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| <b>CITY COUNCIL<br/>REGULAR<br/>MEETING</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                   | <b>JANUARY 10, 2012<br/>7:00 PM</b> |
| <b>AGENDA</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                   |                                     |
| <b>Melody Carruth, Mayor</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                   |                                     |
| <b>Joel Lautenschleger, Mayor Pro Tempore</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>Barbara Kogerman, Council Member</b>                                           |                                     |
| <b>Randal Bressette, Council Member</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>L. Allan Songstad, Jr., Council Member</b>                                     |                                     |
| <b>Location: City Council Chamber, 24035 El Toro Road, Laguna Hills, California 92653</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                   |                                     |
| <p>Any person wishing to address the City Council/Planning Agency on any matter, whether or not it appears on this Agenda, is asked to complete a pink "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/Planning Agency.</p> <p>Members of the public wishing to address the City Council can do so during the Public Comments portion of the Agenda with a time limitation of three minutes per person, an overall time limit of ten minutes for any one subject, and a total time limit of thirty minutes for Public Comments. If you are commenting on an Agenda item, your comments will be heard at the time that item is scheduled on the Agenda. If you are addressing the City Council on an item not listed on the Agenda, the City Council is prohibited by law from discussing or taking any action on that item.</p> |                                                                                   |                                     |

## 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 KOGERMAN

## ROLL CALL OF CITY COUNCIL MEMBERS

1. PRESENTATIONS AND PROCLAMATIONS
2. PUBLIC COMMENTS

This is the time to address the City Council on any matter not listed on this Agenda that is within the subject matter jurisdiction of the City Council. Public Comments are limited to three minutes per person, an overall time limit of ten minutes for any one subject, and a total time limit of thirty minutes.

2.1 LAGUNA HILLS HIGH SCHOOL STUDENT LIAISON

RECOMMENDATION: THAT THE CITY COUNCIL RECEIVE AN ORAL REPORT FROM LAGUNA HILLS HIGH SCHOOL STUDENT LIAISON KYLIE WEST.

**3. MINUTES**

3.1 REGULAR MEETING, DECEMBER 13, 2011

RECOMMENDATION: THAT THE CITY COUNCIL APPROVE THE MINUTES OF THE DECEMBER 13, 2011, 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 ORDINANCE AND RESOLUTIONS.

4.2 APPROVAL OF WARRANT REGISTER FOR PERIOD ENDED JANUARY 10, 2012

RECOMMENDATION: THAT THE CITY COUNCIL APPROVE THE WARRANT REGISTER IN THE AMOUNT OF \$1,221,555.67.

4.3 RENEWAL AND EXTENSION OF TERM OF MEMORANDUM OF UNDERSTANDING NO. C-0-1692 BY AND BETWEEN THE ORANGE COUNTY TRANSPORTATION AUTHORITY AND THE CITY OF LAGUNA HILLS (AND OTHER AGENCIES) FOR THE EL TORO ROAD TRAFFIC LIGHT SYNCHRONIZATION PROGRAM PROJECT

RECOMMENDATION: THAT THE CITY COUNCIL:

1. RENEW APPROVAL OF THE MEMORANDUM OF UNDERSTANDING NO. C-0-1692 BY AND BETWEEN THE ORANGE COUNTY TRANSPORTATION AUTHORITY (AND OTHER AGENCIES) FOR THE EL TORO ROAD TRAFFIC LIGHT SYNCHRONIZATION PROGRAM PROJECT;
2. APPROVE AMENDMENT NO. 1 TO THE MEMORANDUM OF UNDERSTANDING NO. C-0-1692 EXTENDING THE TERM OF THE AGREEMENT TO DECEMBER 31, 2012; AND
3. AUTHORIZE THE MAYOR TO SIGN THE MEMORANDUM OF UNDERSTANDING AND THE CITY CLERK TO ATTEST THERETO.
- 4.4 PROGRESS PAYMENT NO. 2 FOR AVENIDA DE LA CARLOTA WIDENING PROJECT, CIP NO. 164

RECOMMENDATION: THAT THE CITY COUNCIL APPROVE PROGRESS PAYMENT NO. 2, IN THE NET AMOUNT OF \$213,529.66, TO HILLCREST CONTRACTING, INC., FOR THE AVENIDA DE LA CARLOTA WIDENING PROJECT, CIP NO. 164.

- 4.5 REVISED SEVEN YEAR CAPITAL IMPROVEMENT PROGRAM BUDGET SUBMITTAL FOR RENEWED MEASURE M COMPLIANCE

RECOMMENDATION: THAT THE CITY COUNCIL APPROVE THE REVISED SEVEN YEAR CAPITAL IMPROVEMENT PROGRAM BUDGET FOR SUBMITTAL TO OCTA FOR COMPLIANCE WITH THE MEASURE M PROGRAM.

## **ITEMS REMOVED FROM THE CONSENT CALENDAR**

### **5. PLANNING AGENCY**

- 5.1 ROLL CALL OF PLANNING AGENCY MEMBERS
- 5.2 PUBLIC COMMENTS

This is the time to address the Planning Agency on any matter not listed on this Agenda that is within the subject matter jurisdiction of the Planning Agency. Public Comments are limited to three minutes per person, an overall time limit of ten minutes for any one subject, and a total time limit of thirty minutes.

- 5.3 MINUTES

- 5.3.1 REGULAR MEETING, DECEMBER 13, 2011

RECOMMENDATION: THAT THE PLANNING AGENCY APPROVE THE MINUTES OF THE DECEMBER 13, 2011, REGULAR MEETING.

**5.4 PLANNING AGENCY PUBLIC HEARINGS**

- 5.4.1 CHANGED PLAN NO. 11-11-2113, A REQUEST BY AT&T MOBILITY TO MODIFY AN EXISTING COMMUNICATIONS FACILITY, LOCATED AT 25655 NELLIE GAIL ROAD IN THE COMMUNITY/PRIVATE INSTITUTION (C/PI) ZONING DISTRICT

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 CHANGED PLAN NO. 11-11-2113, A REQUEST BY AT&T MOBILITY TO MODIFY AN EXISTING COMMUNICATIONS FACILITY, LOCATED AT 25655 NELLIE GAIL ROAD IN THE COMMUNITY/PRIVATE INSTITUTION (C/PI) ZONING DISTRICT.

**PLANNING AGENCY ADJOURNMENT**

**6. CITY COUNCIL PUBLIC HEARINGS**

**6.1 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

RECOMMENDATION: THAT THAT THE CITY COUNCIL:

1. CONDUCT A PUBLIC HEARING;
2. CONFIRM STAFF'S SUBMITTAL OF A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING APPLICATION FOR THE 2012-2013 FISCAL YEAR; AND
3. AUTHORIZE THE CITY MANAGER TO EXECUTE THE APPLICATION.

**6.2 CITY APPLICATION FOR FY 2012/2013 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR PUBLIC FACILITIES AND IMPROVEMENTS FOR THE FLORENCE SYLVESTER SENIOR CENTER**

RECOMMENDATION: THAT THE CITY COUNCIL:

1. CONDUCT A PUBLIC HEARING; AND

2. CONFIRM STAFF'S SUBMITTAL OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION FOR PUBLIC FACILITIES AND IMPROVEMENTS FOR THE 2012/2013 FISCAL YEAR.

**7. ADMINISTRATIVE REPORTS**

7.1 City Manager

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

8.1 COUNCIL MEMBER KOGERMAN

8.1.1 REVISION OF THE CITY'S ON-LINE "PUBLIC OFFICIALS' COMPENSATION REPORT"

RECOMMENDATION: IT IS RECOMMENDED THAT STAFF RETURN TO CITY COUNCIL WITH A REVISED "PUBLIC OFFICIALS' COMPENSATION REPORT" FOR COUNCIL APPROVAL AS SOON AS ANY POTENTIAL CHANGES CURRENTLY UNDER CONSIDERATION AFFECTING MANAGEMENT CONTRACTS ARE COMPLETED AND THAT IN THIS REVISION (1) THE PORTIONS OF THE "PUBLIC OFFICIAL'S COMPENSATION REPORT" HIGHLIGHTED ON EXHIBIT "A" BE OMITTED; (2) "AT-A-GLANCE" TABLES BE THE PRIMARY CONTENT PROVIDED FOR EACH OFFICIAL, BY CATEGORY ("CITY COUNCIL MEMBERS" AND "CITY MANAGEMENT EMPLOYEES"), TITLE AND NAME; AND (3) DISCUSSIONS OF CITY ORGANIZATION AND OFFICIALS' DUTIES AND BIOGRAPHIES BE OMITTED FROM THE BODY OF THE REPORT AND INSTEAD BE PROVIDED VIA LINKS FOR THOSE WHO WISH TO LEARN MORE.

**9. CITY COUNCIL MEMBER COMMENTS**

**10. CLOSED SESSION**

The City Council shall convene in Closed Session, in the City Hall Conference Room, to consider the following matters:

10.1 CONFERENCE WITH LABOR NEGOTIATOR

Pursuant to Government Code Section 54957.6

Agency Negotiator: Daniel C. Cassidy, Special Labor Counsel

Unrepresented Employee: City Manager

Under Negotiation: Terms and conditions of employment

**10.2 PUBLIC EMPLOYEE PERFORMANCE EVALUATION CONTINUED**

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

Public Employee Title: City Manager - Annual Performance Evaluation

**10.3 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Pursuant to subdivision (a) of Government Code Section 54956.9

Name of Case: City of Laguna Hills v. Moreland Development Company, et al.;

Case No. 30-2011 00517430.

**10.4 CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Pursuant to Government Code Section 54956.8

Property: A portion of the open space parcel located at the corner of Moulton and La Paz in the City of Laguna Hills, identified more particularly as Parcel 1 of Parcel Map No. 2009-134 consisting of a subdivided portion (3.365 acres) of Lot "A" of Tract No. 11237; a portion of Assessor's Parcel No. 625-221-03.

Agency Negotiators: Bruce E. Channing, City Manager, and Donald J. White, Assistant City Manager.

Negotiating Parties: City of Laguna Hills and Vintage Capital Real Estate Investment Partners, LLC, and its agents Fred C. Sands and Ken Hocker.

Under Negotiation: Price and terms of payment for purchase.

Reconvene in regular session in the City Council Chamber

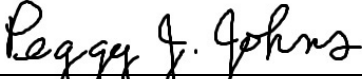
Report on whether any reportable action was taken on matters considered during Closed Session

**ADJOURNMENT**

The next Regular Meeting of the City Council will be January 24, 2012, 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 January 6, 2012, at 5:00 PM.



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PEGGY J. JOHNS, CITY CLERK

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January 6, 2012**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.***



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**CITY OF LAGUNA HILLS, CALIFORNIA  
CITY COUNCIL/PLANNING AGENCY REGULAR MEETING  
MINUTES  
DECEMBER 13, 2011**

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**CALL TO ORDER**

Mayor Songstad called the Regular Meeting of the City Council of the City of Laguna Hills, California, to order at 7:05 PM in the Laguna Hills City Council Chamber, 24035 El Toro Road, Laguna Hills.

**PLEDGE OF ALLEGIANCE:** Council Member Lautenschleger

**ROLL CALL OF CITY COUNCIL MEMBERS**

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

**CITY COUNCIL REORGANIZATION**

**REMARKS OF OUTGOING MAYOR**

**ELECTION OF MAYOR**

The City Council nominated and elected Melody Carruth as Mayor.

**RECOGNITION OF OUTGOING MAYOR**

**RESOLUTION OF COMMENDATION, L. ALLAN SONGSTAD, JR., MAYOR**

**MOTION TO ADOPT RESOLUTION NO. 2011-12-13-1, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, COMMENDING L. ALLAN SONGSTAD, JR. BY M/COUNCIL MEMBER LAUTENSCHLEGER, S/COUNCIL MEMBER BRESSETTE.  
APPROVED BY A VOTE OF 5-0.**

**THE CITY COUNCIL PRESENTED A RESOLUTION AND PLAQUE TO L. ALLAN SONGSTAD, JR., RECOGNIZING HIS SERVICE TO THE CITY AS MAYOR.**

**REMARKS OF COUNCIL MEMBERS REGARDING MAYOR SONGSTAD'S SERVICE TO THE CITY**

**REMARKS OF NEWLY ELECTED MAYOR**

## **ELECTION OF MAYOR PRO TEMPORE**

The City Council nominated and elected Joel Lautenschleger as Mayor Pro Tempore.

## **RECESS AND RECONVENE**

Mayor Carruth recessed the meeting at 7:34 PM and reconvened the meeting at 7:36 PM, and all Council Members were present.

## **1. PRESENTATIONS AND PROCLAMATIONS**

### **1.1 PRESENTATION OF PROCLAMATION FOR CITY'S 20TH ANNIVERSARY**

THE CITY COUNCIL RECEIVED THE PRESENTATION OF A PROCLAMATION FROM FIFTH DISTRICT ORANGE COUNTY SUPERVISOR PATRICIA BATES.

### **1.2 GRAND JURY RECRUITMENT**

THE CITY COUNCIL RECEIVED A BRIEF ORAL PRESENTATION FROM STANLEY HESS, MEMBER 2011-2012 ORANGE COUNTY GRAND JURY, REGARDING RECRUITMENT FOR GRAND JURY MEMBERS.

### **1.3 ORANGE COUNTY CRIME STOPPERS PROGRAM PRESENTATION**

THE CITY COUNCIL RECEIVED A PRESENTATION ON THE ORANGE COUNTY CRIME STOPPERS PROGRAM.

## **2. PUBLIC COMMENTS**

### **DARK HORSE COMMITTEE**

Mike Bland, Laguna Hills, gave an update on the Dark Horse 3/5 Battalion Committee and gave an PowerPoint presentation of the Holiday party for the 3/5 Battalion..

### **LAGUNA HILLS HIGH SCHOOL GRAD NIGHT**

Meg Gorham, Laguna Hills, spoke on Laguna Hills Grad Night Fund Raiser, Win Win-Wednesday.

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

THE CITY COUNCIL RECEIVED AN ORAL REPORT FROM LAGUNA HILLS HIGH SCHOOL STUDENT LIAISON ALTERNATE JEENA BUNOTTO.

**3. MINUTES**

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

**MOTION TO APPROVE THE MINUTES OF THE NOVEMBER 22, 2011, REGULAR MEETING, BY M/COUNCIL MEMBER BRESSETTE, S/COUNCIL MEMBER KOGERMAN.**

**APPROVED BY A VOTE OF 4-0, (MAYOR PRO TEMPORE LAUTENSCHLEGER ABSTAINED).**

**4. CONSENT CALENDAR**

**MOTION TO APPROVE THE CONSENT CALENDAR, BY M/MAYOR PRO TEMPORE LAUTENSCHLEGER, S/COUNCIL MEMBER BRESSETTE, WITH MAYOR PRO TEMPORE LAUTENSCHLEGER REMOVING ITEM 4.9. 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

THE CITY COUNCIL WAIVED READING OF ORDINANCES AND RESOLUTIONS.

4.2 APPROVAL OF WARRANT REGISTER FOR PERIOD ENDED DECEMBER 13, 2011 (0300-30)

THE CITY COUNCIL APPROVED THE WARRANT REGISTER IN THE AMOUNT OF \$508,490.64.

4.3 2012 CITY COUNCIL MEETING SCHEDULE

THE CITY COUNCIL ADOPTED THE PROPOSED CALENDAR FOR 2012.

4.4 AFFIRMATION OF LOCAL APPOINTMENTS LIST FOR COMMISSIONS AND COMMITTEES

THE CITY COUNCIL AFFIRMED THE LOCAL APPOINTMENTS LIST AND DIRECTED THAT IT BE POSTED IN THE LAGUNA HILLS BRANCH TECHNOLOGY LIBRARY.

4.5 ANNUAL REVIEW OF INVESTMENT POLICIES AND DELEGATION OF INVESTMENT AUTHORITY TO THE CITY TREASURER

THE CITY COUNCIL ADOPTED RESOLUTION NO. 2011-12-13-2, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, DELEGATING INVESTMENT AUTHORITY TO THE CITY TREASURER AND APPROVING A POLICY FOR THE INVESTMENT OF SURPLUS CITY FUNDS AND RESCINDING RESOLUTION NO. 2010-12-14-5.

4.6 GOVERNMENT CODE SECTION 66006 - DEVELOPMENT IMPACT FEES ANNUAL REPORT

THE CITY COUNCIL APPROVED THE DEVELOPMENT IMPACT FEES ANNUAL REPORT PURSUANT TO GOVERNMENT CODE SECTION 66006.

4.7 UPDATING DESIGNATION OF ASSISTANT AND DEPUTY CITY ATTORNEYS

THE CITY COUNCIL ADOPTED RESOLUTION NO. 2011-12-13-3, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, AMENDING SECTION 3 OF RESOLUTION NO. 2005-11-22-2 REGARDING THE DESIGNATION OF ASSISTANT AND DEPUTY CITY ATTORNEYS.

4.8 PRESENTATION OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR FISCAL YEAR 2010/2011

THE CITY COUNCIL RECEIVED AND FILED THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FY2010/2011, TOGETHER WITH THE AUDIT LETTERS.

4.10 PROGRESS PAYMENT NO. 9 FOR LA PAZ ROAD WIDENING AT I-5 IMPROVEMENT PROJECT, CIP NO. 159

THE CITY COUNCIL APPROVED CONTRACT CHANGE ORDER NO. 4 AND PROGRESS PAYMENT NO. 9, IN THE NET AMOUNT OF \$201,491.59, TO SEMA CONSTRUCTION, INC., FOR THE LA PAZ ROAD WIDENING AT I-5 IMPROVEMENT PROJECT, CIP NO. 159.

4.11 AWARD OF PROFESSIONAL SERVICES AGREEMENT FOR ENVIRONMENTAL CLEARANCE AND DESIGN OF THE PHASE 1 WIDENING OF PASEO DE VALENCIA FROM KENNINGTON DRIVE TO LAGUNA HILLS DRIVE, CIP NO. 145A

THE CITY COUNCIL SELECTED STV, INC., FOR THE ENVIRONMENTAL CLEARANCE AND DESIGN SERVICES OF THE PASEO DE VALENCIA PHASE 1 WIDENING PROJECT BETWEEN KENNINGTON DRIVE AND LAGUNA HILLS DRIVE, CIP NO. 145A; AUTHORIZED THE MAYOR TO SIGN AND THE CITY CLERK TO ATTEST TO THE STANDARD FORM PROFESSIONAL SERVICES AGREEMENT; AND DIRECTED STAFF TO AMEND THE CAPITAL IMPROVEMENT PROGRAM BUDGET TO ESTABLISH PROJECT FUNDING FOR CIP NO. 145A IN FISCAL YEAR 2011-12.

4.12 MEASURE M2 EXPENDITURE REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2011

THE CITY COUNCIL APPROVED THE MEASURE M2 EXPENDITURE REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2011, FOR SUBMITTAL TO OCTA; AND ADOPTED RESOLUTION NO. 2011-12-13-7, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, CONCERNING THE MEASURE M2 EXPENDITURE REPORT FOR THE CITY OF LAGUNA HILLS.

4.13 WORKERS' COMPENSATION INSURANCE PROGRAM

THE CITY COUNCIL ADOPTED RESOLUTION NO. 2011-12-13-4, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF A SIXTH AMENDED AND RESTATED JOINT POWERS AGREEMENT AND AUTHORIZING PARTICIPATION IN THE SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY WORKERS' COMPENSATION PROGRAM; APPROVED AND AUTHORIZED THE MAYOR TO EXECUTE THE SIXTH AMENDED AND RESTATED JOINT POWERS AGREEMENT RELATING TO THE SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY; AND ADOPTED RESOLUTION NO. 2011-12-13-5, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, AUTHORIZING APPLICATION TO THE DIRECTOR OF INDUSTRIAL RELATIONS, STATE OF CALIFORNIA, FOR A CERTIFICATE OF CONSENT TO SELF INSURE WORKERS' COMPENSATION LIABILITIES.

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

- 4.9 ORDINANCE OF THE CITY OF LAGUNA HILLS ADDING CHAPTER 6-40 TO TITLE 6 OF THE LAGUNA HILLS MUNICIPAL CODE ESTABLISHING CITY PARKS AND SPECIFIED PRIVATE COMMUNITY PARKS AS "CHILD SAFETY ZONES" WHERE REGISTERED SEX OFFENDERS ARE PROHIBITED FROM ENTERING WITHOUT WRITTEN PERMISSION FROM THE ORANGE COUNTY SHERIFF

Mayor Pro Tempore Lautenschleger stated that he pulled this item from the Consent Calendar to indicate that although he had been absent on November 22, 2011, for the introduction of the Ordinance, he had reviewed the minutes and the recordings from the September 27, November 8, and November 22, 2011, meetings and that he was prepared to vote in favor of this Ordinance.

**MOTION TO ADOPT ORDINANCE NO. 2011-5, AN ORDINANCE OF THE CITY OF LAGUNA HILLS, CALIFORNIA, ADDING CHAPTER 6-40 TO TITLE 6 OF THE LAGUNA HILLS MUNICIPAL CODE PROHIBITING REGISTERED SEX OFFENDERS FROM ENTERING CITY PARKS AND SPECIFIED PRIVATE COMMUNITY PARKS WITHOUT WRITTEN PERMISSION FROM THE ORANGE COUNTY SHERIFF, BY M/MAYOR PRO TEMPORE LAUTENSCHLEGER, S/COUNCIL MEMBER KOGERMAN.  
APPROVED BY A VOTE OF 5-0.**

**5. PLANNING AGENCY**

Mayor Carruth 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 8:32 PM.

**5.1 ROLL CALL OF PLANNING AGENCY MEMBERS**

Present: Chair Carruth, Vice Chair Lautenschleger, Agency Members Bressette, Kogerman, and Songstad

**5.2 PUBLIC COMMENTS**

There were no Public Comments.

**5.3 MINUTES****5.3.1 REGULAR MEETING, NOVEMBER 22, 2011**

**MOTION TO APPROVE THE MINUTES OF THE NOVEMBER 22, 2011, REGULAR MEETING AS REFERENCED IN THE CITY COUNCIL MINUTES, BEGINNING ON PAGE 5, BY M/AGENCY MEMBER BRESSETTE, S/AGENCY MEMBER SONGSTAD.  
APPROVED BY A VOTE OF 4-0 (VICE CHAIR LAUTENSCHLEGER ABSTAINED).**

#### 5.4 PLANNING AGENCY PUBLIC HEARINGS

There were no Public Hearings.

#### **PLANNING AGENCY ADJOURNMENT**

Mayor Carruth reconvened the City Council meeting at 8:33 PM. All Council Members were present.

#### **6. CITY COUNCIL PUBLIC HEARINGS**

There were no Public Hearings.

#### **7. ADMINISTRATIVE REPORTS**

##### 7.1 City Manager

##### 7.1.1 2011 CITY MANAGER'S YEAR END REPORT

**MOTION TO RECEIVE AND FILE THE 2011 CITY MANAGER'S YEAR END REPORT, BY M/MAYOR PRO TEMPORE LAUTENSCHLEGER, S/COUNCIL MEMBER SONGSTAD.**

**APPROVED BY A VOTE OF 5-0.**

##### 7.2 City Clerk

##### 7.2.1 CITY COUNCIL APPOINTED REPRESENTATIVES

**THE CITY COUNCIL MADE THE FOLLOWING APPOINTMENTS:**

**APPOINTED MAYOR CARRUTH AS DIRECTOR TO SERVE ON THE SAN JOAQUIN HILLS TRANSPORTATION CORRIDOR AGENCY, BY M/MAYOR PRO TEMPORE LAUTENSCHLEGER, S/COUNCIL MEMBER BRESSETTE.**  
**APPROVED BY A VOTE OF 4-0 (MAYOR CARRUTH ABSENT).**

**APPOINTED MAYOR PRO TEMPORE LAUTENSCHLEGER AS ALTERNATE DIRECTOR TO SERVE ON THE SAN JOAQUIN HILLS TRANSPORTATION CORRIDOR AGENCY, BY M/COUNCIL MEMBER SONGSTAD, S/MAYOR CARRUTH.**  
**APPROVED BY A VOTE OF 4-0 (MAYOR PRO TEMPORE LAUTENSCHLEGER ABSENT).**

**APPOINTED MAYOR PRO TEMPORE LAUTENSCHLEGER AS BOARD OF TRUSTEE MEMBER TO SERVE A TWO-YEAR TERM ON THE ORANGE COUNTY VECTOR CONTROL DISTRICT, BY M/MAYOR CARRUTH, S/COUNCIL MEMBER BRESSETTE.**

**APPROVED BY A VOTE OF 4-0 (MAYOR PRO TEMPORE LAUTENSCHLEGER ABSENT).**

**APPOINTED COUNCIL MEMBER BRESSETTE AS DIRECTOR TO THE ORANGE COUNTY FIRE AUTHORITY, M/MAYOR PRO TEMPORE LAUTENSCHLEGER, S/MAYOR CARRUTH.**

**APPROVED BY A VOTE OF 4-0 (COUNCIL MEMBER BRESSETTE ABSENT).**

**APPOINTED COUNCIL MEMBER KOGERMAN AS ALTERNATE DIRECTOR TO THE ORANGE COUNTY FIRE AUTHORITY, M/COUNCIL MEMBER BRESSETTE, S/MAYOR CARRUTH.**

**APPROVED BY A VOTE OF 4-0 (COUNCIL MEMBER KOGERMAN ABSENT).**

**ADOPTED RESOLUTION NO. 2011-12-13-6, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, DESIGNATING AND APPOINTING ITS REPRESENTATIVE AND ALTERNATE TO THE ORANGE COUNTY FIRE AUTHORITY'S BOARD OF DIRECTORS, BY M/MAYOR CARRUTH, S/MAYOR PRO TEMPORE LAUTENSCHLEGER.**

**APPROVED BY A VOTE OF 3-0 (COUNCIL MEMBERS BRESSETTE AND KOGERMAN ABSENT).**

**THE CITY COUNCIL PROVIDED DIRECTION TO STAFF TO CHANGE THE LAGUNA CANYON FOUNDATION TO THE LAGUNA CANYON FOUNDATION ADVISORY COUNCIL; AND TO DELETE GROWTH MANAGEMENT AREA 10 FROM THE CITY LIST OF REPRESENTATIVES.**

**THE CITY COUNCIL CONFIRMED THE REMAINING LIST OF APPOINTMENTS, BY M/COUNCIL MEMBER BRESSETTE, S/MAYOR CARRUTH.**

**APPROVED BY A VOTE OF 5-0.**

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

**8.1 COUNCIL MEMBER KOGERMAN**

**8.1.1 PROPOSED REVISION OF THE CONSTITUTION AND TIMING OF MEETINGS OF PLANNING AGENCY/COMMISSION**

**MOTION TO DIRECT STAFF TO RETURN WITH PROPOSALS FOR: (1) ABOLISHING THE CURRENT "PLANNING AGENCY" WHOSE MEMBERS COMPRISE THE SITTING MEMBERS OF THE CITY COUNCIL; INSTEAD (2) ESTABLISHING IN ITS PLACE A "PLANNING COMMISSION" COMPRISING QUALIFIED RESIDENTS APPOINTED BY THE CITY COUNCIL AND OUTLINING VARIOUS OPTIONS FOR SELECTION OF PLANNING COMMISSIONERS, THEIR NUMBER, DUTIES, RESPONSIBILITIES, TERMS OF OFFICE AND SCOPE OF**

**POWERS; (3) ESTABLISHING A MEETING TIME OF THE PROPOSED PLANNING COMMISSION SEPARATE FROM THE TIME OF CITY COUNCIL MEETINGS; AND (4) ESTIMATING THE ASSOCIATED COSTS IF ANY, OF ESTABLISHING AND MAINTAINING A PLANNING COMMISSION TO REPLACE THE EXISTING PLANNING AGENCY, BY M/COUNCIL MEMBER KOGERMAN, S/COUNCIL MEMBER BRESSETTE.**

**FAILED BY A VOTE OF 1-4 (COUNCIL MEMBERS BRESSETTE, SONGSTAD, MAYOR PRO TEMPORE LAUTENSCHLEGER, AND MAYOR CARRUTH VOTING NO).**

## **9. CITY COUNCIL MEMBER COMMENTS**

### MAYOR CARRUTH

Mayor Carruth thanked staff for the 20<sup>th</sup> Anniversary event and the outstanding City Views publication. Mayor Carruth indicated that the Orange County Register Newspaper ranked La Paz Intermediate School ninth in math and science among Orange County schools.

### COUNCIL MEMBER BRESSETTE

Council Member Bressette indicated that the Orange County Fire Department responded to an active fire at Stockport Apartments that was started by a tenant's candle. Council Member Bressette was happy to report that there were no major injuries. Council Member Bressette spoke regarding his 20 years of service on the City Council.

## **10. CLOSED SESSION**

Mayor Carruth recessed the meeting into Closed Session at 9:09 PM.

### **10.1 CONFERENCE WITH LABOR NEGOTIATOR**

Pursuant to Government Code Section 54957.6

Agency Negotiator: Daniel C. Cassidy, Special Labor Counsel

Unrepresented Employee: City Manager

Under Negotiation: Terms and conditions of employment

### **10.2 PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

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

Public Employee Title: City Manager - Annual Performance Evaluation

Mayor Carruth reconvened the meeting at 11:45 PM. All Council Members were present.

There was no reportable action taken on Closed Session items.

### **ADJOURNMENT**

There being no further business before the City Council at this session, Mayor Carruth adjourned the meeting in memory of Richard Dickson, former Lake Forest Council Member at 11:45 PM.

