
**CITY OF LAGUNA HILLS, CALIFORNIA
CITY COUNCIL/PLANNING AGENCY REGULAR MEETING
MINUTES
JANUARY 10, 2012**

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE: Council Member Kogerman

ROLL CALL OF CITY COUNCIL MEMBERS

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

1. PRESENTATIONS AND PROCLAMATIONS

There were no Presentations and Proclamations.

2. PUBLIC COMMENTS

LAGUNA HILLS HIGH SCHOOL FUND RAISER

Meg Gorham, Laguna Hills, gave an update on Laguna Hills High School Grad Night Fund Raiser, Win-Win-Wednesday.

2.1 LAGUNA HILLS HIGH SCHOOL STUDENT LIAISON

THE CITY COUNCIL RECEIVED AN ORAL REPORT FROM LAGUNA HILLS HIGH SCHOOL STUDENT LIAISON KYLIE WEST.

3. MINUTES

3.1 REGULAR MEETING, DECEMBER 13, 2011

**MOTION TO APPROVE THE MINUTES OF THE DECEMBER 13, 2011, REGULAR MEETING, BY M/COUNCIL MEMBER SONGSTAD, S/COUNCIL MEMBER BRESSETTE.
APPROVED BY A VOTE OF 5-0.**

4. CONSENT CALENDAR

**MOTION TO APPROVE THE CONSENT CALENDAR, BY M/COUNCIL MEMBER SONGSTAD, S/COUNCIL MEMBER BRESSETTE.
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 ORDINANCE AND RESOLUTIONS.

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

THE CITY COUNCIL APPROVED 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

THE CITY COUNCIL RENEWED 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; APPROVED AMENDMENT NO. 1 TO THE MEMORANDUM OF UNDERSTANDING NO. C-0-1692 EXTENDING THE TERM OF THE AGREEMENT TO DECEMBER 31, 2012; AND AUTHORIZED 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

THE CITY COUNCIL APPROVED 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

THE CITY COUNCIL APPROVED THE REVISED SEVEN YEAR CAPITAL IMPROVEMENT PROGRAM BUDGET FOR SUBMITTAL TO OCTA FOR COMPLIANCE WITH THE MEASURE M PROGRAM.

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 7:08 PM.

5.1 ROLL CALL OF PLANNING AGENCY MEMBERS

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

5.2 PUBLIC COMMENTS

There were no Public Comments.

5.3 MINUTES

5.3.1 REGULAR MEETING, DECEMBER 13, 2011

**MOTION TO APPROVE THE MINUTES OF THE DECEMBER 13, 2011, REGULAR MEETING AS REFERENCED IN THE CITY COUNCIL MINUTES, BEGINNING ON PAGE 6, BY/AGENCY MEMBER KOGERMAN, S/AGENCY MEMBER BRESSETTE.
APPROVED BY A VOTE OF 5-0.**

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

Chair Carruth opened the Public Hearing.

Alex Tsaturov, AT&T representative, spoke on Changed Plan No. 11-11-2113, a request by AT&T Mobility to modify an existing Communications Facility, located at 25655 Nellie Gail Road and answered questions by the Planning Agency.

Michael Goodin, Laguna Hills, was opposed to modifying the existing Communications Facility.

Terry Ing, Laguna Hills, was opposed to modifying the existing Communications Facility.

Scott Baskin, Laguna Hills, was opposed to modifying the existing Communications Facility.

Alex Tsaturov, AT&T representative indicated that he had read and agreed to the Conditions of Approval and that AT&T would complete a preliminary report before and after that would show the operation of the facility was in conformance with all applicable FCC standards and regulations.

Chair Carruth closed the Public Hearing.

**MOTION TO CONTINUE FOR 60 DAYS AND REQUEST THAT THE APPLICANT PRETEST IN THE MANNER AS OUTLINED IN CONDITION NO. 11; TO PROVIDE NOTICE TO NELLIE GAIL RANCH OWNERS ASSOCIATION; AND REQUEST THAT THE APPLICANT COME BACK WITH THEIR APPLICATION WITH PROOF OF NEED AND FEASIBILITY FOR THIS LOCATION, BY M/AGENCY MEMBER KOGERMAN, S/CHAIR CARRUTH.
APPROVED BY A VOTE OF 5-0.**

PLANNING AGENCY ADJOURNMENT

Mayor Carruth reconvened the City Council meeting at 8:19 PM. All Council Members were present.

