
**CITY OF LAGUNA HILLS, CALIFORNIA
CITY COUNCIL REGULAR MEETING
MINUTES
FEBRUARY 8, 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

Council Member Bressette led the Pledge of Allegiance.

ROLL CALL

Present: L. Allan Songstad, Jr., Mayor
 Melody Carruth, Mayor Pro Tempore
 Randal Bressette, Council Member
 Barbara Kogerman, Council Member
 Joel Lautenschleger, 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 Roberts, 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

1.1 RECOGNITION OF PARKS AND RECREATION COMMISSIONER LARRY BERTINO (0120-20)

Mayor Songstad presented a City Tile Plaque to Larry Bertino recognizing his service to the City.

2. PUBLIC COMMENTS

2.1 LAGUNA HILLS HIGH SCHOOL GRAD NITE FUNDRAISER (0930-40)

Meg Gorham, Laguna Hills, indicated she was back again tonight with an update on "Win-Win Wednesday", which started out as a fundraiser for Grad Nite at Laguna Hills High School. As she started going door to door and speaking with the owners of both small and large restaurants, it had been a real treat to get out in the community and try to make this event more than a

fundraiser, but a real effort in the community. She handed out flyers to the City Council and indicated the event for Wednesday, February 9th, would be held at B.J.'s Restaurant. Mrs. Gorham indicated that when she went to the Community Center to distribute flyers, she noticed there was no public forum or bulletin board or any mechanism to communicate information to the community. She understood that this type of forum could get out of control, but she felt it would be nice if there was some type of public display at the Community Center. Mrs. Gorham would appreciate any support that the City Council could give to this important event.

2.2 TEMPORARY USE PERMIT FOR STRAWBERRY STAND (0610-60)

Will Derentz, owns both Pumpkin City and the Christmas Tree lot, and indicated that he also sells strawberries. He had spoken to the Planning Department who had indicated that the City did not allow strawberry stands. The City formerly allowed them, but no longer did. He was able to sell them in the surrounding cities such as Mission Viejo, Lake Forest, and Laguna Niguel, and he would like to ask if the City Council would consider the opportunity of selling strawberries as a seasonal use permit as they do for pumpkins and Christmas trees. He distributed a photo of his strawberry stand to the City Council, and reported that he had been selling strawberries for 20 years and was good at his trade.

Community Development Director Jones indicated that this request could be agendized and be brought back to the City Council for consideration.

THERE WAS CONSENSUS FROM THE CITY COUNCIL FOR STAFF TO MEET WITH MR. DERENTZ REGARDING HIS APPLICATION FOR A TEMPORARY USE PERMIT FOR A STRAWBERRY STAND AND AGENDIZE A REPORT ON THIS ITEM AT A FUTURE CITY COUNCIL MEETING FOR CITY COUNCIL CONSIDERATION.

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

The City Council received an oral report from Laguna Hills High School Student Liaison Lyndsey Kaan.

3. MINUTES

3.1 REGULAR MEETING, JANUARY 25, 2011 (0410-50)

IT WAS MOVED BY MAYOR PRO TEMPORE CARRUTH, SECONDED BY COUNCIL MEMBER BRESSETTE, TO APPROVE THE MINUTES OF THE JANUARY 25, 2011, REGULAR MEETING, AS PRESENTED.

The motion carried by the following vote:

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

4. CONSENT CALENDAR

IT WAS MOVED BY COUNCIL MEMBER BRESSETTE,
SECONDED BY MAYOR PRO TEMPORE 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 Bressette, Kogerman, Lautenschleger,
Mayor Pro Tempore Carruth, and Mayor Songstad
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
FEBRUARY 8, 2011 (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 \$231,160.45.