\_\_\_\_\_  
PEGGY J. JOHNS, CITY CLERK

ATTEST:

\_\_\_\_\_  
MELODY CARRUTH, MAYOR

APPROVED AT MEETING OF \_\_\_\_\_

**CITY OF LAGUNA HILLS**  
**AGENDA REPORT**  
**ADMINISTRATIVE SERVICES DEPARTMENT**

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**ISSUE:       APPROVAL OF WARRANT REGISTER FOR PERIOD ENDED  
              JANUARY 10, 2012.**

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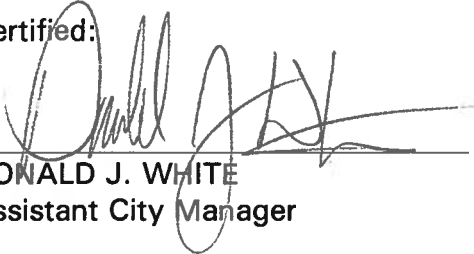
**SUMMARY:**

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

1-4-12  
DATE

**FISCAL IMPACT:**

The warrant register total is \$ 1,221,555.67

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**RECOMMENDATION: THAT THE CITY COUNCIL APPROVE THE WARRANT REGISTER  
IN THE AMOUNT OF \$ 1,221,555.67.**

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**ATTACHMENTS:**

1.     **Warrant Register**

**CITY OF LAGUNA HILLS  
WARRANT REGISTER  
January 10, 2012**

1/10/2012 ITEM NO. 4.2

| VENDOR                          |  | DESCRIPTION                                                                                                | CHECK NO. | AMOUNT       |
|---------------------------------|--|------------------------------------------------------------------------------------------------------------|-----------|--------------|
| PREPAID WARRANTS:               |  |                                                                                                            |           |              |
| A. C. LANDSCAPE, INC.           |  | Water Management Services, Irrigation Repairs, Dec '11                                                     | 8802480   | \$ 12,396.63 |
| ALL CITY MANAGEMENT, INC.       |  | Crossing Guard Services, 11/20/11 - 12/03/11                                                               | 8802481   | 1,710.00     |
| ALLIANT INSURANCE SERVICES      |  | Auto Insurance, 12/22/11 - 12/22/12                                                                        | 8802548   | 5,149.00     |
| AMERICAN RED CROSS, OC CHAPTER  |  | Operating Supplies, Police Services, Dec '11                                                               | 8802482   | 350.00       |
| APPRECIATION AWARDS             |  | Office Supplies, Dec '11                                                                                   | 8802483   | 140.08       |
| AT&T                            |  | Communication Expense, Administrative Services Fax Line, Dec '11                                           | 8802550   | 83.62        |
| AT&T- CALNET 2                  |  | Communication Expense, Alarm System, 2-Way Line, Switchboard, Modem, T-1 Line and Traffic Control, Nov '11 | 8802470   | 2,287.35     |
| ATHALYE CONSULTING ENGINEERING  |  | Professional Fees, La Paz Widening @ I-5 CIP # 159                                                         | 8802484   | 33,183.87    |
| BANK OF AMERICA                 |  | Departmental Operating Expenditures, Nov '11                                                               | 8802478   | 12,710.59    |
| BOARD WALK DEVELOPMENT          |  | Refund, C&D Deposit, CR# 42718                                                                             | 8802485   | 2,920.75     |
| BUREAU VERITAS NORTH AMERICA    |  | Professional Fees, El Toro Rd @ Carlota Street Improvements CIP # 164                                      | 8802486   | 8,013.26     |
| CA CITY MANAGEMENT FOUNDATION   |  | Meeting Expense, Administrative Services, FY 2012                                                          | 8802487   | 330.00       |
| CA CITY MANAGEMENT FOUNDATION   |  | Meeting Expense, Administrative Services, Feb '12                                                          | 8802554   | 120.00       |
| CALIFORNIA OFFICE SYSTEMS       |  | Usage - Copier, City Hall, Nov '11                                                                         | 8802488   | 235.98       |
| CARL WARREN & COMPANY           |  | Processing Fee, Small Claims, Sep - Nov '11                                                                | 8802489   | 211.94       |
| CHARLES ABBOTT ASSOCIATES, INC. |  | Professional Fees, Plan Checking and Building & Safety Services, Nov '11                                   | 8802491   | 11,862.44    |
| COSTCO WHOLESALE                |  | Membership, Administrative Services, 2012                                                                  | 8802493   | 55.00        |
| CREATIVE ROCK CONCEPTS          |  | Refund, Pool Bond, CR# 42588                                                                               | 8802522   | 500.00       |
| CYBERSOURCE CORPORATION         |  | eCommerce Payment Gateway Service, Online Permits, Community Development, Nov '11                          | 8802471   | 29.00        |
| DUNBAR ARMORED, INC.            |  | Courier Fee, Armored Transport, Dec '11                                                                    | 8802494   | 382.76       |
| EVERBANK COMMERCIAL FINANCE     |  | Lease - Copier, City Hall, Dec '11                                                                         | 8802523   | 221.04       |
| FAUBEL PUBLIC AFFAIRS           |  | Professional Fees, Combined Issue, City Views/Community Services Winter 2011 Activity Guide                | 8802495   | 15,063.75    |
| FEDERAL EXPRESS CORPORATION     |  | Delivery Service, Nov '11                                                                                  | 8802496   | 23.26        |
| GREAT PROMOS                    |  | Operating Supplies, Recycling Program, Nov '11                                                             | 8802497   | 6,509.38     |
| GREEN GIANT LANDSCAPE, INC.     |  | Retention Payment, North Laguna Hills Wayfinding Program CIP # 329                                         | 8802498   | 19,282.00    |

**CITY OF LAGUNA HILLS  
WARRANT REGISTER  
January 10, 2012**

| VENDOR                         | DESCRIPTION                                                             | CHECK   |            |
|--------------------------------|-------------------------------------------------------------------------|---------|------------|
|                                |                                                                         | NO.     | AMOUNT     |
| HARRINGTON GEOTECH ENGINEERING | Professional Fees, El Toro Rd @ Carlota Street Improvements CIP # 164   | 8802499 | 6,371.50   |
| HARTZOG & CRABILL, INC.        | Professional Fees, Traffic Engineering Services, Sep '11                | 8802500 | 575.00     |
| HILLCREST CONTRACTING          | Progress Payment #2, El Toro Rd @ Carlota Street Improvements CIP # 164 | 8802501 | 213,529.66 |
| HOME DEPOT                     | Program Supplies, Community Services, Nov '11                           | 8802524 | 116.51     |
| HSBC BUSINESS SOLUTIONS        | Program Supplies, Community Services, Oct '11                           | 8802525 | 91.14      |
| ICMA                           | Membership, Administrative Services, 2012                               | 8802502 | 200.00     |
| INTERBRAND DESIGN FORUM        | Refund, SDPA Fees, CR# 43253                                            | 8802526 | 87.50      |
| IRV SEAVER MOTORCYCLES         | Motorcycle Maintenance, Police Services, Nov '11                        | 8802503 | 2,317.92   |
| IRVINE RANCH WATER DISTRICT    | Water Usage, Parks, Nov '11                                             | 8802504 | 90.23      |
| JAMEY CLARK, INC.              | Miscellaneous Park Repairs and Graffiti Removal, Nov '11                | 8802505 | 250.14     |
| JAVED, HUMZA                   | Mileage Reimbursement, Public Works, Nov '11                            | 8802472 | 89.25      |
| JOE SPORT                      | Program Supplies, Nov '11                                               | 8802527 | 247.83     |
| K2 GENERAL CONTRACTORS, INC.   | Refund, C&D Deposit, CR# 42826                                          | 8802528 | 1,912.05   |
| MAILFINANCE, INC.              | Lease, Postage Meter, Nov - Jan '12                                     | 8802575 | 339.41     |
| MOBILE MINI, INC.              | Storage Rental Fee, Community Services, Dec '11                         | 8802529 | 82.97      |
| MOSS, LEVY & HARTZHEIM LLP     | Professional Fees, Financial Audit Services, Final Payment, FY 10/11    | 8802578 | 4,340.00   |
| MOULTON NIGUEL WATER DISTRICT  | Water Usage, Parks, Nov '11                                             | 8802473 | 9,560.35   |
| NIEVES LANDSCAPE, INC.         | Monthly Landscape Services, Dec '11                                     | 8802507 | 73,105.47  |
| OCCMA                          | Meeting Expense, Administrative Services, Feb '12                       | 8802581 | 140.00     |
| OFFICE SOLUTIONS               | Office and Operating Supplies, Dec '11                                  | 8802508 | 516.01     |
| ORANGE COUNTY FIRE AUTHORITY   | Remittance, Fire Fees Collected, Nov '11                                | 8802509 | 7,665.00   |
| ORANGE COUNTY REGISTER-FREEDOM | Legal Advertising, City Clerk, Nov '11                                  | 8802510 | 389.21     |
| ORANGE COUNTY TREASURER        | Law Enforcement Services, Dec '11                                       | 8802506 | 545,147.44 |
| OROS CONSULTING SERVICES, LLC  | Professional Fees, Computer Consulting Services, Nov '11                | 8802474 | 4,806.75   |
| PACIFIC TECHNOLOGIC SYSTEMS    | Professional Services IT, T-1 Line, Dec '11                             | 8802530 | 625.00     |
| PAUL MILLER CONSTRUCTION       | Refund, C&D Deposit, CR# 43008                                          | 8802531 | 3,325.00   |
| QUIKSILVER COURIER             | Delivery Service, Nov '11                                               | 8802511 | 29.64      |

**CITY OF LAGUNA HILLS  
WARRANT REGISTER  
January 10, 2012**

1/10/2012 ITEM NO. 4.2

| VENDOR                          | DESCRIPTION                                                                  | CHECK   |           |
|---------------------------------|------------------------------------------------------------------------------|---------|-----------|
|                                 |                                                                              | NO.     | AMOUNT    |
| REFUND, FACILITY RENTAL DEPOSIT | A. Bala, V# 2002246.002                                                      | 8802532 | 500.00    |
| REFUND, FACILITY RENTAL DEPOSIT | V. Radlick, V# 2002247.002                                                   | 8802533 | 500.00    |
| REFUND, FACILITY RENTAL DEPOSIT | E. Reyes, V# 2002249.002                                                     | 8802534 | 450.00    |
| REFUND, FACILITY RENTAL DEPOSIT | Life Line Screening of America, V# 2002250.002                               | 8802535 | 500.00    |
| REFUND, FACILITY RENTAL DEPOSIT | Carino Brides and Quinceaneras, V# 2002252.002                               | 8802536 | 500.00    |
| REFUND, FACILITY RENTAL DEPOSIT | D. Romo, V# 2002218.002                                                      | 8802537 | 500.00    |
| REFUND, FACILITY RENTAL DEPOSIT | P. Cruz, V# 2002242.002                                                      | 8802538 | 250.00    |
| REFUND, FACILITY RENTAL DEPOSIT | Orange County Ballet Theater, V# 2002241.002                                 | 8802539 | 500.00    |
| REFUND, FACILITY RENTAL DEPOSIT | R. Barrios, V# 2002178.002                                                   | 8802587 | 250.00    |
| REYES, JANICE MATEO             | Petty Cash Replenishment, Departmental Operating Expenditures, Dec '11       | 8802540 | 607.21    |
| SAN DIEGO GAS & ELECTRIC        | Electric Usage, Street Lights, Nov '11                                       | 8802475 | 12,368.63 |
| SAN DIEGO GAS & ELECTRIC        | Electric Usage, Street Lights, Nov '11                                       | 8802512 | 167.65    |
| SAN DIEGO GAS & ELECTRIC        | Electric Usage, Community Center, Traffic Control and Street Lights, Nov '11 | 8802541 | 22,841.43 |
| SAN JOAQUIN HILLS TRANSPORT     | Remittance, Transportation Corridor, Fees Collected, Nov '11                 | 8802513 | 31,206.40 |
| SOUTH COAST WATERS              | Facility Maintenance, Water Feature, Community Center, Dec '11               | 8802514 | 475.00    |
| SOUTHERN CALIFORNIA EDISON      | Electric Usage, Street Lights and Traffic Control, Nov '11                   | 8802476 | 963.35    |
| SOUTHERN CALIFORNIA EDISON      | Electric Usage, Street Lights and Traffic Control, Nov '11                   | 8802515 | 9,019.01  |
| SOUTHERN CALIFORNIA EDISON      | Electric Usage, Street Lights and Traffic Control, Nov '11                   | 8802542 | 1,008.93  |
| SPECTRUM SPECIALTIES & AWARDS   | Operating Supplies, Nov '11                                                  | 8802516 | 97.32     |
| SPRINT                          | Communication Expense, Community Services, Nov '11                           | 8802543 | 142.84    |
| STONE IMAGERY                   | Office Supplies, Administrative Services, Dec '11                            | 8802517 | 217.88    |
| STUDIO TWO BLACK DIAMOND        | Printing Expense, Nov '11                                                    | 8802518 | 97.65     |
| SUNSET PROPERTY SERVICES        | Street Sweeping, Dec '11                                                     | 8802519 | 11,443.34 |
| SUPERIOR FIRE PROTECTION        | Refund Fire Fees, CR# 42695                                                  | 8802477 | 681.00    |
| VERIZON WIRELESS                | Communication Expense, Nov '11                                               | 8802544 | 781.34    |
| WELLS FARGO FINANCIAL LEASING   | Lease - Copier, Community Center, Jan '12                                    | 8802545 | 571.60    |
| WEST COAST ARBORISTS, INC.      | Tree Trimming, Nov '11                                                       | 8802520 | 3,712.00  |

**CITY OF LAGUNA HILLS  
WARRANT REGISTER  
January 10, 2012**

| VENDOR                            | DESCRIPTION                                                                         | CHECK   |                        |
|-----------------------------------|-------------------------------------------------------------------------------------|---------|------------------------|
|                                   |                                                                                     | NO.     | AMOUNT                 |
| XEROX CORPORATION                 | Usage - Copier, City Hall, Oct - Nov '11                                            | 8802521 | 1,666.29               |
| <b>REGULAR WARRANTS:</b>          |                                                                                     |         |                        |
| ADVANCED APPLIED ENGINEERING      | Professional Fees, GIS Services, Sep - Nov '11                                      | 8802546 | \$ 6,300.00            |
| ALL CITY MANAGEMENT, INC.         | Crossing Guard Services, 12/04/11 - 12/17/11                                        | 8802547 | 3,420.00               |
| AQUA CHILL OF MISSION VIEJO, INC. | Water Filtration Service, Community Center, Dec '11                                 | 8802549 | 81.89                  |
| BUREAU VERITAS NORTH AMERICA      | Professional Fees, El Toro Rd @ Carlota Street Improvements CIP # 164               | 8802551 | 7,158.66               |
| C & A ATHLETICS                   | Program Supplies, Community Services, Dec '11                                       | 8802552 | 390.81                 |
| C&D ELECTRIC, INC.                | Lighting Repairs and Inspections, Parks, Dec '11                                    | 8802553 | 4,315.04               |
| CALIFORNIA YELLOW CAB             | Dial-a-Taxi, Senior Transportation Program, Nov '11                                 | 8802555 | 370.00                 |
| CDW GOVERNMENT, INC.              | Electronic Equipment, Police Services, Dec '11                                      | 8802556 | 2,483.04               |
| COMPLETE OFFICE OF CALIFORNIA     | Office and Operating Supplies, Community Center, Nov - Dec '11                      | 8802557 | 428.42                 |
| CROP PRODUCTION SERVICES, INC.    | Program Expense, Community Services, Dec '11                                        | 8802558 | 137.28                 |
| DATA TICKET, INC.                 | Parking Citation Processing Fee and Equipment Lease, Nov '11                        | 8802559 | 1,141.31               |
| DAVE COOPER TROPHIES              | Program Supplies, Community Services, Dec '11                                       | 8802560 | 112.06                 |
| DFM ASSOCIATES                    | Publications, City Clerk, Dec '11                                                   | 8802561 | 53.02                  |
| ECONOMICS, INC.                   | Professional Fees, Recycling Program, Nov '11                                       | 8802562 | 2,204.15               |
| ELKINS, CHRISTINA                 | Contract Instructor Fee, Dancing Fall Session, Community Services                   | 8802563 | 308.70                 |
| ENERGOV SOLUTIONS                 | Software Maintenance, Community Development, Jan - Mar '12                          | 8802564 | 3,505.00               |
| ERMAC                             | Property Appraisal                                                                  | 8802565 | 5,475.00               |
| GMU GEOTECHNICAL, INC.            | Professional Fees, Geological Services, Nov '11                                     | 8802566 | 7,112.50               |
| GORMAN, RON                       | Contract Instructor Fee, Guitar Fall Session, Community Services                    | 8802567 | 353.50                 |
| GOVPARTNER                        | Hosting Fees, Request Partner, Dec '11                                              | 8802568 | 500.00                 |
| HANSEN, MARIA                     | Contract Instructor Fee, Zumba Fall Session, Community Services                     | 8802569 | 235.20                 |
| IRON MOUNTAIN OFFSITE             | Off Site Data Storage, Nov '11                                                      | 8802570 | 198.34                 |
| JAMEY CLARK, INC.                 | Miscellaneous Park Repairs, Janitorial Services and Graffiti Removal, Nov - Dec '11 | 8802571 | 5,481.61               |
| <b>Total Prepaid Warrants:</b>    |                                                                                     |         | <b>\$ 1,111,741.55</b> |

**CITY OF LAGUNA HILLS  
WARRANT REGISTER  
January 10, 2012**

1/10/2012 ITEM NO. 4.2

| VENDOR                         | DESCRIPTION                                                                        | CHECK<br>NO. | AMOUNT                                             |
|--------------------------------|------------------------------------------------------------------------------------|--------------|----------------------------------------------------|
| JOE A. GONSALVES & SON         | Professional Fees, Legislative Services, Jan '12                                   | 8802572      | 2,900.00                                           |
| K F STUDIOS                    | Event Promotional Services, 1/2 Marathon and 5K Event, Community Services, Dec '11 | 8802573      | 1,080.00                                           |
| LINDY OFFICE PRODUCTS          | Operating Supplies, Dec '11                                                        | 8802574      | 83.74                                              |
| MEDLOCK, GEORGE                | Contract Instructor Fee, Drumming Fall Session, Community Services                 | 8802576      | 68.60                                              |
| MERCURY DISPOSAL SYSTEM, INC.  | Professional Fees, Recycling Program, Dec '11                                      | 8802577      | 479.45                                             |
| MUSIC MOVES ACADEMY, INC.      | Contract Instructor Fee, Music Classes Fall Session, Community Services            | 8802579      | 147.00                                             |
| NIMMO, DAVID                   | Contract Instructor Fee, Clog Dancing Fall Session, Community Services             | 8802580      | 35.00                                              |
| OFFICE SOLUTIONS               | Computer, Office and Operating Supplies, Dec '11                                   | 8802582      | 122.33                                             |
| ORANGE COUNTY REGISTER         | Subscription, Community Center, 12/16/11 - 02/10/12                                | 8802583      | 79.30                                              |
| ORANGE COUNTY TREASURER        | Parking Fee Surcharge, Nov '11                                                     | 8802585      | 1,844.50                                           |
| PACIFIC PARTY RENTAL           | Program Expense, Dec '11                                                           | 8802584      | 291.32                                             |
| QUIKSILVER COURIER             | Delivery Service, Dec '11                                                          | 8802586      | 29.64                                              |
| RENEGADE RACING                | Event Management Services, 1/2 Marathon and 5K Event, May '12, Partial Payment     | 8802588      | 5,242.70                                           |
| SOCAL OFFICE TECHNOLOGIES      | Printer Maintenance and Supplies, Oct - Dec '11                                    | 8802589      | 1,092.39                                           |
| STAPLETON, VIVIAN              | Contract Instructor Fee, Early Childhood Music Fall Session, Community Services    | 8802590      | 145.60                                             |
| WEST COAST ARBORISTS, INC.     | Tree Trimming, Nov '11                                                             | 8802591      | 3,272.00                                           |
| WEST PUBLISHING CORPORATION    | Subscription, City Clerk, Nov '11                                                  | 8802592      | 1,787.58                                           |
| WOODRUFF, SPRADLIN & SMART     | Professional Fees, Legal Services, Nov '11                                         | 8802593      | 38,861.93                                          |
| XEROX CORPORATION              | Lease - Copier, City Hall, Dec '11                                                 | 8802594      | 485.51                                             |
| <b>Total Regular Warrants:</b> |                                                                                    |              | <b>\$ 109,814.12</b>                               |
|                                |                                                                                    |              | <b>**WARRANT REGISTER TOTAL ** \$ 1,221,555.67</b> |

# **CITY OF LAGUNA HILLS**

## **AGENDA REPORT PUBLIC SERVICES DEPARTMENT**

---

**ISSUE: RENEWAL AND EXTENSION OF TERM OF MEMORANDUM OF UNDERSTANDING NO. C-0-1692 BY AND BETWEEN THE ORANGE COUNTY TRANSPORTATION AUTHORITY AND THE CITY OF LAGUNA HILLS (AND OTHER AGENCIES) FOR THE EL TORO ROAD TRAFFIC LIGHT SYNCHRONIZATION PROGRAM PROJECT**

---

### **SUMMARY:**

Last year, the Orange County Transportation Authority (OCTA) initiated a project for traffic signal synchronization throughout the length of El Toro Road involving all the agencies along this arterial highway, including the City of Laguna Hills. The City, along with the other agencies, approved the subject Memorandum of Understanding (MOU) which set up the rules and responsibilities of the parties. The MOU expired on December 31, 2011. Prior to the expiration date, but after the last City Council meeting of the year, the OCTA requested that the MOU be extended by Amendment No. 1 for a period of one year to December 31, 2012. The El Toro Road Traffic Light Synchronization Program (TLSP) is of significant benefit to the City of Laguna Hills and an extension of the MOU is recommended. Due to the inadvertent expiration of the MOU, it is recommended that the City Council both renew the approval of the MOU and adopt Amendment No. 1 extending the term of the MOU.

### **BACKGROUND:**

Over the past few years, the OCTA has aggressively been pursuing a Traffic Signal Synchronization Program on major arterial highways throughout the County. In Laguna Hills, these projects have included Oso Parkway, Alicia Parkway, Moulton Parkway, and El Toro Road. The El Toro Road project is in process and has not yet been completed.

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**RECOMMENDATION: THAT THE CITY COUNCIL: (1) RENEW APPROVAL OF THE MEMORANDUM OF UNDERSTANDING NO. C-0-1692 BY AND BETWEEN THE ORANGE COUNTY TRANSPORTATION AUTHORITY (AND OTHER AGENCIES) FOR THE EL TORO ROAD TRAFFIC LIGHT SYNCHRONIZATION PROGRAM PROJECT; (2) APPROVE AMENDMENT NO. 1 TO THE MEMORANDUM OF UNDERSTANDING NO. C-0-1692 EXTENDING THE TERM OF THE AGREEMENT TO DECEMBER 31, 2012; AND (3) AUTHORIZE THE MAYOR TO SIGN THE MEMORANDUM OF UNDERSTANDING AND THE CITY CLERK TO ATTEST THERETO.**

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On January 11, 2011, the City Council approved an MOU with the OCTA and other agencies to establish the roles and responsibilities for the El Toro Road TLSP. Due to changes in personnel at the office of the consultant that is performing the El Toro Road TLSP, the Project was not completed during calendar year 2011, but is anticipated to be completed in early 2012.

The El Toro Road TLSP MOU had an expiration date of December 31, 2011, and prior to the expiration date, OCTA requested that the City adopt Amendment No. 1 to the MOU to extend the term to December 31, 2012. However, the request by OCTA to adopt Amendment No. 1 arrived after the last City Council meeting in December and could not be acted upon before the MOU expired. The El Toro Road TLSP is of significant benefit to the City and our continued participation is strongly recommended. Therefore, due to the inadvertent expiration of the MOU, the City Council is requested to renew its approval of MOU No. C-0-1692 and adopt Amendment No. 1 with OCTA to extend the term of the MOU to December 31, 2012.

**FISCAL IMPACT:**

The El Toro Road TLSP does require City staff time and use of technical consultants to oversee the City's best interests. Funding for this work can be absorbed in the existing Traffic Engineering operating budget. Overall, the project is of a great financial and operational benefit to the City.

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**RECOMMENDATION: THAT THE CITY COUNCIL: (1) RENEW APPROVAL OF THE MEMORANDUM OF UNDERSTANDING NO. C-0-1692 BY AND BETWEEN THE ORANGE COUNTY TRANSPORTATION AUTHORITY (AND OTHER AGENCIES) FOR THE EL TORO ROAD TRAFFIC LIGHT SYNCHRONIZATION PROGRAM PROJECT; (2) APPROVE AMENDMENT NO. 1 TO THE MEMORANDUM OF UNDERSTANDING NO. C-0-1692 EXTENDING THE TERM OF THE AGREEMENT TO DECEMBER 31, 2012; AND (3) AUTHORIZE THE MAYOR TO SIGN THE MEMORANDUM OF UNDERSTANDING AND THE CITY CLERK TO ATTEST THERETO.**

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**ATTACHMENTS:**

- Memorandum of Understanding No. C-0-1692
- Amendment No. 1 to Memorandum of Understanding No. C-0-1692

1 **MEMORANDUM OF UNDERSTANDING C-0-1692**

2 **BY AND BETWEEN**

3 **ORANGE COUNTY TRANSPORTATION AUTHORITY**

4 **AND**

5 **THE CITIES OF**

6 **ALISO VIEJO, LAGUNA BEACH,**

7 **LAGUNA HILLS, LAGUNA WOODS, LAKE FOREST, MISSION VIEJO,**

8 **THE COUNTY OF ORANGE,**

9 **AND**

10 **THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION**

11 **FOR**

12 **ELTORO ROAD TRAFFIC LIGHT SYNCHRONIZATION PROGRAM PROJECT**

13 The following Memorandum of Understanding (hereinafter, "MOU") is effective 14<sup>th</sup> day  
14 of March, 2011 is entered by and between the Orange County Transportation Authority  
15 (hereinafter, "OCTA"), the City of Aliso Viejo, the City of Laguna Beach, the City of Laguna Hills, the  
16 City of Laguna Woods, the City of Lake Forest, the City of Mission Viejo, the County of Orange, and the  
17 State of California Department of Transportation (Caltrans) hereinafter jointly referred to as the  
18 "AGENCIES" and severally as "AGENCY"; with regard to the following matters:

19 **WHEREAS**, coordinating traffic signals across cities' boundaries is a major component in  
20 enhancing countywide traffic flow and reducing congestion; and

21 **WHEREAS**, OCTA has successfully completed two interjurisdictional traffic signal  
22 synchronization demonstration projects (one located in the northern part of the Orange County and the  
23 other located in the southern part of Orange County); and

24 **WHEREAS**, OCTA has combined the Signal Improvement Program funds from Measure M  
25 with equal funds from Proposition 1B to create the Traffic Light Synchronization Program (hereinafter,  
26 "TLSP") of ten (10) countywide interjurisdictional corridors to be synchronized; and

**MEMORANDUM OF UNDERSTANDING C-0-1692**  
**EL TORO ROAD**  
**TRAFFIC LIGHT SYNCHRONIZATION PROJECT**

1       **WHEREAS**, the TLSP PROJECTS shall consist of corridors that will span a minimum of two  
2 jurisdictions, not require immediate street widening, and have sufficient traffic volumes to show a  
3 measurable benefit of interagency signal synchronization through cooperative time-based coordination;  
4 and **WHEREAS**, OCTA and AGENCIES agree to the implementation of the El Toro Road Traffic Light  
5 Synchronization TLSP PROJECT (hereinafter, the "PROJECT") as one of the ten (10) corridors for  
6 TLSP signal synchronization PROJECTS for Orange County; and

7       **WHEREAS**, the PROJECT will include approximately thirty nine (39) traffic signals located from  
8 the County of Orange to the City of Laguna Beach as illustrated in the PROJECT Scope of Work and  
9 associated El Toro Road TLSP Work by Location which is attached herein as Attachments A and B,  
10 respectively; and

11       **WHEREAS**, the PROJECT will also include hardware and software upgrades to traffic  
12 controllers, traffic telecommunications and inter-tie systems, central traffic master controllers and  
13 associated systems, (hereinafter collectively referred to as "traffic control elements"); and these traffic  
14 control elements will be constructed and/or installed and implemented as part of the PROJECT as  
15 identified in the PROJECT Scope of Work; and

16       **WHEREAS**, OCTA agrees to work with AGENCIES to coordinate the inclusion of other traffic  
17 control elements that must be installed at the same time as the construction of the PROJECT that are  
18 NOT included in the PROJECT Scope of Work and will be the responsibility of the AGENCY owning  
19 each and any of those traffic control elements during the course of the project; and

20       **WHEREAS**, OCTA and AGENCIES acknowledge that other TLSP corridor projects and other  
21 OCTA sponsored Demonstration Signal Timing Synchronization Projects are currently underway or  
22 completed which intersect the PROJECT, and that their respective corridor timing operations must be  
23 incorporated into the design and completion of the PROJECT; and

24 /  
25 /  
26 /

**MEMORANDUM OF UNDERSTANDING C-0-1692**  
**EL TORO ROAD**  
**TRAFFIC LIGHT SYNCHRONIZATION PROJECT**

1       **WHEREAS**, OCTA and AGENCIES desire to enter into this MOU to demonstrate their  
2 commitment to improving transportation opportunities for Orange County by the development and  
3 implementation of the El Toro Road TLSP Project;

4       **NOW, THEREFORE**, the OCTA and AGENCIES enter into the following Memorandum of  
5 Understanding with respect to the matters set forth herein:

6       **ARTICLE 1. COMPLETE AGREEMENT**

7       This MOU, including all exhibits and documents incorporated herein and made applicable by  
8 reference, constitutes the complete and exclusive statement of the terms and conditions of the MOU  
9 between OCTA and AGENCIES concerning the PROJECT and supersedes all prior representations,  
10 understandings and communications between the parties. The above-referenced Recitals are true and  
11 correct and are incorporated by reference herein. The invalidity in whole or part of any term or condition  
12 of this MOU shall not affect the validity of other term(s) or condition(s).

13       **ARTICLE 2. RESPONSIBILITIES OF OCTA**

14       OCTA agrees to the following responsibilities for PROJECT:

- 15       1. To retain oversight of the PROJECT by establishing PROJECT milestones and  
16 overseeing the PROJECT development.
- 17       2. OCTA shall maintain interface with the AGENCIES and outreach for the PROJECT.
- 18       3. OCTA shall assist in building consensus among the AGENCIES with respect to the  
19 required services for the PROJECT.
- 20       4. The AGENCIES and OCTA agree that PROJECT signal synchronization efforts shall  
21 focus on those time periods with intersection and/or system specific operational parameters as  
22 specified in the PROJECT scope of work (see Attachments A and B).
- 23       5. OCTA shall collect all data necessary for the analysis and optimization of traffic signal  
24 timing specified in the PROJECT Scope of Work (see Attachments A and B).
- 25       6. OCTA shall develop new timing plans optimized for signal synchronization while  
26 maintaining or minimizing impact to existing crossing arterial timing and operations.

**MEMORANDUM OF UNDERSTANDING C-0-1692**  
**EL TORO ROAD**  
**TRAFFIC LIGHT SYNCHRONIZATION PROJECT**

1           7. OCTA shall provide on-site support to implement the timing plans as necessary. Timing  
2 plans are subject to each AGENCY'S review and approval.

3           8. OCTA shall provide updated timing plans and all relevant data acquired for the analysis  
4 to the AGENCIES upon request.

5           9. OCTA shall endeavor to provide construction items designed and specified for in the  
6 Project Scope of Work and El Toro Road TLSP Work by Location (See Attachments A and B) to  
7 facilitate coordination and synchronization along PROJECT, including Agency specific operating  
8 systems and intersection signal control systems, with the caveat that during the course of  
9 construction, better more cost effective methods may be found and/or employed that meet the intent  
10 of the required and/or specified operation for the construction items.

11           10. To prepare "before" and "after" studies of the PROJECT conditions. The "before" studies  
12 shall be completed by end of autumn 2010 and the "after" studies shall be completed by end of  
13 spring 2011.

14           11. To designate a technical lead person for liaison among the AGENCIES

15           **ARTICLE 3. RESPONSIBILITIES OF AGENCIES**

16           AGENCIES agrees to the following responsibilities for PROJECT

17           1. To provide OCTA current intersection, local field master, and/or central control system  
18 timing plans and related data no later than thirty (30) days subsequent to the execution of this MOU,  
19 and updates thereafter, as they occur, within 7 days of the event.

20           2. To provide appropriate PS & E documentation for the Consultant to utilize in the  
21 construction of infrastructure required to implement the desired coordinated and synchronized  
22 systems and operations.

23           3. To waive all costs and fees related to any and all AGENCY required encroachment and  
24 inspection permits for the construction phase of the PROJECT.

25           4. To give PROJECT related signal and telecommunications equipment a high maintenance  
26 priority during the PROJECT.

**MEMORANDUM OF UNDERSTANDING C-0-1692**  
**EL TORO ROAD**  
**TRAFFIC LIGHT SYNCHRONIZATION PROJECT**

5. To take reasonable steps to keep signal controls, inter-tie, and detection systems and equipment in proper working order during the PROJECT.

6. To maintain and repair the signal control inter-tie, and detection systems and equipment located within their jurisdiction.

7. To work with OCTA to determine which of the AGENCIES shall provide on-site support for timing plan changes and upgrades to all synchronization systems, components, equipment, and infrastructure systems as specified in the PROJECT scope of work. Each AGENCY's Traffic Engineer or authorized designee (which in some cases may be the OCTA) shall be authorized to make changes or adjustments to the signal timing plans when required.

8. To perform the changes required at central or field control locations and/or intersection controller assemblies. When OCTA is required to make such changes, AGENCIES shall provide OCTA access to all necessary equipment.

9. To designate a technical lead person for liaison among the AGENCIES

**ARTICLE 4. MUTUAL RESPONSIBILITIES**

OCTA and AGENCIES agree to the following mutual responsibilities for PROJECT:

1. PROJECT signal synchronization efforts shall focus on those time periods specified in the PROJECT scope of work, and/or as determined through the course of the PROJECT.

2. To attend and participate in all joint AGENCIES related PROJECT meetings.

3. To cooperate and coordinate with all other AGENCIES, their staff, contractors, consultants, vendors, in providing the services and responsibilities required under this MOU to the extent practicable with respect to the performance of the PROJECT.

4. The owning AGENCY shall be responsible for coordinating the construction and/or installation of traffic control elements and other items that are not included but, by necessity, must be built concurrent with the PROJECT.

5. To work together in good faith, using reasonable efforts to resolve any unforeseen issues and disputes arising out of the performance of this MOU.

**MEMORANDUM OF UNDERSTANDING C-0-1692**  
**EL TORO ROAD**  
**TRAFFIC LIGHT SYNCHRONIZATION PROJECT**

1           6. This MOU may only be modified or amended upon written mutual consent of all  
2 AGENCIES. All modifications, amendments, changes and revisions of this MOU in whole or part,  
3 and from time to time, shall be binding upon the parties, so long as the same shall be in writing and  
4 executed by the OCTA and the AGENCIES.

5           7. This MOU shall be governed by all applicable federal, state and local laws. OCTA and  
6 AGENCIES warrant that in the performance of this MOU, each shall comply with all applicable  
7 federal, state and local laws, statutes and ordinances and all lawful orders, rules and regulations  
8 promulgated there under.

9           8. Each AGENCY agrees to defend, indemnify and hold harmless the other AGENCIES,  
10 their Officers, agents, elected officials, and employees, from all liability, claims, losses and demands,  
11 including defense costs and reasonable attorneys' fees, whether resulting from court action or  
12 otherwise, arising out of the acts or omissions of the defending AGENCY, its officers, agents, or  
13 Employees, in the performance of this MOU. When acts or omissions of one AGENCY are directed  
14 by, another AGENCY, the AGENCY directing the acts or omissions shall owe this defense and  
15 indemnity obligation to the AGENCY following the directions. The provisions of this paragraph 8  
16 shall survive termination of this MOU.

17           9. Each AGENCY shall be excused from performing its obligations under this MOU during  
18 the time and to the extent that it is prevented from performing by an unforeseeable cause beyond its  
19 control, including but not limited to: any incidence of fire, flood; acts of God; commandeering of  
20 material, products, plants or facilities by federal, state or local government; national fuel shortage; or  
21 a material act or omission by any other agency; when satisfactory evidence of such cause is  
22 presented to the other agencies, and provided further such nonperformance is unforeseeable,  
23 beyond the control and is not due to the fault or negligence of the agency not performing.

24           10. Any notice sent by first class mail, postage paid, to the address and addressee, shall be  
25 deemed to have been given when in the ordinary course it would be delivered. The representatives  
26 of the agencies who are primarily responsible for the administration of this MOU, and to whom

**MEMORANDUM OF UNDERSTANDING C-0-1692**  
**EL TORO ROAD**  
**TRAFFIC LIGHT SYNCHRONIZATION PROJECT**

1 notices, demands and communications shall be given are as detailed in Attachment C.

2 11. This MOU shall continue in full force and effect through December 31, 2011 unless  
3 terminated earlier by OCTA. The AGENCIES may elect to extend the term of this MOU for an  
4 additional six (6) months commencing January 1, 2012 and ending June 30, 2012.

5 12. The term of this MOU may only be extended upon mutual written agreement by OCTA  
6 and AGENCIES.

7 /End of Articles

MEMORANDUM OF UNDERSTANDING C-0-1692  
EL TORO ROAD  
TRAFFIC LIGHT SYNCHRONIZATION PROJECT

IN WITNESS WHEREOF, the AGENCIES hereto have caused this MOU No. C-0-1692  
to be executed on the date first above written.

CITY OF ALISO VIEJO

By: Mark Pulone

Mark Pulone  
City Manager

ORANGE COUNTY TRANSPORTATION AUTHORITY

By: Meena Katakia

Meena Katakia  
Manager, Capital Projects

ATTEST:

By: Susan L. Rauer

City Clerk

APPROVED AS TO FORM:

By: Kennard R. Smart, Jr.

Kennard R. Smart, Jr.  
General Counsel

APPROVED AS TO FORM:

By: [Signature]

City Attorney

MEMORANDUM OF UNDERSTANDING C-0-1692  
EL TORO ROAD  
TRAFFIC LIGHT SYNCHRONIZATION PROJECT

1       **IN WITNESS WHEREOF**, the AGENCIES hereto have caused this MOU No. C-0-1692  
2       to be executed on the date first above written.

