CITY OF LAGUNA HILLS, CALIFORNIA
CITY COUNCIL REGULAR MEETING
MINUTES
DECEMBER 14, 2010

CALL TO ORDER

Mayor Bressette called the Regular Meeting of the City Council of the City of Laguna Hills, California, to order at 7:00 p.m. in the Laguna Hills City Council Chamber, 24035 El Toro Road, Laguna Hills, and asked for a moment of silence in memory of the fallen Marines of the 3/5.

PLEDGE OF ALLEGIANCE

Council Member Carruth led the Pledge of Allegiance.

ROLL CALL

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

Absent: R. Craig Scott, Mayor Pro Tempore

It was also noted for the record that Council-Member Elect Kogerman was present in the audience.

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

CITY COUNCIL REORGANIZATION

- **CERTIFICATION OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 2, 2010 (0430-20)**

  City Clerk Johns indicated that on Tuesday, November 2, 2010, a General Municipal Election was conducted in the City of Laguna Hills for the election of three City Council Members. A resident-initiated ballot measure, also known as Measure T, was presented to the voters of Laguna Hills, proposing to limit the number of consecutive terms a member of the City Council might serve. Ms. Johns stated the Orange County Registrar of Voters had canvassed the returns and certified the results of the General Municipal

Election to the City Council. State Elections Code Section 10263 required that upon completion of the canvass and before installing the new officers, the governing body should adopt a Resolution reciting the facts of the election and the other matters that were enumerated.

IT WAS MOVED BY COUNCIL MEMBER SONGSTAD, SECONDED BY COUNCIL MEMBER CARRUTH, TO ADOPT RESOLUTION NO. 2010-12-14-1, A RESOLUTION OF THE CITY OF LAGUNA HILLS, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON TUESDAY, NOVEMBER 2, 2010, DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW, AND DECLARING THE VOTE ON MEASURE "T", AN ORDINANCE OF THE PEOPLE OF THE CITY OF LAGUNA HILLS, CALIFORNIA, LIMITING THE NUMBER OF TERMS A MEMBER OF THE CITY COUNCIL MAY SERVE.

The motion carried by the following vote:

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

- **OATHS OF OFFICE**

The City Clerk introduced California State Assemblywoman for the 73rd District, Diane Harkey, who issued the Oaths of Office to Council Members Randal Bressette, Melody Carruth, and Barbara Kogerman. Following the Oaths, the City Clerk presented the Certificates of Election.

Mayor Bressette took Presentations and Proclamations and Public Comments out of order on the Agenda.

1. PRESENTATIONS AND PROCLAMATIONS

1.1 CERTIFICATE OF RECOGNITION, CAMERON MANOR, LAGUNA HILLS RESIDENT, DISCOVERY GIRL MAGAZINE'S TOP ROLE MODEL (0410-65)

The Mayor presented a Certificate to Cameron Manor, recognizing her achievements and honor as a top national role model for Discovery Girl Magazine.

2. PUBLIC COMMENTS

2.1 3/5 BATTALION SUPPORT COMMITTEE (0120-40)

Mike Bland, Laguna Hills, reported that he was recently asked to Chair the 3/5 Support Committee for the City of Laguna Hills. Mr. Bland indicated the Committee has had two meetings to date, and summarized what had occurred at the meetings and explained the Toy Drive that was currently underway. Mr. Bland also explained the details of the school supplies that were being collected for the Marines to hand out to the Afghanistan children to foster trust with the local community. Mr. Bland reported that the next project was donations for the purchase of special socks for the Marines. Mr. Bland described the link on the City's website to the 3/5 Information sheet that explained the current projects and how citizens could donate to these projects. Mr. Bland thanked the City Council for re-supporting the Committee, and also thanked the staff at the Community Center.

