
**CITY OF LAGUNA HILLS, CALIFORNIA
CITY COUNCIL REGULAR MEETING
MINUTES
JANUARY 27, 2009**

CALL TO ORDER

Mayor Lautenschleger called the Regular Meeting of the City Council of the City of Laguna Hills, California, to order at 7:00 p.m. in the Laguna Hills City Council Chamber, 24035 El Toro Road, Laguna Hills.

PLEDGE OF ALLEGIANCE

Councilwoman Carruth led the Pledge of Allegiance.

ROLL CALL

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

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

1. PRESENTATIONS AND PROCLAMATIONS

1.1 CERTIFICATES OF RECOGNITION, 2008 LAGUNA HILLS HIGH SCHOOL HAWKS FOOTBALL TEAM CIF CHAMPIONS (0410-65)

Mayor Lautenschleger presented Certificates of Recognition to the 2008 Laguna Hills High School Hawks Football Team and Coaches.

1.2 RECOGNITION OF COMMUNITY SERVICES, HISTORICAL, AND ARTS COMMISSIONER JOHN IMMARAJU (0120-20)

Mayor Lautenschleger presented a City Tile Plaque to John Immaraju recognizing his service to the City.

1.3 OATHS OF OFFICE FOR COMMUNITY SERVICES, HISTORICAL, AND ARTS COMMISSIONERS AND TRAFFIC COMMISSIONERS (0120-20/120-30)

City Clerk Johns issued the Oaths of Office and Mayor Lautenschleger presented Certificates of Appointment to Community Services, Historical, and Arts Commissioners Mark Jones and Carol Meyers and Traffic Commissioners Pamela Dow, Rick Frazier, and Timothy Hillis.

1.4 CERTIFICATE OF RECOGNITION, NATHANIEL PROFFITT LAGUNA HILLS HIGH SCHOOL STUDENT LIAISON FOR THE FALL 2008 SEMESTER (0410-65)

Mayor Lautenschleger presented a Certificate to Nathaniel Proffitt recognizing his service as the Laguna Hills High School Student Liaison.

1.5 APPOINTMENT OF LAGUNA HILLS HIGH SCHOOL STUDENT LIAISON LAUREN BUYS AND STUDENT LIAISON ALTERNATE LISA MCCORKELL FOR THE SPRING 2009 SEMESTER (0930-40)

City Clerk Johns issued the Oaths of Office to Laguna Hills High School Student Liaison Lauren Buys and Student Liaison Alternate Lisa McCorkell and Mayor Lautenschleger presented Certificates of Appointment.

1.6 ORANGE COUNTY HUMAN RELATIONS COUNCIL ANNUAL REPORT (0130-60)

The City Council received an oral presentation from Ken Inouye, Commissioner, on the Orange County Human Relations Council.

2. PUBLIC COMMENTS

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

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

3. MINUTES

3.1 REGULAR MEETING, JANUARY 13, 2009 (0410-50)

IT WAS MOVED BY COUNCILMAN SONGSTAD, SECONDED BY MAYOR PRO TEMPORE BRESSETTE, TO APPROVE THE MINUTES OF THE JANUARY 13, 2009, REGULAR MEETING, AS PRESENTED.

The motion carried by the following vote:

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

3.2 ADJOURNED REGULAR MEETING, JANUARY 20, 2009 (0410-50)

IT WAS MOVED BY COUNCILMAN SONGSTAD, SECONDED BY COUNCILWOMAN CARRUTH, TO APPROVE THE MINUTES OF THE JANUARY 20, 2009, ADJOURNED REGULAR MEETING, AS PRESENTED.

The motion carried by the following vote:

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

4. CONSENT CALENDAR

IT WAS MOVED BY COUNCILMAN SCOTT, SECONDED BY COUNCILWOMAN 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, Scott, Songstad, Mayor Pro
Tempore Bressette, and Mayor Lautenschleger
NOES: None
ABSENT: None

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

WAIVED READING OF ORDINANCES AND RESOLUTIONS.

