
**CITY OF LAGUNA HILLS, CALIFORNIA
CITY COUNCIL/PLANNING AGENCY REGULAR MEETING
MINUTES
NOVEMBER 22, 2011**

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE: Council Member Bressette

ROLL CALL OF CITY COUNCIL MEMBERS

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

Absent: Council Member Lautenschleger

1. PRESENTATIONS AND PROCLAMATIONS

1.1 RECOGNITION OF VERN JONES FOR HIS SERVICE TO THE CITY

MOTION TO ADOPT RESOLUTION NO. 2011-11-22-1, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, RECOGNIZING VERN JONES FOR HIS SERVICE TO THE CITY AS COMMUNITY DEVELOPMENT DIRECTOR, SEPTEMBER 5, 2000, THROUGH DECEMBER 2, 2011, BY M/COUNCIL MEMBER BRESSETTE, S/MAYOR SONGSTAD.

APPROVED BY A VOTE OF 4-0-1 (COUNCIL MEMBER LAUTENSCHLEGER ABSENT).

MAYOR SONGSTAD PRESENTED A COPY OF THE RESOLUTION AND CITY PLAQUE TO VERN JONES, RECOGNIZING HIM FOR HIS SERVICE TO THE CITY.

1.2 APPOINTMENT AND OATH OF OFFICE FOR PROPOSED PARKS AND RECREATION COMMISSIONER FARID TABRIZY

**MOTION TO APPOINT FARID TABRIZY, AS PARKS AND RECREATION COMMISSIONER, TO COMPLETE THE REMAINING VACATED TERM OF OFFICE THROUGH JANUARY 31, 2013, BY M/COUNCIL MEMBER BRESSETTE, S/COUNCIL MEMBER KOGERMAN.
APPROVED BY A VOTE OF 4-0-1 (COUNCIL MEMBER LAUTENSCHLEGER ABSENT).**

THE CITY CLERK ISSUED THE OATH OF OFFICE, AND MAYOR SONGSTAD PRESENTED A FRAMED CERTIFICATE OF APPOINTMENT.

1.3 ORANGE COUNTY HUMAN RELATIONS COUNCIL ANNUAL REPORT

THE CITY COUNCIL RECEIVED AN ORAL PRESENTATION FROM KEN INOUE, COMMISSIONER, ON THE ORANGE COUNTY HUMAN RELATIONS COUNCIL.

2. PUBLIC COMMENTS

DARK HORSE COMMITTEE

Mike Bland, Laguna Hills, gave an update on the Dark Horse Committee and distributed copies of the Dark Horse Committee's formal business plan.

EMERGENCY PREPAREDNESS CLASS

Mike Bland, Laguna Hills, wanted to thank the City for hosting the Emergency Preparedness Class. Mr. Bland indicated that he and his wife attended the eight-week course.

SOCIAL MEDIA

Mav Bressette, Laguna Hills, indicated that she had created a social network system to survey the citizens of Laguna Hills. Ms. Bressette indicated the survey was called the "Pulse of Laguna Hills".

2.1 LAGUNA HILLS HIGH SCHOOL STUDENT LIAISON

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

3. MINUTES

3.1 REGULAR MEETING, NOVEMBER 8, 2011

MOTION TO APPROVE THE MINUTES OF THE NOVEMBER 8, 2011, REGULAR MEETING, BY M/MAYOR PRO TEMPORE CARRUTH, S/COUNCIL MEMBER BRESSETTE.

APPROVED BY A VOTE OF 4-0-1 (COUNCIL MEMBER LAUTENSCHLEGER ABSENT).

4. CONSENT CALENDAR

MOTION TO APPROVE THE CONSENT CALENDAR, BY M/COUNCIL MEMBER BRESSETTE, S/MAYOR PRO TEMPORE CARRUTH, WITH COUNCIL MEMBER BRESSETTE REMOVING ITEM NO. 4.3.

APPROVED BY A VOTE OF 4-0-1 (COUNCIL MEMBER LAUTENSCHLEGER ABSENT).

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 NOVEMBER 22, 2011

THE CITY COUNCIL APPROVED THE WARRANT REGISTER IN THE AMOUNT OF \$1,008,530.15.

4.4 MEASURE M2 PROJECT P TRAFFIC SIGNAL SYNCHRONIZATION PROGRAM GRANT APPLICATIONS

THE CITY COUNCIL AUTHORIZED STAFF TO SUBMIT TO OCTA PROJECT P TRAFFIC SIGNAL SYNCHRONIZATION PROGRAM PROJECTS FOR PASEO DE VALENCIA, OSO PARKWAY, AND LAKE FOREST DRIVE AND ADOPTED RESOLUTION NO. 2011-11-22-2, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING THE SUBMITTAL OF TRAFFIC SIGNAL SYNCHRONIZATION PROGRAM PROJECTS TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR FUNDING UNDER THE COMPETITIVE MEASURE M2 REGIONAL TRANSPORTATION SIGNAL SYNCHRONIZATION PROGRAM.