3  
4       **CITY OF LAGUNA BEACH**

5       By: Toni Iseman

6       Toni Iseman  
7       Mayor

8       **ATTEST:**

9       By: Martha Anderson  
10      Martha Anderson  
11      City Clerk

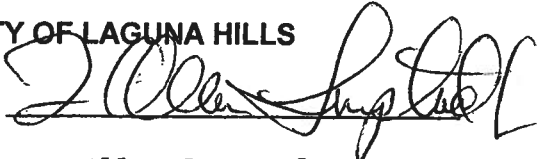
12      **APPROVED AS TO FORM:**

13      By: Philip D. Kohn  
14      Philip D. Kohn  
15      City Attorney

MEMORANDUM OF UNDERSTANDING C-0-1692  
EL TORO ROAD  
TRAFFIC LIGHT SYNCHRONIZATION PROJECT

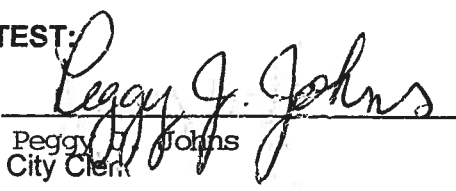
IN WITNESS WHEREOF, the AGENCIES hereto have caused this MOU No. C-0-1692  
to be executed on the date first above written.

CITY OF LAGUNA HILLS

By: 

L. Allan Songstad, Jr.  
Mayor

ATTEST:

By: 

Peggy J. Johns  
City Clerk

APPROVED AS TO FORM:

By: N/A

City Attorney

MEMORANDUM OF UNDERSTANDING C-0-1692  
EL TORO ROAD  
TRAFFIC LIGHT SYNCHRONIZATION PROJECT

1       **IN WITNESS WHEREOF**, the AGENCIES hereto have caused this MOU No. C-0-1692  
2 to be executed on the date first above written.

3  
4       **CITY OF LAGUNA WOODS**

5  
6 By: Leslie A. Keane  
7       Leslie A. Keane  
8       City Manager

9       **ATTEST:**

10 By: Yolie Trippy  
11       Yolie Trippy  
12       Deputy City Clerk

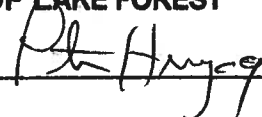
13       **APPROVED AS TO FORM:**

14 By: Stephen A. McEwen  
15       Stephen A. McEwen  
16       City Attorney  
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MEMORANDUM OF UNDERSTANDING C-0-1692  
EL TORO ROAD  
TRAFFIC LIGHT SYNCHRONIZATION PROJECT

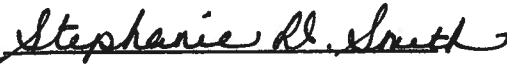
IN WITNESS WHEREOF, the AGENCIES hereto have caused this MOU No. C-0-1692  
to be executed on the date first above written.

CITY OF LAKE FOREST

By: 

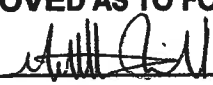
Mayor

ATTEST:

By: 

City Clerk

APPROVED AS TO FORM:

By: 

 City Attorney

MEMORANDUM OF UNDERSTANDING C-0-1692  
EL TORO ROAD  
TRAFFIC LIGHT SYNCHRONIZATION PROJECT

1                   **IN WITNESS WHEREOF**, the AGENCIES hereto have caused this MOU No. C-0-1692  
2 to be executed on the date first above written.  
3

4                   **CITY OF MISSION VIEJO**

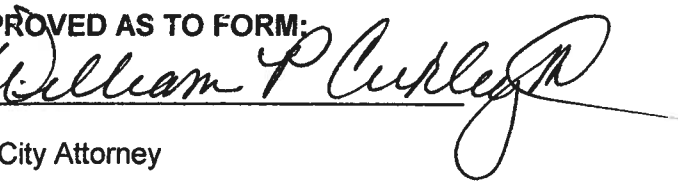
5 By:   
6

7                   Mayor

8                   **ATTEST:**

9 By:   
10                   City Clerk  
11

12                   **APPROVED AS TO FORM:**

13 By:   
14                   City Attorney  
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MEMORANDUM OF UNDERSTANDING C-0-1692  
EL TORO ROAD  
TRAFFIC LIGHT SYNCHRONIZATION PROJECT

IN WITNESS WHEREOF, the AGENCIES hereto have caused this MOU No. C-0-1692  
to be executed on the date first above written.

COUNTY OF ORANGE

By

Jess Carbajal

Director of Public Works

**MEMORANDUM OF UNDERSTANDING C-0-1692**  
**EL TORO ROAD**  
**TRAFFIC LIGHT SYNCHRONIZATION PROJECT**

**IN WITNESS WHEREOF**, the AGENCIES hereto have caused this MOU No. C-0-1692  
to be executed on the date first above written.

**CALIFORNIA DEPARTMENT OF TRANSPORTATION**

By: \_\_\_\_\_

James Pinheiro  
Deputy District Director  
Operations and Maintenance



1                                   **AMENDMENT NO. 1 TO**  
2                                   **AGREEMENT NO. C-0-1692**

3                                   **BY AND BETWEEN**

4                                   **ORANGE COUNTY TRANSPORTATION AUTHORITY**

5                                   **AND THE CITIES OF**

6                                   **ALISO VIEJO, LAGUNA BEACH, LAGUNA HILLS, LAGUNA WOODS, LAKE FOREST,**

7                                   **MISSION VIEJO, THE COUNTY OF ORANGE,**

8                                   **AND**

9                                   **THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION**

10                                  **FOR EL TORO ROAD TRAFFIC LIGHT SYNCHRONIZATION PROGRAM PROJECT**

11                                  **THIS AMENDMENT NO. 1** is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_,  
12 20\_\_\_\_, by and between the Orange County Transportation Authority ("AUTHORITY"), and the City of  
13 Aliso Viejo, the City of Laguna Beach, the City of Laguna Hills, the City of Laguna Woods, the City of  
14 Lake Forest, the City of Mission Viejo, the County of Orange, and the State of California Department of  
15 Transportation (Caltrans) hereinafter jointly referred to as the ("AGENCIES").

16                                   **WITNESSETH:**

17                                  **WHEREAS**, by Agreement No. C-0-1692 dated March 14, 2011, AUTHORITY and AGENCIES  
18 entered into an agreement for the implementation of the El Toro Road Traffic Light Synchronization  
19 (TLSP) Project (hereinafter, "PROJECT"); and

20                                  **WHEREAS**, AUTHORITY and AGENCIES agree to extend the term of the agreement twelve  
21 (12) months to December 31, 2012 to allow for the project completion; and

22                                  **NOW, THEREFORE**, it is mutually understood and agreed that Agreement No. C-0-1692 is  
23 hereby amended in the following particulars only:

24 /

25 /

26 /

**AMENDMENT NO. 1 TO  
AGREEMENT C-0-1692  
EL TORO ROAD  
TRAFFIC LIGHT SYNCHRONIZATION PROGRAM**

1. Amend ARTICLE 4. MUTUAL RESPONSIBILITIES OF OCTA AND AGENCIES,  
page 7 of 15, line 2, to delete "December 31, 2011", as the expiration date of Agreement and in lieu  
thereof, insert "December 31, 2012".

The balance of Agreement No. C-0-1692 remains unchanged.

This Amendment shall be made effective upon execution by all parties.

**IN WITNESS WHEREOF**, the parties hereto have caused this Amendment No. 1 to  
Agreement No. C-0-1692 to be executed on the date first above written.

**CITY OF ALISO VIEJO**

**ORANGE COUNTY TRANSPORTATION AUTHORITY**

By: \_\_\_\_\_  
Mark Pulone  
City Manager

By: \_\_\_\_\_  
Meena Katakia  
Manager, Capital Projects

**ATTEST:**

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Susan Ramos  
City Clerk

By: \_\_\_\_\_  
Kennard R. Smart, Jr.  
General Counsel

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Scott Smith  
City Attorney

**AMENDMENT NO. 1 TO  
AGREEMENT C-0-1692  
EL TORO ROAD  
TRAFFIC LIGHT SYNCHRONIZATION PROGRAM**

**IN WITNESS WHEREOF**, the AGENCIES hereto have caused this Amendment No. 1 to Agreement No. C-0-1692 to be executed on the date first above written.

**CITY OF LAGUNA BEACH**

By: \_\_\_\_\_  
Jane Egly  
Mayor

**ATTEST:**

By: \_\_\_\_\_  
Martha Anderson  
City Clerk

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Philip Kohn  
City Attorney

**AMENDMENT NO. 1 TO  
AGREEMENT C-0-1692  
EL TORO ROAD  
TRAFFIC LIGHT SYNCHRONIZATION PROGRAM**

1           **IN WITNESS WHEREOF**, the AGENCIES hereto have caused this Amendment No. 1 to  
2 Agreement No. C-0-1692 to be executed on the date first above written.

3  
4           **CITY OF LAGUNA HILLS**

5  
6           By: \_\_\_\_\_  
7           L. Allan Songstad Jr.  
8           Mayor

9           **ATTEST:**

10          By: \_\_\_\_\_  
11          Peggy Johns  
12          City Clerk

13          **APPROVED AS TO FORM:**

14          By: \_\_\_\_\_  
15          Gregory Simonian  
16          City Attorney

**AMENDMENT NO. 1 TO  
AGREEMENT C-0-1692  
EL TORO ROAD  
TRAFFIC LIGHT SYNCHRONIZATION PROGRAM**

**IN WITNESS WHEREOF**, the AGENCIES hereto have caused this Amendment No. 1 to Agreement No. C-0-1692 to be executed on the date first above written.

**CITY OF LAGUNA WOODS**

By: \_\_\_\_\_  
Leslie A. Keane  
City Manager

**ATTEST:**

By: \_\_\_\_\_  
Yolie Trippy  
Deputy City Clerk

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Stephen A. McEwen  
City Attorney

**AMENDMENT NO. 1 TO  
AGREEMENT C-0-1692  
EL TORO ROAD  
TRAFFIC LIGHT SYNCHRONIZATION PROGRAM**

1           **IN WITNESS WHEREOF**, the AGENCIES hereto have caused this Amendment No. 1 to  
2 Agreement No. C-0-1692 to be executed on the date first above written.

3  
4           **CITY OF LAKE FOREST**

5           By: \_\_\_\_\_  
6                 Peter Herzog  
7                 Mayor

8           **ATTEST:**

9  
10          By: \_\_\_\_\_  
11                 Stephanie Smith  
                City Clerk

12          **APPROVED AS TO FORM:**

13  
14          By: \_\_\_\_\_  
15                 Scott C. Smith  
                City Attorney

**AMENDMENT NO. 1 TO  
AGREEMENT C-0-1692  
EL TORO ROAD  
TRAFFIC LIGHT SYNCHRONIZATION PROGRAM**

1           **IN WITNESS WHEREOF**, the AGENCIES hereto have caused this Amendment No. 1 to  
2 Agreement No. C-0-1692 to be executed on the date first above written.

3  
4           **CITY OF MISSION VIEJO**

5  
6           By: \_\_\_\_\_  
7               Dave Leckness  
              Mayor

8           **ATTEST:**

9  
10          By: \_\_\_\_\_  
11             Karen Hamman  
              City Clerk

12          **APPROVED AS TO FORM:**

13  
14          By: \_\_\_\_\_  
15             William Curley  
              City Attorney

**AMENDMENT NO. 1 TO  
AGREEMENT C-0-1692  
EL TORO ROAD  
TRAFFIC LIGHT SYNCHRONIZATION PROGRAM**

1           **IN WITNESS WHEREOF**, the AGENCIES hereto have caused this Amendment No. 1 to  
2 Agreement No. C-0-1692 to be executed on the date first above written.

3  
4           **COUNTY OF ORANGE**

5           By: \_\_\_\_\_  
6               Jeff Carbajal  
7               Director of Public Works  
8  
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**AMENDMENT NO. 1 TO  
AGREEMENT C-0-1692  
EL TORO ROAD  
TRAFFIC LIGHT SYNCHRONIZATION PROGRAM**

**IN WITNESS WHEREOF**, the AGENCIES hereto have caused this Amendment No. 1  
to Agreement No. C-0-1692 to be executed on the date first above written.

**CALIFORNIA DEPARTMENT OF TRANSPORTATION**

By: \_\_\_\_\_

James Pinheiro  
Deputy District Director  
Operations and Maintenance



# CITY OF LAGUNA HILLS

## AGENDA REPORT PUBLIC SERVICES DEPARTMENT

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**ISSUE:        PROGRESS PAYMENT NO. 2 FOR AVENIDA DE LA CARLOTA  
                  WIDENING PROJECT, CIP NO. 164**

---

### **SUMMARY:**

Work on the Avenida de la Carlota Widening Project, CIP No. 164, began on October 17, 2011, and is being performed by Hillcrest Contracting, Inc. Work performed in November included clearing and grubbing, traffic control, Storm Water Pollution Prevention Plan preparation, excavation, concrete removal and replacement, and traffic signal modifications. The contractor has submitted the second progress payment request for approval.

### **BACKGROUND:**

A routine monthly action for capital improvement projects is the submission, review, and approval of the contractor's invoice. Procedurally, field staff verifies the contractor's quantities and matches them with the submitted invoice. The unit prices and total costs of the project are confirmed by the office staff and a progress payment is then processed. A ten (10) percent retention is withheld from each payment to assure final performance of the work. The contractor for the project, Hillcrest Contracting, Inc., has submitted the second progress payment for the subject project as follows:

| ITEM # | DESCRIPTION             | QUANTITY | UNIT | \$          | AMOUNT      |
|--------|-------------------------|----------|------|-------------|-------------|
| 1      | Clearing & Grubbing     | .33      | LS   | \$47,000.00 | \$15,510.00 |
| 2      | Traffic Control         | .33      | LS   | \$ 7,500.00 | \$ 2,475.00 |
| 3      | SWPPP                   | .33      | LS   | \$ 1,680.00 | \$ 554.40   |
| 5      | Unclassified Excavation | 1,184    | CY   | \$ 63.00    | \$74,592.00 |
| 6      | Sawcut, R&C Wall        | 1        | LS   | \$ 5,300.00 | \$ 5,300.00 |

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**RECOMMENDATION:    THAT THE CITY COUNCIL APPROVE PROGRESS  
PAYMENT NO. 2, IN THE NET AMOUNT OF \$213,529.66, TO HILLCREST  
CONTRACTING, INC., FOR THE AVENIDA DE LA CARLOTA WIDENING PROJECT,  
CIP NO. 164.**

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Agenda Report  
Progress Payment No. 2 for CIP No. 164  
Page 2

|                    |                          |        |    |                     |       |                      |
|--------------------|--------------------------|--------|----|---------------------|-------|----------------------|
| 13                 | 8" Curb & Gutter         | 567    | LF | \$                  | 26.00 | \$14,742.00          |
| 16                 | 1.9' Aggregate Base      | 696    | CY | \$                  | 35.40 | \$24,638.40          |
| 17                 | 0.15' AC Overlay         | 278.87 | TN | \$                  | 85.50 | \$23,843.38          |
| 23                 | Traffic Signal @ PDV     | .10    | LS | \$88,200.00         |       | \$ 8,820.00          |
| 24                 | Traffic Signal @ El Toro | .30    | LS | \$222,600.00        |       | \$66,780.00          |
| Total To Date      |                          |        |    | \$297,994.58        |       |                      |
| Less Prior Billing |                          |        |    | <u>\$ 60,739.40</u> |       |                      |
| Total This Period  |                          |        |    | \$237,255.18        |       | \$237,255.18         |
| Less 10% Retention |                          |        |    |                     |       | <u>\$(23,725.52)</u> |
|                    |                          |        |    |                     |       | \$213,529.66         |

**FISCAL IMPACT:**

The progress payment is within the Capital Improvement Program Budget for the Avenida de la Carlota Widening Project, CIP No. 164.

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**RECOMMENDATION: THAT THE CITY COUNCIL APPROVE PROGRESS PAYMENT NO. 2, IN THE NET AMOUNT OF \$213,529.66, TO HILLCREST CONTRACTING, INC., FOR THE AVENIDA DE LA CARLOTA WIDENING PROJECT, CIP NO. 164.**

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# **CITY OF LAGUNA HILLS**

## **AGENDA REPORT PUBLIC SERVICES DEPARTMENT**

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**ISSUE:       REVISED SEVEN YEAR CAPITAL IMPROVEMENT PROGRAM  
BUDGET SUBMITTAL FOR RENEWED MEASURE M COMPLIANCE**

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### **SUMMARY:**

Annually, typically in June, the City adopts a variety of policy statements and submits documentation to the Orange County Transportation Authority (OCTA) to validate that the City is in full compliance with the renewed Measure M program for transportation funding. The City's last submittal to OCTA was prepared on June 28, 2011, and was approved and accepted by OCTA. However, upon a subsequent review, OCTA determined that the City's Seven Year Capital Improvement Program Budget submittal did not include line items for 100% of the projected Measure M turnback funds and OCTA has required the City to revise and resubmit the Seven Year Capital Improvement Program Budget. Attached to this staff report is the revised Seven Year Capital Improvement Program Budget with an added project line item for "Public Works Maintenance and Operations" which represents the expenditure of the Measure M turnback funds utilized by the City to support maintenance services. While these services are not explicitly a Capital Improvement Project, the rules governing Measure M require that 100% of the Measure M turnback funds be represented in the Seven Year Capital Improvement Program Budget regardless of the type of expenditure. City Council is requested to approve the revised Seven Year Capital Improvement Program Budget for renewed Measure M compliance reporting to the OCTA.

### **BACKGROUND:**

In order for the City to remain eligible to receive funds from Measure M, the City must annually demonstrate to the OCTA continued compliance with a number of requirements, policies, and guidelines. Typically, in June, the City Council receives a staff report and approves the submittal of a variety of documents to the OCTA to meet these requirements. The documentation includes two checklists, a demonstration of

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**RECOMMENDATION: THAT THE CITY COUNCIL APPROVE THE REVISED SEVEN YEAR CAPITAL IMPROVEMENT PROGRAM BUDGET FOR SUBMITTAL TO OCTA FOR COMPLIANCE WITH THE MEASURE M PROGRAM.**

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continued maintenance of effort funding, a pavement management plan consistent with OCTA guidelines, a General Plan Circulation Element that is consistent with the OCTA Master Plan of Arterial Highways, use of procedural guidelines for the expenditure and accounting of Measure M funds, adoption of a Resolution attesting to no unilateral reductions in lanes on the Master Plan of Arterial Highways, and adoption of a Seven Year Capital Improvement Program Budget. The City's last submittal of these documents to OCTA occurred after the City Council meeting of June 28, 2011, and was accepted by OCTA with a determination that the City was in compliance with Measure M. However, a subsequent review by OCTA determined that the Seven Year Capital Improvement Program Budget submittal did not account for all of the Measure M turnback funds which the City had received or anticipated receiving over the time frame of the Capital Improvement Program.

The guidelines governing the original Measure M program, which expired on March 31, 2011, but continue to be in place for the Renewed Measure M program, which became effective on April 1, 2011, are included in a variety of policy documents adopted by the OCTA. One of these documents, known as Policy Resolution No. 3, requires all Measure M funding to be represented in the City's adopted Seven Year Capital Improvement Program Budget for submittal to OCTA as part of the annual compliance evaluation. The City utilizes Measure M turnback funds for some Capital Improvement Program projects but also uses these monies to appropriately fund Public Works Maintenance and Operations. Maintenance and operations work is not typically found in a Capital Improvement Program Budget; however, OCTA, in keeping with Policy Resolution No. 3, has requested that this expenditure be shown in the Seven Year Capital Improvement Program Budget. Therefore, staff has revised the Seven Year Capital Improvement Program Budget to add a line item for Public Works Maintenance and Operations to account for all of the Measure M turnback funds that the City receives from OCTA. The City Council is requested to approve the revised Seven Year Capital Improvement Program Budget and direct staff to submit the revised budget to OCTA.

#### **FISCAL IMPACT:**

The Seven Year Capital Improvement Program Budget submittal to OCTA is a representation of the City's Capital Improvement Program Budget adopted by the City Council on a biennial basis. The addition of a Public Works Maintenance and Operations line item to the Seven Year Capital Improvement Program Budget is solely for the accounting purposes of Measure M funds and does not change the net City budget. The new line item for Public Works Maintenance and Operations includes a note that the funding is to be transferred to the City's Operating Budget and does not, therefore, modify the overall City budget. Adoption of the revised Seven Year Capital

Improvement Program Budget will continue to allow the City to remain in compliance with the Measure M Program.

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**RECOMMENDATION: THAT THE CITY COUNCIL APPROVE THE REVISED SEVEN YEAR CAPITAL IMPROVEMENT PROGRAM BUDGET FOR SUBMITTAL TO OCTA FOR COMPLIANCE WITH THE MEASURE M PROGRAM.**

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**ATTACHMENTS:**

- Seven Year Capital Improvement Program Budget



## Measure M and Renewed Measure M (M2)

Seven Year Capital Improvement Program (Sorted by Name)  
Fiscal Years 2011/2012 through 2017/2018

Agency : Laguna Hills

Project Number : n/a

Project Name : Annual Street Maintenance FY 12/13

Project Limits/Loc : Citywide street maintenance pursuant to the Pavement Management Plan.

Type Of Work : Road Maintenance

Additional TOW: rehabilitation of roadway

Project Description: Bi-annual roadway maintenance program.

| Fund Name | Percent | Estimated Cost | Projected Cost | ExplainOther |
|-----------|---------|----------------|----------------|--------------|
| Gas Tax   | 100.00% | 1,842,000      | 1,897,552      |              |
| Other     | 0.00%   | 0              | 0              |              |
|           | 100.00% | \$1,842,000    | \$1,897,552    |              |

| Project Cost : | Project Phase | FY 1 Cost | FY 2 Cost   | FY 3 Cost | FY 4 Cost | FY 5 Cost | FY 6 Cost | FY 7 Cost | Estimated Cost | Projected Cost |
|----------------|---------------|-----------|-------------|-----------|-----------|-----------|-----------|-----------|----------------|----------------|
|                |               | 11/12     | 12/13       | 13/14     | 14/15     | 15/16     | 16/17     | 17/18     |                |                |
| C              |               | 0         | 1,792,000   | 0         | 0         | 0         | 0         | 0         | 1,792,000      | 1,847,552      |
| E              |               | 0         | 50,000      | 0         | 0         | 0         | 0         | 0         | 50,000         | 50,000         |
|                |               | \$0       | \$1,842,000 | \$0       | \$0       | \$0       | \$0       | \$0       | \$1,842,000    | \$1,897,552    |

Agency : Laguna Hills

Project Number : n/a

Project Name : Annual Street Maintenance FY 14-15

Project Limits/Loc : Citywide street maintenance pursuant to the Pavement Management Plan.

Type Of Work : Road Maintenance

Additional TOW: rehabilitation of roadway

Project Description: Bi-annual roadway maintenance program.

| Fund Name | Percent | Estimated Cost | Projected Cost | ExplainOther |
|-----------|---------|----------------|----------------|--------------|
| Gas Tax   | 100.00% | 1,945,000      | 2,126,440      |              |
| Other     | 0.00%   | 0              | 0              |              |
|           | 100.00% | \$1,945,000    | \$2,126,440    |              |

| Project Cost : | Project Phase | FY 1 Cost | FY 2 Cost | FY 3 Cost | FY 4 Cost   | FY 5 Cost | FY 6 Cost | FY 7 Cost | Estimated Cost | Projected Cost |
|----------------|---------------|-----------|-----------|-----------|-------------|-----------|-----------|-----------|----------------|----------------|
|                |               | 11/12     | 12/13     | 13/14     | 14/15       | 15/16     | 16/17     | 17/18     |                |                |
| C              |               | 0         | 0         | 0         | 1,890,000   | 0         | 0         | 0         | 1,890,000      | 2,071,440      |
| E              |               | 0         | 0         | 0         | 55,000      | 0         | 0         | 0         | 55,000         | 55,000         |
|                |               | \$0       | \$0       | \$0       | \$1,945,000 | \$0       | \$0       | \$0       | \$1,945,000    | \$2,126,440    |

4-Jan-12

## Measure M and Renewed Measure M (M2)

2

Seven Year Capital Improvement Program (Sorted by Name)  
Fiscal Years 2011/2012 through 2017/2018

Agency : Laguna Hills

Project Number : n/a

Project Name : Annual Street Maintenance FY 16-17

Project Limits/Loc : Citywide street maintenance pursuant to the Pavement Management Plan.

Type Of Work : Road Maintenance

Additional TOW: rehabilitation of roadway

Project Description: Bi-annual roadway maintenance program.

| Fund Name | Percent | Estimated Cost | Projected Cost | ExplainOther |
|-----------|---------|----------------|----------------|--------------|
| Gas Tax   | 100.00% | 2,064,000      | 2,394,660      |              |
|           | 100.00% | \$2,064,000    | \$2,394,660    |              |

Project Cost : Project Phase FY 1 Cost FY 2 Cost FY 3 Cost FY 4 Cost FY 5 Cost FY 6 Cost FY 7 Cost Estimated Cost Projected Cost

|   | 11/12 | 12/13 | 13/14 | 14/15 | 15/16 | 16/17       | 17/18 |             |             |
|---|-------|-------|-------|-------|-------|-------------|-------|-------------|-------------|
| C | 0     | 0     | 0     | 0     | 0     | 2,004,000   | 0     | 2,004,000   | 2,334,660   |
| E | 0     | 0     | 0     | 0     | 0     | 60,000      | 0     | 60,000      | 60,000      |
|   | \$0   | \$0   | \$0   | \$0   | \$0   | \$2,064,000 | \$0   | \$2,064,000 | \$2,394,660 |

Agency : Laguna Hills

Project Number : n/a

Project Name : El Toro Road Pavement Rehabilitation

Project Limits/Loc : Paseo De Valencia to I-5 freeway

Type Of Work : Road Maintenance

Additional TOW: rehabilitation of roadway

Project Description: Pavement rxr, curb and gutter repairs, access ramp construction, AC overlay, striping and traffic loops. CIP

179

| Fund Name | Percent | Estimated Cost | Projected Cost | ExplainOther        |
|-----------|---------|----------------|----------------|---------------------|
| General   | 86.36%  | 475,000        | 532,820        |                     |
| Other     | 13.64%  | 75,000         | 84,130         | City of Lake Forest |
|           | 100.00% | \$550,000      | \$616,950      |                     |

Project Cost : Project Phase FY 1 Cost FY 2 Cost FY 3 Cost FY 4 Cost FY 5 Cost FY 6 Cost FY 7 Cost Estimated Cost Projected Cost

|   | 11/12 | 12/13 | 13/14 | 14/15 | 15/16     | 16/17 | 17/18 |           |           |
|---|-------|-------|-------|-------|-----------|-------|-------|-----------|-----------|
| C | 0     | 0     | 0     | 0     | 515,000   | 0     | 0     | 515,000   | 581,950   |
| E | 0     | 0     | 0     | 0     | 35,000    | 0     | 0     | 35,000    | 35,000    |
|   | \$0   | \$0   | \$0   | \$0   | \$550,000 | \$0   | \$0   | \$550,000 | \$616,950 |

## Measure M and Renewed Measure M (M2)

Seven Year Capital Improvement Program (Sorted by Name)  
Fiscal Years 2011/2012 through 2017/2018

Agency : Laguna Hills

Project Number : n/a

Project Name : La Paz Road Sidewalk Widening

Project Limits/Loc : Northerly side of La Paz Road from Paseo De Valencia to Grissom Road.

Type Of Work : Pedestrian

Additional TOW: reconstruction or rehabilitation of sidewalk

Project Description: This project includes the construction of a standard width arterial highway sidewalk along the northerly side of La Paz Road from Paseo De Valencia to Grissom Road. This is to improve pedestrian access along La Paz Road to ADA standards. CIP 171

| Project Cost : | Project Phase | FY 1 Cost | FY 2 Cost | FY 3 Cost | FY 4 Cost | FY 5 Cost | FY 6 Cost | FY 7 Cost | Estimated Cost | Projected Cost | ExplainOther |
|----------------|---------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|----------------|----------------|--------------|
|----------------|---------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|----------------|----------------|--------------|

|   |  |       |       |       |       |           |       |       |           |           |  |
|---|--|-------|-------|-------|-------|-----------|-------|-------|-----------|-----------|--|
|   |  | 11/12 | 12/13 | 13/14 | 14/15 | 15/16     | 16/17 | 17/18 |           |           |  |
| C |  | 0     | 0     | 0     | 0     | 130,000   | 0     | 0     | 130,000   | 146,900   |  |
| E |  | 0     | 0     | 0     | 0     | 45,000    | 0     | 0     | 45,000    | 45,000    |  |
| R |  | 0     | 0     | 0     | 0     | 100,000   | 0     | 0     | 100,000   | 113,000   |  |
|   |  | \$0   | \$0   | \$0   | \$0   | \$275,000 | \$0   | \$0   | \$275,000 | \$304,900 |  |

Agency : Laguna Hills

Project Number : n/a

Project Name : Paseo De Valencia Improvements

Project Limits/Loc : Paseo De Valencia from Kennington Drive to Laguna Hills Drive.

Type Of Work : Road Widening

Additional TOW: add 1 lane to existing roadway in project limits

Project Description: This project includes widening of Paseo De Valencia from Kennington Dr. to Laguna Hills Dr. Scope includes lane addition, curb & gutter, irrigation/ landscaping, traffic signal & striping. This funding request is for Engineering and Right of Way only.

| Fund Name | Percent | Estimated Cost | Projected Cost | ExplainOther |
|-----------|---------|----------------|----------------|--------------|
|-----------|---------|----------------|----------------|--------------|

|         |         |           |           |  |
|---------|---------|-----------|-----------|--|
| General | 25.00%  | 123,838   | 123,916   |  |
| ACE     | 75.00%  | 371,513   | 371,745   |  |
|         | 100.00% | \$495,351 | \$495,661 |  |

| Project Cost : | Project Phase | FY 1 Cost | FY 2 Cost | FY 3 Cost | FY 4 Cost | FY 5 Cost | FY 6 Cost | FY 7 Cost | Estimated Cost | Projected Cost | ExplainOther |
|----------------|---------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|----------------|----------------|--------------|
|----------------|---------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|----------------|----------------|--------------|

|   |  |       |           |       |       |       |       |       |           |           |  |
|---|--|-------|-----------|-------|-------|-------|-------|-------|-----------|-----------|--|
|   |  | 11/12 | 12/13     | 13/14 | 14/15 | 15/16 | 16/17 | 17/18 |           |           |  |
| E |  | 0     | 485,351   | 0     | 0     | 0     | 0     | 0     | 485,351   | 485,351   |  |
| R |  | 0     | 10,000    | 0     | 0     | 0     | 0     | 0     | 10,000    | 10,310    |  |
|   |  | \$0   | \$495,351 | \$0   | \$0   | \$0   | \$0   | \$0   | \$495,351 | \$495,661 |  |

4-Jan-12

**Measure M and Renewed Measure M (M2)**

4

Seven Year Capital Improvement Program (Sorted by Name)

Fiscal Years 2011/2012 through 2017/2018

Agency : Laguna Hills

Project Number : n/a

Project Name : Public Works Maintenance and Operations

Project Limits/Loc : Throughout the City

Type Of Work : Other

Additional TOW: other

Project Description: Public works general operations and maintenance projects throughout the City. These funds to be used in the Operating Budget.

| Project Cost : | Project Phase | FY 1 Cost | FY 2 Cost | FY 3 Cost | FY 4 Cost | FY 5 Cost | FY 6 Cost | FY 7 Cost | Estimated Cost | Projected Cost | ExplainOther |
|----------------|---------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|----------------|----------------|--------------|
|                |               | 11/12     | 12/13     | 13/14     | 14/15     | 15/16     | 16/17     | 17/18     |                |                |              |
| C              |               | 468,290   | 497,908   | 529,406   | 562,595   | 595,055   | 618,857   | 643,611   | 3,915,722      | 4,327,353      |              |
|                |               | \$468,290 | \$497,908 | \$529,406 | \$562,595 | \$595,055 | \$618,857 | \$643,611 | \$3,915,722    | \$4,327,353    |              |

Agency : Laguna Hills

Project Number : n/a

Project Name : Ridge Route Dr Pavement Rehabilitation

Project Limits/Loc : Moulton Parkway to Avenida de la Carlota

Type Of Work : Road Maintenance

Additional TOW: rehabilitation of roadway

Project Description: Pavement rxr, curb and gutter repairs, access ramp construction, ac overlay, striping and traffic loops. CIP 172

| Project Cost : | Project Phase | FY 1 Cost | FY 2 Cost | FY 3 Cost | FY 4 Cost | FY 5 Cost | FY 6 Cost | FY 7 Cost | Estimated Cost | Projected Cost | ExplainOther |
|----------------|---------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|----------------|----------------|--------------|
|                |               | 11/12     | 12/13     | 13/14     | 14/15     | 15/16     | 16/17     | 17/18     |                |                |              |
| C              |               | 0         | 0         | 490,000   | 0         | 0         | 0         | 0         | 490,000        | 0              |              |
| E              |               | 0         | 25,000    | 0         | 0         | 0         | 0         | 0         | 25,000         | 25,000         |              |
|                |               | \$0       | \$25,000  | \$490,000 | \$0       | \$0       | \$0       | \$0       | \$515,000      | \$25,000       |              |

## Measure M and Renewed Measure M (M2)

Seven Year Capital Improvement Program (Sorted by Name)  
Fiscal Years 2011/2012 through 2017/2018

Agency : Laguna Hills

Project Number : n/a

Project Name : Santa Maria Ave Pavement Rehabilitation

Project Limits/Loc : Santa Maria Ave from Via Vista to ~900 feet westerly.

