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**CITY OF LAGUNA HILLS, CALIFORNIA  
CITY COUNCIL REGULAR MEETING  
MINUTES  
FEBRUARY 24, 2009**

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**CALL TO ORDER**

Mayor Lautenschleger called the Regular Meeting of the City Council of the City of Laguna Hills, California, to order at 7:01 p.m. in the Laguna Hills City Council Chamber, 24035 El Toro Road, Laguna Hills.

**PLEDGE OF ALLEGIANCE**

Councilman Songstad led the Pledge of Allegiance.

**ROLL CALL**

Present: Joel Lautenschleger, Mayor  
Randal Bressette, Mayor Pro Tempore  
Melody Carruth, Council Member  
L. Allan Songstad, Jr., Council Member  
  
Absent: R. Craig Scott, 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; Ron Blaul, Battalion Chief, Orange County Fire Authority; Melissa Au-Yeung, Management Analyst; and Sandi Mogan, Deputy City Clerk.

**1. PRESENTATIONS AND PROCLAMATIONS**

**1.1 COMMENDATION PRESENTED BY MOTHERS AGAINST DRUNK DRIVING (0410-65)**

Mayor Lautenschleger invited Sharry Graham and Paulo Morales, with Orange County Mothers Against Drunk Driving, to present the Deuce Award to Deputy Scott Watson.

**2. PUBLIC COMMENTS**

**2.1 ORANGE COUNTY LAFCO (0140-15)**

Joyce Crosthwaite, Executive Officer with Orange County LAFCO, gave an update on LAFCO accomplishments during the past several years. Last year Laguna Hills' apportionment had decreased by 12 percent due to savings in

salaries which had been rolled back to the funding agencies. LAFCO was hopeful they would be able to do the same this year and perhaps further reduce their budget. There was a vacancy on the Commission for an alternate public member and if any Laguna Hills citizen had an interest in serving, she urged them to contact LAFCO. In 2000 the State Legislature required that LAFCO conduct municipal service reviews of cities and special districts in Orange County. This effort had been completed and it was found that most of the cities and special districts were doing a good job. In November of 2008, the Commission reaffirmed the Spheres of Influence and service reviews for 95 percent of cities and special districts in Orange County. The City of Laguna Hills was off the hook for a service review sphere update until 2013. There were many positive results that came out of the service reviews and LAFCO wanted to take a proactive regional approach as to how services were provided to Orange County, and to publicize the best practices that cities and special districts were using to highlight and address issues. On March 27, 2009, a Regional Summit was scheduled with elected officials, staff, the current Commission, and past Commissioners to compile a list of issues to be used in the next round of service reviews. Ms. Crosthwaite urged the City Council to send a least one representative to this Regional Summit.

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

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

3. MINUTES

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

IT WAS MOVED BY MAYOR PRO TEMPORE BRESSETTE, SECONDED BY COUNCILWOMAN CARRUTH, TO APPROVE THE MINUTES OF THE FEBRUARY 10, 2009, REGULAR MEETING, AS PRESENTED.

The motion carried by the following vote:

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

#### 4. CONSENT CALENDAR

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

The motion carried by the following vote:

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

- 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 FEBRUARY 24, 2009 (0300-30)

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

APPROVED THE WARRANT REGISTER IN THE AMOUNT OF \$1,006,210.57.

- 4.3 AWARD OF CONTRACT FOR MOULTON PARKWAY PAVEMENT REHABILITATION PROJECTS, FROM VIA LOMAS TO NORTH OF GLENWOOD DRIVE, CIP NO. 166 AND NO. 167 (0400-10)

Written report from the Public Services Department indicated that in accordance with City Council authorization, eight bids for the subject project were received on February 12, 2009. The apparent low bidder, All American Asphalt, met the contract requirements, was currently licensed, and provided satisfactory references.

AWARDED THE CONTRACT FOR THE MOULTON PAVEMENT REHABILITATION PROJECTS, CIP NO. 166 AND CIP NO. 167, TO THE APPARENT LOW BIDDER, ALL AMERICAN ASPHALT, IN THE LOW BID AMOUNT OF

\$865,772.00, AND AUTHORIZED THE MAYOR TO SIGN AND THE CITY CLERK TO ATTEST TO THE CONTRACT DOCUMENTS.