4.5 PROGRESS PAYMENT NO. 1 FOR AVENIDA DE LA CARLOTA
WIDENING PROJECT, CIP NO. 164

THE CITY COUNCIL APPROVED PROGRESS PAYMENT NO. 1, IN THE NET AMOUNT OF \$54,665.46, TO HILLCREST CONTRACTING, INC., FOR THE AVENIDA DE LA CARLOTA WIDENING PROJECT, CIP NO. 164.

4.6 PROGRESS PAYMENT NO. 8 FOR LA PAZ ROAD WIDENING AT I-5
IMPROVEMENT PROJECT, CIP NO. 159

THE CITY COUNCIL APPROVED PROGRESS PAYMENT NO. 8, IN THE NET AMOUNT OF \$162,929.37, TO SEMA CONSTRUCTION, INC., FOR THE LA PAZ ROAD WIDENING AT I-5 IMPROVEMENT PROJECT, CIP NO. 159.

ITEMS REMOVED FROM THE CONSENT CALENDAR

4.3 NEIGHBORHOOD TREE PLANTING PROGRAM CONTRACT SERVICES

Council Member Bressette indicated he removed this item from the Consent Calendar to ask what the options available for left over trees.

Public Services Director Rosenfield indicated that there were numerous residents that did not want a tree planted in front of their home. Mr. Rosenfield indicated that once the City knew how many spare trees were left over, they could possibly be planted at another location.

MOTION TO AUTHORIZE THE CITY MANAGER TO ISSUE A TASK ORDER TO WEST COAST ARBORISTS, INC., IN THE AMOUNT OF \$61,280 FOR THE NEIGHBORHOOD TREE PLANTING PROGRAM, BY M/COUNCIL MEMBER BRESSETTE, S/MAYOR PRO TEMPORE CARRUTH.

APPROVED BY A VOTE OF 4-0-1 (COUNCIL MEMBER LAUTENSCHLEGER ABSENT).

5. PLANNING AGENCY

Mayor Songstad 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 7:38 PM.

5.1 ROLL CALL OF PLANNING AGENCY MEMBERS

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

Absent: Agency Member Lautenschleger

5.2 PUBLIC COMMENTS

There were no Public Comments.

5.3 MINUTES

5.3.1 REGULAR MEETING, NOVEMBER 8, 2011

MOTION TO APPROVE THE MINUTES OF THE NOVEMBER 8, 2011, REGULAR MEETING AS REFERENCED IN ITEM 3.1, BEGINNING ON PAGE 4, BY M/AGENCY MEMBER BRESSETTE, S/AGENCY MEMBER KOGERMAN. APPROVED BY A VOTE OF 4-0-1, (AGENCY MEMBER LAUTENSCHLEGER ABSENT).

5.4 PLANNING AGENCY PUBLIC HEARINGS

There were no Public Hearings.

PLANNING AGENCY ADJOURNMENT

Mayor Songstad reconvened the City Council meeting at 7:39 PM. All Council Members were present, with the exception of Council Member Lautenschleger.

6. CITY COUNCIL PUBLIC HEARINGS

There were no Public Hearings.

7. ADMINISTRATIVE REPORTS

7.1 City Manager

The City Manager made no reports.

7.2 Assistant City Manager

7.2.1 EMPLOYEE REPRESENTATION BY LAGUNA HILLS CITY
EMPLOYEES ASSOCIATION

**MOTION TO ADOPT RESOLUTION NO. 2011-11-22-3, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, RECOGNIZING LAGUNA HILLS CITY EMPLOYEES ASSOCIATION AS THE EXCLUSIVE REPRESENTATIVE OF THE CITY'S FULL-TIME AND EXTENDED PART-TIME NON-MANAGEMENT AND NON-CONFIDENTIAL EMPLOYEES, BY M/MAYOR PRO TEMPORE CARRUTH, S/MAYOR SONGSTAD.
APPROVED BY A VOTE OF 4-0-1 (COUNCIL MEMBER LAUTENSCHLEGER ABSENT).**

7.3 City Attorney

7.3.1 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

Susan Schroeder, representative, from the Orange County District Attorney's Office, spoke in favor of the Child Safety Zone Ordinance.

Donna Sievers, Laguna Hills, spoke in favor of the Child Safety Zone Ordinance.

Erin Runnion, spoke in favor of the Child Safety Zone Ordinance.

