of the development;
- B. A map, drawn to scale, delineating the site and denoting the area to which the sign program or modification of an existing sign program will occur;
- C. Plans, drawn to scale, including the following:
 - 1. A site plan indicating the specific location of all existing and proposed signs within the area subject to the sign program,
 - 2. Comprehensive plans depicting sign area, dimensions, colors, materials, letter style, letter height, method of illumination, and illumination intensity measured in footcandles or milliamperes for each sign type proposed for use under the plan,
 - 3. Comprehensive architectural building elevational plans depicting the proposed sign placement upon the intended elevation,
 - 4. The method of attachment for the proposed signs,
 - 5. Proposed or revised landscape plans to show corrections and or improvements related to the sign program;
- D. The written portion of the plan shall identify special criteria and design issues that are different than standard sign criteria. Signs prohibited by this chapter shall be prohibited within sign programs as well;
- E. Special sign varieties such as small helium filled balloons, pennants, flags, and banners may be approved as permanent signage under the master sign program. (Ord. 98-8 § 2 (part): prior code § 9-25.170)

9-42.240 Light Emitting Diode and Neon signs.

ATTACHMENT NO. 2

This section applies to exposed neon signs whose housing or structure had not been permanently affixed to its intended premises by November 13, 1998 and to the use of exposed LED, or similar lighting technology, in a manner that constitutes a sign. The use of exposed neon or LED will be considered on a limited basis subject to the issuance of a sign permit. The use of exposed neon or LED signs shall be evaluated against the following criteria:

- A. The use of exposed neon or LED signs shall be permitted only in commercial districts. Further, the use of exposed neon or LED signs shall be prohibited if located and visible within one hundred fifty (150) feet of any residentially zoned property.
- B. The use of exposed neon or LED to outline individual windows, roof lines or buildings is permitted subject to approval of a master sign program.
- C. Signage shall be compatible with other signs displayed for the business and building, through the use of similar colors and design styles.
- D. The use of colors that are complimentary to the building design is encouraged. Brighter colors of the spectrum should be avoided, or utilized on a limited basis. The colors white or clear are preferred.
- E. Signage shall be designed to enhance a stylistic architectural theme, or create a unique quality or character that distinguishes a business in a manner that is compatible with the overall community character.
- F. Exposed neon or LED lettering styles should be consistent with the style of any other sign lettering associated with the business. (Ord. 98-8 § 2 (part): prior code § 9-25.240)

9-92.030 Applications.

Applications submitted pursuant to this code are listed in Table 9-92.030. The table also shows general information related to the various applications.

Any permit or project approved according to this code may be revoked or suspended in the same manner in which it was approved upon conduct of required review and/or hearing to consider revocation or suspension.

Each review and hearing body has the right to approve, approve with conditions or deny any development permit. Decisions of the Community Development Director are appealable to the Planning Agency. Decisions shall be final ten calendar days after the hearing date unless appealed.

Table 9-92.030
APPLICATION INFORMATION

Application Type	Notice Required	Radius Map Distance	Review Body	How Adopted/Granted
Accessory living quarters/second unit housing	No	N/A	CDD	Letter
Appeal	Yes	300' by state law	PA	Resolution
Certificate of compliance	See subdivision code			
Certificate of use and occupancy	No	N/A	BO CDD	Sign-off on building permit

ATTACHMENT NO. 2

Changed plan	No	N/A	CDD	Letter
Conditional use permit	Yes	300'	PA	Resolution
Conditional use permit for large family day care facilities	Yes	100'	CDD PA (if hearing requested)	Letter Resolution
Development agreement	Yes	300'	CC	Ordinance
Development code amendment	Yes	300' when map change involved	CC	Ordinance
Extension of time (maps)	See subdivision code			
Extension of time (zoning)	Yes	300'	PA	Resolution
General plan amendment:				
Major	Yes	300'	CC	Resolution
Minor	Yes	300'	CC	Resolution
Technical	No	N/A	CDD	Memo
General plan interpretation	No	N/A	PA	Letter or memo
Home occupation permit	No	N/A	CDD	Sign-off on home occupation permit form
Landscape plan	No	N/A	CDD	Letter
Lot line adjustment	No	N/A	CDD/CE	Letter
Parking use permit	Yes	300'	PA	Resolution
Precise plan	Yes	300'	PA	Resolution
Preliminary project review	No	N/A	CDD	Review only no decision
Master sign program				
Major	Yes	300'	PA	Resolution
Minor	No	N/A	CDD	Letter
Site development permit:				
Major	Yes	300'	PA	Resolution
Minor	No	N/A	CDD	Letter
Specific plan	Yes	300'	CC	Resolution or

ATTACHMENT NO. 2

				ordinance
Specific plan amendment	Yes	300'	CC	Resolution or ordinance
Special animal permit	Yes	Abutting properties	CDD	Letter
Special use permit	Yes	300'	PA	Resolution
Temporary sign permit	No	N/A	CDD	Application form sign-off
Temporary use permit	No	N/A	CDD	Application form sign-off
Tentative parcel map			See subdivision code	
Tentative tract map			See subdivision code	
Variance	Yes	300'	PA	Resolution

Notes:

PA = Planning Agency CE = City Engineer

CC = City Council CDD = Community Development Director

BO = Building Official

N/A = Not applicable

(Ord. 2003-5 Exh. A § D; Ord. 2001-3 § 2 (part), 2001; Ord. 98-8 § 2 (part): prior code § 9-41.030)

9-92.080 Types of applications and findings.