- 4.2 APPROVAL OF WARRANT REGISTER FOR PERIOD ENDED JANUARY 27, 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 \$1,079,980.27.

- 4.3 SECOND QUARTER FINANCIAL AND TREASURER'S REPORT (FY2008-2009) (0300-40)

Written report from the Administrative Services Department indicated that staff submitted the Quarterly Financial Highlights for the Second Quarter of FY 2008/09. The financial statements showed the planned use of reserves for the first two quarters of the current fiscal year. This was largely due to the temporary effect of the triple flip on the City's cash flow and the typical lag of funding for certain capital improvement projects. The City's total managed portfolio of \$10,253,009 as of December 31, 2008, was invested in authorized securities.

RECEIVED AND FILED THE SECOND QUARTER FINANCIAL AND TREASURER'S REPORT FOR FY2008-2009.

- 4.4 PROGRESS PAYMENT NO. 3 FOR ARTERIAL HIGHWAY PAVEMENT REHABILITATION PROJECT, CIP NO. 101-F (0400-10)

Written report from the Public Services Department indicated that work on the Arterial Highway Pavement Rehabilitation Project, CIP No. 101-F, was being performed by R. J. Noble Company, and began on August 25, 2008. Work performed in November included utility adjustments, traffic loops, and asphalt concrete overlay. The contractor had submitted the third progress payment request for approval. The progress payment was within the Capital Improvement Program Budget for the Arterial Highway Pavement Rehabilitation Project, CIP No. 101-F.

APPROVED PROGRESS PAYMENT NO. 3, IN THE NET AMOUNT OF \$61,396.65, TO R. J. NOBLE COMPANY, FOR ARTERIAL HIGHWAY PAVEMENT REHABILITATION PROJECT, CIP NO. 101-F.

4.5 PROGRESS PAYMENT NO. 3 FOR CITYWIDE WAYFINDING SIGN PROGRAM, CIP NO. 329 (0400-10)

Written report from the Public Services Department indicated that work on the Citywide Wayfinding Sign Program, CIP No. 329, was being performed by Green Giant Landscape, Inc., and began on May 1, 2008. Work performed this past month had included the installation of signs and removal and replacement of sidewalk. Completion of sign installation details was on-going. The contractor had submitted the third progress payment request for approval. The progress payment was within the Capital Improvement Program Budget for the Citywide Wayfinding Sign Program, CIP No. 329.

APPROVED CONTRACT CHANGE ORDER NO. 1 AND PROGRESS PAYMENT NO. 3, IN THE NET AMOUNT OF \$17,082.00, TO GREEN GIANT LANDSCAPE, INC., FOR CITYWIDE WAYFINDING SIGN PROGRAM, CIP NO. 329.

4.6 SANTA ANA REGIONAL WATER QUALITY CONTROL BOARD TENTATIVE ORDER NO. R8-2008-0030, ISSUANCE OF THE FOURTH TERM NPDES PERMIT (0850-50)

Written report from the Public Services Department indicated that the Santa Ana Regional Water Quality Control Board (SARWQCB) had issued its proposed renewal of the North Orange County National Pollution Discharge Elimination System (NPDES) permit for all cities in North Orange County as co-permittees and the County of Orange as lead permittee. Tentative Order No. R8-2008-0030 was the fourth proposed re-issuance of the storm water permit for the "Municipal Separate Storm Sewer Systems" (MS4s) in the Orange County portion of the SARWQCB. The northerly portion of Laguna Hills was in this jurisdiction. The County of Orange had reviewed the permit and would be submitting written comments. In addition to the County's comments, staff had prepared written comments. Staff also planned to give oral testimony to the Board with specific concerns directly affecting the City's operations at the public hearing which was tentatively scheduled for June 2009. The City Council was requested to review and approve the proposed staff comments on the Tentative Order and direct staff to submit written and oral comments to the SARWQCB regarding Tentative Order No. R8-2008-0030. The full fiscal impact of the Santa Ana Regional Water Quality Control Board Tentative Order No. R8-2008-0030 would not be known until the final order was issued. However, the City's efforts to comply with this permit would require additional resources and funding. As indicated in the annual

Program Effective Assessment for the Fiscal Year 2008-2009, the City's water quality related expenditures were \$568,000, plus approximately \$105,000 paid to the County of Orange for permit administration and \$13,000 paid to the State as a permit fee.