**4.4 VOLUNTEER CONNECTION DAY (0950-25)**

Written report from the Community Services Department indicated that each year, the City of Laguna Hills conducted a Volunteer Connection Day in April. The day's events had traditionally focused on bringing residents together to clean and beautify the City. The Community Services, Historical, and Arts Commission discussed potential projects for this year at its February 4, 2009, meeting and determined that trail clean-up and tree planting services were priorities. Staff recommended that trail/wetland area clean-up projects and a tree planting project in recognition of Arbor Day be selected for the 2009 event.

RECEIVED AND FILED THE REPORT.

**5. PLANNING AGENCY**

Mayor Lautenschleger recessed the City Council meeting to the Planning Agency meeting at 7:19 p.m. and reconvened the City Council at 7:20 p.m. All Council Members were present, with the exception of Council Member Scott.

**6. ADMINISTRATIVE REPORTS**

**6.1 City Manager**

The City Manager made no reports.

**6.2 Public Services Director/City Engineer**

**A. REMOVAL OF OVERNIGHT PARKING RESTRICTION ON THE WESTERLY SIDE OF INDIAN HILL LANE BETWEEN THE BELLA TIERRA COMMUNITY ASSOCIATION ENTRANCE AND SHEEP HILLS PARK (0860-50)**

Public Services Director Rosenfield reviewed the previous PowerPoint presentation to provide background on the proposal to allow overnight parking on Indian Hill Lane. Mr. Rosenfield indicated that the Bella Tierra development had been converted from an apartment complex to a condominium development, as had been approved by the County of Orange with its original approval occurring prior to the City's annexation of that area. The internal site parking standards had also been approved by the County of Orange and the Association had acknowledged that there was a lack of on-site parking. There were 140 units in the Bella Tierra Community Association with 251 parking

spaces that included the disabled parking. Mr. Rosenfield stated there were 1.8 parking spaces per unit which was less than the City's parking Code requirement of 2.3 spaces per unit for this type of development. Most of the other community associations in the vicinity had at least 2+ parking spaces per unit. Mr. Rosenfield indicated that on Indian Hill Lane there were two different parking rules that existed: 1) a no parking any time zone at selected locations near corners and intersections to improve visibility upon entering or exiting a location; and 2) a no parking 2 am to 6 am condition to prohibit overnight parking. Mr. Rosenfield indicated that the City Council continued the matter from its meeting of February 10, 2009, and directed staff to notify all residents of Bella Tierra Association and surrounding neighborhoods of this issue. In the fall of 2008, the Bella Tierra Homeowner's Association requested the City allow on-street overnight parking on Indian Hill Lane. The Traffic Commission reviewed the request along with public comments at the meeting of November 19, 2008, and January 21, 2009. Prior to both of those meetings, the Homeowner Association's Management companies were informed of the discussions. Mr. Rosenfield indicated the Traffic Commission considered four options: 1) no change in current parking conditions; 2) remove all overnight parking restrictions; 3) allow overnight parking in a limited location; or 4) implement permit parking. At the January 21, 2009, meeting, the Traffic Commission recommended allowing overnight parking only on the westerly side of Indian Hill Lane from Bella Tierra Community Association entrance to Sheep Hills Park. The City mailed out 437 letters to the properties along Indian Hill Lane, four letters were returned as undelivered. Through email the City received 48 written comments, 47 of the 48 were in opposition to allow the proposed parking change. Mr. Rosenfield indicated that the major concerns were: Bella Tierra residents knew of the parking limitations when they purchased their homes, the possible return of truck parking, increase in trash, vandalism, graffiti, crime, site distance limitations, traffic safety, and declining property values. Mr. Rosenfield indicated that in order to prevent the return of truck parking on the street it would be reasonable to consider a permit parking program or a truck weight restriction condition. At the time the Traffic Commission put forward their recommendation it was done with the knowledge that if this on-street parking became problematic, either by oversize vehicles or other issues, the overnight parking would have to be revisited or reversed.