H. Master Sign Programs. Sections 9-42.160 and 9-42.170 of this title describe the content and requirement for master sign programs. Sign plans are always evaluated in relationship with the site development permit and are an integral portion of comprehensive architectural plans for major projects. In approving a master sign program or changes to an existing program, the following findings in addition to those for a site development permit shall be made.

1. That the design and application of the sign criteria required by the development code are satisfied by the proposed sign program;
2. That the sign program provides a compatible and harmonious design between advertising, landscaping and building design.

CITY OF LAGUNA HILLS

AGENDA REPORT ADMINISTRATIVE SERVICES DEPARTMENT

**ISSUE: COMPENSATION STUDY - LABOR MARKET RECOMMENDATIONS
 FROM RALPH ANDERSON & ASSOCIATES**

SUMMARY:

At the February 22, 2011, City Council meeting, the City Council authorized the hiring of Ralph Anderson & Associates to conduct a comprehensive compensation study for the City. As part of this study, the Consultant is charged with analyzing potential and recommended survey employers for the City Council's consideration and approval. The Consultant has completed this work effort and has prepared a memorandum, which is attached to this report. The Consultant will supplement this memorandum with a presentation at the City Council meeting. In addition to the fifteen recommended cities, private sector data will be collected using published data sources for as many jobs found to be comparable in the private sector.

Staff is recommending that the City Council approve the labor market recommendations contained in the attached memorandum from Ralph Anderson & Associates.

**RECOMMENDATION: THAT THE CITY COUNCIL APPROVE THE LABOR MARKET
RECOMMENDATIONS FROM RALPH ANDERSON & ASSOCIATES.**

ATTACHMENTS:

- Memorandum from Ralph Anderson & Associates

March 16, 2011

To: Don White, Assistant City Manager
City of Laguna Hills

From: Doug Johnson, Vice President
Ralph Andersen & Associates

Subject: Draft Labor Market Recommendations

The purpose of this memo is to recommend a list of survey employers to be used in the compensation study being conducted by Ralph Andersen & Associates. In order to assess and understand the labor market that the City competes in, it is important to obtain survey data that is comparable in function, duties, and qualifications. While published sources of information are an option, more accurate information can be obtained by conducting a custom survey of “like” employers. In order to achieve this objective, this memo outlines a list of survey organizations and related data sources. Our recommendations are based on established compensation methods, a review of historical practices, and a thorough review of potential comparable employers. The selection criteria and the resulting agencies are presented below.

LABOR MARKET SELECTION PARAMETERS

Establishing a defined group of survey sources or employers is a fundamental policy component of a good compensation plan. The use of specific survey employers will typically evolve as a stated policy or practice. The selection of market agencies involves the careful balancing of several criteria used by compensation professionals:

- **Historical Practices** — Over time, an employer will develop some level of continuity regarding labor market comparables for the purposes of conducting compensation surveys. There may be a strong history of surveying a specific set of employers either by agreement or by practice. In some instances, survey agencies can be more formally defined by policy documents or memorandums of understanding. Survey agencies can be specifically identified or they can be defined by characteristics such as size or proximity. Historical practices are an important consideration if for no other reason than deviating from a long term historical practice typically requires a strong, defensible rationale.
- **Nature of Services Provided** — In order to ensure comparable jobs are found when conducting a market survey, it is important to utilize employers that provide similar services to the City of Laguna Hills. Employers who provide similar services are most likely to compete with one another for employees and may have similar organizational and operational characteristics.
- **Geographic Proximity** — Geographic proximity of potential employers is one of the most important factors utilized in identifying an organization’s labor market. This factor is particularly useful because it identifies those employers that directly compete with the City to recruit and retain personnel. If a sufficient number of comparable agencies exist

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within close proximity to the City, the defined geographic area may be confined to an area within a county boundary or within reasonable commuting distance.

- **Employer Size** — As a rule, the more similar employers are in size and complexity, the greater the likelihood that comparable positions exist within both organizations. For cities, the size of possible survey agencies can most easily be measured using population statistics, number of employees, and operating budget. While size is important, it is also important to include agencies in the immediate proximity, regardless of size (as long as they have a sufficient number of comparable jobs)..
- **Economic Similarity** — While there are a number of economic factors that can be compared among cities, the most important factor related to compensation is cost of living or the relative differences in labor costs. In some regions or states, living costs can vary significantly and have an important impact on how potential candidates evaluate compensation. This factor is important if labor market agencies are used beyond the local market.