6. CITY COUNCIL PUBLIC HEARINGS

6.1 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

Mayor Carruth opened the Public Hearing and upon seeing no one rise, closed the Public Hearing.

**MOTION TO CONFIRM STAFF'S SUBMITTAL OF A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING APPLICATION FOR THE 2012-2013 FISCAL YEAR; AND AUTHORIZED THE CITY MANAGER TO EXECUTE THE APPLICATION, BY COUNCIL MEMBER SONGSTAD, S/COUNCIL MEMBER BRESSETTE.
APPROVED BY A VOTE OF 5-0.**

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

Mayor Carruth opened the Public Hearing and upon seeing no one rise, closed the Public Hearing.

**MOTION TO CONFIRM STAFF'S SUBMITTAL OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION FOR PUBLIC FACILITIES AND IMPROVEMENTS FOR THE 2012/2013 FISCAL YEAR, BY/COUNCIL MEMBER SONGSTAD, S/MAYOR PRO TEMPORE LAUTENSCHLEGER.
APPROVED BY A VOTE OF 5-0.**

7. ADMINISTRATIVE REPORTS

7.1 City Manager

The City Manager made no reports.

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"

MOTION 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 WITH THE EXCEPTION OF THE LINK TO THE CITY MANAGER'S CONTRACT; (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, BY M/COUNCIL MEMBER KOGERMAN S/COUNCIL MEMBER BRESSETTE.

FAILED BY A VOTE OF 2-3, (MAYOR CARRUTH, MAYOR PRO TEMPORE LAUTENSCHLEGER, AND COUNCIL MEMBER SONGSTAD VOTING NO).

SUBSTITUTE MOTION THAT STAFF RETURN TO CITY COUNCIL WITH A “REVISED PUBLIC OFFICIALS’ COMPENSATION REPORT” FOR COUNCIL APPROVAL, THAT PORTIONS OF THE “PUBLIC OFFICIALS’ COMPENSATION REPORT” HIGHLIGHTED ON EXHIBIT “A” BE OMITTED AND THAT PAGES 1-3 AND THE AT-A-GLANCE TABLES BE THE PRIMARY CONTENT PROVIDED FOR EACH OFFICIAL BY CATEGORY, (“CITY COUNCIL MEMBERS”, “CITY MANAGEMENT EMPLOYEES”) TITLE AND NAME, AND OFFICIAL DUTIES, BIOGRAPHIES AND CITY INFORMATION ON PAGES 4-18, AS APPROPRIATE BE OMITTED FROM THE PREAMBLE OF THE REPORT AND INSTEAD BE PROVIDED VIA LINKS FOR THOSE WHO WISH TO LEARN MORE, THAT STAFF RETURN WITH AN AMENDED CHAPTER 2-44 OF THE MUNICIPAL CODE, ORDINANCE NO. 2010-2, AND THAT STAFF RETURN WITH THIS REPORT AT THE LAST MEETING IN FEBRUARY 2012, BY M/COUNCIL MEMBER BRESSETTE, S/COUNCIL MEMBER KOGERMAN. FAILED BY A VOTE OF 2-3, (MAYOR CARRUTH, MAYOR PRO TEMPORE LAUTENSCHLEGER, AND COUNCIL MEMBER SONGSTAD VOTING NO).

9. CITY COUNCIL MEMBER COMMENTS

There were no City Council Member Comments.

10. CLOSED SESSION

Mayor Carruth recessed the meeting into Closed Session at 9:05 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 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.

Mayor Pro Tempore Lautenschleger recused himself from this item and left the Closed Session meeting.

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.

Mayor Carruth reconvened the meeting at 10:30 PM. All Council Members were present.

There was no reportable action taken in Closed Session.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Carruth declared the meeting adjourned at 10:30 PM.

PEGGY J. JOHNS, CITY CLERK

ATTEST:

MELODY CARRUTH, MAYOR

APPROVED AT MEETING OF JANUARY 24, 2012.