2.2 CITY COUNCIL REORGANIZATION (0430-20)

Connie Vaughn, Laguna Hills, had been a resident for over ten years and had served on the Board at Moulton Ranch Homeowners Association for many years. Ms. Vaughn wanted to express the statement that the voters of Laguna Hills had resoundingly voted in Barbara Kogerman as an agent of change. Ms. Vaughn believed that Barbara Kogerman had a very strong background in both business and local government and would be an excellent Mayor. Ms. Vaughn indicated that Barbara Kogerman had a very positive and aggressive platform for change and the voters who came out and voted her into office were expecting to see changes in different directions for Laguna Hills. Ms. Vaughn stated that she canvassed Moulton Ranch and other parts of Laguna Hills and spoke for a large contingent in stating that they were expecting change.

2.3 COYOTE PROBLEM (0200-10)

Melissa McDonald, Laguna Hills, stated she was present tonight because she had heard that a meeting had recently taken place in the City that involved a discussion regarding the potential to trap and kill the coyote population. Ms. McDonald reported that she was not able to attend that meeting and understood that this was not the time to bring it forward for open discussion. Ms. McDonald wanted the City Council to know that she had information she wanted to present to the City Council that there were negative consequences that came with killing off a native species, and even reducing the number of native species. Ms. McDonald also had information that she wanted to present to the City Council that indicated that the community could work together in implementing procedures for the peaceful coexistence of residents and the native Laguna Hills coyote population.

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

The City Council received an oral report from Laguna Hills High School Student Liaison Mike Spain.

- **COMMENTS BY OUTGOING MAYOR**

Mayor Bressette indicated that this was the 19th year of incorporation for the City of Laguna Hills. Mayor Bressette stated that for government and the City Council of Laguna Hills it had been one of intense scrutiny, strong debate, changes, and one of revolution. Mayor Bressette stated that all of these actions were constructive events in the democracy called America. Mayor Bressette believed that the revolution in Laguna Hills brought a positive change and would create a better, stronger, more responsive, and more transparent government for the people of Laguna Hills. Mayor Bressette indicated there were accomplishments this past year that he was proud to be a part of and he shared the activities and accomplishments over the past year, including the adoption of the 3/5 Marine Battalion.

- **ELECTION OF MAYOR**

THE CITY COUNCIL NOMINATED AND ELECTED COUNCIL MEMBER SONGSTAD AS MAYOR.

The vote was as follows:

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

- **RECOGNITION OF OUTGOING MAYOR**

RESOLUTION OF COMMENDATION, RANDAL BRESSETTE, MAYOR (0410-65)

IT WAS MOVED BY COUNCIL MEMBER CARRUTH, SECONDED BY COUNCIL MEMBER LAUTENSCHLEGER, TO ADOPT RESOLUTION NO. 2010-12-14-2, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, COMMENDING RANDAL BRESSETTE.

The motion carried by the following vote:

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

Mayor Songstad presented a Resolution of Commendation and a plaque to Randal Bressette recognizing his service to the City as Mayor.

- **ELECTION OF MAYOR PRO TEMPORE**

THE CITY COUNCIL NOMINATED AND ELECTED COUNCIL MEMBER CARRUTH AS MAYOR PRO TEMPORE.

The vote was as follows:

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

- **REMARKS OF NEWLY ELECTED MAYOR AND COUNCIL MEMBERS**

Mayor Songstad indicated this year would be exciting and challenging and his focus would be on public safety, increased transparency and trust in City government, and offer City Council meetings via streaming live video on the City's website. Mayor Songstad also wanted to concentrate on economic development in the City and work on the upcoming biennial budget for 2011-13. Mayor Songstad indicated that his job would be to bring the City Council together for the benefit of the Laguna Hills residents.

Council Member Kogerman indicated that she was elected on a platform of transparency and accountability and was happy that Mayor Songstad mentioned streaming live video of the City Council meetings. Council Member Kogerman stated that the City Council needed to be accountable to the voters and the only way they could be held accountable was with complete transparency and complete reporting of information on the City's website. Council Member Kogerman indicated that she had met the nicest people while campaigning and that the people in the City care about their City and they care about good government in the City. Ms. Kogerman stated that the residents were looking forward to a new year and new accomplishments. Ms. Kogerman stated that the residents wanted the City Council to do a better job in economic development and she was pleased that Mayor Songstad mentioned economic development. Council Member Kogerman wanted to focus on the budget, re-order priorities, and do less in the area of excess City

Management compensation but instead invest money into investments for the citizens, including public safety. Council Member Kogerman thanked all of her friends and families for their support.