Jim Bresnen, Laguna Hills, spoke in support of the removal of the parking restriction on Indian Hill Lane. Mr. Bresnen indicated that the Homeowner's Association had taken many steps to deal with the issue on site and gave a brief overview of what the Association had implemented. Mr. Bresnen indicated that the homeowners of Bella

Tierra did not want to compromise the neighborhood with any of the concerns the opposition had regarding issues of trash, vandalism, property value decline, or truck parking. Mr. Bresnen indicated he would be in favor of a six-month trial period if the City Council was inclined to deny the overnight parking. Mr. Bresnen thanked the City Council for taking the time to hear the request.

Mercedes Julian, Laguna Hills, spoke in opposition of allowing overnight parking on Indian Hill Lane due to all of the reasons that were stated in the report. Ms. Julian empathized with the Bella Tierra residents but did not want the parking restriction changed to allow overnight parking on the westerly side of Indian Hill Lane. Ms. Julian indicated that this issue had been revisited before for the long-time residents and she had experienced some of the adverse issues.

Lindsay Hagen, Laguna Hills, spoke in support of allowing overnight parking on Indian Hill Lane. Ms. Hagen indicated that she had reviewed the last City Council minutes and spoke with her neighbors so she could present to the City Council factual information regarding the overnight parking issue. Ms. Hagen indicated that allowing the overnight parking would not impact the level of safety in the community. She visited the Orange County Sheriff's Department and pulled the crime incident statistics to determine if parking restrictions had an impact on crime incidents in the neighborhood. Ms. Hagen stated that crime goes up and down based on a variety of factors, none of which were due to parking restrictions during the night. Ms. Hagen indicated that she had a vested interest in the community and her home.

Ron Keith, Laguna Hills, spoke in opposition of allowing overnight parking on Indian Hill Lane. Mr. Keith indicated that his concern was the site distance and accidents that occurred when the parking was allowed.

Adam Wayne, Laguna Hills, spoke in favor of allowing overnight parking on Indian Hill Lane. Mr. Wayne indicated that he would not invite guests to his home due to the lack of parking at the complex. Mr. Wayne thanked the City Council for their consideration of allowing parking overnight on Indian Hill Lane.

Victoria Taylor, Laguna Hills, spoke in favor of allowing overnight parking on Indian Hill Lane. Ms. Taylor indicated that she was concerned for the safety of all of the community.

Debra Maldonado, Laguna Hills, spoke in opposition of allowing overnight parking on Indian Hill Lane. Ms. Maldonado indicated that

she had experienced problems with large moving trucks parking overnight and obstructing her view. In the summer she had problems with high school kids parking and gathering on the street. Ms. Maldonado did not think that allowing overnight parking on Indian Hill Lane would solve Bella Tierra's parking problem.

Shari Teneych, Laguna Hills, spoke in opposition of allowing overnight parking on Indian Hill Lane. Ms. Teneych thanked the City Council for hearing the resident concerns.

Gary Whitlock, Laguna Hills, spoke in opposition of allowing overnight parking on Indian Hill Lane. Mr. Whitlock indicated that as a member of his Homeowner's Association, they had implemented parking rules to prevent the Bella Tierra residents from parking in their community overnight. Mr. Whitlock was concerned about truck parking overnight and he indicated that the residents of Bella Tierra knew the parking situation when they purchased their homes.

Kris Hertz, Laguna Hills, spoke in favor of allowing overnight parking on Indian Hill Lane. Mr. Hertz indicated that the residents of Bella Tierra want to live and drive in the City of Laguna Hills and the homeowners were seeking assistance from the City to ease the parking issues that were inherited from the original design of the community. Mr. Hertz read a few emails in favor of allowing overnight parking on Indian Hill Lane. Mr. Hertz indicated that he would be in favor of a trial overnight parking condition.

Laurie Haleola, Laguna Hills, spoke in opposition of allowing overnight parking on Indian Hill Lane. Ms. Haleola indicated that she did not think allowing overnight parking would solve the parking problem for the Bella Tierra Association.

Maleck Elahi, Laguna Hills, spoke in opposition of allowing overnight parking on Indian Hill Lane.

Barbara Chandler, Laguna Hills, spoke in opposition of allowing overnight parking on Indian Hill Lane.