Since there is often no perfect group of agencies that meet all of these criteria, establishing a universe of comparable employers involves a careful balancing of these factors. Thus, an ideal market will include both larger and smaller employers, agencies located in higher and lower cost of living areas, and both local and regional employers. The precise definition of “local” and “regional” requires further analysis of the remaining parameters since it may be possible to find similar employers in close geographic proximity.

APPLICATION OF FACTORS

Using the criteria outlined above, Ralph Andersen & Associates has analyzed labor market agencies using the following specific criteria:

- **Nature of Services** – The primary group of comparable organizations will be other cities. In addition, private sector data will be collected using published data sources for as many jobs found to be comparable in the private sector.
- **Geographic Area** – Sufficiently comparable cities exist within Orange County such that there is no need to consider cities beyond this geographic boundary. Furthermore, the selection of cities focused on South County communities and those cities less than 35 miles from Laguna Hills.
- **Employer Size** – Using the geographic region described above, cities have been identified that most closely match the size of Laguna Hills, however, we have also considered cities in close proximity regardless of their size. Careful efforts will be made to ensure that such size differences do not distort job comparisons.
- **Economic Similarity** – The selection of survey cities are within a common region and there are not significant differences in economic characteristics.

Using these criteria, along with a review of budgets, number of employees, and key services, the following table provides the recommended survey agencies for use in the compensation survey being conducted by Ralph Andersen & Associates.

Recommended Survey Agencies

City	Population ¹	ERI Labor Cost ²	Distance
Laguna Hills	33,593	100.0	0
Mission Viejo	100,725	99.7	3
Lake Forest	78,720	100.2	6
Laguna Niguel	67,666	100.0	6
Laguna Beach	25,354	100.3	9
San Juan Capistrano	37,233	99.1	10
Irvine	217,686	100.6	11
Rancho Santa Margarita	49,945	99.9	11
Dana Point	37,326	99.7	15
Tustin	75,773	100.2	15
San Clemente	68,763	99.9	17
Fountain Valley	58,741	100.1	18
Orange	142,708	100.1	18
Yorba Linda	69,273	97.5	26
Brea	40,377	99.7	28
Cypress	49,981	100.1	31
Median	67,666	100.0	15

¹ Population Source: CA Dept of Finance

² Economic Similarity: Economic Research Institute Geographic Assessor

The list of agencies does differ from City of Laguna Hills's historical practices by limiting the market analysis to 15 cities instead of all Orange County cities. This will allow a more tailored survey as well as more comparable job matches. As a reference point, the median population of all Orange County cities is 65,425 with an median distance of 18 miles.

DATA COLLECTION

The scope of the compensation survey will include sufficient information to establish a comparison of base salary and benefits. Specifically, the survey will include the collection and analysis of:

- **Salary Ranges** – This includes range minimum, maximum, and control points; range progression mechanisms; policy criteria; and salary administration practices.
- **Performance Pay** – This will include lump-sum and other performance payments.
- **Deferred Compensation** – This includes contributions made by the employer to a qualified deferred compensation plan including matching contributions.
- **Retirement “Pick-up”** – This includes retirement contributions made by the employer on behalf of the employee.
- **Longevity Pay** – This benefit will be analyzed to ensure a complete understanding of maximum pay levels, particularly if longevity pay is mixed in with base salary progressions.
- **Insurances** – This will include health, dental, vision, life, and long term disability insurance costs paid by the employer and employee.
- **Retirement** – This includes retirement contributions by the employer, retirement formulas, and related criteria including PERS, Social Security, and other retirement programs.
- **Retiree Health** – This will include retiree health costs that are paid by the employer.
- **Leave Benefits** – This will include vacation, holiday, and sick leave practices.

The survey data will be collected to provide a snapshot of market conditions as they exist at the time of the survey.

Should you have any questions or need any additional information, please let me know.

CITY OF LAGUNA HILLS

AGENDA REPORT ADMINISTRATIVE SERVICES DEPARTMENT

**ISSUE: CITY COUNCIL RATING OF PROPOSED MAJOR PLANS FOR THE
2011-13 BIENNIAL BUDGET**

SUMMARY:

At the March 12, 2011 City Council Workshop, the City Council began the process of rating proposed major plans from the City's Department Heads. The City Council completed a review of status reports on 2009-2011 Major Plans and proposed 2011-2013 Major Plans from all departments except Public Services, Community Services and Public Safety. Presentations from these Departments, including proposed Major Plans from individual Council members will be made at tonight's meeting. Staff is recommending that the City Council continue the Major Plans rating process from the March 12th meeting.