Type Of Work : Road Maintenance

Additional TOW : Rehabilitation of roadway

Project Description: This project is to include pavement removals/rehabilitation, asphalt concrete overlay, and striping. The City of Laguna Woods is the lead agency for this project that included the pavement rehabilitation of the full length of Santa Maria Avenue.

| Project Cost : | Project Phase | FY 1 Cost | FY 2 Cost | FY 3 Cost | FY 4 Cost | FY 5 Cost | FY 6 Cost | FY 7 Cost | Estimated Cost | Projected Cost |
|----------------|---------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|----------------|----------------|
|                |               | 11/12     | 12/13     | 13/14     | 14/15     | 15/16     | 16/17     | 17/18     |                |                |
|                | C             | 0         | 200,000   | 0         | 0         | 0         | 0         | 0         | 200,000        | 0              |
|                |               | \$0       | \$200,000 | \$0       | \$0       | \$0       | \$0       | \$0       | \$200,000      | \$0            |

Agency : Laguna Hills

Project Number : n/a

Project Name : Traffic Signal Improvements/Coordination Projects

Project Limits/Loc : Various locations

Type Of Work : Traffic Signals

Additional TOW: interconnect traffic signals to improve coordination and communication

Project Description: This project will interconnect traffic signals, provide for timing/coordination plans, and connect the systems to a central control. CIP 168

| Project Cost : | Project Phase | FY 1 Cost | FY 2 Cost | FY 3 Cost | FY 4 Cost | FY 5 Cost | FY 6 Cost | FY 7 Cost | Estimated Cost | Projected Cost |
|----------------|---------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|----------------|----------------|
|                |               | 11/12     | 12/13     | 13/14     | 14/15     | 15/16     | 16/17     | 17/18     |                |                |
|                | C             | 0         | 0         | 0         | 550,000   | 0         | 0         | 0         | 550,000        | 602,800        |
|                | E             | 0         | 0         | 0         | 50,000    | 0         | 0         | 0         | 50,000         | 50,000         |
|                |               | \$0       | \$0       | \$0       | \$600,000 | \$0       | \$0       | \$0       | \$600,000      | \$652,800      |

Total for Laguna Hills \$468,290 \$3,060,259 \$1,019,406 \$3,107,595 \$1,420,055 \$2,682,857 \$643,611 \$12,402,073 \$12,841,316



**ITEMS REMOVED FROM THE CONSENT CALENDAR**

- 4.9 ORDINANCE OF THE CITY OF LAGUNA HILLS ADDING CHAPTER 6-40 TO TITLE 6 OF THE LAGUNA HILLS MUNICIPAL CODE ESTABLISHING CITY PARKS AND SPECIFIED PRIVATE COMMUNITY PARKS AS "CHILD SAFETY ZONES" WHERE REGISTERED SEX OFFENDERS ARE PROHIBITED FROM ENTERING WITHOUT WRITTEN PERMISSION FROM THE ORANGE COUNTY SHERIFF

Mayor Pro Tempore Lautenschleger stated that he pulled this item from the Consent Calendar to indicate that although he had been absent on November 22, 2011, for the introduction of the Ordinance, he had reviewed the minutes and the recordings from the September 27, November 8, and November 22, 2011, meetings and that he was prepared to vote in favor of this Ordinance.

**MOTION TO ADOPT ORDINANCE NO. 2011-5, AN ORDINANCE OF THE CITY OF LAGUNA HILLS, CALIFORNIA, ADDING CHAPTER 6-40 TO TITLE 6 OF THE LAGUNA HILLS MUNICIPAL CODE PROHIBITING REGISTERED SEX OFFENDERS FROM ENTERING CITY PARKS AND SPECIFIED PRIVATE COMMUNITY PARKS WITHOUT WRITTEN PERMISSION FROM THE ORANGE COUNTY SHERIFF, BY M/MAYOR PRO TEMPORE LAUTENSCHLEGER, S/COUNCIL MEMBER KOGERMAN.  
APPROVED BY A VOTE OF 5-0.**

**5. PLANNING AGENCY**

Mayor Carruth 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 8:32 PM.

**5.1 ROLL CALL OF PLANNING AGENCY MEMBERS**

Present: Chair Carruth, Vice Chair Lautenschleger, Agency Members Bressette, Kogerman, and Songstad

**5.2 PUBLIC COMMENTS**

There were no Public Comments.

**5.3 MINUTES**

**5.3.1 REGULAR MEETING, NOVEMBER 22, 2011**

**MOTION TO APPROVE THE MINUTES OF THE NOVEMBER 22, 2011, REGULAR MEETING AS REFERENCED IN THE CITY COUNCIL MINUTES, BEGINNING ON PAGE 5, BY M/AGENCY MEMBER BRESSETTE, S/AGENCY MEMBER SONGSTAD.**

**APPROVED BY A VOTE OF 4-0 (VICE CHAIR LAUTENSCHLEGER ABSTAINED).**

#### 5.4 PLANNING AGENCY PUBLIC HEARINGS

There were no Public Hearings.

#### PLANNING AGENCY ADJOURNMENT

Mayor Carruth reconvened the City Council meeting at 8:33 PM. All Council Members were present.

#### 6. CITY COUNCIL PUBLIC HEARINGS

There were no Public Hearings.

#### 7. ADMINISTRATIVE REPORTS

##### 7.1 City Manager

##### 7.1.1 2011 CITY MANAGER'S YEAR END REPORT

**MOTION TO RECEIVE AND FILE THE 2011 CITY MANAGER'S YEAR END REPORT, BY M/MAYOR PRO TEMPORE LAUTENSCHLEGER, S/COUNCIL MEMBER SONGSTAD.  
APPROVED BY A VOTE OF 5-0.**

##### 7.2 City Clerk

##### 7.2.1 CITY COUNCIL APPOINTED REPRESENTATIVES

**THE CITY COUNCIL MADE THE FOLLOWING APPOINTMENTS:**

**APPOINTED MAYOR CARRUTH AS DIRECTOR TO SERVE ON THE SAN JOAQUIN HILLS TRANSPORTATION CORRIDOR AGENCY, BY M/MAYOR PRO TEMPORE LAUTENSCHLEGER, S/COUNCIL MEMBER BRESSETTE.  
APPROVED BY A VOTE OF 4-0 (MAYOR CARRUTH ABSENT).**

**APPOINTED MAYOR PRO TEMPORE LAUTENSCHLEGER AS ALTERNATE DIRECTOR TO SERVE ON THE SAN JOAQUIN HILLS TRANSPORTATION CORRIDOR AGENCY, BY M/COUNCIL MEMBER SONGSTAD, S/MAYOR CARRUTH.  
APPROVED BY A VOTE OF 4-0 (MAYOR PRO TEMPORE LAUTENSCHLEGER ABSENT).**

**APPOINTED MAYOR PRO TEMPORE LAUTENSCHLEGER AS BOARD OF TRUSTEE MEMBER TO SERVE A TWO-YEAR TERM ON THE ORANGE COUNTY VECTOR CONTROL DISTRICT, BY M/MAYOR CARRUTH, S/COUNCIL MEMBER BRESSETTE.**

# **CITY OF LAGUNA HILLS**

## **PLANNING AGENCY AGENDA REPORT COMMUNITY DEVELOPMENT DEPARTMENT**

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**ISSUE: CHANGED PLAN NO. 11-11-2113, A REQUEST BY AT&T MOBILITY TO MODIFY AN EXISTING COMMUNICATIONS FACILITY, LOCATED AT 25655 NELLIE GAIL ROAD IN THE COMMUNITY/PRIVATE INSTITUTION (C/PI) ZONING DISTRICT**

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### **SUMMARY:**

Westower Communications Inc., on behalf of AT&T Mobility ("applicant") has filed an application to add two new microwave dish antennas ("MW antennas") to an existing communications facility at 25655 Nellie Gail Road in the C/PI zoning district. The site is on Moulton Niguel property, and consists of a monopole and equipment shelter. The two MW antennas are proposed to be mounted at the top of the existing monopole, increasing the maximum height of this facility to 57.5 feet (currently it is approved at 53 feet). The purpose of this installation is to upgrade the facility's current capacity and address shortcomings of the existing infrastructure.

Staff has reviewed the Development Code requirements as well as General Plan issues, goals, and strategies, and has determined that the proposed project, subject to conditions of approval, will not result in any significant adverse impacts to the public health, safety, and general welfare. The project is categorically exempt from the California Environmental Quality Act ("CEQA").

### **AUTHORITY:**

The Laguna Hills Municipal Code ("LHMC") Section 9-58.040(E) establishes that antenna height shall conform to the height limit of the zone or as otherwise approved through a Conditional Use Permit. The proposed project exceeds the height for the zone and the height established by the existing CUP. Therefore, this Changed Plan must be reviewed and approved by the Planning Agency.

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**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 CHANGED PLAN NO. 11-11-2113, A REQUEST BY AT&T MOBILITY TO MODIFY AN EXISTING COMMUNICATIONS FACILITY, LOCATED AT 25655 NELLIE GAIL ROAD IN THE COMMUNITY/PRIVATE INSTITUTION (C/PI) ZONING DISTRICT."**

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## **BACKGROUND:**

The subject site is located at the northeast corner of Nellie Gail Road and Gallup Circle, which is improved with Moulton Niguel Water District's Nellie Gail Reservoir. The site is developed with three water tanks, various equipment related to the operation of the reservoir, the subject monopole antenna, and one equipment shelter, which houses electrical equipment used in operating the antennas. It is an existing cell site for multiple cellular carriers, including AT&T. The area surrounding the Moulton Niguel property is a residential neighborhood zoned Estate Residential.

AT&T's cell site was originally approved by the County of Orange, which included the construction of a 50-foot monopole and an equipment shelter. The monopole currently has 12 panel antennas, two MW antennas, and other small related equipment.

## **PROJECT DESCRIPTION AND ANALYSIS:**

The proposed project is to install one 2'-6" diameter MW antenna and one 3'-0" diameter MW antenna to the existing monopole at an approved cell site on the subject property. The existing maximum antenna height (53 feet) would be increased to 57.5 feet. The height of the actual monopole structure will not be increased. The height increase is requested due to the limitations of MW antennas, which require a direct "line-of-sight" (LOS). The Development Code does not place a height limit on cell sites, provided that the height is approved through a CUP. The Code does require that antennas be situated as close to the ground as possible to reduce visual impact *without compromising their function* (LHMC 9-58.040 (E)). Because these antennas must be placed at this height to achieve LOS, they meet the locational criteria prescribed in the Code.

The applicant represents that the additional antennas are necessary to address shortcomings of the current facility. Additional or updated antennas are often requested by wireless providers to keep up with increasing demand on the network and/or to fill in holes in the current network. By working with wireless providers to upgrade their current sites, it often eliminates the need to add additional cell sites in the immediate vicinity, which may have more impacts on the neighborhood. The General Plan recognizes the importance of communication networks as vital to facilitating a healthy business climate, allowing residents to more easily establish home offices, and functioning as an important component of safety and emergency networks.

The top of the existing monopole is visible from some surrounding locations; therefore, the additional antennas will be visible as well. Several factors limit the visibility of the monopole and antennas on the site. First, the site is utilitarian in nature with three water tanks, approximately 35 feet in height, and other equipment related to the reservoir use

of the site. Second, the monopole and equipment associated with this facility are set amongst the water tanks at the interior of the property, away from property lines. Third, the site is set atop a hill and is surrounded by mature landscaping. Many trees on the site are the same height or higher than the monopole. Due to the grade difference and the landscaping, line of sign from most of the surrounding area is interrupted, and the monopole cannot be seen through the trees. However, the monopole is visible in some locations where there is a break in tree coverage. **Condition 16** has been added to ensure that the new antennas will be the same color as the existing monopole and antennas.

#### **PUBLIC COMMENT:**

A total of 37 public hearing notices were mailed to surrounding property owners within a 300-foot radius of the subject site. As of this writing, staff has not received any comments.

#### **CEQA FINDINGS:**

Staff has reviewed the proposed project for compliance with CEQA. Upon completion of this review, it has been determined that the proposed project is categorically exempt from CEQA, pursuant to CEQA Guidelines Section 15301 (Class 1, Existing Facilities). Categorical Exemptions are designated for classes of projects which have been determined not to have a significant effect on the environment and which have therefore been exempted from the requirements of CEQA. The Class 1 exemption applies to the maintenance, repair, or minor alteration of existing facilities or mechanical equipment, involving negligible or no expansion of use beyond that which is existing. Here, the existing facility remains essentially the same, with the addition of two small pieces of equipment to increase the existing facility's functionality. Based on the foregoing, it is hereby determined that the project is exempt from CEQA.

#### **CONCLUSION:**

The addition of the two proposed MW antennas will have minimal visual impacts and no other impacts on the surrounding area. Working with AT&T to upgrade one of its existing sites will help improve wireless connectivity in the area without the addition of new cell sites with potentially more impacts. The project meets the requirements and objectives of the Development Code and General Plan; therefore, staff believes that approval of Changed Plan No. 11-11-2113 is warranted.

**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 CHANGED PLAN NO. 11-11-2113, A REQUEST BY AT&T MOBILITY TO MODIFY AN EXISTING COMMUNICATIONS FACILITY, LOCATED AT 25655 NELLIE GAIL ROAD IN THE COMMUNITY/PRIVATE INSTITUTION (C/PI) ZONING DISTRICT."**

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**ATTACHMENTS:**

1. Resolution of Approval
2. Letter of Justification
3. Photo sims
4. Plans

RESOLUTION NO. PA2012-

A RESOLUTION OF THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING CHANGED PLAN NO. 11-11-2113, A REQUEST BY AT&T MOBILITY TO MODIFY AN EXISTING COMMUNICATIONS FACILITY, LOCATED AT 25655 NELLIE GAIL ROAD IN THE COMMUNITY/PRIVATE INSTITUTION (C/PI) ZONING DISTRICT

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

WHEREAS, an application for Conditional Changed Plan (CPMA) No. 11-11-2113 has been received to modify an existing communications facility 25655 Nellie Gail Road in the Community/Private Institution (C/PI) Zoning District; and

WHEREAS, CMPA No. 11-11-2113 is hereby found to be Categorically Exempt from the California Environmental Quality Act (CEQA) based upon a Class 1 exemption (CEQA Guidelines §15301, Existing Facilities); 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 January 10, 2012.

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 CPMA No. 11-11-2113 have been met and made as follows:

1. The proposed use is consistent with the General Plan in that:

*The General Plan designates the site as C/PI. Communications facilities are permitted within this land use designation subject to approval of a CUP. Additionally, the General Plan recognizes the importance of robust communications networks within the city, which facilitate a healthy business climate, allow residents to more easily establish home offices, and are an important component of safety and emergency networks. The implementation of the project will increase the utility of this existing cell site, enhancing AT&T's wireless network in this area.*

2. The nature, condition and development of adjacent uses, buildings, and structures have been considered and the proposed conditional use will not adversely affect or be materially detrimental to the adjacent uses, buildings, or structures in that:

*The project is a modification of an existing unmanned cell site. As such, there will be no noise, pollution, or traffic impacts on the residential area surrounding the subject site. The new antennas will be mounted on the existing monopole, which is already visible from certain locations. While the new antennas may be visible, they result in only a slight increase in antenna height of four and one half feet. Additionally, the monopole is set back on the lot away from residences and the right of way, and is screened by mature landscape.*

3. The proposed site is adequate in size and shape to accommodate the use and integrate it with the existing and planned uses in the vicinity in that:

*The subject site has adequate space to accommodate the modified cell site in that the monopole has been previously approved and is being modified only with the addition of two antennas for which there is space at the top of the monopole. The site is well suited for the project since it currently exists as a cell site and is surrounded by extensive landscaping.*

4. All required development standards prescribed by the Laguna Hills Development Code can be achieved in that:

*The proposed modification to the cell site can achieve all development standards in the Laguna Hills Municipal Code. A cell site is permitted in the C/PI zoning district and the height is permitted subject to approval of this changed plan, which would modify the maximum permitted height of the antennas. The project meets locational and design criteria prescribed in the development code, such as setback requirements, landscape screening, and the monopole's location on a property that already accommodates other public utilities.*

5. The conditions and limitations placed upon the use are necessary to insure compatibility with adjacent or abutting uses and the preservation of the public peace, safety, and welfare in that:

*The conditions imposed through this approval are standard conditions placed on the applicant to ensure proper installation and maintenance of the facility and compliance with the Development Code, building codes, and federal regulations.*

6. There are no reasonable design or location alternatives to the requested use that would have less adverse affects on the surrounding property or be less detrimental to the public health, safety, and welfare in that:

*The implementation of the project will allow a current cell site, which presently serves a number of wireless carriers, to continue functioning to its fullest potential, eliminating the need for additional cell site placement in the immediate vicinity. The new equipment placement achieves "line of sight" required by microwave antennas. The Development Code. The new antennas will support the continued, effective operation of an existing co-located communications facility, which are encouraged by LHMC Section 9-58.040(G).*

7. The facility structures and equipment are located, designed, and screened to blend with the existing natural environment or built surroundings so as to reduce visual impacts to the extent feasible considering the technological requirements of the proposed telecommunication services and the need to be compatible with the character of the community in that:

*The existing monopole and equipment shelter were located, designed, and screened to blend with the existing environment. The monopole is located atop a hill, behind existing landscaping much of which is the same height or higher than the monopole, and is set towards the interior of the property, maintaining an approximately 80 foot setback from the closest property line. The additional antennas proposed in this project will be mounted on the existing approved monopole and will be the same color as the existing pole and antennas.*

8. The facility is designed to blend with any existing supporting structures and does not substantially alter the character of the structure or local area.

*The additional antennas will match the existing, approved monopole and antennas, and result in only a four and one half foot height increase to the existing height, and therefore will not substantially alter the character of the monopole or the character of the surrounding residential neighborhood.*

NOW, THEREFORE, based upon the above findings, the Planning Agency of the City of Laguna Hills does hereby approve CPMA-11-11-2113 subject to the following conditions:

General

1. This approval constitutes approval of the proposed project only to the extent that it complies with the City's Development Code and any other applicable zoning regulations. 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 Changed Plan by the Laguna Hills Planning Agency.
3. As a condition of issuance of this approval, the applicant/owner, 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 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 approval.
5. The applicant/owner shall reimburse the City for any outstanding staff time spent on the processing of CPMA No. 11-11-2113 within 60 days of the Planning Agency's approval or prior to the issuance of any permits, whichever occurs first.
6. This Changed Plan approval may be modified or revoked by the Planning Agency should the Agency determine, after a duly noticed hearing held in compliance with all applicable laws, including without limitation, the Federal Telecommunications Act and FCC rules and regulations, that the proposed use or conditions under which it is being operated or maintained are detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
7. Changed Plan approval and associated entitlements shall expire and be of no further force or effect if the permit is not implemented within two years from January 10, 2012.
8. Within 48 hours from project approval, the applicant/owner 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.
9. The applicant/owner is required to completely dismantle and removed its antennas and all equipment at this facility which are abandoned for a period of six months or more or upon expiration of the lease with the owner of record.
10. The applicant/owner shall cooperate with other communications companies in co-locating additional antennas on equipment structures or within the lease area, provided said co-applicants have

received proper City and leasehold approvals. The applicant shall exercise good faith in co-locating with other communication companies and sharing the permitted site, provided such shared use does not give rise to a substantial technical level or quality of service impairment of the permitted use (as opposed to a competitive conflict or financial burden). In the event a dispute arises as to whether the permittee has exercised good faith in accommodating other users, the City may require a third party technical study at the expense of wither or both the applicant and complaining user. This condition in no way obligates the City to approve any co-location proposal if it is determined by the City not to be desirable in a specific case.

11. Within ninety (90) days of commencement of operations, the Applicant of the wireless communications facility shall be required to provide a preliminary report and field report prepared by a qualified engineer that shows the operation of the facility is in conformance with all applicable FCC standards and regulations, including, where incorporated by the FCC, the standards established by the American National Standards Institute (ANSI) and Institute of Electrical and Electronics Engineers (IEEE) for safe human exposure to electromagnetic fields (EMF) and radio frequency radiation (RFR). Said report must be mailed or delivered to the Planning Division at 24035 El Toro Road, Laguna Hills, CA 92653.

#### Building

12. The applicant/owner shall secure applicable building permits, as required by Section 105 of the 2010 California Building Code (see work exempt from permits) prior to the commencement of any work for which a permit is required.
13. Any required plans submitted for the purpose of building permit issuance shall be accurately labeled and reflect all work, as required by Section 107 of the 2010 California Building Code (construction documents).
14. All construction shall comply with the 2010 California Building and Electrical Codes in regards to U occupancies.
15. The applicant/owner shall obtain approvals from the Planning Department and from the OCFA, if applicable, prior to issuance of building permits.

#### Planning

16. The Applicant shall paint new antennas, equipment, and accompanying wires/conduits/mounting brackets to match the color of the existing monopole and equipment prior to building permit final inspection.

17. The Applicant shall remove graffiti from the subject site within 48 hours upon notification by city staff.
18. The site shall be kept clean and clear of all trash and debris.
19. All construction must meet noise requirements pursuant to L.H.M.C. Chapter 5-24.

PASSED, APPROVED, AND ADOPTED this 10<sup>th</sup> day of January, 2012.

\_\_\_\_\_  
MELODY CARRUTH, 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. PA2012- adopted by the Planning Agency of the City of Laguna Hills, California, at a Regular Meeting thereof held on the 10<sup>th</sup> day of January, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
PEGGY J. JOHNS, CITY CLERK



## AT&T Mobility Modification of Existing Wireless Telecommunications Facility LAC017

Site Address: 25655 Nellie Gail Road  
Laguna Hills, CA  
APN: 627-331-12-13-14  
Zone: C/PI

**Current Type of Facility: Monopole**

### Proposal:

AT&T Mobility plans to modify its existing Wireless Telecom Facility (WTF) located at **25655 Nellie Gail Road**. The subject parcel is zoned **C/PI** and is currently developed with the Nellie Gail Reservoir by the Moulton Niguel Water District.

**AT&T proposes to install (1) New 2'-6" Diameter MW antenna; and Install (1) New 3'-0" Diameter MW Antenna onto the existing Monopole.**

**Zoning Case Background:** On May 1, 2006 the City of Laguna Hills approved **Changed Plan No. 2006-001** for the installation, use and maintenance of a Wireless Telecommunications Facility. AT&T is approved for (12) panel antennas approximately 6' in length; and (2) MW's approximately 2'x2' on a monopole.

|                        | EXISTING                    | PROPOSED                    |
|------------------------|-----------------------------|-----------------------------|
| Maximum Antenna Height | 53'-0"                      | 57'-6"                      |
| Quantity of Antennas   | (12) Panel<br>(2) Microwave | (12) Panel<br>(4) Microwave |

### Conclusion:

The purpose of this application is to upgrade current capacity and address shortcomings of the existing infrastructure. There will be no visual impact by installing the new MW Antennas, as evident in the attached photo simulations (**attached for your reference**). The proposed installation remains in substantial compliance with the original intent of the conditional use permit **Changed Plan No. 2006-001**.

If you have any questions about the project information provided above, please feel free to contact the number listed below.

Thank you,

Alex Tsaturov • 858-472-4048 (p) • 619-393-0606 (f) • [atsaturov@westtower.com](mailto:atsaturov@westtower.com)  
Westtower Communications Inc. for AT&T • 6850 Lincoln Ave, Suite 201 • Buena Park, CA 90620



**25655 Nellie Gail Road**

**Laguna Hills, CA 92653**

**APN: 627-331-12, 13, 14**

## **FINDINGS:**

**Pursuant to Section 9-92.080 of the Laguna Hills Development Code:**

**1) That the proposed use is consistent with the General Plan.**

The overall goal of the Laguna Hills General Plan is to encourage smart growth to enhance the quality of life for the resident of Laguna Hills. Part of becoming a City General Plan Goal CSF-10: "Collaborate with providers of cable, telephone, and other communication service to ensure adequate communication services are available to the community." Furthermore, Pursuant to CSF-8 Utility Companies and Telecommunications, the City of Laguna Hills coordinates with Telecommunications providers to assess capacity and infrastructure needs to support redevelopment activities.

The existing AT&T facility provides voice and data service coverage to mobile phone and laptop customers. Due to the recent surge in smart phone devices, there is an increased demand for data. The existing site does not have adequate capacity to process the customer service requests. Customers in this area have been experiencing unreliable service such as dropped calls; disconnect service, and poor reception. The purpose of this application is to upgrade the current capacity at the site and address shortcomings of the existing infrastructure. This upgrade will allow AT&T to provide adequate communication services to the Laguna Hills Community.

**2) That the nature, condition and development of adjacent uses, buildings and structures have been considered and the proposed conditional use will not adversely effect or be materially detrimental to the adjacent uses, buildings, or structures.**

AT&T has proposed a slight modification to the existing wireless telecommunication facility in order to provide better wireless coverage in the area. There is already a CUP and building permit for the existing wireless facility. AT&T is proposing slight modifications to the site. The project is proper in its relationship to adjacent uses and development within the community. Care was taken in co-locating the antennas onto an existing wireless facility site minimize potential visual impacts to the surrounding public viewing area. The installation of the proposed facility will not affect the function or current use of the Existing Nellie Gail Reservoir facility or other adjacent use or development in the area. The proposed project will not adversely affect any existing views nor will it adversely affect and scenic or natural vistas. The existing trees and landscaping provide screening to the existing facility. For cellular telephone subscribers the incidence of disconnected calls in the will be greatly reduced by allowing the installation of the New antennas.



- 3) **That the proposed site is adequate in size and shape to accommodate the use and integrate it with the existing and planned uses in the vicinity.**

The existing facility is relatively small when compared to the over scale of the total site. The existing wireless facility and Nellie Gail Reservoir are secured from public access. There is an existing fence and security around the entire site and the AT&T facility. The proposed (2) New Microwave antennas will be mounted on top of the existing Monopole. There will be no change to the existing Lease Premises. All proposed antennas will be mounted onto the existing structure. As depicted on the site plans, there is adequate space on the subject property to accommodate the existing equipment and security fencing.

- 4) **That all required development standards prescribed by the Laguna Hills Development Code can be achieved.**

On 5/1/06 the City of Laguna Hills approved Changed Plan No. 2006-001. AT&T is approved for (12) panel antennas approximately 6' in length; and (2) MW's approximately 2'x2' on a monopole and an indoor equipment shelter. The existing AT&T facility complies with all conditions of Changed Plan No. 2006-001. The development standards are consistent with the Laguna Hills Development code.

**LHMC §9-40.030 Findings:**

**A structure's height shall not exceed the standard for the land use district in which it is located.**

The applicant hereby requests a variance for the additional height increase. The overall Monopole Structure Height shall remain unchanged at 50 feet above grade level. The proposed antennas shall be mounted to an extension on top of the existing Monopole structure. The centerline for the proposed antenna will be 56 feet above grade level. The additional height is necessary to obtain clear line of sight to the target site. Please refer to LHMC §9-58.040(E) Findings below for further explanation for the additional height increase.

**LHMC §9-58.040(E) Findings:**

**All nonexempt antennas shall be situated as close to the ground as possible to reduce visual impact without compromising their function. Antenna height shall conform to the height limit of the zoning district or as otherwise approved through a conditional use permit.**

The proposed antennas shall be mounted on top of an extension to the existing Monopole structure. The proposed Microwave antennas are part of a larger AT&T backhaul – the part of the of the network infrastructure that provides interconnectivity between the access and core networks. It is essential for Microwave links to have a clear line-of-sight (LOS) i.e., there is a direct path without any obstruction (such as building, trees, or mountains) between the communication endpoints. A line-of-sight (LOS) survey at the conforming height limits found the existing tall trees surrounding the property blocked views to the target site(s). Removing the existing trees and obstruction is not a feasible option. Therefore, installing the new antennas at the tallest point on the existing structure is the least intrusive method in order to accomplish an unobstructed line-of-sight (LOS) to the target site(s).



**LHMC §9-58.060 Findings:**

**A. That there are no reasonable design or location alternatives to the requested use that would have less adverse affects on the surrounding property or be less detrimental to the public health, safety and welfare;**

There are no reasonable design or location alternatives that would have less adverse impacts on the surrounding property. This is a proposed modification to an existing Wireless Facility. The site provides essential wireless and data services to users in Laguna Hills. The proposed modifications will not be detrimental or have any negative impact to the public health, safety or welfare. The proposed changes will help improve the existing network infrastructure to provide more reliable wireless phone and data coverage improving public safety and welfare.

**B. That the facility structures and equipment are located, designed and screened to blend with the existing natural environment or built surroundings so as to reduce visual impacts to the extent feasible considering the technological requirements of the proposed telecommunication services and the need to be compatible with the character of the community;**

The existing structure was strategically design to reduce visual impact to the surrounding environment. The facility is located atop of a hill adjacent to the existing Moulton Niguel Reservoir facility. The Monopole structure is screened behind tall landscaping setback from the edge of the property line. Further, the equipment is located inside a screened shelter. All of the equipment, antennas, hardware and associated equipment are painted to blend in the surrounding natural environment.

**C. That the facility is designed to blend with any existing supporting structures and does not substantially alter the character of the structure or local area.**

The proposed project is a modification to an existing monopole support structure. The existing monopole will remain in its current location. The size, shape and design of the monopole will remain unchanged. AT&T's proposal is to install (2) new Microwave antennas to a short height extension to the top of the existing Monopole structure. The existing and proposed monopole is screened behind tall landscaping and the proposed modification will not substantially alter the character of the structure of local area.

**5) That the conditions and limitations placed upon the use are necessary to insure compatibility with adjacent or abutting uses and the preservation of the public peace, safety, and welfare.**

Unlike other land uses, which can be spatially determined through the General Plan or other land use plans, the location of wireless telecommunication facilities are based on technical requirements which include service area, geographic elevation, alignment with neighboring sites and customer demand components. Placement within the urban geography is dependent on these requirements. Accordingly, wireless telecommunications facilities have been located adjacent to and within all major land use categories including residential, commercial, industrial, open space, etc. proving to be compatible in all location.



The existing facility at the subject location is not detrimental to the character of development in the neighborhood for the following reasons. It is unstaffed, and has no impact on circulation systems, and generates no noise, odor, smoke, or any other adverse impact to adjacent land uses. The existing facility allows commuter and residents within the coverage area wireless access to the rapidly expanding communications infrastructure by providing voice and data transmission services. The existing antennas sector and transmission equipment does not result in any materials changes to the character of local community. The existing wireless facility operates in full compliance with all state and federal regulation including the Telecommunications Act of 1996.



The Attachments referenced in  
the Agenda Report:

3. Photo Simulations

4. Plans

are available for review in the  
City Clerk's Department.



# **CITY OF LAGUNA HILLS**

## **AGENDA REPORT COMMUNITY DEVELOPMENT**

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**ISSUE: COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

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**RECOMMENDATION: THAT THE CITY COUNCIL: (1) CONDUCT A PUBLIC HEARING; (2) CONFIRM STAFF'S SUBMITTAL OF A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING APPLICATION FOR THE 2012-2013 FISCAL YEAR; AND (3) AUTHORIZE THE CITY MANAGER TO EXECUTE THE APPLICATION.**

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### **SUMMARY:**

The City is eligible to receive federal funds through the Department of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) program. The program is administered by the County which awards funding to various "sub-recipients" which are in turn responsible for implementing and monitoring the programs funded by CDBG monies. The City has primarily used the CDBG funds it has received for housing rehabilitation purposes – specifically in the Aliso Meadows condominium complex. For cities applying for CDBG funds, the County of Orange requires that a public hearing be conducted so that members of the public may comment on the application for funding and/or propose projects that the City should consider when making application to the County of Orange.

Staff was recently advised of the availability of CDBG funding for Fiscal Year (FY) 2012-2013. The application deadline to be eligible to receive funding is January 9, 2012. However, since the County's notification of funding has not afforded applicant's for CDBG funding to have adequate time to provide public notice and conduct a public hearing prior to submitting an application, the County of Orange is accepting applications subject to the understanding that Cities will hold a noticed public hearing, obtain City Council authorization to make application for CDBG funds, and provide documentation of those actions, after the application deadline.

Accordingly, staff has submitted an application for FY 2012-2013 of \$360,000 (the maximum allowed request) to renovate approximately eighteen (18) units within the Aliso Meadows Condominium development located along both sides of Via Lomas midway between Moulton Parkway and Alicia Parkway (see Vicinity Map, Attachment 1). Staff recommends that the City Council conduct a public hearing and confirm staff's submittal of a CDBG application (see application, Attachment 2).

## **BACKGROUND:**

### **Aliso Meadows Condominiums**

Aliso Meadows is a 248-unit condominium complex, approved in 1980 by the County of Orange, providing low- and moderate-income households an opportunity for home ownership. The Aliso Meadows Condominiums stretch along both sides of Via Lomas midway between Moulton Parkway and Alicia Parkway. The repairs needed at the Aliso Meadows neighborhood are extensive and have typically included repair or replacement of major building elements such as exterior siding, roofing and patio fencing, heating and cooling systems, and plumbing repairs. Due to the size of the housing development, scope of rehabilitation work, and estimated cost, this has been a multi-year project for the City.

The total funding for these repairs will come from a combination of Aliso Meadows Homeowners' Association funds and the CDBG funds requested. The Homeowners' Association has been working to repair and update their homes for some time and has spent over \$200,000 from their reserve account over the years to address the most pressing rehabilitation needs in many of the units.

Based on staff's experience working on the Aliso Meadows Condominium project over the past eight years, this project continues to demonstrate eligibility for CDBG funding. To be eligible to receive CDBG funds, a planned activity must accomplish the following "national objective criteria":

- Benefit low and moderate income families;
- Aid in the prevention of blight; and
- Address immediate threats to the health or welfare of the community.

Given the remaining building maintenance conditions, the proposed activity will meet the second and third criteria related to building conditions. Staff will also ensure that only income qualified households will be eligible for rehabilitation work on their unit.

In reviewing the HUD funding priorities and the County of Orange's overall CDBG plan, staff determined that this is an opportunity to receive CDBG funds to assist this complex with needed rehabilitation improvements. The primary goal of the City's (General Plan) Housing Element is to provide and maintain housing opportunities to serve all economic segments of the community. Any CDBG funds obtained will assist the City in preserving affordable housing for very low-, low-, and moderate-income residents. Therefore, CDBG funds are requested on behalf of the Aliso Meadows project.