DIRECTED STAFF TO PREPARE WRITTEN AND ORAL
COMMENTS TO THE SANTA ANA REGIONAL WATER
QUALITY CONTROL BOARD ON THE TENTATIVE ORDER
NO. R8-2008-0030.

5. PLANNING AGENCY

Mayor Lautenschleger recessed the City Council meeting to the Planning Agency meeting at 7:38 p.m. and reconvened the City Council at 7:53 p.m. All Council Members were present.

6. ADMINISTRATIVE REPORTS

6.1 City Manager

The City Manager made no reports.

6.2 Public Services Director/City Engineer

A. LANDSCAPE MAINTENANCE STANDARDS (0730-10)

Public Services Director Rosenfield gave a PowerPoint presentation of the current landscape maintenance standards and indicated the current landscape maintenance contract expired June 30, 2009. Staff was preparing a Request for Proposal, and asked for feedback from the City Council on any changes they would propose to modify the current levels of service, keeping in mind current economic conditions. Mr. Rosenfield indicated that service levels of landscape maintenance varied by type, condition, and location. All turf, regardless of its location, was maintained weekly with mowing and edging being performed. Mr. Rosenfield indicated that shrubs, depending upon location and type, were maintained weekly or monthly and open spaces were maintained quarterly or annually, depending upon the level of development. The Community Center and Sports Complex was maintained daily, with a crew of four laborers on-site Monday through Friday. Trash removal occurred daily at all parks.

Mr. Rosenfield indicated Spectrum Care had been on contract for a total of 12 years and had performed satisfactorily. They were willing to extend the current contract. The current contract had been last updated approximately six years ago and was now out of date with

current contracting provisions. Mr. Rosenfield discussed the different landscape zones, associated level of service, and indicated that there were 309 total acres under contract. Members of the community occasionally contacted the Public Services Department with concerns about the condition of landscaping near their homes or in areas that they frequently visited within the community. Some of the complaints could not be addressed because they required substantial capital investment to replace or rehabilitate existing antiquated irrigation systems and/or landscape materials that had outlived their expected lifespan. Many of the public comments related to litter, weeds, tree branches, etc., which the City picked up during routine normal maintenance. Mr. Rosenfield showed before and after pictures of maintenance efforts of median islands, parkways, slopes, and parks and indicated which areas had monthly, weekly, quarterly, or annual maintenance. Staff would return to the City Council with the proposed contract documents at a subsequent meeting. From discussions with other agencies, as well as discussion with the City's contractor, the City would probably have a slight increase in the annual cost of maintenance, of from 5 to 10 percent. If the City increased maintenance frequency to various areas, then the cost of landscape maintenance could increase by an estimated one-third to one-half over the current contract.

Councilman Scott stated that the most common complaint he had heard in the City was that the La Paz open space needed attention. Councilman Scott would like to discuss new irrigation in that area during the upcoming budget sessions. Councilman Scott was generally satisfied with the current landscape maintenance standards, but was interested in improvement without spending too much money, and was hopeful staff could provide future guidance on this issue.

Councilwoman Carruth indicated that she would like to increase the supervision of the current landscape maintenance contract, and would like to see a map of all landscape maintenance zones in the City. Councilwoman Carruth suggested flexibility in relocating work crews to different areas of the City for improved distribution of these resources. Councilwoman Carruth would be interested in a new approach to the maintenance for the La Paz open space and Oso Corridor and improved litter clean-up. Councilwoman Carruth indicated that she had been generally pleased with the current service of the landscape maintenance program, but would be interested in having the landscape maintenance contract reflect responsibility for damages to areas of existing vegetation.