- 4.3 EXTENSION OF THE NO STOPPING ANYTIME ZONE ON MCINTYRE
STREET AT KNOTTY PINE ROAD (0860-50)

Written report from the Public Services Department indicated that the City
Council recently adopted a Resolution establishing multi-way stop sign
controls on McIntyre Street at Knotty Pine Road. In order to retain visibility of
stop sign controls at the intersection, staff reviewed the need to implement
additional parking controls. Per this review, it was determined that a portion

of the east side of McIntyre Street would need to be changed to a No Stopping Anytime Zone so that parked vehicles did not park in the intersection at Knotty Pine Road or interfere with the stop sign controls. The Traffic Commission, at the meeting of January 19, 2011, recommended approval of the staff recommendation. Creating the No Stopping Anytime Zone by painting the curb red for 110 feet would cost approximately \$200. Funds were available for the work in the Fiscal Year 2010-2011 Public Works Maintenance Budget.

ADOPTED RESOLUTION NO. 2011-02-08-1, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, EXTENDING THE EXISTING NO STOPPING ANYTIME ZONE ALONG THE EAST SIDE OF MCINTYRE STREET FROM 55 FEET NORTH OF KNOTTY PINE ROAD TO 55 FEET SOUTH OF KNOTTY PINE ROAD.

4.4 ESTABLISHMENT OF A NO PARKING ZONE DURING THE DAYS AND HOURS OF STREET SWEEPING ALONG THE WEST SIDE OF CAJON DRIVE (0860-50)

Written report from the Public Works Department indicated that the City was contacted by a resident of Cajon Drive requesting the establishment of a No Parking Zone during the days and hours of street sweeping along Cajon Drive from Costeau Street to Wells Fargo Drive. Staff performed a field review of the location and observed vehicles parked along the street with a buildup of debris in the gutter. In addition to aesthetic concerns and the lack of efficient street sweeping, improved access to the gutter for street sweeping might improve water quality runoff. The request for a No Parking Zone during the days and hours of street sweeping was supported by staff in that our street sweeping efforts, which also related to our water quality commitments, were enhanced when a street was clear of parked vehicles. The Traffic Commission, at the meeting of January 19, 2011, recommended approval of the staff recommendation. The establishment of a No Parking Zone during the days and hours of street sweeping along the west side of Cajon Drive from Costeau Street to Wells Fargo Drive would require the posting of approximately two (2) signs at an estimated cost of \$500. Funds were available for the work in the Fiscal Year 2010-11 Public Works Maintenance Budget.

ADOPTED RESOLUTION NO. 2011-02-08-2, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, ESTABLISHING A NO PARKING ZONE DURING THE DAYS AND HOURS OF STREET SWEEPING ALONG THE WEST SIDE OF CAJON DRIVE FROM COSTEAU STREET TO WELLS FARGO DRIVE.

4.5 AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE AVENIDA DE LA CARLOTA WIDENING PROJECT, CIP NO. 164 (0400-10)

Written report from the Public Services Department indicated that the plans and specifications for the subject project had been completed by the consulting engineering firm of Bureau Veritas and the project was ready to be advertised for bids. The project would widen southbound Avenida de la Carlota to facilitate triple left turn movements from the southbound I-5 at the El Toro Road off-ramp onto Avenida de la Carlota and triple left turn movements from Avenida de la Carlota to easterly bound El Toro Road and, in so doing, relieve traffic congestion. The Engineer's Estimate for the Base Bid is \$480,000 and for the Alternate Bid is \$370,000. The Avenida de la Carlota Widening Improvement Project, CIP No. 164, was included in the Fiscal Year 2010-2011 Capital Improvement Program Budget. To preserve a portion of the project funding, an award of contract must occur by March 31, 2011.

APPROVED THE PLANS AND SPECIFICATIONS AND
AUTHORIZED THE ADVERTISEMENT FOR BIDS FOR THE
AVENIDA DE LA CARLOTA WIDENING PROJECT, CIP NO.
164.

4.6 CIVIC CENTER MANAGEMENT COMMITTEE MEETING TIME (0120-40)

Written report from the City Clerk's Department indicated that on November 22, 2005, the City Council adopted Resolution No. 2005-11-22-7 which established the Civic Center Management Committee ("Committee") and delegated certain authority to the Committee and the City Manager. The Civic Center Management Committee provided oversight to the activities and decision making associated with the leasing of office tenant space at the Laguna Hills Civic Center. Section 4 of the Resolution also established the start time for the Committee meeting at one hour prior to the second regular City Council Meeting in the months of January, April, July, and October.