Following the public hearing, the next step in the application process is for the County's Application Review Committee (ARC) to review and determine which applications are funded. All of the applications submitted will be competitively reviewed against each other. Those projects that more clearly meet the national objective criteria receive more

points than other applications. The ARC recommendations for funding will be posted in February 2012.

If CDBG funds are secured for the project, the City's obligation will include periodic reporting to the County and Federal Government and management of the contracts, as follows:

1. Quarterly Report – reporting on the status of the project and demonstrating how the funds are benefiting the benefit area of limited clientele group.
2. Grantee Performance Report – report submitted to the County and HUD outlining how the City has met the National Objective under which the applications were funded.
3. Fiscal Management of Contracts – invoices submitted periodically.
4. Auditing (yearly audit) – receipt of the CDBG funds can be included within the City's yearly audit. The City would only need to supply the County with the results of the relevant portions of the audit.

#### **FISCAL IMPACT:**

The City Council's authorization to proceed with the CDBG application will ensure that the City is eligible to secure several hundred thousand dollars in CDBG funds for needed rehabilitation work at Aliso Meadows. Staff notes that the California Supreme Court's recent ruling essentially abolishing redevelopment agencies calls into question the funding mechanism historically used to administer this program. In past years, the City funded a consultant (generally in the amount of \$30,000 annually) to administer the CDBG program from redevelopment housing money. It is unclear at this time if this is still a viable approach. Given the uncertainty surrounding the availability of housing money from the City's redevelopment funding source, staff will need to bring back a funding policy to the City Council for review and approval if the City is awarded any funds and before the CDBG money can be spent. However, due to timing issues with the application it would be prudent for the City to apply for the funds, even with the uncertainty of the how the administration of the program would be funded, to preserve the City's funding eligibility.

#### **CEQA:**

The application for funding is not considered by the California Environmental Quality Act (CEQA) to be a project. Therefore, the application for funding is not applicable to the provisions of CEQA.

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**RECOMMENDATION: THAT THE CITY COUNCIL: (1) CONDUCT A PUBLIC HEARING; (2) CONFIRM STAFF'S SUBMITTAL OF A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING APPLICATION FOR THE 2012-2013 FISCAL YEAR; AND (3) AUTHORIZE THE CITY MANAGER TO EXECUTE THE APPLICATION.**

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**ATTACHMENTS:**

1. Vicinity Map
2. Application



## Vicinity Map

Aliso Meadows Condominiums



400 0 400 Feet

Date Created: 12/30/2011





**HOUSING REHABILITATION  
FUNDING APPLICATION  
FISCAL YEAR 2012/13  
Bid #012-613225**

### **SUPPORTING DOCUMENTS CHECKLIST – BROWN APPLICATION**

Applicants must submit a complete Housing Rehabilitation Funding Application via BidSync. Please confirm all Attachments with supporting documentation are uploaded and submitted prior to the RFP deadline.

|                             |   |                                                                       |
|-----------------------------|---|-----------------------------------------------------------------------|
| <b>Minimum Requirements</b> | ✓ | Attachment 1: Organizational Information                              |
|                             | ✓ | Attachment 2: Priority Listing                                        |
|                             | ✓ | Attachment 3: Project Information                                     |
|                             | ✓ | Attachment 4: Organizational Background                               |
|                             | ✓ | Attachment 5: Civil Rights Laws Compliance and HUD Standing           |
|                             | ✓ | Attachment 6: Signature and Assurances                                |
| <b>Scored Criteria</b>      | ✓ | Attachment 7: Organizational/Project Capacity and Experience          |
|                             | ✓ | Attachment 8A: Project Priority Needs                                 |
|                             | ✓ | Attachment 8B: Funding Request, Accomplishments Budget and Leveraging |
|                             | ✓ | Attachment 8C: Project Cost Budget                                    |
|                             | ✓ | Attachment 8D: Performance Objectives and Outcomes                    |
|                             | ✓ | Attachment 8E: Organizational/Project Readiness                       |

**Supplemental Document Instructions:** Attachments requesting supplemental or narrative information should be formatted per the following:

1. Each response must be typewritten; double-space; and in Arial, size 10-font.
2. Not to exceed one (1) page per question.
3. Responses should include the question and be concise but detailed enough to address what is being asked.

Applicants submitting a proposal must electronically upload their entire proposal in PDF format, via BidSync. Hard copy proposals will not be accepted.

**HOUSING REHABILITATION  
FUNDING APPLICATION**

**FISCAL YEAR 2012/13  
Bid #012-116-0504**

**ATTACHMENT 1: ORGANIZATION INFORMATION**

**1. Organization Name:** City of Laguna Hills

Address: 24035 El Toro Road

City/State/Zip: Laguna Hills, CA 92653

Phone: (949) 707-2600 Fax: (949) 707-2633

Email: dchantarangsu@ci.laguna-hills.ca.us

Orange County Supervisorial District where organization's office is located: 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☒

DUNS Number: 79-879-4947 W-9(Federal ID Number) 33-049-0460

**2. Authorized Person:** For the purposes of this RFP, the "Authorized Person" is the individual within your organization who has the authority to enter into a contract. The authorized person will be copied on all correspondence.

Authorized Person's Name: Bruce Channing

Authorized Person's Title: City Manager

(i.e., Executive Director, Organization's Signature Authority)

☒ Check here if the address for the Authorized Person is the same as that of the organization.

Address: 24035 El Toro Road

City/State/Zip: Laguna Hills, CA 92653

Phone: (949) 707-2600 Fax: (949) 707-2633

Email: dchantarangsu@ci.laguna-hills.ca.us

**3. Contact Person:** For the purpose of this RFP, the "Contact Person" will be the primary recipient for all correspondence related to this RFP. The contact person should be available to respond to any inquiries throughout the RFP process.

Contact Person's Name: David Chantarangsu

Contact Person's Title: Community Development Director

Address: 24035 El Toro Road

City/State/Zip: Laguna Hills, CA 92653

Phone: (949) 707-2675 Fax: (949) 707-2633

Email: dchantarangsu@ci.laguna-hills.ca.us

# Housing Rehabilitation Application

Fiscal Year 2012/13

Bid #012-613225

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**ATTACHMENT 2: PRIORITY LISTING**

If submitting more than one application, please **prioritize** your request for funding and list them in preferred order below (in order to maximize funding, the County reserves the right to limit funding for, or not fund multiple applications submitted by the same applicant):

1. Organization Name: \_\_\_\_\_

Title of Project: \_\_\_\_\_

Minimum Amount Requested: \$ 18%

2. Organization Name: \_\_\_\_\_

Title of Project: \_\_\_\_\_

Minimum Amount Requested: \$ \_\_\_\_\_

3. Organization Name: \_\_\_\_\_

Title of Project: \_\_\_\_\_

Minimum Amount Requested: \$ \_\_\_\_\_

4. Organization Name: \_\_\_\_\_

Title of Project: \_\_\_\_\_

Minimum Amount Requested: \$ \_\_\_\_\_

5. Organization Name: \_\_\_\_\_

Title of Project: \_\_\_\_\_

Minimum Amount Requested: \$ \_\_\_\_\_

# Housing Rehabilitation Application

Fiscal Year 2012/13

Bid #012-613225

## ATTACHMENT 3: PROJECT INFORMATION

1. **Project Title:** Aliso Meadows Rehabilitation Project

Project Address: 25832 Via Lomas

City/State/Zip: Laguna Hills, CA 92653

Amount Requested Minimum \$ 180,000 Maximum \$ 360,000

2. **Orange County Supervisorial District where project will be located:**

1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐

3. **Congressional District where project will be located (please check one)**

40 ☐ 42 ☐ 44 ☐ 46 ☐ 48 ☒

4. **Provide a high-level summary description of your project.**

Aliso Meadows is a 248 unit condominium complex, approved in 1980 by the County of Orange, providing very-low and low to moderate-income households and opportunity for ownership. The Aliso Meadows Condominiums stretch along both sides of Via Lomas midway between Moulton Parkway and Alicia Parkway. The requested funds would be used to continue the extensive exterior repairs (on 18 units) needed to preserve and maintain this housing stock. Specifically, the monies would be utilized to repair and maintain:

(see attached page)

(if more space is needed, please attach a separate sheet)

5. **Minority-Owned and Women-Owned business (MBE/WBE)**

a. Will this project provide an opportunity to hire MBE and/or WBE business? Yes ☐ No ☒

b. Describe all actions your organization has taken in support of HUD's goal to provide opportunities to MBE/WBE's.

N/A

(if more space is needed, please attach a separate sheet)

### EXHIBIT 3: PROJECT INFORMATION (CON'T)

#### 4. con't

- Exterior Wood Repairs: The exterior wood siding, wood trim and some wood structural membranes are rapidly deteriorating at a high rate due to methods of construction, dry rot and pest damage.
- Heating System Ductwork: The heating systems were installed with inappropriate ductwork that can and has been destroyed by rodent activity. The HOA began to replace the ductwork several years ago; however, much of the replacement ductwork was substandard, causing more failures within a short period of time.
- Water Heater Closets: Most of the water heater closets lack between one and three building code required items. The closets, doors and water heaters need to meet the standard safety requirements.
- Roofing: The existing twenty-five (25) year old asphalt shingle roofs are all due for replacement. One element of this project is to provide the labor and materials to replace the current asphalt shingle roofs with new thirty (30) year asphalt shingles, per manufacturer standards.
- Fences: Due to extensive termite and dry rot damage, many fences are literally ready to fall over and are in state of disrepair. Given these conditions, the existing fences will be replaced with new vinyl fences.
- Fumigation: Due to the infestation of termites and rodents in numerous units, fumigation will be utilized to address this problem.
- Paint: Due to the amount of repairs each unit will need (i.e. wood repair, etc.), and given the difficulty matching existing paint, new paint will be applied to those affected units.
- Parking Lots and Trash Enclosure Repairs: Due to the age and lack of proper maintenance, several parking lot areas have developed large pot holes (some over 3 feet wide) that need to be fixed. In addition most if not all, trash enclosures are in desperate need of repairs (i.e. missing gates and damaged enclosures).
- Miscellaneous Exterior Repairs: Several units have needed miscellaneous repairs on the exterior portions of the units.

# Housing Rehabilitation Application

Fiscal Year 2012/13

Bid #012-613225

## ATTACHMENT 4: ORGANIZATIONAL BACKGROUND

Answer each question below in approximately one to four paragraphs, not to exceed one (1) page per question, if applicable. Each response must be typewritten; double-spaced; and in Arial, size 10-font. Your responses should include the question, be concise but detailed enough to address what is being asked.

1. Is the applicant a Non-Profit organization? Yes ☐ No ☒

If Yes, please answer Questions A-P below:

- A. Describe the organization's goals, objectives, and mission.
- B. Provide a brief description of your organization's accounting system and controls in place.
- C. Describe the organization's fund development method.
- D. List the person(s) who have legal authority to sign contracts and other legal documents, payment requests, and checks related to this application proposal.
- E. Submit a copy of organization's most recent audit (within the last two years) by an independent CPA and a description of corrective action taken for any findings identified by the auditor, both of which will be reviewed by the OC Community Services Accounting Manager or designated staff.
- F. In the past ten years, has your organization ever had its non-profit status revoked or withheld by the IRS, the Secretary of State, the State Attorney General, or the Franchise Tax Board? If yes, please provide an explanation.
- G. Has your organization been sued in the last five years? If yes, please provide an explanation.
- H. Are any of your managers or staff with fiscal responsibilities involved in litigation presently that has any bearing on fiduciary trust or employee relations? If yes, please provide an explanation.
- I. Have any unfavorable rulings been handed down by any court against your organization or executive director in the past five years? If yes, please provide an explanation.
- J. Does your organization currently have any unresolved fiscal, reporting or program issues with any of its funding sources? If yes, please provide an explanation.
- K. Provide an organizational chart of your organization, including key staffing for the project.
- L. Provide a copy of your organization's Board of Director's list.
- M. Provide a copy of your organization's 501c (3). Also provide an IRS tax-exempt letter dated no earlier than January 2011, or a Certificate of Status provided by the Secretary of State, Business Programs Division. Online Certificates of Status can be found on the Internet at: [http://www.sos.ca.gov/business/pdf/be\\_ircform.pdf](http://www.sos.ca.gov/business/pdf/be_ircform.pdf). (Process may take up to 24 calendar days).
- N. Provide a copy of your organization's Articles of Incorporation and By-Laws.
- O. Provide a copy of the minutes of your organization's board meeting where the proposed project was discussed.
- P. Provide IRS 990 form "Return of Organization Exempt from Income Tax."

# Housing Rehabilitation Application

Fiscal Year 2012/13

Bid #012-613225

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**ATTACHMENT 5: CIVIL RIGHTS LAWS COMPLIANCE AND HUD GOOD STANDING**

1. Has your organization been a past recipient of assistance under a HUD McKinney Act program or the HUD Single Family Property Disposition Homeless Program?

Yes ☐ No ☒

2. If you have been a recipient under either of these programs, has your organization experienced any project or construction delay, HUD finding or outstanding audit that HUD deems serious regarding the administration of HUD McKinney Act programs or the HUD Single Family Property Division Homeless Program?

Yes ☐ No ☐

If you answered "Yes," please attach a brief description of the circumstances and outcomes.

3. Applicants must be in compliance with applicable civil rights laws and Executive Orders. Applications will be rejected if your agency has any of the following: (1) Any pending civil rights lawsuits instituted by the U.S. Department of Justice; (2) Any non-compliance with civil rights statutes, Executive Orders or regulations as a result of formal administrative proceedings, unless the applicant is operating under a HUD-approved compliance agreement designed to correct the area of non-compliance or is currently negotiating such an agreement; (3) Any unresolved secretarial charge of discrimination issues under Section 810 (g) of the Fair Housing Act, as implemented by 24 CFR 103.400; (4) Any adjudication of a civil rights violation in a civil action brought against the agency by a private individual, unless the applicant is operating in compliance with a court order designed to correct the area of non-compliance or the applicant has discharged any responsibility arising from such litigation; (5) Any deferral of the processing of applications from the sponsor imposed by HUD under Title VI of the Civil Rights Act of 1964, the Attorney General's Guidelines (28 CFR 50.3) or the HUD Title VI regulations 24 CFR 1.8) and procedures, or under Section 504 of the Rehabilitation Act of 1973 and HUD Section 504 regulations (24 CFR 8.57).

If one or more of the above five situations exist within your agency, please attach a brief description.

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Authorized Signature

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Date

# Housing Rehabilitation Application

Fiscal Year 2012/13

Bid #012-613225

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**ATTACHMENT 6: SIGNATURES AND ASSURANCES**

1. **Non-Discrimination:** This agency will, through all possible means, ensure equal opportunity for all persons to receive services, to participate in the volunteer structure, and to be employed regardless of age, handicap, national background, race, religion, or sex. An existing sectarian nature of the agency shall not suffer impairment under this agreement, but participation in religious observances, rituals or services will not be required as a condition of receiving food, services, or shelter paid for by this grant.
2. **Accountability:** We commit this agency, of a grant is received, to provide all reports to the County of Orange as required; to expend monies only on eligible cost' to keep complete documentation (copies of all canceled checks, invoices, receipts, etc.) on all expenditures for a minimum of three years; to spend all funds and close out the program on the required date; to return any unused funds to the County of Orange; to cooperate with monitoring or site visits, and; to provide complete documentation of expenses to the County of Orange, if requested, by the required date.
3. **Non-collusion:** This proposal is genuine, and not sham or collusive, nor made in the interest or on behalf of any person not herein named; the proposer has not directly induced or solicited any other proposer to put in a sham proposal, or any other person, firm or corporation to refrain from submitting a proposal; the proposer has not in any manner sought by collusion to secure for him/herself an advantage over any other proposer.

**We affirm that all information in this application is true and correct to the best of our knowledge and that the applicant under our authority will execute its responsibility under the proposed contract and adhere to all other applicable rules and regulations to the fullest extent possible.**

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First Authorized Person Signature

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Date

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First Authorized Person Name and Title

---

Second Authorized Person Signature

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Date

---

Second Authorized Person Name and Title

# Housing Rehabilitation Application

Fiscal Year 2012/13

Bid #012-613225

## ATTACHMENT 7: ORGANIZATIONAL/PROJECT CAPACITY AND EXPERIENCE

1. Has your organization received funding for this type of activity during the previous three years?

Yes ☒ No ☐

- If you answered, "Yes", complete Attachment Chart below by identifying the contract number, award amount, program income, if generated; and any unspent funds.
- If you answered "No" above, submit a letter signed by this application's authorized person that identifies one reference from three different funding sources from whom you have received funding in the past three years. The letter must include contact information for the three references (funding source), the amount of funding awarded from each reference, explanation of the use of funds, duration of funding awarded, and state whether or not contractual performance measures were achieved.

| PREVIOUS FUNDING CHART |                 |              |                                          |                          |
|------------------------|-----------------|--------------|------------------------------------------|--------------------------|
| Year                   | Contract Number | Award Amount | Program Income Generated (If Applicable) | Unspent Funds from Award |
| 2011/12                | KC11967         | \$166,540    | N/A                                      | \$166,540                |
| 2010/11                | KC10919         | \$200,000    | N/A                                      | N/A                      |
| 2009/10                | KC 09843        | \$200,000    | N/A                                      | N/A                      |

2. Describe the role of key administrators, staff members, contractors, and volunteers within your organization and their role in implementing the proposed project. Include experience, education, and licensing qualifications in your description.

See attached page

3. Describe the organization's experience administering this type or similar project.

See attached page

4. Please submit a copy of the City's most recent audit (within the last two years) by an independent CPA and a description of corrective action taken for any findings identified by the auditor, both of which will be reviewed by the OC Community Services Accounting Manager or designated staff. If you have submitted an audit within the last two years to OC Community Services please indicate date submitted. Audit submitted to OC Community Services on December 23, 2011

*Non-Profit organizations please see Attachment 4: Organizational Background, Item E*

5. Describe the reason why funds remain unspent in Attachment 7. Include an explanation of how the organization intends to complete the project.

## **ATTACHMENT 7: ORGANIZATIONAL/PROJECT CAPACITY AND EXPERIENCE**

2. The question was asked: Describe the role of key administrators, staff members, contractors and volunteers within your organization and their role in implementing the proposed project. Include experience, education, and licensing qualifications in your description. Answer: The staff members, consultants and vendors have a wealth of municipal experience, including planning, construction/engineering activities, public administration, public finance, and personnel. In addition, the City of Laguna Hills will provide on-going training and staff development relative to customer driven programs and services that are outcome based. Staff and/or vendors must demonstrate knowledge as well as the skills to provide services that are collaborative and outcome based that build and expands community capacity and civic engagement. Overall, the experience of the principal staff for this project includes the following: over 25 years of Land Use Planning, 25 years of Building and Construction, 20 years of Engineering, 15 years of Public Finance, and 17 years of Public Administration.

3. The question was asked: Describe the organizations experience administering this type or similar project. Answer: The City has been awarded CDBG funds for the rehabilitation of Aliso Meadows condos for the past eight years. During this time the city has made positive steps towards maintaining and preserving this affordable housing stock. In addition, the city has worked closely with the county to ensure the CDBG funds are administered correctly and achieve the state performance measures.

5. The questions was asked: Describe the reason why funds remain unspent in Attachment 7. Include an explanation of how the organization intends to complete the project. Answer: For Contract KC11967, (2011/12), The City has not spent the funds because the bid process for the project has not yet occurred. Bid packets will be sent out on February 1, 2012. The City, however, has been proactive in preparing to spend the funds by meeting with the HOA, gathering income information from the residents in the project area, etc.

# Housing Rehabilitation Application

Fiscal Year 2012/13

Bid #012-613225

## ATTACHMENT 8A: PRIORITY NEEDS

1. Refer to chart below: Funding Request and Accomplishment Budget enter the total dollar amount of Urban County funds that will be used by this project next to the community development need that best fits your project's scope. Projects may address more than one community development need; however, in order to be considered as addressing a "High Priority" community development need, at least 51% of the Urban County's funds must be applied towards a high priority need.

| PRIORITY NEEDS CHART                                           |                      |                    |                   |
|----------------------------------------------------------------|----------------------|--------------------|-------------------|
| Community Development Need                                     | Priority Needs Level | Urban County Funds | Leveraged Dollars |
| 01 Acquisition of Real Property 570.201(a)                     | High                 |                    |                   |
| 02 Disposition 570.201(b)                                      | Medium               |                    |                   |
| <b>Public Facilities and Improvements Needs 570.201( c )</b>   |                      |                    |                   |
| 03 Public Facilities and Improvements (General)                | Medium               |                    |                   |
| 03A Senior Centers                                             | High                 |                    |                   |
| 03B Handicapped Center                                         | Medium               |                    |                   |
| 03C Homeless Facilities                                        | High                 |                    |                   |
| 03D Youth Centers                                              | Medium               |                    |                   |
| 03E Neighborhood Facilities/Libraries                          | High                 |                    |                   |
| 03F Parks and/or Recreational Facilities                       | Medium               |                    |                   |
| 03G Parking Facilities                                         | Medium               |                    |                   |
| 03H Solid Waste Disposal Improvements                          | Medium               |                    |                   |
| 03I Flood Drain Improvements                                   | High                 |                    |                   |
| 03J Water/Sewer Improvements                                   | High                 |                    |                   |
| 03K Street Improvements                                        | High                 |                    |                   |
| 03L Sidewalks                                                  | High                 |                    |                   |
| 03M Child Care Centers                                         | Medium               |                    |                   |
| 03N Tree Planting                                              | Medium               |                    |                   |
| 03O Fire Stations/Equipment                                    | Medium               |                    |                   |
| 03P Health Facilities                                          | Medium               |                    |                   |
| 03Q Abused and Neglected Children Facilities                   | Medium               |                    |                   |
| 03R Asbestos Removal                                           | Low*                 |                    |                   |
| 03S Facilities for AIDS Patients (not operating costs)         | Medium               |                    |                   |
| Non-Residential Historic Preservation                          | Low*                 |                    |                   |
| Other Public Facility Needs                                    | Medium               |                    |                   |
| 14A Rehab; Single-Unit Residential 570.202                     | High                 |                    |                   |
| 14B Rehab; Multi-Unit Residential 570.202                      | High                 | \$360,000          | \$50,000          |
| 14D Rehab; Other Publicly-Owned Residential Buildings 570.202  | Medium               |                    |                   |
| 14E Rehab; Publicly or Privately-Owned Commercial/Indu 570.202 | Medium               |                    |                   |
| 14F Energy Efficiency Improvements 570.202                     | Medium               |                    |                   |
| 14G Acquisition - for Rehabilitation 570.202                   | Medium               |                    |                   |
| 14H Rehabilitation Administration 570.202                      | Medium               |                    |                   |
| 14I Lead-Based/Lead Hazard Test/Abate 570.202                  | Medium               |                    |                   |
| 15 Code Enforcement 570.202(c)                                 | Medium               |                    |                   |
| 16A Residential Historic Preservation 570.202(d)               | Medium               |                    |                   |
| 16B Non-Residential Historic Preservation 570.202(d)           | Medium               |                    |                   |
|                                                                |                      |                    |                   |
| Total Amount of Funds Used for Medium Priority Needs           |                      |                    |                   |
| Total Amount of Funds Used for High Priority Needs             |                      |                    |                   |
| <b>Total Amount of Funds Used for Project</b>                  |                      | <b>\$ 360,000</b>  | <b>\$ 50,000</b>  |

Source: FY 2010/15 Consolidated Plan

\*Low Priority activities are not eligible for funding under this RFP.

# Housing Rehabilitation Application

Fiscal Year 2011/12  
Bid #012-613225

## ATTACHMENT 8A: PRIORITY NEEDS (Continued)

### 2. HUD Demographics:

- |                                                                |                              |                                        |
|----------------------------------------------------------------|------------------------------|----------------------------------------|
| a. Does this project help prevent homelessness?                | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| b. Does this project help the homeless?                        | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| c. Does this project help those with HIV or AIDS?              | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| d. Does this project primarily help persons with disabilities? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

### 3. Answer the following using minimum funds requested. Each response should not exceed one page. See attached page

- Summarize the Scope of Work of your project including at minimum the number of units to be assisted by federal funding.
- Why is this project needed?
- Describe how the project preserves a low and moderate-income neighborhood, or provides other community benefits.

### 4. Answer each question below in approximately one to four paragraphs. See attached page

- Based upon your description of this project in Attachment 8A: Priority Needs Chart, state how your organization will address meeting a priority need with your performance and outcomes. In your description, state how your performance objectives and performance outcomes apply to the project's beneficiaries and specifically explain how this project will affect the beneficiaries.
- Describe what tools your organization will utilize to measure this project's effect on the intended beneficiaries. In your description include how your organization will measure its success in meeting the needs of the project's beneficiaries.
- Describe the specific population that your project will serve (i.e., low to moderate-income).
- Describe the intended benefits to the population being served (i.e., preservation of a low to moderate-income neighborhood).
- Describe the ramifications if your project is not recommended for funding in this fiscal year.

## ATTACHMENT 8A: PRIORITY NEEDS (Continued)

3.a. The question was asked: Summarize the Scope of Work of your project including at minimum the number of units to be assisted by federal funding. Answer: The Aliso Meadows Rehabilitation project will help preserve and maintain 18 affordable condo units. Specifically, the scope of work will include the following:

- Exterior Wood Repairs: The exterior wood siding, wood trim and some wood structural membranes are rapidly deteriorating at a high rate due to methods of construction, dry rot and pest damage.
- Heating System Ductwork: The heating systems were installed with inappropriate ductwork that can and has been destroyed by rodent activity. The HOA began to replace the ductwork several years ago; however, much of the replacement ductwork was substandard, causing more failures within a short period of time.
- Water Heater Closets: Most of the water heater closets lack between one and three building code required items. The closets, doors and water heaters need to meet the standard safety requirements.
- Roofing: The existing twenty-five (25) year old asphalt shingle roofs are all due for replacement. One element of this project is to provide the labor and materials to replace the current asphalt shingle roofs with new thirty (30) year asphalt shingles, per manufacturer standards.
- Fences: Due to extensive termite and dry rot damage, many fences are literally ready to fall over and are in state of disrepair. Given these conditions, the existing fences will be replaced with new vinyl fences.
- Fumigation: Due to the infestation of termites and rodents in numerous units, fumigation will be utilized to address this problem.
- Paint: Due to the amount of repairs each unit will need (i.e. wood repair, etc.), and given the difficulty matching existing paint, new paint will be applied to those affected units.
- Parking Lots and Trash Enclosure Repairs: Due to the age and lack of proper maintenance, several parking lot areas have developed large pot holes (some over 3 feet wide) that need to be

fixed. In addition most if not all, trash enclosures are in desperate need of repairs (i.e. missing gates and damaged enclosures).

- Miscellaneous Exterior Repairs: Several units have needed miscellaneous repairs on the exterior portions of the units.

3.b. The questions was asked: Why is the project needed? Answer: The City of Laguna Hills has identified more than \$2,750,000 in needed rehabilitation work at the Aliso Meadows development. The project is more than 30 years old and is pre-fabricated housing that has original, problematic design issued that have generated problems preserving and maintaining this housing stock.

3.c. The questions was asked: Describe how the project preserves a low and moderate-income neighborhood, or provides other community benefits. Answer: This project helps to preserve and maintain affordable housing within the City and allows homeownership for those of extremely-low and low income levels. The HOA is unable to fund the large amount of repairs needed to keep this housing stock from being neglected and falling in to a state of disrepair. These repairs are needed to provide sage and healthy living conditions. The HOA has been and continues to be unable to fund many of these needed repairs.

4.a. The questions was asked: Based upon your description of this project in Attachment 8A: Priority Needs Chart, state how your organization will address meeting a priority need with your performance and outcomes. In your description, state how your performance objectives and performance outcomes apply to the project's beneficiaries and specifically explain how this project will affect the beneficiaries. Answer: In "Activity 1d: Priority Needs" it describes the essential rehabilitation tasks (at Aliso Meadows) that will benefit eighteen (18) units that are very low income households. This rehabilitation project will ensure that eighteen (18) units are improved and ensure the maintenance of this affordable housing stock.

4.b. The questions was asked: Describe what tools your organization will utilize to measure this project's effect on the intended beneficiaries. In your description include how your organization will measure its

success in meeting the needs of the project's beneficiaries. Answer: Performance can easily be measured by the number of units rehabilitated and the schedule of performance. This rehabilitation will take between 90-120 days for construction.

4.c. The question was asked: Describe the specific population that your project will serve (i.e., low to moderate-income). Answer: Based on the data collected, of this date, 58.5% will be extremely low income, 35.8% will be low income and 5.7% will be low moderate income households.

4.d. The question was asked: Describe the intended benefits to the population being served (i.e., preservation of a low to moderate-income neighborhood). Answer: The project is an effort to preserve the 248 unit low to moderate income neighborhood at Aliso Meadows Condominiums in Laguna Hills. We believe that this project will have an immediate, direct, significant and lasting health and safety benefit to the residents. Under the "Broken Window" theory it is our belief that this rehabilitation activity will encourage pride of ownership, build a sense of community, preserve this housing stock and discourage the encroachment of the local gang influence.

4.e. The question was asked: Describe the ramifications if your project is not recommended for funding in this fiscal year. Answer: Even though more than 115 of the 248 units have undergone rehabilitation, Aliso Meadows remains on the precipice between community anger, unsafe conditions, severe decline on one hand and relative community satisfaction and pride of ownership on the other.

# Housing Rehabilitation Application

Fiscal Year 2012/13

Bid #012-613225

## ATTACHMENT 8B: FUNDING REQUEST, ACCOMPLISHMENT BUDGET & LEVERAGING

Funding Request and Accomplishment Budget is a snapshot of your total project budget. Complete the chart by providing the total requested amount for your project, the total leveraged amount for your project, and the total accomplishment level for your project. Applicants must provide figures for two different funding scenarios: a minimum-funding scenario and a maximum-funding scenario. The minimum-funding scenario is the amount on which you are basing this application. Maximum funds will only be used if additional resources become available.

| FUNDING REQUEST & ACCOMPLISHMENT BUDGET ACTIVITY CHART |              |           |
|--------------------------------------------------------|--------------|-----------|
| * Minimum Funds Request                                |              |           |
|                                                        | Example      | 2012/13   |
| A. Minimum Funds Request                               | \$ 75,000    | 180,000   |
| B. Leveraging for Minimum Funds Request                | \$ 50,000    | \$40,000  |
| C. Total Minimum Funds Request (A+B)                   | \$ 125,000   | \$220,000 |
| D. Goals/Accomplishments                               | 2 Facilities | 9 units   |
| Maximum Funds Request                                  |              |           |
| A. Maximum Funds Request                               | \$ 150,000   | \$360,000 |
| B. Leveraging for Maximum Funds Request                | \$ 60,000    | \$50,000  |
| C. Total Maximum Funds Request (A+B)                   | \$ 210,000   | \$410,000 |
| D. Goals/Accomplishments                               | 2 Facilities | 18 units  |

*\*Note: Throughout the remainder of this application, you will complete all questions based on the information you listed under Minimum Funds Request.*

OC Community Services will maintain \$300,000 maximum funding amount for Public Facilities and Improvements (PF&I); but allow applicants to request more than 35% of the total funding available, however, limit awards to no more than 35% of the total funds available.

FY 2012/13 CDBG funding may increase or decrease based on HUD's final allocation of CDBG funds to the Urban County/OC Community Services. We estimate \$1,067,950 may be available for PF&I projects.

# Housing Rehabilitation Application

Fiscal Year 2011/12  
Bid #012-613225

## ATTACHMENT 8B: LEVERAGING (Continued)

Complete Attachment 8B Leveraging Chart: Leveraging by listing all leveraged resources that will be utilized on this project. Each individual resource must be documented in a letter or memo printed on the organization's letterhead, signed and dated by the organizations authorized person and must include the information below. All leveraged resources must be specifically earmarked for this 2012/13 RFP. The documentation must indicate specific dates that the source of leverage will be available.

### Resource Value

Resources such as professional services should be valued at a fair-market rate. Buildings and equipment should also be valued at the fair-market rental value. Volunteer time should be valued at \$10 per hour.

### Leveraging Directions

1. Type of resource to complete a specific project activity.
2. Project activity necessary to complete the project.
3. Source of Leverage, what is the source of the leverage.
4. Leverage value, earmarked for FY 2012/13.

| LEVERAGING CHART    |                            |                       |                   |
|---------------------|----------------------------|-----------------------|-------------------|
| Example             |                            |                       |                   |
| 1. Type of Resource | 2. Project Activity        | 3. Source of Leverage | 4. Leverage Value |
| Staffing            | Project Management         | Gas Tax               | \$20,000          |
| Engineer            | Project Design/Engineering | City General Fund     | \$50,000          |
| Total Leveraging    |                            |                       | \$70,000          |
| 1. Type of Resource | 2. Project Activity        | 3. Source of Leverage | 4. Leverage Value |
| Staffing            | Project Management         | City Funds            | \$30,000          |
| Construction        | Rehabilitation Work        | HOA Funds             | \$10,000          |
|                     |                            |                       |                   |
|                     |                            |                       |                   |
|                     |                            |                       |                   |
|                     |                            |                       |                   |
| Total Leveraging    |                            |                       | \$40,000          |

$$\frac{\text{Total Leveraging}}{\text{Minimum Funding Request}} = 18\% \quad \%$$

### LEVERAGING CERTIFICATION

I certify on behalf of \_\_\_\_\_ and attest that all leveraged  
(Agency and project name)  
resources contained in Attachment 8B, have not been previously used for other project(s) and that all information  
contained in Attachment 8B is true and accurate to the best of my knowledge.