Mayor Pro Tempore Carruth indicated that it was wonderful to have so many residents present at the City Council meeting. Mayor Pro Tempore Carruth welcomed Council Member Kogerman and stated that she looked forward to working with her and coordinating efforts with some of the issues that were raised during the City Council elections. Mayor Pro Tempore Carruth indicated that Council Member Kogerman had worked hard during the campaign, and she was pleased that the term limits went well for the community.

Council Member Bressette welcomed Council Member Kogerman and thanked all of those who supported his re-election to the City Council, especially his wife, who provided him with a great deal of support, counsel, and guidance. Council Member Bressette indicated that his goals and objectives for Laguna Hills had been clearly stated and he would not waiver until those goals had been met. Council Member Bressette indicated that there was a lot of work ahead of the City Council and he looked forward to that. The City Council consisted of five citizens elected by the people to represent the common good, a City Council worked best when the five people worked cooperatively on issues and worked together to serve the people and put the best interests of the City first. Council Member Bressette stated that he looked forward to working with all of his colleagues for the best interest of Laguna Hills.

Council Member Lautenschleger indicated that he was looking forward to a productive year and positive developments. Council Member Lautenschleger indicated that the City Council Members were all servants of the people and he was proud of every one that worked on the City Council.

RECESS AND RECONVENE

Mayor Songstad recessed the meeting at 7:51 p.m. and reconvened the meeting at 8:04 p.m. and all Council Members were present.

3. MINUTES

3.1 REGULAR MEETING, NOVEMBER 23, 2010 (0410-50)

IT WAS MOVED BY COUNCIL MEMBER BRESSETTE, SECONDED BY MAYOR PRO TEMPORE CARRUTH, TO APPROVE THE MINUTES OF THE NOVEMBER 23, 2010, REGULAR MEETING, AS PRESENTED.

The vote was as follows:

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

4. CONSENT CALENDAR

Council Member Bressette removed Item No. 4.11 from the Consent Calendar.

IT WAS MOVED BY COUNCIL MEMBER BRESSETTE, SECONDED BY MAYOR PRO TEMPORE CARRUTH, THAT THE RECOMMENDATIONS BE ACCEPTED FOR THE FOLLOWING ITEMS LISTED ON THE CONSENT CALENDAR, WITH THE EXCEPTION OF ITEM NO. 4.11.

The motion carried by the following vote:

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

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

WAIVED READING OF ORDINANCES AND RESOLUTIONS.

4.2 APPROVAL OF WARRANT REGISTER FOR PERIOD ENDED DECEMBER 14, 2010 (0300-30)

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

APPROVED THE WARRANT REGISTER IN THE AMOUNT OF $152,740.60.

4.3 RECOGNITION OF OUTGOING COUNCIL MEMBER, R. CRAIG SCOTT (0410-65)

Written report from the City Clerk's Department indicated that R. Craig Scott was first elected to the inaugural City Council on March 5, 1991, took his Oath of Office on December 20, 1991, and had served the City of Laguna Hills with distinction as Council Member for the past 19 years. Council Member Scott's guidance, wisdom, and service had always been marked by exemplary dedication to the best interests of the City of Laguna Hills. He had worked constantly for the betterment of the City's economic, cultural, and aesthetic development, and he would be missed by City Council and staff alike.

ADOPTED RESOLUTION NO. 2010-12-14-3, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, COMMENDING R. CRAIG SCOTT.

