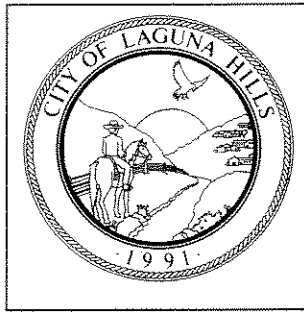

**CITY COUNCIL
REGULAR
MEETING**



**NOVEMBER 24, 2009
7:00 P.M.**

AGENDA

Location: City Council Chamber, 24035 El Toro Road, Laguna Hills, California 92653

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 Songstad

ROLL CALL OF CITY COUNCIL MEMBERS:

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

1. PRESENTATIONS AND PROCLAMATIONS

1.1 INTRODUCTION OF NEWLY APPOINTED CHIEF EXECUTIVE OFFICER FOR THE ORANGE COUNTY TRANSPORTATION AUTHORITY (0150-20)

RECOMMENDATION: That the City Council receive a presentation from Will Kempton, the newly appointed Chief Executive Officer for the Orange County Transportation Authority.

2. PUBLIC COMMENTS

This is the appropriate time for members of the public to make comments regarding items listed on the Consent Calendar and issues not listed on the Agenda. Any person wishing to address the City Council on any matter, whether or not it appears on this Agenda, is asked to complete a "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. *No action will be taken on any items not on the Agenda unless the City Council makes a determination that an emergency exists or that the need to take action on the item arose subsequent to posting of the Agenda.*

There will be a time limitation of three minutes per person, an overall time limit of ten minutes for any one subject, and a time limit of thirty minutes for the Public Comments portion of the Agenda.

Subscriptions to receive City Council Agendas on a regular basis are available through the City Clerk's Office. City Council Agendas may also be viewed on the City's website: www.ci.laguna-hills.ca.us

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

RECOMMENDATION: That the City Council receive an oral report from Laguna Hills High School Student Liaison Lisa McCorkell.

3. MINUTES

3.1 REGULAR MEETING, NOVEMBER 10, 2009 (0410-50)

RECOMMENDATION: That the City Council approve the minutes of the November 10, 2009, 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 Ordinances and Resolutions.

4.2 APPROVAL OF WARRANT REGISTER FOR PERIOD ENDED NOVEMBER 24, 2009 (0300-30)

RECOMMENDATION: That the City Council approve the Warrant Register in the amount of \$915,543.55.

4.3 FIRST QUARTER FINANCIAL AND TREASURER'S REPORT (FY2009-2010) (0300-40)

RECOMMENDATION: That the City Council receive and file the First Quarter Financial and Treasurer's Report for FY 2009-2010.

4.4 AWARD OF CONTRACT FOR LAGUNA HILLS DRIVE PAVEMENT REHABILITATION PROJECT, CIP NO. 169 (0400-10)

RECOMMENDATION: That the City Council award the contract for the Laguna Hills Drive Pavement Rehabilitation Project, CIP No. 169, to the apparent low bidder, R.J. Noble Company, in the low bid amount of \$642,313.75, and authorize the Mayor to sign and the City Clerk to attest to the contract documents.

4.5 TRANSIENT OCCUPANCY TAX (0390-70)

RECOMMENDATION: That the City Council receive and file the report.

ITEMS REMOVED FROM THE CONSENT CALENDAR

5. CITY COUNCIL PUBLIC HEARINGS

5.1 AMENDMENT AND RESTATEMENT OF CHAPTER 9-66 OF TITLE 9 OF THE MUNICIPAL CODE RELATING TO FLOOD MANAGEMENT REGULATIONS (0850-15)

RECOMMENDATION: That the City Council:

1. Conduct a Public Hearing, and
2. Introduce an Ordinance entitled:

AN ORDINANCE OF THE CITY OF LAGUNA HILLS, CALIFORNIA,
AMENDING AND RESTATING CHAPTER 9-66 OF TITLE 9 OF THE
MUNICIPAL CODE RELATING TO FLOOD MANAGEMENT
REGULATIONS.

5.2 ADDITION OF CHAPTER 9-47 OF TITLE 9 OF THE MUNICIPAL CODE RELATING TO LANDSCAPE WATER EFFICIENCY (0230-35)

RECOMMENDATION: That the City Council:

1. Conduct a Public Hearing, and
2. Introduce an Ordinance entitled:

AN ORDINANCE OF THE CITY OF LAGUNA HILLS, CALIFORNIA,
ADDING CHAPTER 9-47 TO TITLE 9 OF THE MUNICIPAL CODE
RELATING TO LANDSCAPE WATER EFFICIENCY.

5.3 AMENDMENT AND RESTATEMENT OF CHAPTER 9-46 OF TITLE 9 OF THE MUNICIPAL CODE RELATING TO LANDSCAPING STANDARDS AND GUIDELINES (0230-35)

RECOMMENDATION: That the City Council:

1. Conduct a Public Hearing, and
2. Introduce an Ordinance entitled:

AN ORDINANCE OF THE CITY OF LAGUNA HILLS, CALIFORNIA,
AMENDING AND RESTATING CHAPTER 9-46 OF TITLE 9 OF THE
MUNICIPAL CODE RELATING TO LANDSCAPING STANDARDS AND
GUIDELINES.