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

# Housing Rehabilitation Application

Fiscal Year 2012/13

Bid #012-613225

## ATTACHMENT 8C: PROJECT COST BUDGET

Complete chart below: Project Cost Budget by listing the specific activities that will be paid for by Urban County funds and your leveraged dollars for each phase of this project (complete this activity by using the information you provided in the Minimum Funds Request portion of Attachment 8B: Funding Request and Accomplishment Budget Chart).

| PROJECT COST BUDGET CHART                    |                    |                     |                   |
|----------------------------------------------|--------------------|---------------------|-------------------|
| Example                                      |                    |                     |                   |
| Project Costs                                | Urban County Funds | Leveraged Resources | Total             |
| Project Activity: Design/Project Development | \$ 50,000          | \$ 30,000           | \$ 80,000         |
| Project Activity: Acquisition                | \$ 25,000          | \$ 20,000           | \$ 45,000         |
| <b>Total Project Cost</b>                    | <b>\$ 75,000</b>   | <b>\$ 50,000</b>    | <b>\$ 125,000</b> |
| Project Costs                                | Urban County Funds | Leveraged Resources | Total             |
| Project Activity: Design/Project Development |                    |                     |                   |
| Project Activity: Acquisition                |                    |                     |                   |
| Project Activity: Construction               |                    |                     |                   |
| Project Activity: Rehabilitate 9 units       | \$180,000          | \$40,000            | \$220,000         |
| Project Activity:                            |                    |                     |                   |
| Project Activity:                            |                    |                     |                   |
| Project Activity:                            |                    |                     |                   |
| Project Activity:                            |                    |                     |                   |
| Project Activity:                            |                    |                     |                   |
| Project Activity:                            |                    |                     |                   |
| <b>Total Project Cost</b>                    |                    |                     |                   |

### 1. Provide a detailed description of each project activity listed in above Chart.

Aliso Meadows is a 248 unit condominium complex, approved in 1980 by the County of Orange, providing low and moderate income households an opportunity for ownership. The Aliso Meadows Condominiums stretch along both sides of Via Lomas midway between Moulton Parkway and Alicia Parkway. The repairs need to preserve and maintain this affordable housing are extensive and include the following improvements: repair ducting, wood repairs, painting, install new (30 year) asphalt shingles on roof, replace fencing, brining water heater closets up to building code, repair parking lots, repair trash enclosures and fumigation for termites and rodents.

# Housing Rehabilitation Application

Fiscal Year 2012/13

Bid #012-613225

## ATTACHMENT 8D: PERFORMANCE OBJECTIVES AND OUTCOMES

Using the definitions below, complete Attachment 8D: Performance Objectives and Outcomes by stating project activity, output, performance objectives and performance outcomes.

**Activity** Identify project activities geared towards completing project, set quantifiable units of accomplishments (e.g., planning, construction, inspections).

**Output** Identify project outputs such as proposed units of accomplishments (what do you hope to achieve from your project, (e.g., complete 1,000 lf of sidewalk).

### Performance Objectives

- No. 1.** Suitable Living Environment: In general, this objective relates to activities that are designed to benefit communities, families, or individuals by addressing issues in their living environment.
- No. 2.** Decent Affordable Housing: The activities that typically would be found under this objective are designed to cover the wide-range of housing possible under HOME, CDBG, HOPWA, or ESG. This objective focuses on housing programs where the purpose for the project is to meet the individual family or community needs and not programs where the housing is an element of a larger effort.
- No. 3.** Creating Economic Opportunities: This objective applies to the types of activities related to economic development, commercial revitalization, or job creation.

### Performance Outcomes

- No. 1.** Availability/Accessibility: This outcome category applies to activities that make services, infrastructure, housing, or shelter available or accessible to low and moderate-income people, including persons with disabilities. In this category, accessibility does not refer only to physical barriers, but also to making the affordable basics of daily living available and accessible to low and moderate-income people.
- No. 2.** Affordability: This outcome category applies to activities that provide affordability in a variety of ways in the lives of low and moderate-income people. It can include the creation or maintenance of affordable housing, basic infrastructure hook-ups, or services such as transportation or day care.
- No. 3.** Sustainability (Promoting Livable or Viable Communities): This outcome applies to projects where the activity or activities are aimed at improving communities or neighborhoods, helping to make them livable or viable by providing benefit to persons of low and moderate-income or by removing or eliminating slums or blighted areas, through multiple activities or services that sustain communities or neighborhoods.

| PERFORMANCE OBJECTIVES AND OUTCOMES CHART |                       |                             |                             |
|-------------------------------------------|-----------------------|-----------------------------|-----------------------------|
| Example                                   |                       |                             |                             |
| Activity                                  | Outputs               | Performance Objectives      | Performance Outcomes        |
| Inspection                                | 1000 lf of Sidewalk   | Suitable Living Environment | Availability/Accessibility  |
| Construction                              | 300 Sq. Ft. of Lumber | Decent Affordable Housing   | Affordability               |
| ////////////////////////////////////      |                       |                             |                             |
| Activity                                  | Outputs               | Performance Objectives      | Performance Outcomes        |
| Rehabilitation                            | 9 units               | Suitable Living Environment | Preserve Affordable Housing |
|                                           |                       |                             |                             |
|                                           |                       |                             |                             |
|                                           |                       |                             |                             |

# Housing Rehabilitation Application

Fiscal Year 2012/13

Bid #012-613225

## ATTACHMENT 8E: ORGANIZATIONAL/PROJECT READINESS

Project milestones are an effective method of demonstrating overall project readiness. Enter the date the milestone action was completed in column 1. If the milestone action is in progress, enter the start and end dates in columns 2 and 3. If the action is not applicable to your project, check column 4.

| PROJECT/ORGANIZATION READINESS CHART                                                                                                                                                                  |                         |                                          |                                        |                    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|------------------------------------------|----------------------------------------|--------------------|
|                                                                                                                                                                                                       | 1<br>Action<br>Complete | 2<br>Action<br>In Progress<br>Start Date | 3<br>Action<br>In Progress<br>End Date | 4<br>Action<br>N/A |
| <b>Milestone Action</b>                                                                                                                                                                               |                         |                                          |                                        |                    |
| A. Public Hearing Held                                                                                                                                                                                | 01/10/2012              |                                          |                                        |                    |
| B. Minute Order/Board Resolution                                                                                                                                                                      |                         | 01/24/2012                               | 01/24/2012                             |                    |
| C. Project found in current annual budget                                                                                                                                                             | 06/29/2011              |                                          |                                        |                    |
| Staffing/Consultant assigned for design/<br>implementation                                                                                                                                            | 08/24/2011              |                                          |                                        |                    |
| D. Feasibility Study                                                                                                                                                                                  |                         |                                          |                                        | N/A                |
| Design                                                                                                                                                                                                |                         |                                          |                                        | N/A                |
| Project in concept phase                                                                                                                                                                              |                         | 08/24/2012                               | 09/15/2012                             |                    |
| RFP/RFQ process administered                                                                                                                                                                          |                         | 09/15/2012                               | 10/15/2012                             |                    |
| Consultant contract with design engineer<br>negotiated                                                                                                                                                |                         |                                          |                                        | N/A                |
| Final plans and specifications written                                                                                                                                                                |                         |                                          |                                        | N/A                |
| Finals plans and specifications approved                                                                                                                                                              |                         |                                          |                                        | N/A                |
| Environmental Approvals (CEQA/NEPA)                                                                                                                                                                   |                         | 09/15/2012                               | 09/15/2012                             |                    |
| E. Acquisition completed (If purchase is not<br>complete submit the appraisal of the property.<br>If purchase is not complete within 30 days of<br>funding of this project, funds may be recaptured). |                         |                                          |                                        | N/A                |

1. Include in your application documentation regarding all completed milestone actions (i.e., Minute Order/Board Resolution, public hearing notice, etc.).  
Notice of Public Hearing (Attached)  
Staff Report for January 10, 2012 (Attached)  
Letter approving Consulting Services for GRC Associates, Inc. (Attached)
2. Include in your application a written status for all milestone actions marked as "In Progress."  
Include supporting documentation to support progress.  
Minutes and Approval Obtained at the January 24, 2012 City Council Meeting  
Project in concept phase will commence on August 24, 2012 and be completed by September 15, 2012
3. Include in your application a brief explanation as to why a given milestone action is not applicable to the project, if necessary.  
Feasibility Study is not a part of this project.  
Design is not a part of this project.  
Design Engineer contract is not a part of this project.  
Final plans and specifications are not a part of this project.  
Acquisition is not a part of this project.



## **CITY OF LAGUNA HILLS NOTICE OF CITY COUNCIL PUBLIC HEARING**

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**NOTICE IS HEREBY GIVEN** that the City Council of the City of Laguna Hills will conduct a public hearing to consider the following:

FY 2012-13 Housing Rehabilitation and Public Facilities Improvement Bid  
(Solicitation 012-613225)

As a participating city in the Urban County Program, the City of Laguna Hills is eligible to receive the Housing and Urban Development (HUD) administered Community Development Block Grant (CDBG) funding from the County of Orange, Housing and Community Services Department under the Public Facilities & Improvement and Housing Rehabilitation (PF&I/Rehab) Program for the following census tracts: 423.07-block groups 4 and 5, 423.20-block group 2, 626.22-block group 5, 626.23-block group 2, and 626.25-block group 4.

The City of Laguna Hills will consider the funding policies and procedures and promote citizen participation in the preparation of the CDBG funding allocation goals and objectives for Fiscal Year 2012-2013.

**DATE AND TIME OF HEARING:** January 10, 2012, 7:00 p.m., or as soon thereafter as possible

**LOCATION OF HEARING:** City Council Chamber  
24035 El Toro Road  
Laguna Hills, California 92653

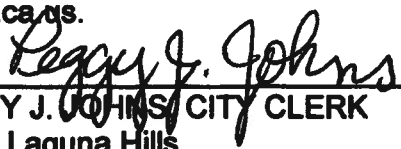
**INVITATION TO BE HEARD:**

All interested persons will be given an opportunity to comment on this item at the public hearing. In addition, written comments may be submitted to the City Council prior to the hearing, mailed to 24035 El Toro Road, Laguna Hills, California 92653, Attention: City Clerk. Please reference hearing title and date of hearing in any correspondence.

If you wish to challenge the above in court, the challenge will be limited only to those issues you or someone else raised at the public hearing or in written correspondence delivered to the City Clerk at, or prior to, the public hearing described in this notice.

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.

The file pertaining to this item is available for public review at the Community Development Department of the City of Laguna Hills. The agenda report for this item will be available Friday afternoon, January 6, 2012, and a copy may be obtained from the City Clerk's Department. Prior to coming to City Hall, you may wish to contact the City Clerk's Department to ensure a copy of the report is available for distribution. For further information, you may contact Julie Molloy, Senior Planner at (949) 707-2600, or e-mail [jmolloy@ci.laguna-hills.ca.us](mailto:jmolloy@ci.laguna-hills.ca.us).

  
PEGGY J. JOHNS, CITY CLERK  
City of Laguna Hills

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; and that on the 30<sup>th</sup> day of December 2011, the attached Notice, being:

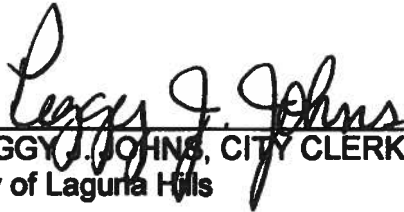
**FY 2012-13 Housing Rehabilitation and Public Facilities Improvement Bid (Solicitation 012-613225)**

As a participating city in the Urban County Program, the City of Laguna Hills is eligible to receive the Housing and Urban Development (HUD) administered Community Development Block Grant (CDBG) funding from the County of Orange, Housing and Community Services Department under the Public Facilities & Improvement and Housing Rehabilitation (PF&I/Rehab) Program for the following census tracts: 423.07-block groups 4 and 5, 423.20-block group 2, 626.22-block group 5, 626.23-block group 2, and 626.25-block group 4.

The City of Laguna Hills will consider the funding policies and procedures and promote citizen participation in the preparation of the CDBG funding allocation goals and objectives for Fiscal Year 2012-2013.

was published in the Saddleback Valley News; and was, in compliance with City Resolution No. 2004-05-25-2, on the 30<sup>th</sup> day of December 2011, caused to be posted in three places in the City of Laguna Hills, to wit:

Laguna Hills City Hall  
Laguna Hills Community Center  
La Paz Center

  
\_\_\_\_\_  
PEGGY J. JOHNS, CITY CLERK  
City of Laguna Hills

# **CITY OF LAGUNA HILLS**

## **AGENDA REPORT COMMUNITY DEVELOPMENT**

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**ISSUE: COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

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**RECOMMENDATION: THAT THE CITY COUNCIL: (1) CONDUCT A PUBLIC HEARING; (2) CONFIRM STAFF'S SUBMITTAL OF A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING APPLICATION FOR THE 2012-2013 FISCAL YEAR; AND (3) AUTHORIZE THE CITY MANAGER TO EXECUTE THE APPLICATION.**

---

### **SUMMARY:**

The City is eligible to receive federal funds through the Department of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) program. The program is administered by the County which awards funding to various "sub-recipients" which are in turn responsible for implementing and monitoring the programs funded by CDBG monies. The City has primarily used the CDBG funds it has received for housing rehabilitation purposes – specifically in the Aliso Meadows condominium complex. For cities applying for CDBG funds, the County of Orange requires that a public hearing be conducted so that members of the public may comment on the application for funding and/or propose projects that the City should consider when making application to the County of Orange.

Staff was recently advised of the availability of CDBG funding for Fiscal Year (FY) 2012-2013. The application deadline to be eligible to receive funding is January 9, 2012. However, since the County's notification of funding has not afforded applicant's for CDBG funding to have adequate time to provide public notice and conduct a public hearing prior to submitting an application, the County of Orange is accepting applications subject to the understanding that Cities will hold a noticed public hearing, obtain City Council authorization to make application for CDBG funds, and provide documentation of those actions, after the application deadline.

Accordingly, staff has submitted an application for FY 2012-2013 of \$360,000 (the maximum allowed request) to renovate approximately eighteen (18) units within the Aliso Meadows Condominium development located along both sides of Via Lomas midway between Moulton Parkway and Alicia Parkway (see Vicinity Map, Attachment 1). Staff recommends that the City Council conduct a public hearing and confirm staff's submittal of a CDBG application (see application, Attachment 2).

## **BACKGROUND:**

### **Aliso Meadows Condominiums**

Aliso Meadows is a 248-unit condominium complex, approved in 1980 by the County of Orange, providing low- and moderate-income households an opportunity for home ownership. The Aliso Meadows Condominiums stretch along both sides of Via Lomas midway between Moulton Parkway and Alicia Parkway. The repairs needed at the Aliso Meadows neighborhood are extensive and have typically included repair or replacement of major building elements such as exterior siding, roofing and patio fencing, heating and cooling systems, and plumbing repairs. Due to the size of the housing development, scope of rehabilitation work, and estimated cost, this has been a multi-year project for the City.

The total funding for these repairs will come from a combination of Aliso Meadows Homeowners' Association funds and the CDBG funds requested. The Homeowners' Association has been working to repair and update their homes for some time and has spent over \$200,000 from their reserve account over the years to address the most pressing rehabilitation needs in many of the units.

Based on staff's experience working on the Aliso Meadows Condominium project over the past eight years, this project continues to demonstrate eligibility for CDBG funding. To be eligible to receive CDBG funds, a planned activity must accomplish the following "national objective criteria":

- Benefit low and moderate income families;
- Aid in the prevention of blight; and
- Address immediate threats to the health or welfare of the community.

Given the remaining building maintenance conditions, the proposed activity will meet the second and third criteria related to building conditions. Staff will also ensure that only income qualified households will be eligible for rehabilitation work on their unit.

In reviewing the HUD funding priorities and the County of Orange's overall CDBG plan, staff determined that this is an opportunity to receive CDBG funds to assist this complex with needed rehabilitation improvements. The primary goal of the City's (General Plan) Housing Element is to provide and maintain housing opportunities to serve all economic segments of the community. Any CDBG funds obtained will assist the City in preserving affordable housing for very low-, low-, and moderate-income residents. Therefore, CDBG funds are requested on behalf of the Aliso Meadows project.

Following the public hearing, the next step in the application process is for the County's Application Review Committee (ARC) to review and determine which applications are funded. All of the applications submitted will be competitively reviewed against each other. Those projects that more clearly meet the national objective criteria receive more

points than other applications. The ARC recommendations for funding will be posted in February 2012.

If CDBG funds are secured for the project, the City's obligation will include periodic reporting to the County and Federal Government and management of the contracts, as follows:

1. Quarterly Report – reporting on the status of the project and demonstrating how the funds are benefiting the benefit area of limited clientele group.
2. Grantee Performance Report – report submitted to the County and HUD outlining how the City has met the National Objective under which the applications were funded.
3. Fiscal Management of Contracts – invoices submitted periodically.
4. Auditing (yearly audit) – receipt of the CDBG funds can be included within the City's yearly audit. The City would only need to supply the County with the results of the relevant portions of the audit.

#### **FISCAL IMPACT:**

The City Council's authorization to proceed with the CDBG application will ensure that the City is eligible to secure several hundred thousand dollars in CDBG funds for needed rehabilitation work at Aliso Meadows. Staff notes that the California Supreme Court's recent ruling essentially abolishing redevelopment agencies calls into question the funding mechanism historically used to administer this program. In past years, the City funded a consultant (generally in the amount of \$30,000 annually) to administer the CDBG program from redevelopment housing money. It is unclear at this time if this is still a viable approach. Given the uncertainty surrounding the availability of housing money from the City's redevelopment funding source, staff will need to bring back a funding policy to the City Council for review and approval if the City is awarded any funds and before the CDBG money can be spent. However, due to timing issues with the application it would be prudent for the City to apply for the funds, even with the uncertainty of the how the administration of the program would be funded, to preserve the City's funding eligibility.

#### **CEQA:**

The application for funding is not considered by the California Environmental Quality Act (CEQA) to be a project. Therefore, the application for funding is not applicable to the provisions of CEQA.

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**RECOMMENDATION: THAT THE CITY COUNCIL: (1) CONDUCT A PUBLIC HEARING; (2) CONFIRM STAFF'S SUBMITTAL OF A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING APPLICATION FOR THE 2012-2013 FISCAL YEAR; AND (3) AUTHORIZE THE CITY MANAGER TO EXECUTE THE APPLICATION.**

---

**ATTACHMENTS:**

1. Vicinity Map
2. Application



## **CITY OF LAGUNA HILLS**

*City Clerk*

**August 24, 2011**

**John Oshimo, Principle  
GRC Associates, Inc.  
858 Oak Park Road  
Covina, CA 91724**

**Re: Agreements for Consulting Services**

**Dear Mr. Oshimo:**

**The City Council at its meeting of August 23, 2011, approved the Agreement for the planning and housing consulting services for use of CDBG funds for the Aliso Meadows Condominium Rehabilitation Project.**

**Enclosed please find two copies of the Agreement with your firm for the planning and housing consulting services. Please return one fully executed copy of the Agreement to this office once your company has taken action, and keep one copy for your files.**

**Thank you for your cooperation. If I can be of further assistance, do not hesitate to call me at (949) 707-2635.**

**Very truly yours,**

A handwritten signature in dark ink, reading "Peggy J. Johns". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

**PEGGY J. JOHNS, MMC  
City Clerk**

**Enclosure**

**cc: Community Development Director**

**0400-10/CtyClerk/Agendas/110823 Let GRC Agreement**



Parking Lot Pot Holes



Parking Lot Pot Holes



Dilapidated Fences



Dilapidated Fences



Termite Damage



Dilapidated Trash Enclosures



Damaged Siding



Damaged Siding



# **CITY OF LAGUNA HILLS**

## **AGENDA REPORT ADMINISTRATIVE SERVICES DEPARTMENT**

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**ISSUE: CITY APPLICATION FOR FY 2012/2013 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR PUBLIC FACILITIES AND IMPROVEMENTS FOR THE FLORENCE SYLVESTER SENIOR CENTER**

---

### **SUMMARY:**

Staff was recently advised of the availability of Federal Community Development Block Grant (CDBG) funding for Public Facilities and Improvements for FY 2012/2013, administered by the County of Orange. The Request for Proposal (RFP) application deadline to be eligible to receive funding for FY 2012/2013 was January 9, 2012. In order to apply for these CDBG grant funds, the County of Orange requires a public hearing be held so that members of the community and public may comment on the City's application. However, since many cities did not have adequate time to conduct a public hearing and provide appropriate public notice of said hearing, the County is accepting cities' applications with the understanding that a public hearing will be held, City Council authorization obtained, and documentation of these actions will be provided to the County at a later date. Consequently, staff submitted a Public Facilities and Improvements funding application in the amount of \$60,000. Staff recommends that the City Council conduct a public hearing and authorize staff to submit a CDBG application for Public Facilities and Improvements for FY 2012/2013.

### **BACKGROUND:**

The County of Orange is responsible for administering all programs for those cities who participate in the Urban County Program, including the CDBG program. The Urban County consists of the unincorporated areas of Orange County, and the cities which are "non-entitlement" cities. "Non-entitlement" cities are those with a population under 50,000.

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**RECOMMENDATION: THAT THE CITY COUNCIL: (1) CONDUCT A PUBLIC HEARING AND (2) CONFIRM STAFF'S SUBMITTAL OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION FOR PUBLIC FACILITIES AND IMPROVEMENTS FOR THE 2012/2013 FISCAL YEAR.**

---

The County's application process for funding is a competitive process. Projects are evaluated on their ability to meet standards set forth in the County's Consolidated Plan, including their ability to meet the needs of low/moderate areas and/or benefiting low/moderate income residents of the City.

For Fiscal Years 2009/2010, 2010/2011, and 2011/2012, the City applied for and obtained grant monies totaling \$164,628 to address extensive repairs and deferred maintenance issues, as well as some Americans with Disabilities Act (ADA) and energy efficiency upgrades at the Florence Sylvester Senior Center. Specifically, these grant monies were utilized to remove and replace existing doors, remove and replace existing floor tiles, replace existing carpeting and baseboards, construct a designated storage area, repair various plumbing issues, install hands-free restroom fixtures, paint the interior of the Center, and install a solar panel system. These funds represented a one-time commitment and the City is once again eligible to apply for additional grant monies for FY 2012/2013.

The RFP for the grant monies was released early December 2011. After speaking with staff at Age Well Senior Services regarding their facility needs for the upcoming fiscal year, staff submitted an application for Public Facilities and Improvement funds in the amount of \$60,000 to assist with the cost of facility improvements at the Center. Specifically, these funds will be utilized for the expansion of the newly-installed solar panel system to increase sustainability and reduce electricity costs. The remainder of the funds will be used to install a retractable room divider. In order to complete the application process for these grant funds, the County of Orange requires a public hearing be held so that members of the community and the public may comment on the City's application for funding. In addition, the RFP will require the City to provide documentation of City Council approval for application submittal.

It is anticipated that a preliminary decision regarding the approval of funds will be made by the County sometime in February 2012.

#### **FISCAL IMPACT:**

There is no fiscal impact this year other than staff's time. If the City's CDBG application is funded, funding would be for the 2012/2013 fiscal year and would not require any General Fund monies commitment.

**CEQA FINDINGS:**

The Florence Sylvester Senior Center project has been found to be Categorically Exempt from the requirements of the California Environmental Quality Act based upon a Class 1 – Existing Facilities (Section 15301) exemption.

---

**RECOMMENDATION: THAT THE CITY COUNCIL: (1) CONDUCT A PUBLIC HEARING AND (2) AUTHORIZE STAFF TO SUBMIT A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION FOR PUBLIC FACILITIES AND IMPROVEMENTS FOR THE 2011/2012 FISCAL YEAR.**

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**ATTACHMENTS:**

- Letter from Age Well Senior Services
- FY 2012/2013 Public Facilities and Improvements Application



Adult Day Services  
Alzheimer's Social Day Care  
Case Management  
In-Home Care Support  
Meals on Wheels

Tel: (949) 855-8033

# Age Well<sup>®</sup> Senior Services

A NONPROFIT SERVING ORANGE COUNTY'S OLDER ADULTS

*Formerly South County Senior Services*

Nutritional Services  
Senior Centers  
Transportation  
Volunteering Opportunities

Fax: (949) 855-8025

January 4, 2012

Melissa Au-Yeung  
City of Laguna Hills  
24035 El Toro Rd  
Laguna Hills, CA 92653

Dear Melissa,

Age Well Senior Services is requesting grant funding consideration by the City of Laguna Hills for facility improvements at the Florence Sylvester Memorial Senior Center located at 23721 Moulton Parkway, Laguna Hills, CA 92653 in the FY 12/13 CDBG funding year. There are two priority improvements we would like to complete:

1. Demolition of the common wall between the activity room and the health room and the installation of a Hufcor retractable room divider to facilitate large group activities while having flexibility to divide the space as needed for educational presentations and small group social activities or the provision of medical services. Estimated cost \$20,000.
2. Expansion of the small solar panel electrical system being installed this spring to save electricity while being environmentally sensitive. Estimated cost \$40,000.
3. Total request \$60,000.

Our entire organization appreciates the support provided by the City of Laguna Hills to assist us in meeting the need of seniors aging in place throughout our community.

Respectfully Submitted,



Daniel C. Palumbo  
Chief Operating Officer  
Age Well Senior Services  
(949) 855-8033

24300 El Toro Road, Building A- Suite 2000  
Laguna Woods, CA 92637  
[www.AgeWellSeniorServices.org](http://www.AgeWellSeniorServices.org)



**PUBLIC FACILITIES AND IMPROVEMENTS  
FUNDING APPLICATION  
FISCAL YEAR 2012/13  
Bid #012-613225**

**SUPPORTING DOCUMENTS CHECKLIST - BLUE APPLICATION**

Applicants must submit a complete Public Facilities & Improvements Funding Application via BidSync. Please confirm all Attachments with supporting documentation are uploaded and submitted prior to the RFP deadline.

|                             |   |                                                                       |
|-----------------------------|---|-----------------------------------------------------------------------|
| <b>Minimum Requirements</b> | ✓ | Attachment 1: Organizational Information                              |
|                             | ✓ | Attachment 2: Priority Listing                                        |
|                             | ✓ | Attachment 3: Project Information                                     |
|                             | ✓ | Attachment 4: Organizational Background                               |
|                             | ✓ | Attachment 5: Civil Rights Laws Compliance and HUD Standing           |
|                             | ✓ | Attachment 6: Signature and Assurances                                |
| <b>Scored Criteria</b>      | ✓ | Attachment 7: Organizational/Project Capacity and Experience          |
|                             | ✓ | Attachment 8A: Project Priority Needs                                 |
|                             | ✓ | Attachment 8A1: Eligible Block Groups                                 |
|                             | ✓ | Attachment 8B: Funding Request, Accomplishments Budget and Leveraging |
|                             | ✓ | Attachment 8C: Project Cost Budget                                    |
|                             | ✓ | Attachment 8D: Performance Objectives and Outcomes                    |
|                             | ✓ | Attachment 8E: Organizational/Project Readiness                       |

**Supplemental Document Instructions:** Attachments requesting supplemental or narrative information should be formatted per the following:

1. Each response must be typewritten; double-space; and in Arial, size 10-font.
2. Not to exceed one (1) page per question.
3. Responses should include the question and be concise but detailed enough to address what is being asked.

Applicants submitting a proposal must electronically upload their entire proposal in PDF format, via BidSync. Hard copy proposals will not be accepted.

**PUBLIC FACILITIES & IMPROVEMENTS  
FUNDING APPLICATION**

**FISCAL YEAR 2012/13  
Bid #012-116-0504**

**ATTACHMENT 1: ORGANIZATION INFORMATION**

**1. Organization Name:** City of Laguna Hills

Address: 24035 El Toro Road

City/State/Zip: Laguna Hills, CA 92653

Phone: (949) 707-2620 Fax: (949) 707-2614

Email: mau-yeung@ci.laguna-hills.ca.us

Orange County Supervisorial District where organization's office is located: 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☒

DUNS Number: 79-879-4947 W-9(Federal ID Number) 33-049-0460

**2. Authorized Person:** For the purposes of this RFP, the "Authorized Person" is the individual within your organization who has the authority to enter into a contract. The authorized person will be copied on all correspondence.

Authorized Person's Name: Bruce E. Channing

Authorized Person's Title: City Manager

(i.e., Executive Director, Organization's Signature Authority)



Check here if the address for the Authorized Person is the same as that of the organization.

Address: 24035 El Toro Road

City/State/Zip: Laguna Hills, CA 92653

Phone: (949) 707-2620 Fax: (949) 707-2614

Email: mau-yeung@ci.laguna-hills.ca.us

**3. Contact Person:** For the purpose of this RFP, the "Contact Person" will be the primary recipient for all correspondence related to this RFP. The contact person should be available to respond to any inquiries throughout the RFP process.

Contact Person's Name: Melissa Au-Yeung

Contact Person's Title: Senior Management Analyst

Address: 24035 El Toro Road

City/State/Zip: Laguna Hills, CA 92653

Phone: (949) 707-2620 Fax: (949) 707-2614

Email: mau-yeung@ci.laguna-hills.ca.us

# Public Facilities & Improvements Application

Fiscal Year 2012/13

Bid #012-613225

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**ATTACHMENT 2: PRIORITY LISTING**

If submitting more than one application, please **prioritize** your request for funding and list them in preferred order below (in order to maximize funding, the County reserves the right to limit funding for, or not fund multiple applications submitted by the same applicant):

1. Organization Name: City of Laguna Hills  
Title of Project: Florence Sylvester Senior Center Rehabilitation  
Minimum Amount Requested: \$ 60,000
  
2. Organization Name: \_\_\_\_\_  
Title of Project: \_\_\_\_\_  
Minimum Amount Requested: \$ \_\_\_\_\_
  
3. Organization Name: \_\_\_\_\_  
Title of Project: \_\_\_\_\_  
Minimum Amount Requested: \$ \_\_\_\_\_
  
4. Organization Name: \_\_\_\_\_  
Title of Project: \_\_\_\_\_  
Minimum Amount Requested: \$ \_\_\_\_\_
  
5. Organization Name: \_\_\_\_\_  
Title of Project: \_\_\_\_\_  
Minimum Amount Requested: \$ \_\_\_\_\_

## Public Facilities &amp; Improvements Application

Fiscal Year 2012/13

Bid #012-613225

**ATTACHMENT 3: PROJECT INFORMATION**1. **Project Title:** Florence Sylvester Senior Center RehabilitationProject Address: 23721 Moulton ParkwayCity/State/Zip: Laguna Hills, CA 92653Amount Requested Minimum \$ 60,000 Maximum \$ 60,0002. **Orange County Supervisorial District where project will be located:**1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☒3. **Congressional District where project will be located (please check one)**40 ☐ 42 ☐ 44 ☐ 46 ☐ 48 ☒4. **Provide a high-level summary description of your project.**See attached supplemental documentation


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(if more space is needed, please attach a separate sheet)

5. **Minority-Owned and Women-Owned business (MBE/WBE)**a. Will this project provide an opportunity to hire MBE and/or WBE business? Yes ☐ No ☒

b. Describe all actions your organization has taken in support of HUD's goal to provide opportunities to MBE/WBE's.

The City of Laguna Hills makes all efforts to provide equal opportunities  
to Minority-Owned businesses and Women-Owned businesses. In  
addition, the City complies with all State, Federal, and other local  
ordinances as required by a city and HUD.

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(if more space is needed, please attach a separate sheet)

## **SUPPLEMENTAL DOCUMENTATION**

### **ATTACHMENT 3: PROJECT INFORMATION**

**4. Provide a high-level summary description of your project.**

The Florence Sylvester Senior Center provides a variety of services to the elderly/frail elderly population of the community. Because of the high number of elderly/frail elderly population that utilize the Center on a daily basis and the high visibility of the Center, staff is requesting funds for the following improvements: demolition of common wall and installation of retractable room divider to facilitate large group activities and the expansion of the solar panel electrical system.

# Public Facilities & Improvements Application

Fiscal Year 2012/13

Bid #012-613225

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**ATTACHMENT 4: ORGANIZATIONAL BACKGROUND**

Answer each question below in approximately one to four paragraphs, not to exceed one (1) page per question, if applicable. Each response must be typewritten; double-spaced; and in Arial, size 10-font. Your responses should include the question, be concise but detailed enough to address what is being asked.

1. Is the applicant a Non-Profit organization? Yes ☐ No ☒

If Yes, please answer questions A-P below:

- A. Describe the organization's goals, objectives, and mission.
- B. Provide a brief description of your organization's accounting system and controls in place.
- C. Describe the organization's fund development method.
- D. List the person(s) who have legal authority to sign contracts and other legal documents, payment requests, and checks related to this application proposal.
- E. Submit a copy of organization's most recent audit (within the last two years) by an independent CPA and a description of corrective action taken for any findings identified by the auditor, both of which will be reviewed by the OC Community Services Accounting Manager or designated staff.
- F. In the past ten years, has your organization ever had its non-profit status revoked or withheld by the IRS, the Secretary of State, the State Attorney General, or the Franchise Tax Board? If yes, please provide an explanation.
- G. Has your organization been sued in the last five years? If yes, please provide an explanation.
- H. Are any of your managers or staff with fiscal responsibilities involved in litigation presently that has any bearing on fiduciary trust or employee relations? If yes, please provide an explanation.
- I. Have any unfavorable rulings been handed down by any court against your organization or executive director in the past five years? If yes, please provide an explanation.
- J. Does your organization currently have any unresolved fiscal, reporting or program issues with any of its funding sources? If yes, please provide an explanation.
- K. Provide an organizational chart of your organization, including key staffing for the project.
- L. Provide a copy of your organization's Board of Director's list.
- M. Provide a copy of your organization's 501c (3). Also provide an IRS tax-exempt letter dated no earlier than January 2011, or a Certificate of Status provided by the Secretary of State, Business Programs Division. Online Certificates of Status can be found on the Internet at: [http://www.sos.ca.gov/business/pdf/be\\_ircform.pdf](http://www.sos.ca.gov/business/pdf/be_ircform.pdf). (Process may take up to 24 calendar days).
- N. Provide a copy of your organization's Articles of Incorporation and By-Laws.
- O. Provide a copy of the minutes of your organization's board meeting where the proposed project was discussed.
- P. Provide IRS 990 form "Return of Organization Exempt from Income Tax."