4.4 RECORDS RETENTION MANAGEMENT (0170-50)

Written report from the City Clerk's Department indicated that in accordance with the City's Records Retention/Disposition Schedule, adopted on December 12, 1995, and amended on September 28, 1999, October 14, 2003, and November 14, 2006, City records were ready for disposal. The City Attorney had reviewed Exhibit "A" to the Resolution listing the files to be disposed of and approved the list of records. Department Heads had also reviewed the records listed and had consented to their disposal.

ADOPTED RESOLUTION NO. 2010-12-14-4, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, AUTHORIZING AND DIRECTING THE CITY CLERK TO NO LONGER RETAIN CERTAIN CITY RECORDS AND DOCUMENTS, WITH A DISPOSAL DATE OF DECEMBER 15, 2010, PURSUANT TO THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA.

4.5 ANNUAL REVIEW OF INVESTMENT POLICIES AND DELEGATION OF INVESTMENT AUTHORITY TO THE CITY TREASURER (0350-05)

Written report from the Administrative Services Department indicated that State law required that the City Council annually review the City's written investment policies at a public meeting. It also allowed the City Council to delegate its investment authority to the City Treasurer for up to one year at a time. Staff proposed minor revisions to the existing policies, which were in accordance with the "Recommended Best Practices" promulgated by the Committee on Cash Management and Investment of the Government Finance Officers Association.

Pursuant to Government Code Section 53646, the City Treasurer was required to render to the City Council an annual statement of investment policy. The current policies were reviewed by the City's independent auditors in connection with the audit of the City's financial statements for the fiscal year ended June 30, 2010. All proposed changes to the policies were non-substantive, with the exception of the proposed increase to the maximum amount of funds invested in Certificates of Deposit (CDs) issued by Savings and Loans from $90,000 to $250,000, which was concurrent with Federal Deposit Insurance Corporation (FDIC) coverage.

ADOPTED RESOLUTION NO. 2010-12-14-5, 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 RESOLTUION NO. 2009-12-08-4.

4.6 AFFIRMATION OF LOCAL APPOINTMENTS LIST FOR COMMISSIONS AND COMMITTEES (0120-05)

Written report from the City Clerk's Department indicated that in accordance with State Law, Government Code Section 54972, the City Council must prepare and post a Local Appointments List prior to December 31, 2010.

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

4.7 GOVERNMENT CODE SECTION 66006 – DEVELOPMENT IMPACT FEES ANNUAL REPORT (0640-15)

Written report from the Administrative Services Department indicated that the City of Laguna Hills had three types of development impact fees that might be assessed on new developments: Public Art Fees, Traffic Mitigation Fees, and Quimby Act Fees. State Law specified that upon receipt of development impact fees, certain reports were required to be made by the public agency. The staff report detailed the required annual report, pursuant to Section 66006 of the Government Code.

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

4.8 REJECTION OF BIDS FOR COMMUNITY CENTER & SPORTS COMPLEX PLAYGROUND RENOVATIONS AND LIGHT REFURBISHMENT, CIP NO. 514, AND COSTEAU PARK PLAYGROUND RENOVATIONS, CIP NO. 239 (0400-10)

Written report from the Public Services Department indicated that in accordance with City Council authorization, eleven bids for the subject projects were received on December 7, 2010. Staff had determined that some of the submitted bids were not consistent with the specification requirements associated with the designation of a specialty subcontractor and this bid irregularity could not be resolved short of the rejection of all bids. It was recommended that all bids be rejected and the project be re-advertised for bids. The projects were funded in the Fiscal Year 2010-2011 Capital Improvement Program Budget.

REJECTED ALL BIDS FOR THE COMMUNITY CENTER & SPORTS COMPLEX PLAYGROUND RENOVATIONS AND LIGHT REFURBISHMENT, CIP NO. 514, AND COSTEAU PARK PLAYGROUND RENOVATIONS, CIP NO. 239; APPROVED THE PLANS AND SPECIFICATIONS; AND AUTHORIZED THE RE-ADVERTISEMENT OF THE PROJECTS FOR BID.