FISCAL IMPACT:

None.

**RECOMMENDATION: THAT THE CITY COUNCIL RATE PROPOSED MAJOR
PLANS.**

ATTACHMENTS:

- Public Services Status Report and Proposed Major Plans
- Community Services Status Report and Proposed Major Plans
- Public Safety Status Report and Proposed Major Plans
- City Council Proposed Major Plans



Proposed Major Plans and Work Programs

BIENNIAL BUDGET FY 2011 - 2013

PUBLIC SERVICES

MAJOR PLANS:

1. Perform an accessibility assessment of public sidewalks and ramps to update the City's "self-assessment" for compliance with the Americans with Disabilities Act. (General Plan Policies M-3.2 and M-3.6).
2. Initiate the NPDES inspection program for commercial, industrial, homeowner association and municipal properties and inspect existing structural controls implemented in Water Quality Management Plans for compliance with the SARWQCB and SDRWQCB permits. (General Plan Policies COS-1.3 and COS-1.4).
3. Upgrade the Geographic Information System to add data layers to improve the functional use of the system for Public Services and other Departments.

WORK PROGRAMS:

1. Prepare the FEMA Hazard Mitigation Plan and hold public input meetings as required prior to adoption of the plan.
2. Update the Parks Asset Inventory and the Traffic Signal Asset Inventory.
3. Update the Pavement Management Plan to meet Renewed Measure M guidelines.
4. Evaluate Municipal Facilities for opportunities to implement Energy Efficiency improvements and for Water Conservation improvements.
5. Seek grant funds for improvements to traffic safety through Measure M-2 or other sources.



Major Plans and Work Programs

BIENNIAL BUDGET FY 2009 – 2011 STATUS REPORT

PUBLIC SERVICES

MAJOR PLANS:

1. Monitor the Regional Water Quality Control Board Permit Renewals for both the Santa Ana and San Diego Regional Boards, provide commentary on the permit terms and testify before each Board before permit adoption.

Status: COMPLETED. *If grant funds become available, expand the installation of Best Management Practices and Structural Water Quality Control Improvements at City owned facilities. Monitoring opportunities.*

2. Coordinate water conservation efforts with the Moulton Niguel Water District and El Toro Water District and provide public outreach. Evaluate all City irrigation systems for efficient water use. Seek to reduce City Facility water consumption by 10% over the course of the budget cycle, reduce irrigation overspray and install smart irrigation controllers as existing controllers are replaced in the normal course of maintenance.

Status: COMPLETED. *Updated City Code and reviewed all City water use.*

WORK PROGRAMS:

1. Update the Bikeways, Trails & Open Space Master Plan (General Plan Mobility Implementation M-5).

Status: IN PROCESS – *To be complete by March 31, 2011.*

2. Implement the American Recovery and Reinvestment Act funding as granted to the City.

Status: **COMPLETED** - \$500,000 Improvement to Laguna Hills Drive.

3. Seek grant funds to implement the Capital Improvement Program.

Status: **ALWAYS IN PROCESS** – Completed FCPP Transfer Agreement of \$1,275,000, in process of using \$500,000 of Prop 1B Funding, increased Federal commitment tol-5/La Paz to \$4.7 million, and seeking new funding through M-2.

4. Monitor the progress of the Phase II Go Local transit program.

Status: **IN PROCESS** - Draft OCTA report under review at this time.



Major Plans and Work Programs

BIENNIAL BUDGET FY 2009 – 2011 STATUS REPORT

COMMUNITY SERVICES

MAJOR PLANS:

1. Assess the Community Center and Sports Complex utility usage to identify ways to promote water and energy conservation and thereby reduce utility costs.

Status: Light motion sensors were installed in June of 2009 in the Community Center's hallways, restrooms, art room, and kitchens. There was a 5.6% decrease (or \$4,056) in electricity costs for FY 09/10 when compared to FY 08/09 for Community Center electricity usage. In addition, modifications were made to the toilet and urinals in the community center restrooms to improve water conservation. As a result, total water use at the Community Center & Sports Complex was down 1,825 gallons per day with these changes which equates to approximately \$900 a month in water usage savings. Overall, there was a 5% decrease (or \$19,320) in annual water utility costs from FY 08/09 to FY 09/10 for the Park Maintenance water usage budget including the Community Center's water usage costs.

2. Perform cost recovery analysis on Community Center & Sports Complex (and other appropriate parks) and analyze fee for service for building facility room rentals, recreation field usage, and recreation class/activities and propose the implementation of a new fee schedule.

Status: Staff completed a Community Center Facility Fee Study in which staff analyzed the costs to operate room rentals and also compared the City's rental rates to other surrounding cities rental rates. Staff proposed an increase to certain user category rental rates and on May 26, 2009 the City Council approved Resolution No. 2009-05-26-2 that set the new rates. The new facility rate schedule contributed to an annual increase in revenue of \$23,387.