5.4 CITY APPLICATION FOR FY 2010/2011 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR PUBLIC FACILITIES AND IMPROVEMENTS FOR THE FLORENCE SYLVESTER SENIOR CENTER (0670-20)

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 2010/2011 Fiscal Year.

PLANNING AGENCY

ROLL CALL OF PLANNING AGENCY MEMBERS

PUBLIC COMMENTS

This is the appropriate time for members of the public to make comments regarding issues not listed on the Agenda. Any person wishing to address the Planning Agency on any matter, whether or not it appears on this Agenda, is asked to complete a "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 Planning Agency.

MINUTES

5.5 MINUTES OF THE REGULAR MEETING OF NOVEMBER 10, 2009 (0120-10)

RECOMMENDATION: That the Planning Agency approve the minutes of the November 10, 2009, regular meeting.

PLANNING AGENCY PUBLIC HEARINGS

5.6 CONDITIONAL USE PERMIT NO. 07-09-1363, A REQUEST BY VERIZON WIRELESS TO INSTALL AND OPERATE A WIRELESS COMMUNICATION FACILITY ON AN EXISTING SOUTHERN CALIFORNIA EDISON UTILITY POLE LOCATED ON CITY-OWNED PROPERTY, NORTH OF VIA LOMAS DRIVE AND WEST OF THE CITY'S COMMUNITY CENTER (0610-55)

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 CONDITIONAL USE PERMIT NO. 07-09-1363, A REQUEST BY VERIZON WIRELESS TO INSTALL AND OPERATE A WIRELESS COMMUNICATION FACILITY ON AN EXISTING SOUTHERN CALIFORNIA EDISON (SCE) UTILITY POLE LOCATED ON CITY-OWNED PROPERTY, NORTH OF VIA LOMAS DRIVE AND WEST OF THE CITY'S COMMUNITY CENTER, IN THE OS-1 PARKS ZONING DISTRICT.

PLANNING AGENCY ADJOURNMENT

6. ADMINISTRATIVE REPORTS

6.1 City Manager

6.2 City Attorney

- A. AN ORDINANCE ADDING SECTION 12-12.225 TO CHAPTER 12-12 OF TITLE 12 OF THE LAGUNA HILLS MUNICIPAL CODE REGARDING THE REMOVAL OF ENCROACHMENTS FROM THE PUBLIC RIGHT-OF-WAY (0830-30)

RECOMMENDATION: That the City Council introduce an Ordinance entitled:

AN ORDINANCE OF THE CITY OF LAGUNA HILLS, CALIFORNIA, ADDING SECTION 12-12.225 TO CHAPTER 12-12 OF TITLE 12 OF THE LAGUNA HILLS MUNICIPAL CODE REGARDING THE REMOVAL OF ENCROACHMENTS FROM WITHIN THE PUBLIC RIGHT-OF-WAY.

6.3 Deputy City Manager/Community Services

- A. COMMERCIAL FOOD WASTE DIVERSION PROGRAM (1060-35)

RECOMMENDATION: That the City Council authorize the Mayor to execute the Joint Cooperative Agreement for the Pilot Commercial Food Waste Diversion Program.

7. OTHER BUSINESS

7.1 APPOINTMENT OF LABOR NEGOTIATOR (0520-10)

RECOMMENDATION: That the City Council, pursuant to Government Code Section 54957.6, select and identifies its designated representative for the purpose of conducting a Closed Session meeting with its authorized labor negotiator to discuss compensation of City Manager, an unrepresented employee.

8. MATTERS PRESENTED BY MAYOR AND COUNCIL MEMBERS

8.1 Council Member Carruth

- A. ORANGE COUNTY FAIRGROUNDS SALE (0150-10)

RECOMMENDATION: That the City Council adopt a Resolution supporting local government land use control.

- B. 3/5 MARINE BATTALION 1ST DIVISION TOY DRIVE (0120-40)

RECOMMENDATION: That the City Council direct staff to establish collection points at City Hall and the Community Center for new, unwrapped toys, and gift cards for children and teenagers to be delivered to Camp Pendleton on December 22, 2009.

8.2 Mayor Pro Tempore Bressette

- A. CITY COUNCIL AGENDA REPORTS ON THE CITY'S WEB PAGE (0410-14)
RECOMMENDATION: That the City Council request staff to prepare a report on the options for including Agenda reports on the City's Web page and the associated costs therewith.
- B. ORAL REPORT ON THE SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD DRAFT TENTATIVE ORDER R9-2009-0002 (0850-50)

9. CLOSED SESSION

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

9.1 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

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

9.2 CONFERENCE WITH LABOR NEGOTIATOR

Pursuant to Government Code Section 54957.6
Agency Negotiator: Name City Council Designee
Unrepresented Employee: City Manager

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 December 8, 2009, at 7:00 p.m., 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 November 20, 2009, at 5:00 p.m.


PEGGY J. JOHNS, CITY CLERK


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.