**MOTION TO INTRODUCE AN ORDINANCE ENTITLED: 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/COUNCIL MEMBER KOGERMAN, S/MAYOR PRO TEMPORE CARRUTH.
APPROVED BY A VOTE OF 4-0-1 (COUNCIL MEMBER LAUTENSCHLEGER ABSENT).**

7.4 Community Development Director

- 7.4.1 CONSIDERATION OF A RESOLUTION DELEGATING THE AUTHORITY TO RENDER DETERMINATIONS OF PUBLIC CONVENIENCE OR NECESSITY FOR ALCOHOLIC BEVERAGE LICENSING TO THE COMMUNITY DEVELOPMENT DIRECTOR AND ESTABLISHING REVIEW PROCEDURES AND CRITERIA

MOTION TO ADOPT RESOLUTION NO. 2011-11-22-4, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, DELEGATING THE AUTHORITY TO RENDER DETERMINATIONS OF PUBLIC CONVENIENCE OR NECESSITY FOR ALCOHOLIC BEVERAGE LICENSING TO THE COMMUNITY DEVELOPMENT DIRECTOR AND ESTABLISHING REVIEW PROCEDURES AND CRITERIA, BY M/MAYOR SONGSTAD, S/COUNCIL MEMBER BRESSETTE.

APPROVED BY A VOTE OF 4-0-1 (COUNCIL MEMBER LAUTENSCHLEGER ABSENT).

7.5 Deputy City Manager/Community Services

- 7.5.1 CONTINUATION OF THE COMMERCIAL FOOD WASTE DIVERSION PROGRAM

MOTION TO ACCEPT AND APPROVE CR&R'S PROPOSAL TO CONTINUE WITH THE COMMERCIAL FOOD WASTE PROGRAM AT THE EXISTING RATE FOR COMMERCIAL RECYCLING CART SERVICE FROM DECEMBER 1, 2011 THROUGH JUNE 30, 2012, BY M/COUNCIL MEMBER BRESSETTE, S/MAYOR PRO TEMPORE CARRUTH.

APPROVED BY A VOTE OF 4-0-1, (COUNCIL MEMBER LAUTENSCHLEGER ABSENT).

- 7.5.2 REQUEST TO UTILIZE THE CITY OF LAGUNA HILLS MEMORIAL DAY RACE FOR PROVIDING LONG-TERM FINANCIAL SUPPORT TO THE 3RD BATTALION, 5TH MARINES, 1ST DIVISION 501(C)(3) SUPPORT COMMITTEE

Mike Bland, Laguna Hills, spoke on the Laguna Hills Memorial Day Race and indicated he favored Option 3.

Evan Gost, Laguna Hills, spoke on the Laguna Hills Memorial Day Race and indicated he favored Option 3.

Richard Nagle, Laguna Hills, spoke on the Laguna Hills Memorial Day Race and indicated he favored Option 3.

Mav Bressette, Laguna Hills, spoke on the Laguna Hills Memorial Day Race and indicated she favored Option 3.

MOTION TO SELECT OPTION 3 REGARDING THE ESTABLISHMENT OF A PLEDGE FORMULA BASED ON THE MEMORIAL DAY RACE REGISTRATION REVENUES FOR THE PURPOSE OF PROVIDING FUTURE FINANCIAL ASSISTANCE TO THE 3/5 DARK HORSE SUPPORT COMMITTEE, A COMMUNITY-BASED CHARITABLE ORGANIZATION, AND TO REQUIRE THE COMMITTEE TO PROVIDE A FUTURE REPORT TO THE CITY COUNCIL ON THE ANTICIPATED USE OF THE FUNDS RAISED FROM THE RACE, BY M/COUNCIL MEMBER BRESSETTE, S/COUNCIL MEMBER KOGERMAN. APPROVED BY A VOTE OF 4-0-1, (COUNCIL MEMBER LAUTENSCHLEGER ABSENT).

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

There were no matters agendized and presented by Council Members.

9. CITY COUNCIL MEMBER COMMENTS

There were no City Council Member comments.

10. CLOSED SESSION

City Attorney Simonian indicated there was no longer a need to discuss Closed Session Items No. 10.1 and No. 10.2.

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

10.1 CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to Government Code Section 54956.8

Property: Assessor's Parcel Number 625-221-03

Agency Negotiator: Bruce Channing, City Manager and Don White, Assistant City Manager

Negotiating Parties: City of Laguna Hills and Ken Hocker, Vintage Real Estate LLP

Item Under Negotiation: Terms and Conditions of Sale

10.2 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.

10.3 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

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

Public Employee Title: City Manager - Annual Performance Evaluation

10.4 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

Mayor Songstad reconvened the meeting at 9:50 PM. All Council Members were present, with the exception of Council Member Lautenschleger.

There was no reportable action taken on Closed Session items.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Songstad declared the meeting adjourned at 9:50 PM.

PEGGY J. JOHNS, CITY CLERK

ATTEST:

, MAYOR

APPROVED AT MEETING OF DECEMBER 13, 2011