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

CALL TO ORDER

Mayor Songstad called the Regular Meeting of the City Council of the City of Laguna Hills, California, to order at 7:05 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 20th 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 JANUARY 10, 2012.