4.9 LOCAL TRAFFIC SIGNAL SYNCHRONIZATION PLAN (0860-50)

Written report from the Public Services Department indicated that the Renewed Measure M (M2) required the City to take certain actions in order to be eligible for M2 funding under the local Fair Share Program. The adoption of a Local Traffic Signal Synchronization Plan (Local Plan) was one of the required elements of eligibility. Staff had prepared the Local Plan following the guidelines of the Orange County Transportation Authority and adoption of the Local Plan by Resolution was required. The adoption of the Local Plan obligated the City to maintain its current traffic signal system, at least, at the same level of funding as was currently budgeted.

ADOPTED RESOLUTION NO. 2010-12-14-6, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, CONCERNING THE ADOPTION OF A LOCAL TRAFFIC SIGNAL SYNCHRONIZAITON PLAN FOR THE CITY OF LAGUNA HILLS.

4.10 PRESENTATION OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR FISCAL YEAR 2009/10 (0310-20)

Written report from the Administrative Services Department indicated that the City's Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2010. For the past sixteen years, the City had operated with an Audit Committee to oversee the audit process and review the findings with the Auditor. For the audit of fiscal year 2009/10, the City's Auditors reported that there were no material weaknesses in the City's internal control structure. The certified public accounting firm of Moss, Levy and Hartzheim, LLP, who was engaged by the City to perform the audit of the City's financial statements and internal control policies and procedures, rendered an unqualified opinion on the City's FY2009/10 financial statements.

RECEIVED AND FILED THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FY 2009/10, TOGETHER WITH THE AUDIT LETTERS.

4.12 UPDATING DESIGNATION OF ASSISTANT AND DEPUTY CITY ATTORNEYS (0400-10)

Written report from the City Clerk's Department indicated that it was proposed that the City Council adopt a Resolution updating the designation of certain members of the law firm of Woodruff, Spradlin & Smart to serve as assistant city attorneys and deputy city attorneys, in accordance with the Laguna Hills Municipal Code.

ADOPTED RESOLUTION NO. 2010-12-14-7, 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.

ITEMS REMOVED FROM THE CONSENT CALENDAR

4.11 ESTABLISHMENT OF THREE NO STOPPING ANYTIME ZONES ON VIA LOMAS STREET (0860-50)

Council Member Bressette indicated that Via Lomas Street was heavily impacted for parking, as the parking lots were always full. Removal of this parking would eliminate 7 parking spots for the residents, and his concern was twofold. First Mayor Bressette did not see any efforts to reach out to the residents; and secondly he wondered if this issue had gone before the Traffic Commission.

Public Services Director Rosenfield indicated this item was presented to the Traffic Commission in November and it was a request from the Aliso Meadows HOA management to evaluate traffic speed on Via Lomas Street and parking and pedestrian safety issues. As a part of that review, the Traffic Engineers looked at sight distance traffic safety issues at driveways. Overall traffic speeds were consistent with the speed limit and there was not any obvious adverse pedestrian activity, and it was noted that there was a school bus drop zone in the area. As a part of that review, the Traffic Engineers found three locations where they recommended some sight distance improvements for motorists when exiting the parking lots to allow for a clearer visibility of approaching vehicles. The Traffic Commission agenda report was presented to the manager of the Aliso Meadows HOA and he confirmed he reviewed the results of that report with the Board of Directors, but it was not disseminated to the homeowners. While the City did not have any legal obligation to notify homeowners directly, they are usually contacted when there was a direct impact to a fronting residential property with regards to residential access and parking; in this case because each pod of homes had a parking lot associated with it and were non-fronting to Via Lomas Street, staff did not make the additional effort to notify the individual residents. Staff could notify residents if directed.

IT WAS MOVED BY MAYOR PRO TEMPORE CARRUTH, SECONDED BY MAYOR SONGSTAD, TO AGENDIZE FOR A FUTURE CITY COUNCIL MEETING AND TO NOTIFY THE RESIDENTS WITHIN THE REQUIRED AREA INVOLVED, AND INVITE THEM TO THE MEETING.