On November 10, 2009, the City Council approved staff's Community Services Recreation Program Rate Study in which staff proposed an increase to certain rates charged for recreation classes and activities to more fully recover costs to operate them. The new rates were effective during the Spring Quarter 2010, and although the Spring Quarter 2011 has just begun, a nine month date range comparison shows a 2% decrease in revenue (or \$6,560) from 2009 to 2010.

The City Council, on June 22, 2010, approved staff's proposed adjustments to rental rates of the City's athletic fields and outdoor amenities. Also, the City Council approved staff's edits to the City Council Reservation Policies Nos. 309, 310, 311, 312, 313, 314, and 316. These adjustments in rental rates and updated reservation policies resulted in an increase of revenue of \$3,084 for a six month period (June 22, 2010 – December 31, 2010) when compared to the same six month period in 2009.

3. Implement and monitor a food-waste recycling program as a new diversion activity in the commercial sector.

Status: *A one-year pilot commercial food waste program was implemented by CR&R on July 1, 2009, for the Laguna Hills Mall area and Oakbrook Village area. This program was the first of its kind in south Orange County. A regional one-year pilot commercial food waste program, funded by an Orange County Waste and Recycling grant, began in March 2010, and these funds will support this program through December 2011. On average the program for Laguna Hills collects 13 tons of food waste per month.*

WORK PROGRAMS:

1. Research the development of a Community Garden in the City of Laguna Hills.

Status: *Staff completed a Community Garden Study by researching community gardens at other municipalities and also identifying potential sites within Laguna Hills. The costs to develop a community garden ranged from \$75,000 to \$150,000 and the average annual cost to maintain the community gardens was \$13,000. Staff presented its study to the Park and Recreation Commission on December 1, 2010, and the Commission moved to recommend the implementation of a Community Garden as a major plan for the City Council's consideration for the next budget cycle.*

2. Update and create Community Services policies and procedures documents that address risk management, financial internal control, and department personnel policies and procedure manuals.

Status: *The manual was approved and signed by the City Manager on August 20, 2010. The "CS Reference Manual" contains the department's policies, procedures and staff expectations as well as samples of all department forms for reference. The manual and forms were uploaded to the City's Intranet for employee access.*

3. Evaluate the ongoing need for the joint use agreement between the City and the SVUSD that addresses the use of the upper high school field.

Status: *On May 12, 2009, the City Council authorized the City Manager to sign Amendment No. 1 which extended the Agreement until April 26, 2011, unless further extended by mutual consent. City and SVUSD staff continued to meet to discuss the Joint Use Agreement. Recently, both parties desired to extend the Agreement for another year until April 26, 2012, and on January 11, 2011, the City Council authorized the City Manager to extend the Joint Use Agreement for another year.*

* * * * *



Proposed Major Plans and Work Programs

BIENNIAL BUDGET

FY 2011 - 2013

COMMUNITY SERVICES

MAJOR PLANS:

1. Consider the implementation of a regional commercial food waste program service after the funding for the current pilot food waste program expires; and research a potential food waste program for the residents of Laguna Hills. (GP Policies COS-1.21, CSF-7.2; GP Implementation Program CSF-6).

WORK PROGRAMS:

1. Advertise and celebrate the City of Laguna Hills' 20 year Anniversary of Incorporation.
2. Research the possibility and interest of hosting a community-wide signature event such as "Concert in the Park" or "Taste of Laguna Hills" event with expenses for the event covered by private donations and/or partnerships with other organizations. (GP Policies CSF-1.1, COS-2.5).
3. Evaluate and propose options to address security issues at the Community Center and Sports Complex Skate Park.
4. Evaluate the ongoing need of the joint use agreement between the City and SVUSD for use of upper high school field; and evaluate the interest of a joint venture with SVUSD for the installation of an artificial turf field at the upper high school field. (GP Policies CSF-1.2, CSF-2.2; GP Implementation Programs COS-6, CSF-2).
5. Address the continuation of the City's current Sharps Waste and the Household Hazardous Waste drop-off programs after grant funds expire for these programs. (GP Policies COS-1.21, CSF-7.2, S-5.1, S-5.3, S-5.4; GP Implementation Programs CSF-6, IP S-10).

6. Conduct a network assessment to determine network vulnerabilities and improvements that can be made to the City's IT infrastructure and update the City's data backup plan.
7. Implement a 10K race as part of the City's Half Marathon Memorial Day Event.
8. Feature art work from Laguna Hills elementary and high school students in the Community Center's Rotating Art Gallery. (GP Policies COS-2.2, COS-2.10).
9. Evaluate the City's recreation activity and classes on meeting the needs of the different demographic groups in the community and address any deficiencies. (GP Policy CSF-1.3; GP Implementation Program COS-6).
10. Research the possibility of implementing a program at the Community Center in which seniors tutor and mentor Laguna Hills' youth and teens. (GP Policies CSF-1.1, COS-2.10; GP Implementation Program COS-6).
11. Promote the use of the City's trail system as part of the "Get Fit Campaign" by providing information on how many miles are walked on each trail on the City's website or in City Views, creating trail maps, and investigating the possibility of installing mile markers on City trails. (GP Policies COS-2.1, COS-2.3).