**Public Facilities & Improvements Application**

Fiscal Year 2012/13

Bid #012-613225

**ATTACHMENT 5: CIVIL RIGHTS LAWS COMPLIANCE AND HUD GOOD STANDING**

1. Has your organization been a past recipient of assistance under a HUD McKinney Act program or the HUD Single Family Property Disposition Homeless Program?

Yes ☐ No ☒

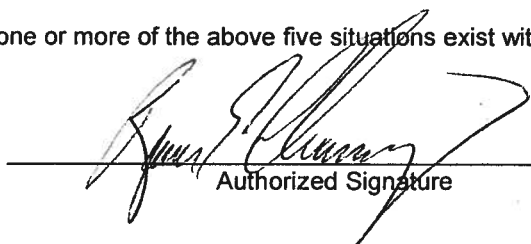
2. If you have been a recipient under either of these programs, has your organization experienced any project or construction delay, HUD finding or outstanding audit that HUD deems serious regarding the administration of HUD McKinney Act programs or the HUD Single Family Property Division Homeless Program?

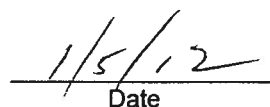
Yes ☐ No ☒

If you answered "Yes," please attach a brief description of the circumstances and outcomes.

3. Applicants must be in compliance with applicable civil rights laws and Executive Orders. Applications will be rejected if your agency has any of the following: (1) Any pending civil rights lawsuits instituted by the U.S. Department of Justice; (2) Any non-compliance with civil rights statutes, Executive Orders or regulations as a result of formal administrative proceedings, unless the applicant is operating under a HUD-approved compliance agreement designed to correct the area of non-compliance or is currently negotiating such an agreement; (3) Any unresolved secretarial charge of discrimination issues under Section 810 (g) of the Fair Housing Act, as implemented by 24 CFR 103.400; (4) Any adjudication of a civil rights violation in a civil action brought against the agency by a private individual, unless the applicant is operating in compliance with a court order designed to correct the area of non-compliance or the applicant has discharged any responsibility arising from such litigation; (5) Any deferral of the processing of applications from the sponsor imposed by HUD under Title VI of the Civil Rights Act of 1964, the Attorney General's Guidelines (28 CFR 50.3) or the HUD Title VI regulations 24 CFR 1.8) and procedures, or under Section 504 of the Rehabilitation Act of 1973 and HUD Section 504 regulations (24 CFR 8.57).

If one or more of the above five situations exist within your agency, please attach a brief description.

  
Authorized Signature

  
Date

# Public Facilities & Improvements Application

Fiscal Year 2012/13

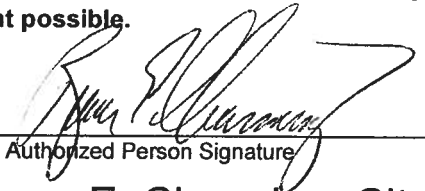
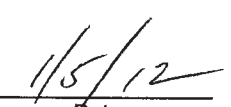
Bid #012-613225

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**ATTACHMENT 6: SIGNATURES AND ASSURANCES**

1. **Non-Discrimination:** This agency will, through all possible means, ensure equal opportunity for all persons to receive services, to participate in the volunteer structure, and to be employed regardless of age, handicap, national background, race, religion, or sex. An existing sectarian nature of the agency shall not suffer impairment under this agreement, but participation in religious observances, rituals or services will not be required as a condition of receiving food, services, or shelter paid for by this grant.
2. **Accountability:** We commit this agency, of a grant is received, to provide all reports to the County of Orange as required; to expend monies only on eligible cost' to keep complete documentation (copies of all canceled checks, invoices, receipts, etc.) on all expenditures for a minimum of three years; to spend all funds and close out the program on the required date; to return any unused funds to the County of Orange; to cooperate with monitoring or site visits, and; to provide complete documentation of expenses to the County of Orange, if requested, by the required date.
3. **Non-collusion:** This proposal is genuine, and not sham or collusive, nor made in the interest or on behalf of any person not herein named; the proposer has not directly induced or solicited any other proposer to put in a sham proposal, or any other person, firm or corporation to refrain from submitting a proposal; the proposer has not in any manner sought by collusion to secure for him/herself an advantage over any other proposer.

We affirm that all information in this application is true and correct to the best of our knowledge and that the applicant under our authority will execute its responsibility under the proposed contract and adhere to all other applicable rules and regulations to the fullest extent possible.

  
\_\_\_\_\_  
First Authorized Person Signature  
\_\_\_\_\_  
Date**Bruce E. Channing, City Manager**  
\_\_\_\_\_

First Authorized Person Name and Title

\_\_\_\_\_  
Second Authorized Person Signature\_\_\_\_\_  
Date\_\_\_\_\_  
Second Authorized Person Name and Title

# Public Facilities & Improvements Application

Fiscal Year 2012/13

Bid #012-613225

## ATTACHMENT 7: ORGANIZATIONAL/PROJECT CAPACITY AND EXPERIENCE

1. Has your organization received funding for this type of activity during the previous three years?

Yes ☒ No ☐

- If you answered, "Yes", complete Attachment Chart below by identifying the contract number, award amount, program income, if generated; and any unspent funds.
- If you answered "No" above, submit a letter signed by this application's authorized person that identifies one reference from three different funding sources from whom you have received funding in the past three years. The letter must include contact information for the three references (funding source), the amount of funding awarded from each reference, explanation of the use of funds, duration of funding awarded, and state whether or not contractual performance measures were achieved.

| ATTACHMENT 7: PREVIOUS FUNDING CHART |                 |              |                                          |                          |
|--------------------------------------|-----------------|--------------|------------------------------------------|--------------------------|
| Year                                 | Contract Number | Award Amount | Program Income Generated (If Applicable) | Unspent Funds from Award |
| 2011/12                              | KC 11981        | \$62,453     | n/a                                      | \$0                      |
| 2010/11                              | KC 10939        | \$52,000     | n/a                                      | \$1,971                  |
| 2009/10                              | KC 09852        | \$50,175     | n/a                                      | \$0                      |

2. Describe the role of key administrators, staff members, contractors, and volunteers within your organization and their role in implementing the proposed project. Include experience, education, and licensing qualifications in your description.
3. Describe the organization's experience administering this type or similar project.
4. Please submit a copy of the City's most recent audit (within the last two years) by an independent CPA and a description of corrective action taken for any findings identified by the auditor, both of which will be reviewed by the OC Community Services Accounting Manager or designated staff. If you have submitted an audit within the last two years to OC Community Services please indicate date submitted.

*Non-Profit organizations please see Attachment 4: Organizational Background, Item E*

An audit was submitted to OC Community Services on December 23, 2011.

5. Describe the reason why funds remain unspent in Attachment 7. Include an explanation of how the organization intends to complete the project.

## **SUPPLEMENTAL DOCUMENTATION**

### **ATTACHMENT 7: ORGANIZATIONAL/PROJECT CAPACITY AND EXPERIENCE**

2. The question was asked: Describe the role of key administrators, staff members, contractors, and volunteers within your organization and their role in implementing the proposed project. Include experience, education, and licensing qualifications in your description.

This program will be monitored and implemented by staff from the City of Laguna Hills from the City Manager's Office. The lead staff member implementing the project for FY 2012/2013 has been responsible for the implementation of the City's past grant monies for Contracts KC11981, KC10939, and KC09852. The experience of key administrators and other staff members throughout the City also includes experience monitoring past CDBG Housing Rehabilitation program funding. In addition, key administrators and staff members' experience includes over 33 years in Public Administration, 20 years in City Management experience, 8 years in Community Development, and 30 years in Public Finance.

3. The question was asked: Describe the organization's experience administering this type or similar project.

The City of Laguna Hills has been the recipient of CDBG Public Facilities and Improvement grants in FY 2009/2010, FY 2010/11, and FY 2011/2012 and has experience administering this type of grant. The City has also been the recipient of similar grants in the past, including CDBG Housing Rehabilitation funds. The City has worked closely with the County to ensure the funds were administered correctly. In addition, staff members have a wealth of municipal experience, including community development, rehabilitation activities and monitoring, public administration, public finance, and personnel.

5. The question was asked: Describe the reason why funds remain unspent in Attachment 7.

Contract KC11981 terminates on June 30, 2011. As such, the City anticipates spending the full allotted grant monies prior to the expiration of Contract Number KC11981. Regarding Contract KC10939, the project was completed with a revision in the scope of services. All allotted funds were expended related to Contract KC09852.

# Public Facilities & Improvements Application

Fiscal Year 2012/13

Bid #012-613225

## ATTACHMENT 8A: PRIORITY NEEDS

1. Refer to chart below: Funding Request and Accomplishment Budget enter the total dollar amount of Urban County funds that will be used by this project next to the community development need that best fits your project's scope. Projects may address more than one community development need; however, in order to be considered as addressing a "High Priority" community development need, at least 51% of the Urban County's funds must be applied towards a high priority need.

| PRIORITY NEEDS CHART                                         |                      |                    |                   |
|--------------------------------------------------------------|----------------------|--------------------|-------------------|
| Community Development Need                                   | Priority Needs Level | Urban County Funds | Leveraged Dollars |
| 01 Acquisition of Real Property 570.201(a)                   | High                 |                    |                   |
| 02 Disposition 570.201(b)                                    | Medium               |                    |                   |
| <b>Public Facilities and Improvements Needs 570.201( c )</b> |                      |                    |                   |
| 03 Public Facilities and Improvements (General)              | Medium               |                    |                   |
| 03A Senior Centers                                           | High                 | \$60,000           | \$7,992           |
| 03B Handicapped Center                                       | Medium               |                    |                   |
| 03C Homeless Facilities                                      | High                 |                    |                   |
| 03D Youth Centers                                            | Medium               |                    |                   |
| 03E Neighborhood Facilities/Libraries                        | High                 |                    |                   |
| 03F Parks and/or Recreational Facilities                     | Medium               |                    |                   |
| 03G Parking Facilities                                       | Medium               |                    |                   |
| 03H Solid Waste Disposal Improvements                        | Medium               |                    |                   |
| 03I Flood Drain Improvements                                 | High                 |                    |                   |
| 03J Water/Sewer Improvements                                 | High                 |                    |                   |
| 03K Street Improvements                                      | High                 |                    |                   |
| 03L Sidewalks                                                | High                 |                    |                   |
| 03M Child Care Centers                                       | Medium               |                    |                   |
| 03N Tree Planting                                            | Medium               |                    |                   |
| 03O Fire Stations/Equipment                                  | Medium               |                    |                   |
| 03P Health Facilities                                        | Medium               |                    |                   |
| 03Q Abused and Neglected Children Facilities                 | Medium               |                    |                   |
| 03R Asbestos Removal                                         | Low*                 |                    |                   |
| 03S Facilities for AIDS Patients (not operating costs)       | Medium               |                    |                   |
| Non-Residential Historic Preservation                        | Low*                 |                    |                   |
| Other Public Facility Needs                                  | Medium               |                    |                   |
|                                                              |                      |                    |                   |
| Total Amount of Funds Used for Medium Priority Needs         |                      |                    |                   |
| Total Amount of Funds Used for High Priority Needs           |                      | \$60,000           | \$7,992           |
| <b>Total Amount of Funds Used for Project</b>                |                      | <b>\$60,000</b>    | <b>\$7,992</b>    |

Source: FY 2010/15 Consolidated Plan

\*Low Priority activities are not eligible for funding under this RFP.

## 2. HUD Demographics:

- |                                                                |                                         |                                        |
|----------------------------------------------------------------|-----------------------------------------|----------------------------------------|
| a. Does this project help prevent homelessness?                | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> |
| b. Does this project help the homeless?                        | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> |
| c. Does this project help those with HIV or AIDS?              | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> |
| d. Does this project primarily help persons with disabilities? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |

# Public Facilities and Improvements Application

Fiscal Year 2011/12

Bid #012-613225

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## ATTACHMENT 8A: PRIORITY NEEDS (Continued)

### 3. Answer the following using minimum funds requested.

- a. Summarize the Scope of Work of your project including at minimum the number of units to be assisted by federal funding.
- b. Why is this project needed?
- c. Describe how the project preserves a low and moderate-income neighborhood, or provides other community benefits.

### 4. Answer each question below in approximately one to four paragraphs.

- a. Based upon your description of this project in Attachment 8A: Priority Needs Chart, state how your organization will address meeting a priority need with your performance and outcomes. In your description, state how your performance objectives and performance outcomes apply to the project's beneficiaries and specifically explain how this project will affect the beneficiaries.
- b. Describe what tools your organization will utilize to measure this project's effect on the intended beneficiaries. In your description include how your organization will measure its success in meeting the needs of the project's beneficiaries.
- c. Describe the specific population that your project will serve (i.e., low to moderate-income).
- d. Describe the intended benefits to the population being served (i.e., preservation of a low to moderate-income neighborhood).
- e. Describe the ramifications if your project is not recommended for funding in this fiscal year.

## **SUPPLEMENTAL DOCUMENTATION**

### **ATTACHMENT 8A: ORGANIZATIONAL/PROJECT CAPACITY AND EXPERIENCE**

3a. The question was asked: Summarize the Scope of Work of your project including at minimum the number of units to be assisted by federal funding.

The Florence Sylvester Senior Center provides a variety of services to the elderly/frail elderly population of the community. Because of the high number of elderly/frail elderly population that utilize the Center on a daily basis and the high visibility of the Center, staff is requesting funds for the following improvements: demolition of common wall and installation of retractable room divider to facilitate large group activities and the expansion of the solar panel electrical system.

3b. The question was asked: Why is this project needed?

The Florence Sylvester Senior Center provides a number of vital services to the elderly/frail elderly population of the community. Currently, over 300 elderly persons are served on a daily basis. This project is need to increase the sustainability of the Center while decreasing overall costs, thereby resulting in continued and increased accessibility to the Center for the elderly/frail elderly. In addition, converting the existing common wall into a room divider will provide flexibility to facilitate large group activities or divide the room into smaller areas better allowing for the provision of medical services.

3c. The question was asked: Describe how the project preserves a low and moderate-income neighborhood, or provides other community benefits.

The Florence Sylvester Senior Center addresses the needs of the elderly population in the community, which are predominantly low and moderate-income persons. In addition, these improvements provide a community benefit by increasing the sustainability through the use of renewable energy technologies. The Center represents a safe and accessible

senior center for the community, and these improvements would allow the Center to provide continued access for the elderly/frail elderly population.

4a. The question was asked: Based upon your description of this project in Attachment 8A: Priority Needs Chart, state how your organization will address meeting a priority need with your performance and outcomes. In your description, state how your performance objects and performance outcomes apply to the project's beneficiaries and specifically explain how this project will affect the beneficiaries.

The Florence Sylvester Senior Center provides vital services to the elderly/frail elderly population of the community. The expansion of the solar panel system at the Florence Sylvester Senior Center would increase the Center's sustainability, benefiting the community and its many low and moderate-income participants, while simultaneously decreasing overall costs, thereby resulting in continued and increased accessibility to the Center for the elderly/frail elderly. In addition, converting the existing common wall into a room divider will provide flexibility to facilitate large group activities or divide the room into smaller areas better allowing for the provision of medical services. This will allow the Center to better serve the needs of the elderly population.

4b. The question was asked: Describe what tools your organization will utilize to measure this project's effect on the intended beneficiaries. In your description, include how your organization will measure its success in meeting the needs of the project's beneficiaries.

There are currently measures in place to track participation in the various programs offered at the Florence Sylvester Senior Center. With these improvements, the Florence Sylvester Senior Center staff will be better equipped to continue to meet the growing demand and utilization by this fast-growing demographic group. The project's effect on the intended participants will be noticeable as the Center's sustainability is improved and continued accessibility to the Center is improved. In addition, the Center will have the flexibility to better meet the needs of the elderly population of the community.

4c. The question was asked: Describe the specific population that your project will serve (i.e., low to moderate-income).

Because the Florence Sylvester Senior Center only services the elderly, these improvements will directly benefit the senior/elderly population of the community, which are predominantly low and moderate-income persons.

4d. The question was asked: Describe the intended benefits to the population being served (i.e., preservation of a low to moderate-income neighborhood).

The intended benefits for the population being served are as follows: preservation of low and moderate-income elderly persons, improve and maintain quality of life of the elderly, and improve accessibility. Additionally, the Florence Sylvester Senior Center provides resources and assistance to family members and caregivers who feel overwhelmed and unprepared to handle caring for an older or disabled adult.

4e. The question was asked: Describe the ramifications if your project is not recommended for funding in this fiscal year.

Lack of funding for the Florence Sylvester Senior Center could result in limited/decreased accessibility to the facility for the elderly/frail elderly population of the community.

# Public Facilities & Improvements Application

Fiscal Year 2012/13

Bid #012-613225

## ATTACHMENT 8A1: ELIGIBLE BLOCK GROUP

A map identifying the eligible census tract(s) and block group(s) is required in this section if you are qualifying for a low to moderate-income area. The following is a link to obtain maps from the U.S. Department of Census Bureau: <http://www.census.gov> or at <http://www.huduser.org/datasets/qct.html>

| ELIGIBLE BLOCK GROUP CHART |                        |                                             |                     |                                                 |
|----------------------------|------------------------|---------------------------------------------|---------------------|-------------------------------------------------|
| Eligible Block Groups      | Eligible Census Tracts | Number of Low to Moderate-Income Population | Total of Population | Percentage of Low to Moderate-Income Population |
| 4                          | 626.25                 | 1,225                                       | 1,750               | 69.9%                                           |
| 5                          | 626.22                 | 715                                         | 1,211               | 59%                                             |
| 2                          | 626.23                 | 141                                         | 197                 | 71.6%                                           |
| 4                          | 423.07                 | 701                                         | 1,165               | 60.2%                                           |

A. If project's boundaries are not within an Eligible Block Group, please answer the following questions:

1. Have you submitted a survey to HUD?

Yes ☐ No ☐

2. Did HUD approve your survey? Please attach a copy of the approval letter from HUD.

Yes ☐ No ☐

# Public Facilities & Improvements Application

Fiscal Year 2012/13

Bid #012-613225

## ATTACHMENT 8B: FUNDING REQUEST, ACCOMPLISHMENT BUDGET & LEVERAGING

Funding Request and Accomplishment Budget is a snapshot of your total project budget. Complete the chart by providing the total requested amount for your project, the total leveraged amount for your project, and the total accomplishment level for your project. Applicants must provide figures for two different funding scenarios: a minimum-funding scenario and a maximum-funding scenario. The minimum-funding scenario is the amount on which you are basing this application. Maximum funds will only be used if additional resources become available.

| FUNDING REQUEST & ACCOMPLISHMENT BUDGET ACTIVITY CHART |              |                |
|--------------------------------------------------------|--------------|----------------|
| * Minimum Funds Request                                |              |                |
|                                                        | Example      | 2012/13        |
| A. Minimum Funds Request                               | \$ 75,000    | \$60,000       |
| B. Leveraging for Minimum Funds Request                | \$ 50,000    | \$7,992        |
| C. Total Minimum Funds Request (A+B)                   | \$ 125,000   | \$67,992       |
| D. Goals/Accomplishments                               | 2 Facilities | 2 Improvements |
| Maximum Funds Request                                  |              |                |
| A. Maximum Funds Request                               | \$ 150,000   | \$60,000       |
| B. Leveraging for Maximum Funds Request                | \$ 60,000    | \$7,992        |
| C. Total Maximum Funds Request (A+B)                   | \$ 210,000   | \$67,992       |
| D. Goals/Accomplishments                               | 2 Facilities | 2 Improvements |

*\*Note: Throughout the remainder of this application, you will complete all questions based on the information you listed under Minimum Funds Request.*

OC Community Services will maintain \$300,000 maximum funding amount for Public Facilities and Improvements (PF&I); but allow applicants to request more than 35% of the total funding available, however, limit awards to no more than 35% of the total funds available.

FY 2012/13 CDBG funding may increase or decrease based on HUD's final allocation of CDBG funds to the Urban County/OC Community Services. We estimate \$1,067,950 may be available for PF&I projects.

## Public Facilities and Improvements Application

Fiscal Year 2011/12

Bid #012-613225

**ATTACHMENT 8B: LEVERAGING (Continued)**

Complete Attachment 8B Leveraging Chart: Leveraging by listing all leveraged resources that will be utilized on this project. Each individual resource must be documented in a letter or memo printed on the organization's letterhead, signed and dated by the organizations authorized person and must include the information below. All leveraged resources must be specifically earmarked for this 2012/13 RFP. The documentation must indicate specific dates that the source of leverage will be available.

**Resource Value**

Resources such as professional services should be valued at a fair-market rate. Buildings and equipment should also be valued at the fair-market rental value. Volunteer time should be valued at \$10 per hour.

**Leveraging Directions**

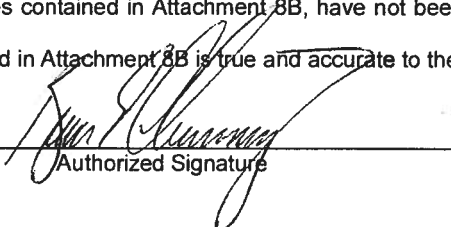
1. Type of resource to complete a specific project activity.
2. Project activity necessary to complete the project.
3. Source of Leverage, what is the source of the leverage.
4. Leverage value, earmarked for FY 2012/13.

| LEVERAGING CHART    |                            |                       |                   |
|---------------------|----------------------------|-----------------------|-------------------|
| Example             |                            |                       |                   |
| 1. Type of Resource | 2. Project Activity        | 3. Source of Leverage | 4. Leverage Value |
| Staffing            | Project Management         | Gas Tax               | \$20,000          |
| Engineer            | Project Design/Engineering | City General Fund     | \$50,000          |
| Total Leveraging    |                            |                       | \$70,000          |
| 1. Type of Resource | 2. Project Activity        | 3. Source of Leverage | 4. Leverage Value |
| Staffing            | Project Management         | City General Fund     | \$7,992           |
|                     |                            |                       |                   |
|                     |                            |                       |                   |
|                     |                            |                       |                   |
|                     |                            |                       |                   |
| Total Leveraging    |                            |                       | \$7,992           |

$$\frac{\text{Total Leveraging}}{\text{Minimum Funding Request}} = \frac{13.32\%}{\%}$$

**LEVERAGING CERTIFICATION**

I certify on behalf of City of Laguna Hills-Florence Sylvester Senior Center Rehabilitation and attest that all leveraged resources contained in Attachment 8B, have not been previously used for other project(s) and that all information contained in Attachment 8B is true and accurate to the best of my knowledge.

  
Authorized Signature

1/5/12  
Date

OC Community Services

2012-13 PF&amp;I APPLICATION ATTACHMENT 8B



## CITY OF LAGUNA HILLS

*City Manager*

Anna Plank  
Manager, OC Community Services  
1770 N. Broadway  
Santa Ana, CA 92706

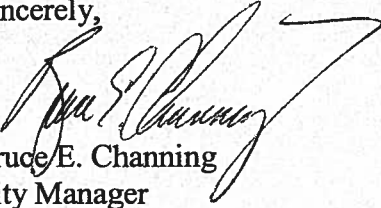
**RE: RESOURCE LEVERAGING RELATED TO THE COMMUNITY  
DEVELOPMENT BLOCK GRANT FOR FY 2012/2013 FOR THE FLORENCE  
SYLVESTER SENIOR CENTER PROJECT**

Dear Ms. Plank:

The City of Laguna Hills is committed to the success of the Florence Sylvester Senior Center Project and anticipates dedicating staff time to the administration and monitoring of the construction activities and program implementation. We estimate that staff will provide at least 3.3 hours on a weekly basis beginning July 1, 2012 through June 30, 2013. Based on the hourly rate paid to staff administering the program, the City anticipates committing an estimated \$7,992 in staff time, paid from the City's General Fund.

Please contact me if you need any additional information.

Sincerely,



Bruce E. Channing  
City Manager

# Public Facilities & Improvements Application

Fiscal Year 2012/13

Bid #012-613225

## ATTACHMENT 8C: PROJECT COST BUDGET

Complete Attachment 8C Chart below: Project Cost Budget by listing the specific activities that will be paid for by Urban County funds and your leveraged dollars for each phase of this project (complete this activity by using the information you provided in the Minimum Funds Request portion of Attachment 8B: Funding Request and Accomplishment Budget Chart).

| PROJECT COST BUDGET CHART                    |                    |                     |            |
|----------------------------------------------|--------------------|---------------------|------------|
| Example                                      |                    |                     |            |
| Project Costs                                | Urban County Funds | Leveraged Resources | Total      |
| Project Activity: Design/Project Development | \$ 50,000          | \$ 30,000           | \$ 80,000  |
| Project Activity: Acquisition                | \$ 25,000          | \$ 20,000           | \$ 45,000  |
| Total Project Cost                           | \$ 75,000          | \$ 50,000           | \$ 125,000 |
| Project Costs                                | Urban County Funds | Leveraged Resources | Total      |
| Project Activity: Design/Project Development | \$0                | \$7,992             | \$7,992    |
| Project Activity: Acquisition                |                    |                     |            |
| Project Activity: Construction               | \$60,000           | \$0                 | \$60,000   |
| Project Activity:                            |                    |                     |            |
| Project Activity:                            |                    |                     |            |
| Project Activity:                            |                    |                     |            |
| Project Activity:                            |                    |                     |            |
| Project Activity:                            |                    |                     |            |
| Project Activity:                            |                    |                     |            |
| Total Project Cost                           | \$60,000           | \$7,992             | \$67,992   |

1. Provide a detailed description of each project activity listed in above Chart.

## **SUPPLEMENTAL DOCUMENTATION**

### **ATTACHMENT 8C: PROJECT COST BUDGET**

1. The question was asked: Provide a detailed description of each project activity listed in Chart 3.

- Demolition of common wall between activity room and health room and installation of retractable room divider to facilitate large group activities. This provides the flexibility of dividing the space as need for education purposes and small group activities or the provision of medical services.
- Expansion of the solar panel electrical system.

# Public Facilities & Improvements Application

Fiscal Year 2012/13

Bid #012-613225

## ATTACHMENT 8D: PERFORMANCE OBJECTIVES AND OUTCOMES

Using the definitions below, complete Attachment 8D: Performance Objectives and Outcomes by stating project activity, output, performance objectives and performance outcomes.

**Activity** Identify project activities geared towards completing project, set quantifiable units of accomplishments (e.g., planning, construction, inspections).

**Output** Identify project outputs such as proposed units of accomplishments (what do you hope to achieve from your project, (e.g., complete 1,000 lf of sidewalk).

### Performance Objectives

- No. 1.** Suitable Living Environment: In general, this objective relates to activities that are designed to benefit communities, families, or individuals by addressing issues in their living environment.
- No. 2.** Decent Affordable Housing: The activities that typically would be found under this objective are designed to cover the wide-range of housing possible under HOME, CDBG, HOPWA, or ESG. This objective focuses on housing programs where the purpose for the project is to meet the individual family or community needs and not programs where the housing is an element of a larger effort.
- No. 3.** Creating Economic Opportunities: This objective applies to the types of activities related to economic development, commercial revitalization, or job creation.

### Performance Outcomes

- No. 1.** Availability/Accessibility: This outcome category applies to activities that make services, infrastructure, housing, or shelter available or accessible to low and moderate-income people, including persons with disabilities. In this category, accessibility does not refer only to physical barriers, but also to making the affordable basics of daily living available and accessible to low and moderate-income people.
- No. 2.** Affordability: This outcome category applies to activities that provide affordability in a variety of ways in the lives of low and moderate-income people. It can include the creation or maintenance of affordable housing, basic infrastructure hook-ups, or services such as transportation or day care.
- No. 3.** Sustainability (Promoting Livable or Viable Communities): This outcome applies to projects where the activity or activities are aimed at improving communities or neighborhoods, helping to make them livable or viable by providing benefit to persons of low and moderate-income or by removing or eliminating slums or blighted areas, through multiple activities or services that sustain communities or neighborhoods.

| PERFORMANCE OBJECTIVES AND OUTCOMES CHART |                        |                             |                            |
|-------------------------------------------|------------------------|-----------------------------|----------------------------|
| Example                                   |                        |                             |                            |
| Activity                                  | Outputs                | Performance Objectives      | Performance Outcomes       |
| Inspection                                | 1000 lf of Sidewalk    | Suitable Living Environment | Availability/Accessibility |
| Construction                              | 300 Sq. Ft. of Lumber  | Decent Affordable Housing   | Affordability              |
|                                           |                        |                             |                            |
| Activity                                  | Outputs                | Performance Objectives      | Performance Outcomes       |
| Improvement                               | Install 22 modules     | Suitable Living Environment | Sustainability             |
| Improvement                               | Demolish Interior Wall | Suitable Living Environment | Accessibility              |
| Improvement                               | Frame 1 Air Wall       | Suitable Living Environment | Accessibility              |
|                                           |                        |                             |                            |

# Public Facilities & Improvements Application

Fiscal Year 2012/13

Bid #012-613225

## ATTACHMENT 8E: ORGANIZATIONAL/PROJECT READINESS

Project milestones are an effective method of demonstrating overall project readiness. Enter the date the milestone action was completed in column 1. If the milestone action is in progress, enter the start and end dates in columns 2 and 3. If the action is not applicable to your project, check column 4.

| PROJECT/ORGANIZATION READINESS CHART                                                                                                                                                                  |                         |                                          |                                        |                    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|------------------------------------------|----------------------------------------|--------------------|
|                                                                                                                                                                                                       | 1<br>Action<br>Complete | 2<br>Action<br>In Progress<br>Start Date | 3<br>Action<br>In Progress<br>End Date | 4<br>Action<br>N/A |
| <b>Milestone Action</b>                                                                                                                                                                               |                         |                                          |                                        |                    |
| A. Public Hearing Held                                                                                                                                                                                | 1/10/2012               |                                          |                                        |                    |
| B. Minute Order/Board Resolution                                                                                                                                                                      |                         | 1/10/2012                                | 1/24/2012                              |                    |
| C. Project found in current annual budget                                                                                                                                                             | 1/10/2012               |                                          |                                        |                    |
| Staffing/Consultant assigned for design/<br>implementation                                                                                                                                            | 1/10/2012               |                                          |                                        |                    |
| D. Feasibility Study                                                                                                                                                                                  |                         |                                          |                                        |                    |
| Design                                                                                                                                                                                                |                         |                                          |                                        |                    |
| Project in concept phase                                                                                                                                                                              |                         |                                          |                                        |                    |
| RFP/RFQ process administered                                                                                                                                                                          |                         |                                          |                                        |                    |
| Consultant contract with design engineer<br>negotiated                                                                                                                                                |                         |                                          |                                        |                    |
| Final plans and specifications written                                                                                                                                                                |                         |                                          |                                        |                    |
| Finals plans and specifications approved                                                                                                                                                              |                         |                                          |                                        |                    |
| Environmental Approvals (CEQA/NEPA)                                                                                                                                                                   |                         |                                          |                                        |                    |
| E. Acquisition completed (If purchase is not<br>complete submit the appraisal of the property.<br>If purchase is not complete within 30 days of<br>funding of this project, funds may be recaptured). |                         |                                          |                                        |                    |

1. Include in your application documentation regarding all completed milestone actions (i.e., Minute Order/Board Resolution, public hearing notice, etc.).  
Notice of Public Hearing (Attached)  
Staff Report for January 10, 2012 (Attached)
2. Include in your application a written status for all milestone actions marked as "In Progress."  
Include supporting documentation to support progress.  
Approval obtained at the January 10, 2012 City Council Meeting  
Minutes approved at the January 24, 2012 City Council Meeting
3. Include in your application a brief explanation as to why a given milestone action is not applicable to the project, if necessary.



## CITY OF LAGUNA HILLS NOTICE OF CITY COUNCIL PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that the City Council of the City of Laguna Hills will conduct a public hearing to consider the following:

FY 2012-13 Housing Rehabilitation and Public Facilities Improvement Bid  
(Solicitation 012-613225)

As a participating city in the Urban County Program, the City of Laguna Hills is eligible to receive the Housing and Urban Development (HUD) administered Community Development Block Grant (CDBG) funding from the County of Orange, Housing and Community Services Department under the Public Facilities & Improvement and Housing Rehabilitation (PF&I/Rehab) Program for the following census tracts: 423.07-block groups 4 and 5, 423.20-block group 2, 626.22-block group 5, 626.23-block group 2, and 626.25-block group 4.

The City of Laguna Hills will consider the funding policies and procedures and promote citizen participation in the preparation of the CDBG funding allocation goals and objectives for Fiscal Year 2012-2013.

**DATE AND TIME OF HEARING:** January 10, 2012, 7:00 p.m., or as soon thereafter as possible

**LOCATION OF HEARING:** City Council Chamber  
24035 El Toro Road  
Laguna Hills, California 92653

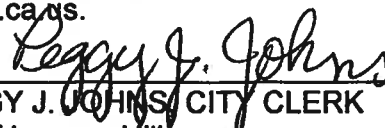
### **INVITATION TO BE HEARD:**

All interested persons will be given an opportunity to comment on this item at the public hearing. In addition, written comments may be submitted to the City Council prior to the hearing, mailed to 24035 El Toro Road, Laguna Hills, California 92653, Attention: City Clerk. Please reference hearing title and date of hearing in any correspondence.

If you wish to challenge the above in court, the challenge will be limited only to those issues you or someone else raised at the public hearing or in written correspondence delivered to the City Clerk at, or prior to, the public hearing described in this notice.

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.

The file pertaining to this item is available for public review at the Community Development Department of the City of Laguna Hills. The agenda report for this item will be available Friday afternoon, January 6, 2012, and a copy may be obtained from the City Clerk's Department. Prior to coming to City Hall, you may wish to contact the City Clerk's Department to ensure a copy of the report is available for distribution. For further information, you may contact Julie Molloy, Senior Planner at (949) 707-2600, or e-mail [jmolloy@ci.laguna-hills.ca.us](mailto:jmolloy@ci.laguna-hills.ca.us).

