
**CITY OF LAGUNA HILLS, CALIFORNIA
CITY COUNCIL REGULAR MEETING
MINUTES
MARCH 9, 2010**

CALL TO ORDER

Mayor Bressette 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

Council Member Carruth led the Pledge of Allegiance.

ROLL CALL

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

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

1. PRESENTATIONS AND PROCLAMATIONS

There were no Presentations and Proclamations.

2. PUBLIC COMMENTS

2.1 ORANGE COUNTY FAIRGROUNDS (0150-10)

Dr. Deborah Ferber, OC Fairground Preservation Society, thanked the City Council on behalf of the Society for their leadership, and for demonstrating that the City of Laguna Hills stood up for other cities and all the business owners throughout the County. The City of Laguna Hills had sent a letter to the Governor requesting that the OC Fairgrounds not be sold. Dr. Ferber provided an update on the Fairgrounds. The City of Costa Mesa and the Orange County Board of Supervisors would propose a package to purchase the facility on their own, which they were hopeful, would be the preferred decision by the Governor. Dr. Ferber again thanked the City Council for

helping to preserve a crown jewel in Orange County by helping to save 5,000 small business owners.

2.2 PROPOSED TRAFFIC SIGNAL AT APPALOOSA PLACE AND LA PAZ ROAD (0860-50)

Greg Robson, Laguna Hills resident, indicated that after reviewing the City's Master Traffic Signal Plan, he noticed that the final decision to install the signal should not be based solely on the traffic warrants, and since traffic signals increased certain types of collisions, other elements such as delays, congestion, approach conditions, driver confusion and other evidence for the need for driver right-of-way assignment, must also be factored in. Mr. Robson in reviewing this information believed it was clear that there was no justification for a signal at this location, and the installation of a signal could make matters worse. He often rode his bicycle through this intersection and had no problem getting across traffic, and there had been very few accidents at this location. Mr. Robson believed it would only disrupt the flow of traffic, and there was no justification for a traffic signal at this location.

Pam Klister, Laguna Hills resident, thanked the City Council for the many positive things they had done for the community. She believed this traffic signal would have a negative impact on the quality of life in the community and on the privacy and value of the homes of those who lived on Mustang Drive. When she heard that a signal was proposed, she had called Ken Rosenfield who had sent her a copy of the Master Traffic Signal Plan. She then attended the Nellie Gail Owners Association Board Meeting, and they knew nothing of the project, and were shocked in hearing of the plan to install the signal from her. They subsequently instructed the President of the Board to write a letter to the City regarding their disapproval of the project. Ms. Klister began petitioning the neighborhood and found that most of the residents knew nothing of the proposed project. She called Lyon Homes who confirmed that \$40,000 was given to ease the possible traffic congestion caused from what was then the newly built Alta Mira Homes, and that it was up to the City Council to decide how the money would be used. Ms. Klister indicated that everyone who had signed the petition would like to see the money spent on things they believed would help the community in slowing down the traffic within Nellie Gail such as slow signs, stop signs, etc., at high risk intersections. Ms. Klister stated that the proposed traffic signal could result in traffic backing up onto Mustang Drive and Gallup Circle. She urged the City Council not to approve the project, but rather help the community find more productive and constructive uses of the money.

Michael Klister, Laguna Hills resident, thanked the City Council, and indicated that more traffic would be created, more pollution, wasted resources and loss of home values. Mr. Klister indicated that Appaloosa Place was a T-street, there was no on-coming traffic, and the speed limit for the affected area was

50 mph, the Master Plan indicated a speed of 45 mph. Mr. Klister felt that there was a high probability that real estate would be devalued in the impacted areas, and the stop and go traffic noise would be unbearable, particularly at night and in the early morning hours. Mr. Klister stated the Master Plan indicated that it was more efficient and productive to put signals at cross street intersections rather than T-intersections, which included Appaloosa Place and Alameda Street and it also stated that the signal at the intersection of two arterial streets would better serve the community than a signal at the intersection of two local residential streets.