CITY OF LAGUNA HILLS



MEMORANDUM

DATE: March 2, 2011

TO: Bruce Channing, Don White

FROM: David Reynolds

SUBJECT: Parks and Recreation Commission Proposed Major Plans for FY 2011 - 2013

The Parks and Recreation Commission, at its February 2, 2011 meeting, recommended the following major plans as budget considerations for the City Council for the next budget cycle.

1. Exercise the Irrevocable Offer of Dedication (IOD) on Sheep Hill Park in order to assume control of the park from AVCA and provide Laguna Hills residents with additional recreation space.
2. Acquire the rights to the Edison easement for park/trail land use in order to connect the Community Center and Sports Complex and Sheep Hills Park as one continuous recreation amenity for residents.
3. Implement a citizen volunteer program to assist the City of Laguna Hills with enforcing the City's municipal code in parks and to also serve in other volunteer capacities at City special events.
4. Develop a Community Garden in the City of Laguna Hills.



Major Plans and Work Programs

BIENNIAL BUDGET FY 2009 – 2011 STATUS REPORT

PUBLIC SAFETY

WORK PROGRAMS:

1. Conduct a patrol deployment audit in an effort to improve response times, equally distribute workloads, and review scheduling alternatives to provide the best law enforcement service possible to the City of Laguna Hills.

Status: *The audit was completed and resulted in some minor changes in the beat structure of the City. This provided for a more equitable distribution of calls for service between patrol deputies on any given shift. Since the workload was more evenly distributed, it allowed the patrol staff to remain in their assigned beat more during their shift. This "beat integrity" provided an improvement in response times.*

Additionally, changes were made to the patrol schedule that consolidated, and in some cases moved, the start times for shifts. The changes that came about from the deployment audit have allowed Police Services to operate efficiently without an increase in response times or in consumed time on any one particular shift.

2. Continue with all mandated training for City staff and conduct at least one tabletop exercise that involves activation of the City's Emergency Operations Center.

Status: *There was no mandated training for City staff during this budget cycle, and to date we have not conducted any tabletop exercises. Staff vacancies and other issues have taken our focus away from this Work Program this year.*

3. Train and roll out of TAGRS to document and track graffiti crimes in the City of Laguna Hills.

Status: *The TAGRS Program has been rolled out in Laguna Hills and is fully operational. The School Resource Officer serves as the liaison. The SRO receives all copies of graffiti related vandalism reports, and sees to it that each report is inputted into the system. He also catalogs photographs for each case to be included with the report.*

Our next phase of the program is to equip our Public Services staff with smart phones that are GPS capable. This will allow staff to photograph graffiti and upload the photos to TAGRS from the field. We have identified grant funds for the purchase of these phones and are currently awaiting approval.



Proposed Major Plans and Work Programs

BIENNIAL BUDGET FY 2011 – 2013

PUBLIC SAFETY

MAJOR PLANS:

1. Police Services has no Major Plans for this budget cycle.

WORK PROGRAMS:

1. Install two Mobile Data Computers in the white civilian parking enforcement vehicles to allow our Community Services Officer the ability to run registration and driver information from the field. Currently, the officers have to return to City Hall or the Aliso Viejo Station in order to obtain this information.
2. Lease two (2) handheld ticket writers through current contract with Data Ticket. The devices will be used by the Community Services Officers to electronically issue parking citations in the City of Laguna Hills.
3. Design and purchase parking citations to be used exclusively by Laguna Hills Police Services staff which would be pre-printed with the most common Ordinance violations thus reducing the amount of time taken to write tickets and improve the administrative handling of citations.



Proposed Major Plans

BIENNIAL BUDGET
FY 2011 - 2013

Melody Carruth, Mayor Pro Tem

MAJOR PLANS:

1. Aliso Creek Trail Loop - Coordinate with County of Orange the construction of a trail, improve bike trail, identify and secure funding for freeway wall
2. Sheep Hills Park- Assume responsibility for park. Analyze annual maintenance costs and in the long term, create trail connection to COM Center, improve fields and parking

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Proposed Major Plans

*BIENNIAL BUDGET
FY 2011 - 2013*

Randal Bressette, City Council Member

MAJOR PLANS:

1. Increase the number of sworn deputy sheriff positions by two.
2. Install a barrier on Paseo de Valencia in the center median between the opening from the Community Center back parking lot closest to the building and the Mobile gas station and Pizza Hut to prevent illegal jaywalking.
3. Begin planning the improvements at Sheep Hills Park.
4. Web Streaming of City Council meetings.