Subsequently, Resolution No. 2007-03-13-1 was adopted which changed the start time of the Committee Meetings to one and one-half hour prior to the start of the second regular City Council Meeting in the above referenced months. The Committee now desired that the start time of the Civic Center Management Committee meeting be changed back to the original time of (1) one hour prior to the start of the regular City Council Meetings in each of the aforementioned months.

ADOPTED RESOLUTION NO. 2011-02-08-3, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, AMENDING RESOLUTION NO. 2007-03-13-1 TO CHANGE THE START TIME OF THE CIVIC CENTER MANAGEMENT COMMITTEE MEETINGS.

PLANNING AGENCY AND PUBLIC IMPROVEMENT CORPORATION

Mayor Songstad recessed the City Council meeting to the Planning Agency meeting at 7:17 p.m., and from there to the Public Improvement Corporation meeting. Mayor Songstad reconvened the City Council meeting at 7:19 p.m. All Council Members were present.

6. ADMINISTRATIVE REPORTS

6.1 City Manager

A. CITY COUNCIL WORKSHOP (0410-47)

City Manager Channing indicated that over the course of time the City had occasion to hold workshops for a variety of purposes. Mr. Channing stated that the City would be holding several workshops this year since it was a budget preparation year. Mr. Channing indicated that with the changes that had occurred with a new member of City Council, and the fact that it had been a number of years since City Council had taken time to step back and talk about some of the fundamentals of the operation of the City, he believed that it would behoove the City Council to set aside time for that purpose. Mr. Channing asked the City Council to look at their calendars to see if March 5 or March 12 would be available dates to conduct a workshop. Mr. Channing suggested considering the use of a facilitator for the purpose of addressing the City's policies, procedures, and practices, as well as mission, vision, and values.

IT WAS THE CONSENSUS OF THE CITY COUNCIL TO SCHEDULE A CITY COUNCIL WORKSHOP FOR MARCH 12, 2011, FROM 9 A.M. TO 3 P.M. AND STAFF WOULD BRING BACK COST PROPOSALS FOR HIRING A FACILITATOR TO THE CITY COUNCIL MEETING OF FEBRUARY 22, 2011.

6.2 Assistant City Manager

A. MODIFICATIONS TO THE "PUBLIC OFFICIALS' COMPENSATION REPORT" (0480-20)

Assistant City Manager White stated pursuant to the Laguna Hills Municipal Code there was a required posting of the Public Officials' Compensation Report on the City's website to be updated no later than the end of February every year. Mr. White indicated that at the January 11, 2011, City Council meeting, the City Council directed staff to return with a report recommending how to incorporate "at-a-glance" tables in the Public Officials' Compensation Report. Mr. White indicated that staff had prepared a sample of the proposed "at-a-glance tables" both for City Council members and management staff. Mr. White stated that staff wanted to receive comments or directions from City Council so the table could be incorporated by the end of the month.

IT WAS MOVED BY COUNCIL MEMBER KOGERMAN, SECONDED BY COUNCIL MEMBER BRESSETTE, TO DIRECT STAFF TO MODIFY THE "AT-A-GLANCE" TABLE FOR MANAGEMENT EMPLOYEES AS FOLLOWS: THAT THE TABLE BE THE SAME FOR ALL MANAGEMENT EMPLOYEES, SHOW ZEROS FOR THOSE BENEFITS NOT COVERED, AND ADD FOOTNOTES FOR THOSE BENEFITS SPECIFIC TO THE CITY MANAGER AND ASSISTANT CITY MANAGER CLARIFYING THAT THEY ARE CONTRACTUAL OBLIGATIONS, AND FOR CALPERS, SUPPLEMENTAL RETIREMENT, AND DEFERRED COMPENSATION, ADD ANOTHER ASTERISK SHOWING THAT THESE BENEFITS ARE 100% PAID FOR BY THE CITY.