IT WAS MOVED BY COUNCILWOMAN CARRUTH, SECONDED BY MAYOR PRO TEMPORE BRESSETTE, TO REJECT STAFF'S RECOMMENDATION AND KEEP THE CURRENT NO PARKING RESTRICTIONS IN PLACE FROM 2:00 A.M. TO 6:00 A.M. ON INDIAN HILL LANE.

A SUBSTITUTE MOTION WAS MADE BY MAYOR PRO TEMPORE BRESSETTE, SECONDED BY COUNCILMAN

SONGSTAD, TO DESIGN A PERMIT PARKING PROGRAM ON INDIAN HILL LANE FOR THE BELLA TIERRA HOMEOWNER'S ASSOCIATION, TAKING IT FIRST TO THE TRAFFIC COMMISSION ON MARCH 18, 2009, AND BRING IT BACK TO THE CITY COUNCIL ON APRIL 14, 2009.

The motion carried by the following vote:

AYES: Council Member Songstad, Mayor Pro Tempore  
Bressette, and Mayor Lautenschleger  
NOES: Council Member Carruth  
ABSENT: Council Member Scott

**7. OTHER BUSINESS**

There was no Other Business.

**8. MATTERS PRESENTED BY MAYOR AND COUNCIL MEMBERS**

**8.1 Councilman Songstad**

**A. STATE BUDGET CRISIS (0150-30)**

Councilman Songstad indicated he had been appointed by the State League to attend a Task Force made up of cities, counties, and school districts. The goal of the Task Force was to consider fiscal and budget reform for the State. He had attended a meeting and there was an excellent presentation by an organization called California Forward. They had done a lot of thinking on how to remedy the State's broken system, not just a knee jerk reaction on eliminating the two-thirds requirement. It was much more thoughtful as they had done some excellent work in dealing with the Initiative process. They had identified limits on what the State could do on cutting costs. There was also a presentation by the Bay Area Council addressing the possibility of a Constitutional Convention for California, and the steps involved and organization of a Constitutional Convention. There were also Bills in the Legislature about putting an Initiative on the ballot regarding the two-thirds requirement and a spending cap. This was something the City of Laguna Hills needed to follow because if there was a Constitutional Convention, everything would be on the table, Proposition 13, Proposition 98, Proposition 42, etc., literally everything that defined how the State of California conducted business. That might also be true for the California Forward proposal once it came down to the relationship between State and local governments. Councilman Songstad indicated he would be attending another Task

Force meeting next week and hopefully they would come to an agreement on guiding principles to move the group forward.

Councilman Songstad stated that he also attended a State League Board Meeting last Friday, February 20, 2009, to request that the State League Board submit a letter to the Governor and Legislators seeking a delay or suspension of SB 375 until there was funding available to allow cities to have meaningful input into the planning process for sustainable communities strategies. Without funding, the planning process would not be meaningful. It was not approved, but they directed their staff to create a planning timeline for SB 375, would investigate the cost of that planning effort, and would aggressively identify funding sources to address sustainable communities strategies and bring it back to the Board in April.

## **8.2 Councilwoman Carruth**

### **A. DOG ATTACK (0260-05)**

Councilwoman Carruth indicated that in December there was a woman who had been attacked by three dogs and was assisted by several residents. The City Council had been interested in receiving a report on this issue and wanted to recognize those individuals who assisted this woman. Councilwoman Carruth inquired as to when the report would be coming back to the City Council. City Manager Channing indicated staff was working on the issue.

## **9. CLOSED SESSION**

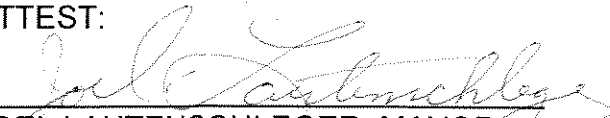
There was no Closed Session. (Typo corrected 3/10/2009)

## **ADJOURNMENT**

There being no further business before the City Council at this session, Mayor Lautenschleger declared the meeting adjourned at 9:03 p.m.

  
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PEGGY J. JOHNS, CITY CLERK

ATTEST:

  
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JOEL LAUTENSCHLEGER, MAYOR

APPROVED AT MEETING OF MARCH 10, 2009.