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Proposed Major Plans

BIENNIAL BUDGET FY 2011 - 2013

Barbara Kogerman, City Council Member

MAJOR PLANS:

1. Kids Factory

Please see the following points:

1. Kids Factory is a drop-in, loosely structured, 2 hours after school program times to fit each school's dismissal time. Children enrolled in the program must either be picked up or walk home (parents decide at beginning of the year).
2. The program is held at all elementary schools in Mission Viejo (13 elementary schools) and Lake Forest (9 elementary schools). (Mission Viejo is asking for proposals to expand it to 6th & 7th through 8th grades). Both cities have supported the program for about 20 years.
3. There are about 1600 children participating in MV and 1700 in LF, plus others in introductory sports programs. Totals cited include both those enrolled and occasional drop-ins (during Parent Conferences, for example). The average is about 100 per school, which varies from school to school and with drop-ins.
4. While the SVUSD Recreation Program covers Laguna Hills, there are no programs for the schools here.
5. Laguna Hills offers after-school sports only. It serves mainly athletic boys in the older grades.
6. Kids Factory has crafts, table games, playground games, etc. It attracts girls and younger children.
7. The District has done proposals for the City but the response has always been that our program satisfies our needs – but it doesn't, particularly for younger children and girls.
8. Valencia and Lomarena parents consistently ask why these schools offer no programs like Kids Factory.
9. The program coordinator attends Parks and Recreation Commission meetings in LF every month and attends in MV when asked.

(1. Kids Factory, cont.)

Cost for school year is about \$29,000 per campus. (Would be about \$87,000 for the city's 3 elementary schools.)

2. **Youth Advisory Board**

Our City Recreation Department already employs a number of recent high school graduates and some high school students who regularly suggest programs. It should be fairly easy to transition from the current system into a Youth Advisory Board to further meet the needs of our youth.

The following summary of the Dana Point/Laguna Niguel Youth Advisory Board is provided by Dana Point City Council Member Lisa Bartlett:

"This is a win-win for the city and the kids that serve on the board. Recreation programs are also wonderful for the kids and we offer a multitude of those as well, but the youth board allows the participants to become acquainted with city government and is a nice addition to their resumes and applications for college admission. Members of the youth Board discuss how the city can better address their specific needs which include city-sponsored programs, activities and events, along with discussion about the issues facing teens in the local high school and how best to be proactive about substance abuse and related concerns. "The Cost for this program is almost nothing other than some staff time to monitor activities and meetings. More information, along with minutes, is on the city website. The minutes show what is discussed on their agenda and what action was taken."

The following are some of the activities the Youth Board participates in, taken from the city's website. Each activity is chaired by a different member of the Board.

Turkey Trot
Winter Festival
Holiday Decorating
Adopt-A-Family
FOW Parade
Egg Hunt
Grand Prix

3. **Humane animal care services**

While previous efforts to engage in humane animal care services for residents have not been productive to date, it is important to continue exploring options for such services, in addition to the city's continued involvement in the development of a new County Animal Shelter in Tustin. Therefore, General Funds should be set aside for the eventuality of an opportunity to contract with a humane animal shelter for the benefit of our residents.

It is important to recognize the facts about how Laguna Hills animals fare if they are taken to the Orange County Animal Shelter. The Laguna Hills contract with the Orange County Animal Shelter requires that animals be kept for 7 days before being euthanized. That requirement is met on a space-available basis, however, and the shelter is almost always over-crowded. The usual practice at the shelter is to euthanize unclaimed animals in 3 days.

The following figures are for the period from July 1, 2009, to June 30, 2010. The source is the County of Orange Health Care Agency report entitled "Animal Services – By Jurisdiction." Dead and owner-euthanized-requested figures are subtracted out. The first figure represents the number of animals euthanized; the second figure represents the number taken to the shelter. The third figure represents the percentage euthanized. ("Humane Animal Care" shelters will euthanize when unclaimed animals are very sick or are deemed to be dangerous.)

For Laguna Hills:

1. Cats: $40/58 = 69\%$
2. Dogs: $25/95 = 26\%$
3. Total kill rate of dogs and cats: 42%

By way of comparison, here are the corresponding figures for the Irvine Animal Shelter, which is a "no kill" shelter.

1. Cats: $118/1097 = 11\%$
2. Dogs: $79/1525 = 5\%$
3. Total kill rate of dogs and cats: 7.5%

The city should explore any and all opportunities to partner with other cities to provide humane animal care services and should set aside funds dedicated to solving the animal care issue until all options are fully explored.