Meg Roa, Laguna Hills resident, thanked the City Council, and indicated she supported her neighbors and friends in the effort to not have a traffic signal installed at Appaloosa Place and La Paz Road. Ms. Roa read a letter from a real estate agent that indicated, in his opinion, the home values would decline with the installation of a traffic signal at Appaloosa Place and La Paz Road due to excess noise and pollution, car radios, open windows, braking sounds, accelerator sounds, down-shifting trucks, etc. Ms. Roa indicated Nellie Gail was a great place to live and she appreciated all of the efforts the City Council had done over the years.

Rebecca Zomorodian, Laguna Hills resident, indicated that she had cancer five years ago and had done studies regarding pollution and traffic signals. Ms. Zomorodian indicated that most of the studies indicated that there was a 1.8% decrease in lung capacity for every year a house was adjacent to a traffic signal. Ms. Zomorodian indicated the petition was collected in a short amount of time and it was interesting that residents that did not live adjacent to the area were also not in favor of the traffic signal. Ms. Zomorodian indicated that as you were traveling up Mustang Drive to Nellie Gail, there was not a stop for cross-traffic and also one of the homes on the left side of the street had built a wall which made it difficult to see on-coming traffic. Ms. Zomorodian indicated that her solution would be to use the money to install stop signs that would affect the traffic within the community of Nellie Gail. Ms. Zomorodian indicated that the other reason she felt that a traffic signal was not needed at Appaloosa Place and La Paz Road was that the area was built out and there would be no increase in traffic on La Paz Road.

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

The City Council received an oral report from Laguna Hills High School Student Liaison Jason Brower.

3. MINUTES

3.1 REGULAR MEETING, FEBRUARY 23, 2010 (0410-50)

IT WAS MOVED BY COUNCIL MEMBER CARRUTH, SECONDED BY COUNCIL MEMBER LAUTENSCHLEGER, TO APPROVE THE MINUTES OF THE FEBRUARY 23, 2010, REGULAR MEETING, AS PRESENTED.

The motion carried by the following vote:

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

4. CONSENT CALENDAR

IT WAS MOVED BY COUNCIL MEMBER SONGSTAD, SECONDED BY COUNCIL MEMBER CARRUTH, THAT THE RECOMMENDATIONS BE ACCEPTED FOR THE FOLLOWING ITEMS LISTED ON THE CONSENT CALENDAR.

The motion carried by the following vote:

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

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

WAIVED READING OF ORDINANCES AND RESOLUTIONS.

4.2 APPROVAL OF WARRANT REGISTER FOR PERIOD ENDED MARCH 9, 2010 (0300-30)

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

APPROVED THE WARRANT REGISTER IN THE AMOUNT
OF \$503,467.51.

- 4.3 PROGRESS PAYMENT NO. 9 FOR OSO PARKWAY LANDSCAPE
PROJECTS, NORTH SIDE CIP NO. 603 / SOUTH SIDE CIP NO. 604
(0400-10)

Written report from the Public Services Department indicated that work on the Oso Parkway Landscape Projects, North Side CIP No. 603 / South Side CIP No. 604, was being performed by Marina Landscape, Inc., and began on October 13, 2008. The project was substantially completed and entered into the one-year maintenance period in May 2009. The contractor had submitted the ninth progress payment request for approval covering on-going maintenance services. The progress payment was within the Capital Improvement Program Budget for the Oso Parkway Landscape Projects, North Side CIP No. 603 / South Side CIP No. 604.