The motion carried by the following vote:

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

B. AMENDED AND RESTATED PURCHASING ORDINANCE (0480-20)

Assistant City Manager White indicated that the current biennial budget that was adopted in 2009 included a work program to update and revise the City's purchasing system. Mr. White stated staff initiated that work effort this past summer. Mr. White stated that at the November 23, 2010, City Council meeting, the City Council directed

staff to take a draft of the updated Ordinance to the Audit Committee for review and comments. Mr. White indicated that in conjunction with the City Attorney's office, staff prepared an initial amended and restated Purchasing Ordinance. The initial draft Ordinance was reviewed by the City's external auditors. The Audit Committee met and discussed the draft Ordinance on January 18, 2011, with City staff and the City's external auditors. The comments of the Committee members had been incorporated in the proposed Ordinance. Mr. White indicated that the Ordinance represented a major overhaul of the City's current Purchasing Ordinance and he highlighted a few of the more relevant changes.

IT WAS MOVED BY COUNCIL MEMBER BRESSETTE, SECONDED BY MAYOR PRO TEMPORE CARRUTH, TO INTRODUCE AN ORDINANCE ENTITLED: AN ORDINANCE OF THE CITY OF LAGUNA HILLS, CALIFORNIA, AMENDING AND RESTATING IN ITS ENTIRETY CHAPTER 3-08 OF THE LAGUNA HILLS MUNICIPAL CODE REGARDING THE PURCHASING OF GOODS AND SUPPLIES, EQUIPMENT MATERIALS, AND SERVICES, AS AMENDED TO ADD THE WORDS "INSTALLATION CHARGES" TO SECTIONS 3 -08.070, 3-08.080, AND 3-08.-090 AND TO THE DEFINITION IN SECTION 3-08.030; AND TO AMEND SECTION 3-08.130 TO READ: "ANY VEHICLE(S) WITH AN ESTIMATED VALUE OVER \$20,000 TO BE PURCHASED BY THE CITY SHALL BE APPROVED IN ADVANCE BY THE CITY COUNCIL PRIOR TO COMMENCEMENT OF THE PROCUREMENT PROCESS."

The motion carried by the following vote:

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

7. OTHER BUSINESS

There was no Other Business.

8. MATTERS PRESENTED BY MAYOR AND COUNCIL MEMBERS

8.1 Council Member Bressette

A. LAGUNA HILLS' 20TH ANNIVERSARY (0420-15)

Council Member Bressette asked staff about appropriate celebration plans for the City's 20th Anniversary. City Manager Channing indicated that it would be submitted as a major plan to be discussed at the March 15, 2011, Budget Strategy Session.

8.2 Mayor Pro Tempore Carruth

A. MOULTON PARKWAY AND RIDGE ROUTE DRIVE CONSTRUCTION (0840-45)

Mayor Pro Tempore Carruth indicated that a resident had expressed a concern with the noise associated with the construction at Moulton Parkway and Ridge Route Drive and asked staff for a status report on the project and the concerns expressed by this resident.

Public Services Director Rosenfield indicated the project was essentially complete; however, the final noise-making activity the resident was making reference to was the raising to grade of the water valves and manholes. This project should be completed within the next day or two. Mr. Rosenfield forwarded the complaint to the County of Orange who was administering the project and reminded them that the contractor had noise limitations even though the work was to be completed at night.

B. LA PAZ INTERMEDIATE SCHOOL (0930-40)

Mayor Pro Tempore Carruth indicated the State of California recognized intermediate schools that met particular standards of excellence. La Paz Intermediate School received such an honor last week and had been designated as a "school to watch" which meant that La Paz Intermediate was an academically high performing school. The State of California created an academic performance index and La Paz was ranked very high and was only one of two schools in Orange County to receive this designation and one of just a few in the whole State of California. Mayor Pro Tempore Carruth attended the ceremony and Principal Jean Carrol would be going to Sacramento at the end of the month to receive the formal award. Mayor Pro Tempore Carruth indicated the jazz band performed, and she was able to talk to some of the students to make a pitch for Laguna Hills High School.