The motion carried by the following vote:

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

5. CITY COUNCIL PUBLIC HEARINGS

5.1 PUBLIC HEARING AND RESOLUTION VACATING AND ABANDONING THE PUBLIC SERVICE EASEMENT FOR OPEN SPACE PURPOSES WITHIN THE MOULTON AND LA PAZ OPPORTUNITY AREA OF THE LAGUNA HILLS GENERAL PLAN DESCRIBED AS PARCEL 1 (3.365 ACRES) OF FINAL PARCEL MAP NO. 2009-134 (0490-70)

Council Member Lautenschleger indicated that his residence was within 500 feet of the public service easement and recused himself from the dais and left the meeting.

Public Services Director Rosenfield indicated that this was the time and place of the noticed, published, and posted Public Hearing to consider a Resolution vacating and abandoning the public service easement for open space purposes within the Moulton and La Paz opportunity area, covering Parcel 1 of Final Parcel Map No. 2009-134. In July 2009, the City Council approved the update to the General Plan that established opportunity areas in several locations in the community. One of these locations was at the northeast corner of Moulton Parkway at La Paz Road. Mr. Rosenfield indicated that a parcel map was recorded to establish two parcels over a parcel of land that was formerly known as Lot A of Tract 11237. The two parcels consisted of the subject of the staff report, which was Parcel 1, consisting of approximately 3.3 acres, which was adjacent to the Moulton/La Paz Shopping Center and the balance was Lot 2, which was adjacent to the existing residential development, which was not proposed for any changes of its current designation of open space. In November, the City Council initiated a process authorized by the Streets and Highways Code to consider the vacation and abandonment of a Public Service Easement which in this case was the Open Space Easement over Parcel 1. There were unusual posting requirements for this Public Hearing which was accomplished by staff posting notice every 300 feet around the parcel, as well as publishing that occurred by the City Clerk. The purpose of the proposed vacation was the recognition that there had been changed conditions at the site and that the open space easement was no longer appropriate. There were findings for the City Council to consider within the Resolution that detailed the changed conditions for approval.

Mayor Songstad opened the Public Hearing.

Mikki Anderson, Laguna Hills business owner stated that she was in favor of the abandonment of the properties so that the Moulton/La Paz Shopping Center might be upgraded.

Mayor Songstad closed the Public Hearing.

IT WAS MOVED BY MAYOR PRO TEMPORE CARRUTH, SECONDED BY COUNCIL MEMBER BRESSETTE, TO ADOPT RESOLUTION NO. 2010-12-14-8, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, VACATING AND ABANDONING THE PUBLIC SERVICES EASEMENT FOR OPEN SPACE PURPOSES WITHIN THE MOULTON AND LA PAZ OPPORTUNITY AREA OF THE LAGUNA HILLS GENERAL PLAN DESCRIBED AS PARCEL 1 OF THE FINAL PARCEL MAP NO. 2009-134.

The motion carried by the following vote:

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

Council Member Lautenschleger returned to the meeting.

PLANNING AGENCY

Mayor Songstad recessed the City Council meeting to the Planning Agency meeting at 8:29 p.m. and reconvened the City Council meeting at 8:30 p.m. All Council Members were present.

6. ADMINISTRATIVE REPORTS

6.1 City Manager

A. 2010 CITY MANAGER'S YEAR END REPORT (0100-80)

City Manager Channing stated that it was a privilege to present the year end report of the activities and accomplishments of the organization during 2010. Mr. Channing indicated that much had been said about the report this evening and he had nothing more to add.

IT WAS MOVED BY COUNCIL MEMBER BRESSETTE, SECONDED BY MAYOR PRO TEMPORE CARRUTH, TO RECEIVE AND FILE THE 2010 CITY MANAGER'S YEAR END REPORT.