Mayor Pro Tempore Bressette indicated that the landscaping was an important aspect of Laguna Hills, and that the landscape maintenance

was generally acceptable; however, there were some areas of maintenance performed exceptionally well and other areas that needed attention. Mayor Pro Tempore Bressette felt that all the crews under contract should pick up litter and he requested that the sandboxes at all parks be checked weekly. Mayor Pro Tempore Bressette indicated he did not see any reason to improve the La Paz open space until the City could move forward with a plan, and envisioned the La Paz open space as a two-part plan, from the shopping center to Alameda, and Alameda to Paseo De Valencia. Mayor Pro Tempore Bressette did not see a reason for increasing the maintenance beyond what staff was already doing.

Councilman Songstad believed that it was in the City's best interest to remove the invasive plants now in the La Paz open space. Councilman Songstad felt that the level of maintenance in the City's parks, medians, and renovated open spaces was of high quality, but in comparison those older areas in the City were not renovated or maintained at the same level. Councilman Songstad would like monthly maintenance for some areas, would like to see alternatives to the landscape maintenance contract. He believed maintenance made a positive impact in the City by improving the overall look, which could improve if the City had higher standards.

Mayor Lautenschleger indicated that higher standards of landscape maintenance could improve the overall look of the City. Mayor Lautenschleger indicated he liked the concept of the partial improvement of the La Paz open space.

6.3 Chief of Police Services

A. PARTICIPATION IN THE COUNTYWIDE PUBLIC MASS NOTIFICATION SYSTEM - ALERTOC (0400-10)

Chief of Police Services Doan indicated this item was for participation in the Countywide public mass notification system called AlertOC. AlertOC was Orange County's regional public mass notification system designed to keep those who lived and worked in Orange County informed of emergency information during catastrophic events. The system was sponsored by the County of Orange and in partnerships with cities and special districts of Orange County. Chief of Police Services Doan indicated the public mass notification system had become a critical component in emergency preparedness and response. Residents were notified of emergencies by providing their land-line phone numbers, cell phone numbers, and/or email addresses. Chief of Police Services Doan indicated that Public Safety officials responded by using the system to send out messages in the

event there was a perceived or upcoming imminent situation that required community action.

IT WAS MOVED BY COUNCILMAN SONGSTAD, SECONDED BY MAYOR PRO TEMPORE BRESSETTE, TO AUTHORIZE THE CITY MANAGER TO SIGN THE MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF ORANGE AND THE CITY OF LAGUNA HILLS FOR USE OF THE COUNTYWIDE EMERGENCY PUBLIC MASS NOTIFICATION SYSTEM, "ALERTOC."

The motion carried by the following vote:

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

7. OTHER BUSINESS

There was no Other Business.

8. MATTERS PRESENTED BY MAYOR AND COUNCIL MEMBERS

8.1 Mayor Lautenschleger

A. STATE POLICY COMMITTEE APPOINTMENT (0140-10)

Mayor Lautenschleger indicated that he had been appointed to serve on the State Transportation, Communication, and Public Works Policy Committee by the State League of Cities. Mayor Lautenschleger recently traveled to Sacramento knowing full well it was a Committee that had been in place for many years, fully staffed with council members that had been serving for many years, and that it would be difficult to bring new information forward. The Orange County contingency had forcefully suggested a moratorium on AB32 and SB 375. Mayor Lautenschleger had addressed the Committee on housing requirements, as did his colleagues from the cities of Mission Viejo and Lake Forest. The vote, 13-26, fared much better than he had expected. In the future Sacramento Legislators would be listening to the Committee, as they had made valid points regarding these two Bills. Other topics being discussed in Sacramento were the Federal and State Budgets, specifically how they related to funding for pavement rehabilitation issues at the City level. Mayor Lautenschleger did not believe City projects would be impacted; however, City Council

and staff needed to be prudent in the current economy to ensure that the projects were both shelf and street ready.