4. Video streaming of City Council meetings

The city is in the process of establishing an audio-only streaming of City Council meetings. Past budget workshops have indicated a strong interest in video streaming meetings. A recent staff report provided information on the costs of audio streaming but did not address the costs of video streaming. The current council comprises members who have expressed a desire for video streaming; the newly-elected member also favors video streaming of meetings; residents have expressed a strong desire for this activity; and activities that promote transparency are viewed as critical to local government accountability. Therefore video streaming of City Council meetings should be budgeted for and provided as soon as possible.

5. Public Safety

- a. Restore the two deputy sheriff positions "defunded" in the previous budget cycle.

- b. Explore options for improving safety and improving law and order at the Skate Park. Such measures might include a public-private partnership linked with improving the Roller Hockey facility, rendering it suitable for team play and tournaments.

5. **Compensation Reform**

A Compensation Study is currently being conducted at the direction of the City Council. In addition, the public and elected officials alike have become increasingly aware of the need for compensation reform for public sector employees. Laguna Hills, in particular, has been singled out for its high employee benefits costs and generous senior management compensation, by the media, the State Controller, and the previous Attorney-General, now Governor, Jerry Brown. While specific plans for revising employment practices affecting the employees of Laguna Hills are premature until the called-for report is delivered, it must be recognized that Employee Compensation should become a major budget item as the budget process unfolds.

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CITY OF LAGUNA HILLS

AGENDA REPORT COUNCIL MEMBER KOGERMAN

ISSUE: ANNUAL DETERMINATION OF CITY MANAGER GOALS AND OBJECTIVES

SUMMARY:

The purpose of this recommendation is to establish a City Council Policy that requires that the City Manager's annual goals and objectives be established by the City Council by the close of the first City Council meeting of each calendar year.

BACKGROUND:

Supervision of the Chief Executive of a city is the single-most consequential responsibility of the City Council. A City Council can with requisite clarity, work its way through budgeting challenges (the adoption of the budget being the Council's second-most consequential responsibility). But the best budgeting decisions in the world will not cure poorly-communicated executive goals. It is critical to City Managers to have clear policy direction. In keeping with good governance, therefore, it has been the practice for the past several years for the City Council to establish annual goals and objectives which set forth the City Council's expectations of the City Manager for the ensuing calendar year. It has been customary for these annual goals and objectives to be established by the end of the prior calendar year for the ensuing calendar year.

This year, however, the process of setting these goals and objectives was delayed until recently. This delay could at least partially be attributed to the election of a new City Council Member in November. It is believed, however, that delays due to such occurrences in the future are avoidable if newly-elected Council Member(s) are apprised upon their election that upcoming meetings will include the consideration of these goals and objectives in order to meet the reasonable deadline of completing these goals and objectives by the close of the first meeting of the calendar year. In order to avoid unnecessary delays in the future, therefore, the following policy is recommended.

RECOMMENDATION: THAT THE CITY COUNCIL DIRECT STAFF TO DEVELOP A CITY COUNCIL POLICY THAT REQUIRES THAT THE CITY MANAGER'S GOALS AND OBJECTIVES BE ESTABLISHED ANNUALLY BY THE CITY COUNCIL BY THE CLOSE OF THE FIRST MEETING OF THE CALENDAR YEAR.

CITY OF LAGUNA HILLS

AGENDA REPORT COUNCIL MEMBER KOGERMAN

ISSUE: ANNUAL DETERMINATION AND COMMUNICATION OF THE CITY'S GOALS AND OBJECTIVES

SUMMARY:

The purpose of this recommendation is to establish a City Council Policy that requires the City Council to annually determine its primary goals and objectives for each fiscal year and to publish these goals and objectives at the start of each fiscal year, with progress toward these goals to be evaluated semi-annually.

BACKGROUND:

A policy of annually determining and making public the City Council's Goals and Objectives will improve transparency and make it easier for people to be more informed about what their city is doing so that they may be involved in a more meaningful and knowledgeable way. Such policy will provide better access to an important aspect of local governance. Public Budget Study Sessions held biennially will enhance the opportunity for the public to provide input and inform City Council Members of the public's priorities, as will annual biennial citizen surveys, thereby assisting the City Council in making decisions that meet the needs and expectations of the citizens. Additional opportunity for citizen input during City Council meeting during off-years will further inform the City Council.

RECOMMENDATION: THAT THE CITY COUNCIL DIRECT STAFF TO DEVELOP A CITY COUNCIL POLICY THAT REQUIRES THE CITY COUNCIL TO ANNUALLY DETERMINE ITS PRIMARY GOALS AND OBJECTIVES FOR EACH FISCAL YEAR, AND THAT ONCE ESTABLISHED, THESE GOALS AND OBJECTIVES BE MADE PUBLIC AT THE START OF EACH FISCAL YEAR, WITH PROGRESS TOWARD THESE GOALS TO BE REVIEWED AT THE FIRST MEETING OF THE CITY COUNCIL EACH DECEMBER.