The motion carried by the following vote:

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

6.2 City Clerk

A. 2011 CITY COUNCIL MEETING SCHEDULE (0410-37)

City Clerk Johns stated each year the City Council took the opportunity to review the upcoming year's meeting schedule, and provided a copy of the proposed calendar. Ms. Johns indicated that the City Council would need to select a date in January for an adjourned Regular Meeting for the purpose of conducting Commission interviews.

IT WAS MOVED BY MAYOR PRO TEMPORE CARRUTH, SECONDED BY COUNCIL MEMBER BRESSETTE, TO SELECT A DATE FOR COMMISSION INTERVIEWS ON JANUARY 12, 2010, AND ADOPTED THE PROPOSED CALENDAR FOR 2011.

The motion carried by the following vote:

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

B. CITY COUNCIL APPOINTED REPRESENTATIVES (0410-30)

City Clerk Johns stated as a regular practice during the December City Council meeting, the City Council reviewed the list of Commissions, Boards, Committees, to which it appointed individuals to represent the City during the forthcoming year. This year there was a need to appoint a representative to the Orange County Fire Authority. Ms. Johns indicated the City Council might also choose to make any other changes to the list of appointed representatives at this time.

IT WAS MOVED BY COUNCIL MEMBER KOGERMAN, SECONDED BY MAYOR PRO TEMPORE CARRUTH, TO APPOINT COUNCIL MEMBER BRESSETTE AS REPRESENTATIVE TO THE ORANGE COUNTY FIRE AUTHORITY.

The motion carried by the following vote:

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

THE FOLLOWING CHANGES WERE RECOMMENDED TO THE APPOINTED POSITIONS AS INDICATED: <u>AUDIT COMMITTEE</u>: REMOVED LAUTENSCHLEGER, ADDED KOGERMAN; <u>CIVIC CENTER MANAGEMENT COMMITTEE</u>: REMOVED BRESSETTE, ADDED KOGERMAN; <u>ORANGE COUNTY COUNCIL OF GOVERNMENTS (OCCOG)</u> DELEGATE: REMOVED SONGSTAD, ADDED

LAUTENSCHLEGER; ALTERNATE: REMOVED BRESSETTE, ADDED KOGERMAN; OCFA REPRESENTATIVE: REMOVED SCOTT, ADDED BRESSETTE; ALTERNATE: REMOVED LAUTENSCHLEGER, AND ADDED KOGERMAN; ORANGE COUNTY PUBLIC LIBRARY SYSTEM BOARD REPRESENTATIVE: REMOVED BRESSETTE, ADDED KOGERMAN; SCAG DELEGATE: REMOVED SONGSTAD, ADDED LAUTENSCHLEGER, ALTERNATE: REMOVED BRESSETTE, ADDED KOGERMAN; AND TRANSPORTATION CORRIDOR AGENCY ALTERNATE: REMOVED SONGSTAD, ADDED CARRUTH, AND CONFIRMED THE REMAINING LIST OF APPOINTMENTS.

6.3 Public Services Director/City Engineer

A. DESIGNATION OF CITY COUNCIL REPRESENTATIVE FOR THE ORANGE COUNTY TRANSIT SYSTEM STUDY (0150-20)

Public Services Director Rosenfield indicated that the Orange County Transportation Authority had made a special request asking for a City Council delegate for two meetings, one in January and one in March to review their transportation services that they currently provided under the bus system and further changes that they would likely need to make in order to keep the system solvent.

IT WAS MOVED BY COUNCIL MEMBER BRESSETTE, SECONDED BY COUNCIL MEMBER KOGERMAN, TO APPOINT COUNCIL MEMBER KOGERMAN AS DESIGNATED REPRESENTATIVE TO ATTEND THE WORKSHOPS TO REPRESENT THE CITY OF LAGUNA HILLS' INTEREST IN DISCUSSIONS REGARDING PUBLIC TRANSIT.

The motion carried by the following vote:

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

7. OTHER BUSINESS

There was no Other Business.