C. AMERICAN LUNG ASSOCIATION REPORT CARD (0140-70)

Mayor Pro Tempore Carruth indicated that the American Lung Association created a report card on cities in California rating their air quality and Laguna Hills had received a "C" designation on the report card. Laguna Hills was only one of two cities in Orange County to receive a "C" rating, along with Laguna Woods. Every other city received a "D" or an "F". Mayor Pro Tempore Carruth indicated Laguna Hills had a very strong history in taking this important public health issue seriously. Mayor Pro Tempore Carruth reported that the American Lung Association was hoping the next step was for cities, specifically in Southern California, to focus on apartment and condominium anti-smoking laws to regulate patio and balcony areas. Laguna Woods was currently working on an Ordinance which would tighten second-hand smoke. Mayor Pro Tempore Carruth was proud of Laguna Hills leading the way on this issue back in 1992, and over the years had made additional changes to strengthen the Ordinance.

D. LAGUNA HILLS HIGH SCHOOL VIDEO FOR THE 3/5 (0120-40)

Mayor Pro Tempore Carruth reported that Mrs. O'Gara at Laguna Hills High School was putting together a video for the Marines and Sailors of the 3/5 serving in Afghanistan. Mayor Pro Tempore Carruth indicated the video crew from Laguna Hills High School would not only be taping the students, but would like to have a few words spoken on this video from the Mayor of Laguna Hills. If it was possible for Mayor Songstad and any other interested members of the City Council to appear in their video, they would be in the City's Council Chamber at 6:45 p.m. at the February 22, 2011, City Council meeting.

8.3 Council Member Lautenschleger

A. ORANGE COUNTY COUNCIL OF GOVERNMENTS (OCCOG)
ELECTION – DISTRICT 13 REPRESENTATIVE (0140-15)

Council Member Lautenschleger had indicated at the last City Council meeting that there was an OCCOG Election for District 13 Representative that incorporated the cities of Rancho Santa Margarita, Lake Forest, Laguna Woods, Mission Viejo and Laguna Hills. Council Member Lautenschleger reported that by a vote of 6-5, he had been elected for the SCAG District 13 position. He had been pleased to have received the support from Mission Viejo and Laguna Woods, with a special thanks to Council Members Carruth and Kogerman for attending. He had forwarded on to the City Council a summary of what was discussed at the meeting held last Thursday, February 3, 2011, in Los Angeles. Council Member Lautenschleger reported that

there was a letter sent to Governor Brown about Redevelopment Agencies, the RHNA issue would be the hot topic on the Housing Committee. As a Southern California Association of Governments (SCAG) District Representative, he could appoint himself to any of the Committees, and Council Member Lautenschleger had chosen to sit on the Housing Committee, as it was the most pertinent one to be involved in at this time.

8.4 Council Member Kogerman

A. COYOTE ISSUES (0200-10)

Council Member Kogerman reported that back in November the City had a meeting at the request of the citizens regarding coyote issues, primarily in the Nellie Gail Ranch area. The meeting had been well attended, and there were representatives from the State Fish and Game Department and from OC Animal Control. She asked for an update on this issue.

City Manager Channing indicated that staff had been working on this issue, taking input from a variety of sources on how to address the problem. At the current time, staff had been working with representatives from the Nellie Gail Ranch Owners Association devising a strategy to implement prior to the spring when the coyote population returned.

9. CLOSED SESSION

Mayor Songstad recessed the meeting into Closed Session at 8:30 p.m.

9.1 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

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

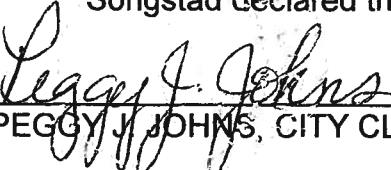
Public Employee Title: City Manager – Performance Evaluation

Mayor Songstad reconvened the meeting at 11:33 p.m. 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 11:33 p.m.



PEGGY J. JOHNS, CITY CLERK

ATTEST:


L. ALLAN SONGSTAD, JR., MAYOR

APPROVED AT MEETING OF FEBRUARY 22, 2011.