B. CITYWIDE SPEED LIMITS (0860-20)

Mayor Lautenschleger also spoke about an item the City Council had considered previously relating to setting City speed limits and being required to meet the State mandated 85th percentile requirement, but rounding the speed limit up to the next 5 mph increment. There were a few jurisdictions that raised this issue to request that it be brought back to a level where local jurisdictions would take the responsibility and initiative in keeping the speed limits down. There would be a work session scheduled on this issue in February, and Mayor Lautenschleger had asked for examples of letters that the City might want to consider sending to request that the City control that situation, as opposed to allowing State control. He will keep the City Council informed on this topic.

8.2 Councilman Songstad

A. STATE POLICY COMMITTEE APPOINTMENT (0140-10)

Councilman Songstad thanked Mayor Lautenschleger for accepting his invitation to serve on this Policy Committee. The League had a large contingency of Orange County elected officials that were attending Policy Committees more than ever before. For the Revenue and Taxation Committee, they were successful in obtaining a temporary suspension of AB32 and SB 375 until the economy had improved and there could be meaningful dollars to meet the State mandate for local input in sustainable community strategy, which passed the Revenue and Taxation Committee with only two negative votes. Councilman Songstad's understanding was that the suspension would continue on to the State Board and be placed on the Consent Calendar. The State League would be pushing that agenda. This demonstrated the fact that a difference could be made in Orange County with enough effort being expended.

Councilman Songstad also attended an Orange County Committee on the economic situation and Stimulus Bills at the Federal level. This was a bi-partisan committee, attended by both Democratic and Republican leaders and elected officials of both parties, and was chaired by Lucy Dunn, Orange County Business Council. There had been good discussion, although no conclusions had been reached, as to how the City received its fair share of available Federal stimulus packages. Councilman Songstad indicated the Committee would be

meeting regularly and he would keep the City Council informed as to the progress of this issue.

8.3 Mayor Pro Tempore Bressette

A. ORANGE COUNTY PUBLIC LIBRARY ADVISORY BOARD (0150-20)

Mayor Pro Tempore Bressette indicated that the Orange County Public Library Advisory Board had met last week and he was pleased that the County Librarian had been able to adjust the budget to keep all of the Libraries open with existing schedules. The Library Board had been working for over a year to adjust the calculation for designation of funds, based a complicated service formula. It had been a challenge calculating the City of Laguna Hills' allotment, but band width hours would now be used in that calculation. Mayor Pro Tempore Bressette would keep the City Council informed on the Laguna Hills Technology Library's operation and income allotment.

8.4 Councilwoman Carruth

A. LAGUNA HILLS HIGH SCHOOL RESOURCE OFFICER (0260-05)

Councilwoman Carruth indicated Deputy Ray Botta, Laguna Hills High School Resource Officer, spoke at the Laguna Hills High School PTSA recent meeting and had been well received. Ms. Carruth believed there was renewed interest in an additional Teen at Risk Program specifically for Laguna Hills residents. The Program had been a great reflection on Lieutenant Doan and all of the Deputies who served the City. The parents had been appreciative of the Program and in particular, Deputy Botta.

9. CLOSED SESSION

Mayor Lautenschleger recessed the meeting into Closed Session at 9:27 p.m.

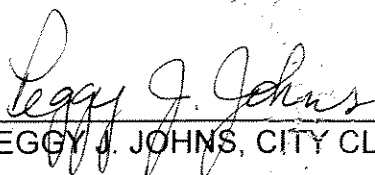
9.1 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957 (b)(1)
Public Employee Title: City Manager

Mayor Lautenschleger reconvened the meeting at 10:00 p.m. All Council Members were present.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Lautenschleger declared the meeting adjourned at 10:00 p.m.



PEGGY J. JOHNS, CITY CLERK

ATTEST:



JOEL LAUTENSCHLEGER, MAYOR

APPROVED AT MEETING OF FEBRUARY 10, 2009.