8. MATTERS PRESENTED BY MAYOR AND COUNCIL MEMBERS

8.1 Council Member Kogerman

A. COUNCIL POLICY - POINT OF ORDER (0410-80)

Council Member Kogerman indicated that sitting in the audience it was sometimes difficult to determine how each Council Member had voted. As a matter of policy, Council Member Kogerman suggested that the City Clerk restate the vote and who the ayes and nays were following the vote, or state that it was unanimous vote. Council Member Kogerman stated that this was easy to do and would be helpful to those people in the audience.

8.2 Council Member Bressette

A. BREAKFAST WITH SANTA (0950-20)

Council Member Bressette reported that he attended Breakfast with Santa at the Community Center and thanked staff for all of their hard work on that event and all the other Holiday recreation events. He expressed his sincere thanks to Santa Claus for appearing at the City of Laguna Hills.

B. LAGUNA HILLS HIGH SCHOOL HAWKS WRESTLING BANQUET (0930-40)

Council Member Bressette attended the Hawks Wrestling Banquet with Mayor Pro Tempore Carruth, and indicated for $35 a BBQ dinner was served in the company of the Hawks Wrestling Team.

8.3 Mayor Pro Tempore Carruth

A. LAGUNA HILLS HIGH SCHOOL HOLIDAY CONCERT (0930-40)

Mayor Pro Tempore Carruth reported that she had attended the Laguna Hills High School Holiday concert held in Club House 3. Mrs. Carruth indicated this was an extraordinary production, and for those on the City Council who had children in the music program, it was extraordinary how that program had developed, especially the jazz program, and the symphonic and regular orchestra was top notch. Mrs. Carruth was very proud of what they were able to do with such limited financial resources which spoke to great parents supporting the program, talented kids, and a very dedicated faculty.

B. BED BUG INFESTATION (0250-60)

Mayor Pro Tempore Carruth reported that the bed bug infestation that had started in New York City was moving west to Los Angeles and Orange County. She had received an excellent presentation at the last Vector Control meeting, and if there was interest by the City Council, she would be happy to offer a brief presentation on this issue. While bed bugs were not considered a vector, they may ultimately be declared a vector.

8.4 Mayor Songstad

A. SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENT - ROAD TO RECOVERY SUMMIT (0150-55)

Mayor Songstad reported that he attended the Southern California Association of Governments (SCAG) Road to Recovery Summit held in Los Angeles which consisted of elected officials and business people from the SCAG region of six counties which had been well attended. Mayor Songstad reported that they had a number of interesting speakers, Gray Davis, George Deukmejian, both former Governors. Orange County was ably represented by Lucy Dunn from the Orange County Business Council. It had been an interesting meeting from which results and recommendations had emerged; one of the popular themes was that the Governor be given emergency powers to declare a fiscal emergency. Mayor Songstad indicated this concept seemed to be what people of differing political persuasions believed was the only way to move the State forward. There were other solid recommendations that SCAG would be circulating. Mayor Songstad indicated it had been a very worthwhile event.

9. CLOSED SESSION

Mayor Songstad recessed the meeting into Closed Session at 8:55 p.m.

9.1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Subdivision (a) of Government Code Section 54956.9
Name of Case: Eric Young v. City of Laguna Hills
Orange County Superior Court Case No.: 30-2009 00324531

Mayor Songstad reconvened the meeting at 9:00 p.m. All Council Members were present.

City Attorney Simonian reported out on the following reportable action that was taken in Closed Session.

9.1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

IT WAS MOVED BY COUNCIL MEMBER BRESSETTE, SECONDED BY MAYOR PRO TEMPORE CARRUTH, TO APPROVE THE SETTLEMENT AGREEMENT WITH ERIC YOUNG.

The motion carried by the following vote:

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

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Songstad declared the meeting adjourned at 9:05 p.m.

Peggy J. Johns

PEGGY J. JOHNS, CITY CLERK

ATTEST:

L. Allan Songstad

L. ALLAN SONGSTAD, JR., MAYOR

APPROVED AT MEETING OF JANUARY 11, 2011.