  
\_\_\_\_\_  
PEGGY J. JOHNS, CITY CLERK  
City of Laguna Hills

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; and that on the 30<sup>th</sup> day of December 2011, the attached Notice, being:

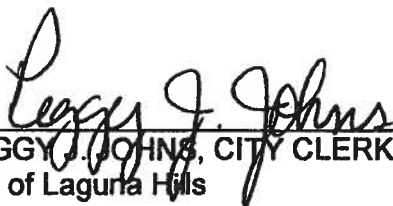
FY 2012-13 Housing Rehabilitation and Public Facilities Improvement Bid (Solicitation 012-613225)

As a participating city in the Urban County Program, the City of Laguna Hills is eligible to receive the Housing and Urban Development (HUD) administered Community Development Block Grant (CDBG) funding from the County of Orange, Housing and Community Services Department under the Public Facilities & Improvement and Housing Rehabilitation (PF&I/Rehab) Program for the following census tracts: 423.07-block groups 4 and 5, 423.20-block group 2, 626.22-block group 5, 626.23-block group 2, and 626.25-block group 4.

The City of Laguna Hills will consider the funding policies and procedures and promote citizen participation in the preparation of the CDBG funding allocation goals and objectives for Fiscal Year 2012-2013.

was published in the Saddleback Valley News; and was, in compliance with City Resolution No. 2004-05-25-2, on the 30<sup>th</sup> day of December 2011, caused to be posted in three places in the City of Laguna Hills, to wit:

Laguna Hills City Hall  
Laguna Hills Community Center  
La Paz Center

  
\_\_\_\_\_  
PEGGY J. JOHNS, CITY CLERK  
City of Laguna Hills

# **CITY OF LAGUNA HILLS**

## **AGENDA REPORT ADMINISTRATIVE SERVICES DEPARTMENT**

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**ISSUE: CITY APPLICATION FOR FY 2012/2013 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR PUBLIC FACILITIES AND IMPROVEMENTS FOR THE FLORENCE SYLVESTER SENIOR CENTER**

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### **SUMMARY:**

Staff was recently advised of the availability of Federal Community Development Block Grant (CDBG) funding for Public Facilities and Improvements for FY 2012/2013, administered by the County of Orange. The Request for Proposal (RFP) application deadline to be eligible to receive funding for FY 2012/2013 was January 9, 2012. In order to apply for these CDBG grant funds, the County of Orange requires a public hearing be held so that members of the community and public may comment on the City's application. However, since many cities did not have adequate time to conduct a public hearing and provide appropriate public notice of said hearing, the County is accepting cities' applications with the understanding that a public hearing will be held, City Council authorization obtained, and documentation of these actions will be provided to the County at a later date. Consequently, staff submitted a Public Facilities and Improvements funding application in the amount of \$60,000. Staff recommends that the City Council conduct a public hearing and authorize staff to submit a CDBG application for Public Facilities and Improvements for FY 2012/2013.

### **BACKGROUND:**

The County of Orange is responsible for administering all programs for those cities who participate in the Urban County Program, including the CDBG program. The Urban County consists of the unincorporated areas of Orange County, and the cities which are "non-entitlement" cities. "Non-entitlement" cities are those with a population under 50,000.

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**RECOMMENDATION: THAT THE CITY COUNCIL: (1) CONDUCT A PUBLIC HEARING AND (2) CONFIRM STAFF'S SUBMITTAL OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION FOR PUBLIC FACILITIES AND IMPROVEMENTS FOR THE 2012/2013 FISCAL YEAR.**

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**JANUARY 10, 2012, ITEM NO. X**

Agenda Report  
Application for FY 2012/2013 CDBG PF&I Funds  
Page 2

The County's application process for funding is a competitive process. Projects are evaluated on their ability to meet standards set forth in the County's Consolidated Plan, including their ability to meet the needs of low/moderate areas and/or benefiting low/moderate income residents of the City.

For Fiscal Years 2009/2010, 2010/2011, and 2011/2012, the City applied for and obtained grant monies totaling \$164,628 to address extensive repairs and deferred maintenance issues, as well as some Americans with Disabilities Act (ADA) and energy efficiency upgrades at the Florence Sylvester Senior Center. Specifically, these grant monies were utilized to remove and replace existing doors, remove and replace existing floor tiles, replace existing carpeting and baseboards, construct a designated storage area, repair various plumbing issues, install hands-free restroom fixtures, paint the interior of the Center, and install a solar panel system. These funds represented a one-time commitment and the City is once again eligible to apply for additional grant monies for FY 2012/2013.

The RFP for the grant monies was released early December 2011. After speaking with staff at Age Well Senior Services regarding their facility needs for the upcoming fiscal year, staff submitted an application for Public Facilities and Improvement funds in the amount of \$60,000 to assist with the cost of facility improvements at the Center. Specifically, these funds will be utilized for the expansion of the newly-installed solar panel system to increase sustainability and reduce electricity costs. The remainder of the funds will be used to install a retractable room divider. In order to complete the application process for these grant funds, the County of Orange requires a public hearing be held so that members of the community and the public may comment on the City's application for funding. In addition, the RFP will require the City to provide documentation of City Council approval for application submittal.

It is anticipated that a preliminary decision regarding the approval of funds will be made by the County sometime in February 2012.

**FISCAL IMPACT:**

There is no fiscal impact this year other than staff's time. If the City's CDBG application is funded, funding would be for the 2012/2013 fiscal year and would not require any General Fund monies commitment.

**CEQA FINDINGS:**

The Florence Sylvester Senior Center project has been found to be Categorically Exempt from the requirements of the California Environmental Quality Act based upon a Class 1 – Existing Facilities (Section 15301) exemption.

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**RECOMMENDATION: THAT THE CITY COUNCIL: (1) CONDUCT A PUBLIC HEARING AND (2) AUTHORIZE STAFF TO SUBMIT A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION FOR PUBLIC FACILITIES AND IMPROVEMENTS FOR THE 2011/2012 FISCAL YEAR.**

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**ATTACHMENTS:**

- Letter from Age Well Senior Services
- FY 2012/2013 Public Facilities and Improvements Application

# **CITY OF LAGUNA HILLS**

## **AGENDA REPORT CITY CLERK**

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**ISSUE: REVISION OF THE CITY'S ON-LINE "PUBLIC OFFICIALS' COMPENSATION REPORT"**

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**RECOMMENDATION: IT IS RECOMMENDED THAT STAFF RETURN TO CITY COUNCIL WITH A REVISED "PUBLIC OFFICIALS' COMPENSATION REPORT" FOR COUNCIL APPROVAL AS SOON AS ANY POTENTIAL CHANGES CURRENTLY UNDER CONSIDERATION AFFECTING MANAGEMENT CONTRACTS ARE COMPLETED AND THAT IN THIS REVISION (1) THE PORTIONS OF THE "PUBLIC OFFICIAL'S COMPENSATION REPORT" HIGHLIGHTED ON EXHIBIT "A" BE OMITTED; (2) "AT-A-GLANCE" TABLES BE THE PRIMARY CONTENT PROVIDED FOR EACH OFFICIAL, BY CATEGORY ("CITY COUNCIL MEMBERS" AND "CITY MANAGEMENT EMPLOYEES"), TITLE AND NAME; AND (3) DISCUSSIONS OF CITY ORGANIZATION AND OFFICIALS' DUTIES AND BIOGRAPHIES BE OMITTED FROM THE BODY OF THE REPORT AND INSTEAD BE PROVIDED VIA LINKS FOR THOSE WHO WISH TO LEARN MORE.**

---

### **SUMMARY:**

The purpose of this recommendation is to direct staff to streamline the City's on-line Public Officials' Compensation Report as soon as any management contract revisions currently being contemplated are finalized, thereby improving citizen accessibility to and understanding of the compensation practices provided by the City to its top public officials.

### **BACKGROUND:**

The City Council and staff desire to address our residents' right to transparency regarding the question, "What is the full financial extent of the cost to compensate each of the City's Council members and members of the management team?" Last year, staff was directed by the Council to provide information to answer this question in an "at-a-glance" report to be published on the City's website in February of each year for the preceding calendar year.

The content and format of the initial report, however, obscure the transparency desired by the Council, Staff and citizens alike. Before any specific reference to salaries and benefits actually paid by the city, readers must first wade through a lengthy introduction discussing:

Agenda Report  
Public Officials Compensation Report  
Page 2

1. why such a report is desirable;
2. contractual issues the Board of Supervisors and public safety officers and subsequent legal action;
3. the wisdom of the City's pension policies;
4. the recent recession and problems experienced by Cal-PERS;
5. the City of Bell scandal and subsequent media coverage; and
6. the Council's commitment to establishing trust with the citizens and good financial stewardship.

Only after all this is a section presented on City Council Compensation, and that section itself contains much about the duties of a City Council Member rather than simple information about City Council Member compensation.

Similarly, readers must search through voluminous text about city organization and philosophy, staff responsibilities and biographical narratives before being offered links to the "at-a-glance" tables that actually present salary and compensation data citizens are likely to seek. These narrative resumes are appropriate content located inappropriately. The tables should be presented for each position with a link to the respective position or manager's duties and biography for those who wish to view them.

It is no wonder that the Orange County Grand Jury awarded the City of Laguna Hills a "D" rating for "Clarity."

A revision of the "Public Officials' Compensation Report" according to the criteria recommended on Exhibit "A" will produce a report that is streamlined, factual, and more responsive to the desires of the City Council, staff and residents for transparency and accountability. Any introductory text should be brief and focused solely on introducing the subject matter at hand, which is, "What are the City's management team and Council Members compensated?"

Furthermore, revision of the "Public Officials' Compensation Report" is timely now. A new report of the cost of compensation for city officials is due in February; two members of the management team have been replaced; and the City Manager's contract is currently under review.

It must also be noted that at its May 10, 2011, meeting the Council promised to re-visit the on-line report after the budget process was completed in June of 2011.

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**RECOMMENDATION: IT IS RECOMMENDED THAT STAFF RETURN TO CITY COUNCIL WITH A REVISED “PUBLIC OFFICIALS’ COMPENSATION REPORT” FOR COUNCIL APPROVAL AS SOON AS ANY POTENTIAL CHANGES CURRENTLY UNDER CONSIDERATION AFFECTING MANAGEMENT CONTRACTS ARE COMPLETED AND THAT IN THIS REVISION (1) THE PORTIONS OF THE “PUBLIC OFFICIAL’S COMPENSATION REPORT” HIGHLIGHTED ON EXHIBIT "A" BE OMITTED; (2) “AT-A-GLANCE” TABLES BE THE PRIMARY CONTENT PROVIDED FOR EACH OFFICIAL, BY CATEGORY (“CITY COUNCIL MEMBERS” AND “CITY MANAGEMENT EMPLOYEES”), TITLE AND NAME; AND (3) DISCUSSIONS OF CITY ORGANIZATION AND OFFICIALS’ DUTIES AND BIOGRAPHIES BE OMITTED FROM THE BODY OF THE REPORT AND INSTEAD BE PROVIDED VIA LINKS FOR THOSE WHO WISH TO LEARN MORE.**

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**ATTACHMENT:**

- Exhibit “A”



## EXHIBIT "A"

### Public Officials' Compensation Report for Calendar Year 2010

A great deal of media attention has recently been focused on the subject of public officials' compensation. In Orange County, this media coverage first began a couple of years ago when the Orange County Board of Supervisors questioned the propriety of providing significantly enhanced pension benefits to their public safety officers which, by contractual agreement, had been retroactively applied to all of their prior years of service. The Board of Supervisors filed a lawsuit to have these retroactive benefits declared illegal, but lost in the Trial Court and has subsequently filed an appeal. In a similar fashion, many cities in the County and across the State also took action to significantly enrich their pension plans. It should be noted, however, that Laguna Hills did not follow suit and provide employees with an enriched defined benefit plan. In fact, Laguna Hills is the only City in Orange County that retained the traditional and sustainable 2% at 60 Cal-PERS formula. **A PDF copy of the Public Officials' Compensation Report including "at-a-glance" tables may also be downloaded by clicking [here](#).**

During this past year, due in large measure to the recession's historic negative impact on the economy in general and, in particular, the financial health of the State-run pension system known as Cal-PERS, more attention has been brought to bear on the guaranteed pension benefits commonly provided to government workers. Now, as if that sobering reality weren't difficult enough to swallow, we encounter the recent revelations regarding excessively high salaries being paid to City Council members and employees of the City of Bell, in Los Angeles County. It is not surprising, therefore, that all of this media coverage has prompted greater public interest in the financial management practices of municipal government and, more specifically, the compensation programs for all elected officials and their top management staff.

The City of Laguna Hills welcomes and encourages public participation and interest in the important decisions associated with governing our City and delivering the services that are most important to our citizens. Crucial to this undertaking is the establishment of a strong public trust. Your elected and appointed leaders are empowered by you, the citizenry, to make decisions that can have a significant impact on the quality of life in this community. That responsibility is taken very seriously. That is why good financial stewardship and transparency with regard to the expenditure of the City's treasury is so important.

#### CITY COUNCIL COMPENSATION:

City Council members, as most people know, are elected to serve four year terms of office. They are paid a monthly stipend of \$623.66, as authorized under State Law, for the time they contribute to serving their community and fulfilling their constitutional duties. While it is considered a part-time job, there are periods of time when a great many hours must be committed to attending public meetings within the City and also to representing the City of Laguna Hills at events and meetings held by other governmental agencies. Most of these meeting are held during the regular work week and require Council members to take leave from their private, full-time employment.

**Some** City Council members are also required to participate in the City's retirement program with Cal-PERS. This participation is in-lieu of Social Security, which would otherwise be required under federal law. The City contributes the Council members' 7% contribution to Cal-PERS. This amounts to \$43.66 monthly. Under the City's 2% at 60 retirement program, if a Council member were to have served twenty years on the City Council and retire at age 60 from City service today, he or she would receive a monthly pension check of about \$250. By law, Council member pensions can only be calculated on the Council member's age, years of service, and monthly stipend. No other forms of compensation or benefits can be used to calculate his or her pension. A Council member elected on or after November 2, 2010, may select an alternative defined contribution retirement plan in place of Cal-PERS. If the newly elected Council member chooses this option to supplant the Cal-PERS program, the City contributes

3.75% of the monthly stipend, which amounts to \$23.39.

In an effort to streamline the land-use planning process and save money, the City Council also sits as the Laguna Hills Planning Agency. Council members do not receive any additional compensation for this service. The full City Council also appoints individual Council members to serve on a variety of regional boards. You can find a complete listing of all appointments by clicking [here](#). For the most part, Council members serve on these governing boards with no additional compensation; however, there are a few governing boards that pay meeting stipends to appointed members to compensate them for their mileage and the amount of time required to effectively serve. The Council members that receive meeting stipends in 2011 from the Boards on which they serve are as follows:

Orange County Fire Authority – Randal Bressette: \$100 meeting stipend (\$300 maximum per month).

Orange County Vector Control District – Melody Carruth: \$100 per month maximum.

San Joaquin Transportation Corridor Agency – Joel Lautenschleger: \$120 meeting stipend (maximum of eighteen meetings per quarter).

Southern California Association of Governments – Joel Lautenschleger: \$120 monthly meeting stipend.

As part-time employees, City Council members and their dependent family members are eligible to participate in the City's group health plans (medical, dental and vision) along with all other City employees. Until recent changes in Federal Law dictated that the cost of medical insurance premiums must be segregated and priced according to certain "age bands," the cost for a City Council member to participate in the medical plan was the same as for everyone else. Now, however, each Council member's medical insurance premium varies according to his or her age and the number of family members included in the plan. The following listing is the current breakdown of the monthly health insurance premiums paid by the City of Laguna Hills in 2011 for each member of the City Council:

|                                    |                 |
|------------------------------------|-----------------|
| Mayor Randal Bressette:            | \$ 1,373.30 mo. |
| Mayor Pro Tempore Melody Carruth:  | \$ 2,199.88 mo. |
| Councilmember Barbara Kogerman:    | \$ 0.00 mo.     |
| Councilmember Joel Lautenschleger: | \$ 0.00 mo.     |
| Councilmember Allan Songstad:      | \$ 2,400.92 mo. |

The City does not provide retired Council members with any retiree health coverage, nor are they permitted to purchase their health benefits through the City's group health plan after they retire.

In addition to the monthly stipends, Cal-PERS contribution, and insurance premiums as stated above, City Council members may be reimbursed for their routine travel and incidental expenses associated with attending training, meetings, or other official business pertaining to the City. This can vary widely from year-to-year depending on the circumstances and demands of City business. On average, the total cost for all five Council members' business-related travel and meetings ranges from \$5,000 to \$6,000 annually.

**You can find an at-a-glance table that details all compensation received by City Council members for calendar year 2010 [here](#).**

#### **CITY ORGANIZATION:**

The City of Laguna Hills is a General Law City which means that most of the laws we operate under were first established by the State of California. When permitted to do so by the State Constitution, the City may adopt new or more restrictive laws than those already established by the State. Laguna Hills operates under what is known as the Council-Manager Form of Government. This form of government is modeled after the traditional corporate business model of a Board of Directors (The City Council) and a Chief Executive Officer (The City Manager). So the role of the City Council is primarily to make policy-level decisions, to adopt the annual budget, and to make land-use decisions and other financial and legislative decisions as required by law. The City Manager's role is to oversee the day-to-day operations of the City, to implement the City's \$28.4 million annual budget and to implement the laws and policies

established by the City Council. The specific enumerated duties of the City Council and the City Manager are set forth in Sections 2-04 and 2-08 of the City of Laguna Hills Municipal Code and may be viewed by clicking [here](#). Additionally, you can find a copy of the City's organization chart depicting the reporting relationships and primary responsibilities of each department [here](#).

Laguna Hills has always prided itself in being a streamlined and efficient organization, and while there are only 26 full-time employees, the City's actual total workforce is over 130. These positions are filled with a variety of full-time employees, part-time employees, and contract employees. By design, the City Council and City Manager have chosen to use contracted services whenever advantageous to do so in lieu of hiring city employees to perform the work. This strategy has proven to be a cost-effective approach to providing traditional city services. It has also proven to be a very effective way to quickly adjust staffing levels to properly reflect the changing demands that are often driven by the economic conditions of a given time period. It should be noted that while some contract employees may be represented by unions, or other employee associations, the employees hired directly by the City of Laguna Hills have not organized and are not represented by any union.

The City Manager has a management staff of six professionals who report directly to him. Collectively, they serve as department heads over all City operations. All management salaries are set by the City Council pursuant to authorizing Resolutions adopted at public meetings. The most recent Salary Resolution adopted by the City Council may be viewed by clicking [here](#). Salaries are benchmarked against similar positions throughout the County. The compensation of all management staff, beginning with the City Manager is listed below.

#### MANAGEMENT STAFF COMPENSATION

##### CITY MANAGER:

The City Manager, Bruce E. Channing, is appointed by the City Council and serves at their pleasure. His specific powers and duties are established by law in the City of Laguna Hills Municipal Code. His compensation and other related terms of employment are embodied in an Employment Agreement which was last updated and approved in March, 2003, a copy of which may be found [here](#). The City Manager may be removed from his position upon a majority vote of the City Council at a lawfully noticed public meeting conducted in accordance with the requirements set forth in the Municipal Code and his Employment Agreement.

The City Manager's base salary is \$233,592 per year. It was set at this amount by Resolution of the City Council on June 23, 2009. He has not received a raise in base salary since July 1, 2008. The City Council has established a practice of setting the City Manager's salary at a level commensurate with his professional competence, knowledge, education, length of service and performance. The Council typically places the City Manager in the top 25% of the pay scales for all Orange County City Managers. With his 34 years of local government experience and 19 years of service as Laguna Hills' City Manager, he is among the longest-tenured City Managers in the County. He has served as President of the Orange County City Managers Association; Chairman of the Orange County Fire Authority, Technical Advisory Committee; is currently a member of the Board of Directors for the California City Management Foundation, is currently President-Elect of the League of California Cities, City Managers' Department and is serving his second term as Chairman of the Board for Saddleback Memorial Medical Center. He receives no additional compensation for serving on these committees and boards. During his tenure with the City, Mr. Channing has been the recipient of two Distinguished Service Awards for "Program Excellence" from the International City/County Management Association.

In addition to his base salary, the City Manager is eligible to earn a performance-based incentive payment of 0—10% of base salary, upon successful completion of his agreed upon performance objectives. He did not receive a performance payment for 2010. The City Manager receives all of the same employee fringe benefits that are afforded to all City employees. That includes, city-paid medical, dental and vision coverage, group life and disability insurance, a defined benefit pension plan through Cal-PERS (2 % at 60 formula), and a supplemental retirement contribution. The City also contributes toward additional benefits such as Deferred Compensation, Excess Life and Disability Insurance and Retiree Health Savings. The position of City Manager requires the use of an automobile seven days a week, 24 hours a day as he is always on-call to respond to emergencies. The City Manager is the top

official in charge of implementing the City's Emergency Operations Plan. The City Council has chosen to supply the City Manager with a vehicle in lieu of a monetary car allowance. The City-owned vehicle (Toyota Sequoia, SUV) is typically replaced on a five-year cycle. The total annual value of all the aforementioned benefits provided to the City Manager for calendar year 2010 is \$107,889. The combined total of all of the above-listed annual compensation items (base salary, incentive pay and benefits) for calendar year 2010 is \$341,481. **You can find an at-a-glance table that details all compensation received by the City Manager for calendar year 2010 [here](#).**

Mr. Channing graduated from the University of Southern California with a Masters degree in Public Administration. He completed his undergraduate work at the University of California, Santa Barbara, with a degree in Political Science. Prior to coming to Laguna Hills in 1991 as the City's first City Manager, he worked for the cities of Santa Barbara, Santa Monica, Pasadena and Yorba Linda.

#### **ASSISTANT CITY MANAGER/FINANCE DIRECTOR:**

The Assistant City Manager, Donald J. White, is appointed by the City Manager and serves at his pleasure. He is an "At-Will" employee under State law. In addition to the traditional duties of an Assistant City Manager, he also functions as the department head for Finance, Budget, Personnel, Risk Management, Economic Development, Public Information, Legislation, and Civic Center leasing operations and property management. Mr. White also serves on the County of Orange Chief Executive Officer's City-County Management Committee, Orange County Animal Care's Financial and Operations Advisory Board, and as Chairman of the Exclusive Risk Management Authority of California, of which the City is a founding member. He receives no additional compensation for serving on these boards.

The Assistant City Manager's annual base salary is \$193,296. It was set at this amount by Resolution of the City Council on June 23, 2009. **He has not received a raise in base salary since July 1, 2008.** In addition to his base salary, he is eligible to earn a performance-based incentive payment of 0—10% of base salary, upon successful completion of his agreed upon performance objectives. Mr. White also receives additional benefits (retirement, health, disability and life insurances, cell phone) that had a total annual value for calendar year 2010 of \$67,204. This includes the use of a City-owned vehicle (2005 Ford Explorer) in lieu of a monetary car allowance. The combined total of all of the above-listed annual compensation items for 2010 is \$273,064. **You can find an at-a-glance table that details all compensation received by the Assistant City Manager for calendar year 2010 [here](#).**

Mr. White graduated from Whittier College, CA with a degree in Business Administration. Prior to coming to Laguna Hills in December of 1991, he served for eleven years in various capacities with the City of La Mirada, including Assistant to the City Manager and Director of Economic Development. During the course of his employment with the City, Mr. White has been the recipient of numerous awards for financial reporting and budgeting from the Government Finance Officers Association of the United States and Canada.

#### **DIRECTOR OF PUBLIC SERVICES:**

The Director of Public Services, Kenneth H. Rosenfield, is appointed by the City Manager and serves at his pleasure. He is an "At-Will" employee under State law. In addition to the traditional duties of a Director of Public Services, he also serves the City as the City Engineer, the City Traffic Engineer, the Parks Director and the Street Superintendent. Mr. Rosenfield directs the functions of the Engineering Department, Public Works Department, Parks Department and Capital Improvement Administration, and is the principal staff for the City's Traffic Commission. He also serves as a voting member of the Orange County Transportation Authority Technical Steering Committee. He receives no additional compensation for serving on this committee. In 2008-09, Mr. Rosenfield served as President of the Orange County branch of the American Society of Civil Engineers. In 2003, he served as President of the City Engineers Association of Orange County.

The Director of Public Services' annual base salary is \$169,692. It was set at this amount by Resolution of the City Council on June 23, 2009. **He has not received a raise in base salary since July 1, 2008.** In addition to his base salary, he is eligible to earn a performance-based incentive payment of 0—10% of base salary, upon successful completion of his agreed upon performance objectives. Mr. Rosenfield also receives additional benefits (retirement, health, disability and life insurances, cell phone, auto allowance) that had a total annual value for calendar year 2010 of \$61,650. The combined total of all of the above-

listed annual compensation items for 2010 is \$241,524. **You can find an at-a-glance table that details all compensation received by the Director of Public Services for calendar year 2010 here.**

Mr. Rosenfield graduated from the University of California, Irvine with a Bachelor of Science degree in Civil and Environmental Engineering. He subsequently earned a Master in Business Administration degree from the University of California, Riverside. He is a licensed Civil Engineer in the State of California. Prior to becoming a City employee of Laguna Hills in July 1995, he served a variety of other public agencies for seventeen years as City Engineer, and he worked in other positions through both private and public employment.

#### COMMUNITY DEVELOPMENT DIRECTOR:

The Community Development Director, Vernon A. Jones, is appointed by the City Manager and serves at his pleasure. He is an "At-Will" employee under State law. As the Community Development Director, he oversees the Planning, Building, Code Enforcement, and Receptionist functions for the City of Laguna Hills. He is the principal staff for the City's Planning Agency. Mr. Jones also currently serves on the Orange County Planning Director's Annual Forum Committee, and is a member of the Orange County Council of Governments' Technical Advisory Committee. He receives no additional compensation for serving on these committees. In 2004, Mr. Jones served as President of the Planning Directors Association of Orange County.

The Community Development Director's salary is \$162,552. It was set at this amount by Resolution of the City Council on June 23, 2009. Mr. Jones has not received a raise in base salary since July 1, 2008. In addition to his base salary, he is eligible to earn a performance-based incentive payment of 0—10% of base salary, upon successful completion of his agreed upon performance objectives. Mr. Jones also receives additional benefits (retirement, health, disability and life insurances, cell phone, auto allowance) that had a total annual value for calendar year 2010 of \$63,558. The combined total of all of the above-listed annual compensation items for 2010 is \$235,050. **You can find an at-a-glance table that details all compensation received by the Community Development Director for calendar year 2010 here.**

Mr. Jones earned a Bachelor of Science degree from Loma Linda University, CA, and obtained a Masters of Urban Planning degree from California State Polytechnic University, Pomona, CA. Prior to coming to Laguna Hills in September, 2000, he served for twenty years in various Community Development and Economic Development capacities for the Cities of Rosemead, Cypress, and Orange, California.

#### CHIEF OF POLICE SERVICES:

The Chief of Police Services, Lt. Steve Doan, is selected by the City Manager. He is an employee of the Orange County Sheriff's Department. In addition to the traditional duties of a Police Chief, he also oversees Animal Care Services and Emergency Management. As an employee of the Sheriff's Department, Mr. Doan does not receive any compensation directly from the City. The cost of his position is paid for under the City's contract with the Sheriff. For the current fiscal year, that annual cost to the City is \$266,595.

#### DEPUTY CITY MANAGER/DIRECTOR OF COMMUNITY SERVICES:

The Deputy City Manager, David Reynolds, is appointed by the City Manager and serves at his pleasure. He is an "At-Will" employee under State law. The Deputy City Manager is the department head of the Community Services Department and is responsible for the management of the 18 acre Laguna Hills Community Center and Sports Complex. In addition, the Deputy City Manager is responsible for the administration of the City's waste and recycling franchise agreement with CR&R, and also oversees the City's Information Technology Department. Mr. Reynolds is also the principal staff support assigned to the City's Parks and Recreation Commission.

The Deputy City Manager's annual base salary is \$128,023. In addition to his base salary, he is eligible to earn a performance-based incentive payment of 0—10% of base salary, upon successful completion of his agreed upon performance objectives. Mr. Reynolds also receives additional benefits (retirement, health, disability and life insurances, cell phone) that had a total annual value in calendar year 2010 of \$39,602. The combined total of all of the above-listed annual compensation items for 2010 is

\$174,100. **You can find an at-a-glance table that details all compensation received by the Deputy City Manager for calendar year 2010 [here](#).**

Mr. Reynolds graduated from California State University, Fullerton, with a degree in Liberal Arts and a minor in Environmental Science. He also has a Project Management certification from the University of California, Irvine. Prior to coming to Laguna Hills in February 2003, he worked in the private sector for eight years in information technology at Thomas Bros. Maps and for an information technology outsourcing firm, Affiliated Computer Services (ACS). Mr. Reynolds' six years with ACS provided him an opportunity to work in several local cities including Irvine, Lake Forest, Pomona, and Chino. His last position with ACS was to serve as the Director of Information Technology for the City of Pomona.

#### **CITY CLERK:**

The City Clerk, Peggy J. Johns, is appointed by the City Manager and serves at his pleasure. She is an "At-Will" employee under State Law. Ms. Johns is responsible for the Municipal Code, Records Management, Elections, and Public Records Requests.

The City Clerk's annual base salary is \$116,340. In addition to her base salary, she is eligible to earn a performance-based incentive payment of 0-10% of base salary, upon successful completion of her agreed upon performance objectives. Ms. Johns also receives additional benefits (retirement, health, disability and life insurances, cell phone, auto allowance) that had a total annual value for calendar year 2010 of \$42,899. The combined total of all of the above-listed annual compensation items for 2010 is \$164,474. **You can find an at-a-glance table that details all compensation received by the City Clerk for calendar year 2010 [here](#).**

Ms. Johns graduated from California State University, Fullerton, with a degree in Public Administration. Prior to coming to Laguna Hills in April of 2002, she served for two years as City Clerk Specialist with the City of Irvine, and from 1988 through 2000, served in the City of Yorba Linda as Engineering Secretary. She received her Master Municipal Clerk designation in February 2010.

#### **California Public Employees Retirement System (Cal-PERS)**

After incorporation in 1991, the City joined Cal-PERS in 1992. Today, of the 480 cities in California, 449 are members of Cal-PERS. Cal-PERS offers a wide array of defined benefit pension plans, generally described by one of the following formulas:

- 2.0% at the age of 60
- 2.0% at the age of 55
- 2.5% at the age of 55
- 2.7% at the age of 55
- 3.0% at the age of 60

Laguna Hills is the only city in Orange County that has retained the more conservative and sustainable 2.0% at 60 formula. In Orange County, there are 15 cities in Orange County that provide the 2% at 55 pension plan. Another 17 cities offer the more lucrative 2.5% or 2.7% at 55 formulas. These more lucrative 2.5% or 2.7% formulas serve to enhance pension benefits by 20% to 26% over and above the City of Laguna Hills' pension plan. It should also be noted that in Laguna Hills the only compensation that can be legally used to calculate an employee's retirement pension is base salary, plus performance based incentive pay. No other benefits, including vacation buy-outs, can be used to enhance an employee's pension.

There are two components of the City's contributions to Cal-PERS. The first is the employee's individual contribution rate, which is fixed at 7%. The City pays this portion on the employee's behalf and this amount is included in the total compensation figures listed above. When the City began contracting with Cal-PERS in 1992, this was the standard practice in the County. When cities began migrating to the richer pension plans, some began to require employee contributions. Today, there are fourteen cities that require some level of employee contribution. These rates range from 1% to 8%. Still, there are nineteen cities in the County that do not require an employee contribution. The second component of the City's Cal-PERS contribution is the employer rate. For Laguna Hills, the rate this year is 10.346%.

This contribution is not tied to any one employee, but is an actuarial function of many factors, including the following: the City's overall employee census; the census of employees who have retired from the City; and, the pool of other member agencies that has been grouped together by Cal-PERS. The City's employer contributions are considered an asset of the City and not of its employees. For this reason, it is not considered employee compensation.

#### **Retiree Health Savings Plan**

It is a common practice for governmental agencies to provide retiree health insurance coverage to their employees. Over ten years ago, the City evaluated the provision of this benefit to its employees. The analysis showed that it was just too expensive. As a cost-effective alternative, the City evaluated a Retiree Health Savings (RHS) plan for long-time employees. This type of plan functions like a defined contribution 401k plan. After ten years of full-time employment, employees are enrolled in the City's RHS plan and the City starts contributing \$5,000 annually while the employee is employed by the City. This amount is included in the management compensation reported above and only for those management employees who have reached the ten-year anniversary mark. In addition, any unused sick leave over 160 hours is bought out by the City and deposited in the employee's RHS account. Since this amount can vary widely from year-to-year, it is not included in management compensation reported above, but is listed under "Other Compensation" in the at-a-glance tables. The employee may use these contributions to help defray medical expenses in retirement. When the employee retires, or exits employment with the City, the City has no post-employment benefit obligation. The City Council does not participate in this plan.

#### **Vacation Buy-out**

City employees accrue vacation leave at various levels depending on years of service. State law requires that employees be compensated for unused vacation leave when they exit employment with the City. It is a recommended best management practice to limit the amount of vacation leave that an employee may accumulate. In Laguna Hills, the maximum number of hours that an employee may carry-over from one year to the next is 320 hours. If at the end of a given fiscal year, an employee has an excess of 320 hours of vacation, the City buys out all vacation leave in excess of the 320 hours. The City encourages all employees to reduce their unused leave balances each year to 160 hours or less. This practice allows the City to avoid the accumulation of large unfunded liabilities. Employees are thereby allowed to cash out vacation leave in excess of 80 hours. To the extent that an employee has his or her vacation bought out by the City, or if it is cashed out by the employee, it is taxable compensation. And, as stated above, it is illegal to include vacation buy-outs when an employee's pension is calculated. Since vacation buy-outs vary significantly from year-to-year, these amounts are treated by the City as special, one-time occurrences and are not included in the regular, recurring compensation of management staff listed above, but is listed under "Other Compensation" in the at-a-glance tables. City Council members do not receive vacation, or any other types of leave.

**A PDF copy of the Public Officials' Compensation Report including "at-a-glance" tables may also be downloaded by clicking [here](#).**