APPROVED PROGRESS PAYMENT NO. 9, IN THE NET
AMOUNT OF \$10,499.70, TO MARINA LANDSCAPE, INC.,
FOR OSO PARKWAY LANDSCAPE PROJECTS, NORTH
SIDE CIP NO. 603 / SOUTH SIDE CIP NO. 604

- 4.4 PROGRESS PAYMENT NO. 2 FOR LAGUNA HILLS DRIVE PAVEMENT
REHABILITATION PROJECT, CIP NO. 169 (0400-10)

Written report from the Public Services Department indicated that work on the Laguna Hills Drive Pavement Rehabilitation Project, CIP No. 169, began on December 14, 2009, and was being performed by R.J. Noble Company. Work performed in January included traffic control, water quality management, clearing and grubbing, asphalt concrete replacement, cold planing, access ramp construction, curb and gutter replacement, sidewalk and driveway replacement, median curb replacement, and moisture barrier installation. The contractor had submitted the second progress payment request for approval. The progress payment was within the Capital Improvement Program Budget for the Laguna Hills Drive Pavement Rehabilitation Project, CIP No. 169.

APPROVED PROGRESS PAYMENT NO. 2, IN THE NET
AMOUNT OF \$173,022.63, CONTRACT CHANGE ORDER
NO. 1, AND CONTRACT CHANGE ORDER NO. 2, TO R.J.
NOBLE COMPANY, FOR LAGUNA HILLS DRIVE PAVEMENT
REHABILITATION PROJECT, CIP NO. 169.

PLANNING AGENCY

Mayor Bressette recessed the City Council meeting to the Planning Agency meeting at 7:30 p.m. and reconvened the City Council at 7:32 p.m. All Council Members were present.

6. ADMINISTRATIVE REPORTS

6.1 City Manager

A. SCAG'S FISCALIZATION OF LAND USE REPORT (0150-55)

City Manager Channing indicated the report was a follow-up to a matter raised by Council Member Songstad at the February 9, 2010, City Council meeting, regarding efforts underway by the Southern California Association of Governments (SCAG) to contemplate methods by which primary revenue sources utilized by cities and local governments to manage their affairs, might be reallocated on the premise that land use decisions were being artificially influenced by a term called fiscalization of land use. The most common example being when a city determines the land use for a particular property based on its opportunity to return sales tax dollars to that city. Mr. Channing reported that subsequent to the question being raised by Council Member Songstad there was an invitation to a meeting held by the Executive Director of SCAG for all City Managers within the SCAG region and that he participated in that meeting along with many others. Mr. Channing indicated that the comments and feedback from his peers among the other cities were essentially the same in that they did not believe that this was an area that SCAG had a proper role of weighing in on. Mr. Channing recommended sending a letter under the Mayor's signature to SCAG and particularly to the Community, Economic, and Human Development Committee (CEHD) Subcommittee of SCAG to suggest they end their discussions.

IT WAS MOVED BY COUNCIL MEMBER SONGSTAD, SECONDED BY MAYOR PRO TEMPORE SCOTT, TO DIRECT STAFF TO PREPARE A LETTER FOR THE MAYOR'S SIGNATURE INFORMING SCAG OF THE CITY COUNCIL'S DISAGREEMENT WITH THE FINDINGS AND RECOMMENDATIONS MADE BY THEIR COMMUNITY, ECONOMIC AND HUMAN DEVELOPMENT COMMITTEE FISCALIZATION OF LAND USE SUBCOMMITTEE AND SUGGEST THAT SCAG CEASE AND DESIST WITH ANY FURTHER EFFORTS TO PROPOSE REFORMING THE

REVENUE STRUCTURE OF LOCAL GOVERNMENT
AGENCIES.

The motion carried by the following vote:

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

6.2 Chief of Police Services

**A. REQUEST FOR COMMUNITY ASSISTANCE FUNDING FOR THE
2010 PROJECT 999 MEMORIAL RIDE (0160-15)**

Lieutenant Doan indicated that he was approached by two of his staff members that were participating in the 999 Memorial Ride to seek his assistance in obtaining donations from the City. Lieutenant Doan indicated the non-profit Project 999 Fund was formed in 1979 for the purpose of supporting Orange County law enforcement, particularly raising funds to assist law enforcement officers or deputy sheriffs who were killed in the line of duty in Orange County. The Project 999 Memorial Ride was a major fund raiser for the Project 999 Fund. Lieutenant Doan indicated the fund had raised and contributed more than \$1 million for the sole purpose of assisting Orange County peace officers and their families in difficult times. Lieutenant Doan indicated that each May, officers from law enforcement agencies throughout Orange County participated on their own time in the 630 mile bicycle ride. Over five days they pedal from the Peace Officer Memorial at the State Capital to the Orange County Memorial in Santa Ana. Each rider rode in the name of a fallen officer. Laguna Hills Police Services Sergeant Stewart Rawlings was riding in honor of Deputy Steve Parsons, who was a motor officer, killed in the line of duty while serving the City of Laguna Hills. Deputy Christina Brown was also riding in this event for her first time. She was representing Deputy Brad Riches, who was murdered in the City of Lake Forest in 2000. Lieutenant Doan indicated that the donation would be credited to both of the deputies that would ride in the event this year.

IT WAS MOVED BY MAYOR PRO TEMPORE SCOTT,
SECONDED BY COUNCIL MEMBER LAUTENSCHLEGER, TO
ADOPT RESOLUTION NO. 2010-03-09-1, A RESOLUTION OF
THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS,
CALIFORNIA, AUTHORIZING COMMUNITY ASSISTANCE
FUNDING FOR THE 2010 PROJECT 999 MEMORIAL RIDE.

The motion carried by the following vote:

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

7. OTHER BUSINESS

There was no Other Business.

8. MATTERS PRESENTED BY MAYOR AND COUNCIL MEMBERS

8.1 Council Member Carruth

A. SADDLEBACK VALLEY UNIFIED SCHOOL DISTRICT TRUSTEES (0930-40)

Council Member Carruth indicated it had appeared as though the Saddleback Valley Unified School District would dissolve the optional attendance area that for years has been a problem for Laguna Hills High School. Council Member Carruth stated that Oso Parkway all the way north towards La Paz Road had been protected by the Trustees who voted 5-0 to protect and maintain the optional attendance boundary. Council Member Carruth indicated there were a number of Laguna Hills High School parents who were at the Board meeting who were going to ask that the issue be brought up again. The Board was dealing with many issues but this was a big one for Laguna Hills because if that boundary attendance area stayed where it was Laguna Hills could lose forty to fifty students and also a faculty member. Council Member Carruth indicated that the school was at risk of losing students.

8.2 Mayor Bressette

A. PRINCIPAL OF THE DAY AT VALENCIA ELEMENTARY SCHOOL ON MARCH 10, 2010 (0930-40)

Mayor Bressette indicated he would have the privilege of being "Principal of the Day" at Valencia Elementary School tomorrow, March 10, 2010, and was looking forward to having a discussion with the President of the School Board and having lunch with Dr. Fish later in the day.

B. LAGUNA HILLS HIGH SCHOOL 1940 USO DANCE
(0930-40)

Mayor Bressette indicated he and Council Member Carruth attended the Laguna Hills High School 1940's USO dance which was a wonderfully successful event. If anyone had an opportunity to listen to Laguna Hills High School band this year it would be worth the effort.

C. LAGUNA HILLS LITTLE LEAGUE OPENING DAY (0940-30)

Mayor Bressette indicated he had the privilege of throwing the first pitch for Laguna Hills Little League Opening Day on Saturday, March 6, 2010. Mayor Bressette indicated that the parents in attendance had nothing but great things to say about the field staff, Jan Frainie and Todd Holmes in particular.

9. CLOSED SESSION

There was no Closed Session.

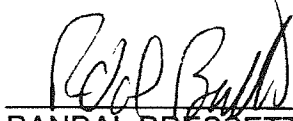
ADJOURNMENT

There being no further business before the City Council at this session, Mayor Bressette declared the meeting adjourned at 7:42 p.m.



PEGGY J. JOHNS, CITY CLERK

ATTEST:



RANDAL BRESSETTE, MAYOR

APPROVED AT MEETING OF MARCH 23, 2010.