
**CITY OF LAGUNA HILLS, CALIFORNIA
CITY COUNCIL/PLANNING AGENCY REGULAR MEETING
MINUTES
NOVEMBER 08, 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: Mayor Pro Tempore Carruth

ROLL CALL OF CITY COUNCIL MEMBERS

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

STAFF PRESENT: Bruce Channing, 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; David Reynolds, Deputy City Manager; Roger James, Battalion Chief, Orange County Fire Authority; Dan Meehan, Community Services Superintendent; Sandi Mogan, Deputy City Clerk; and Arman Tarzi, Administrative Intern.

1. PRESENTATIONS AND PROCLAMATIONS

There were no Presentations and Proclamations.

2. PUBLIC COMMENTS

BUILDING CONSTRUCTION

Erwin Spitz, Laguna Hills, indicated he had concerns regarding the ongoing residential construction occurring at 27196 Lost Colt Drive.

2.1 LAGUNA HILLS HIGH SCHOOL STUDENT LIAISON

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

3. MINUTES

3.1 REGULAR MEETING, OCTOBER 25, 2011

MOTION TO APPROVE THE MINUTES OF THE OCTOBER 25, 2011, REGULAR MEETING, BY M/MAYOR PRO TEMPORE CARRUTH, S/COUNCIL MEMBER BRESSETTE.

APPROVED BY A VOTE OF 5-0.

4. CONSENT CALENDAR

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

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

WAIVED READING OF ORDINANCES AND RESOLUTIONS.

- 4.2 APPROVAL OF WARRANT REGISTER FOR PERIOD ENDED NOVEMBER 8, 2011

APPROVED THE WARRANT REGISTER IN THE AMOUNT OF \$324,601.14.

- 4.4 PROGRESS PAYMENT NO. 5, FINAL, FOR CITYWIDE WAYFINDING SIGN PROGRAM, CIP NO. 329

APPROVED PROGRESS PAYMENT NO. 5, FINAL, IN THE NET AMOUNT OF \$18,210.60, TO GREEN GIANT LANDSCAPE, INC., FOR THE CITYWIDE WAYFINDING SIGN PROGRAM, CIP NO. 329, AND AUTHORIZED THE FILING OF THE NOTICE OF COMPLETION AND SUBSEQUENT RELEASE OF RETENTION IN 35 DAYS, IF NO LIENS HAVE BEEN FILED.

4.3 FIRST QUARTER FINANCIAL AND TREASURER'S REPORT FOR FY 2011/12

Council Member Kogerman indicated she removed this item from the Consent Calendar to ask for a status report from staff on the City's finances.

**MOTION TO RECEIVE AND FILE THE FIRST QUARTER FINANCIAL AND TREASURER'S REPORT FOR FY 2011/2012, BY M/MAYOR PRO TEMPORE CARRUTH, S/COUNCIL MEMBER BRESSETTE.
APPROVED BY A VOTE OF 5-0.**

Mayor Songstad took this item out of order on the Agenda.

7.2 City Attorney

7.2.1 PROPOSED DRAFT ORDINANCE OF THE CITY OF LAGUNA HILLS ADDING CHAPTER 6-40 TO TITLE 6 OF THE LAGUNA HILLS MUNICIPAL CODE ESTABLISHING PARKS AS "CHILD SAFETY ZONES" WHERE REGISTERED SEX OFFENDERS ARE PROHIBITED FROM ENTERING WITHOUT WRITTEN PERMISSION FROM THE ORANGE COUNTY SHERIFF

Tony Rackauckas, Orange County District Attorney, explained the need for the Child Safety Zone Ordinance, and answered questions from City Council.

Susan Schroeder, representative, from the Orange County District Attorney's office spoke on the Child Safety Zone Ordinance.

Ten residents spoke in favor of the Child Safety Zone Ordinance.

**FOLLOWING DISCUSSION AND DELIBERATION BY THE COUNCIL, MOTION TO DIRECT CITY ATTORNEY'S OFFICE TO PREPARE A LOCAL CHILD SAFETY ZONE ORDINANCE MODELED AFTER THE COUNTY CHILD SAFETY ZONE ORDINANCE, PROHIBITING REGISTERED SEX OFFENDERS FROM ENTERING ALL CITY PARKS AND SPECIFIED HOMEOWNER ASSOCIATION COMMUNITY PARKS WITHOUT WRITTEN AUTHORIZATION FROM THE ORANGE COUNTY SHERIFF; SUCH ORDINANCE IS TO BE PREPARED BASED ON THE DRAFT ORDINANCE OPTION 2, SUBJECT TO THE FOLLOWING REVISIONS: (1) MAKE THE PROHIBITION APPLICABLE TO ALL PENAL CODE SECTION 290 REGISTRANTS (NO LIMITATIONS); (2) IDENTIFY AND LIST ALL CITY PARKS, ALONG WITH CORRESPONDING MAPS; (3) IDENTIFY AND LIST ALL PRIVATE HOA PARKS AND RECREATIONAL AREAS, ALONG WITH CORRESPONDING MAPS, SUBJECT TO A FORMAL WRITTEN REQUEST FOR ENFORCEMENT THAT WILL ALLOW FOR AN HOA "OPT-IN/OPT-OUT" APPROACH; (4) OMIT PROPOSED WAIVER CRITERIA NO. 1 LISTED IN DRAFT ORDINANCE OPTION 2; AND (5) REVISE THE DRAFT ORDINANCE OPTION 2 RECITALS ACCORDINGLY, BY M/COUNCIL MEMBER KOGERMAN, S/MAYOR PRO TEMPORE CARRUTH.
APPROVED BY A VOTE OF 5-0.**

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 9:40 PM.

5.1 ROLL CALL OF PLANNING AGENCY MEMBERS

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

5.2 PUBLIC COMMENTS

There were no Public Comments.

5.3 MINUTES

5.3.1 REGULAR MEETING, OCTOBER 25, 2011

MOTION TO APPROVE THE MINUTES OF THE OCTOBER 25, 2011, REGULAR MEETING AS REFERENCED IN ITEM 3.1, BEGINNING ON PAGE 4, BY M/AGENCY MEMBER BRESSETTE, S/VICE CHAIR CARRUTH. APPROVED BY A VOTE OF 5-0.

5.4 ADMINISTRATIVE REPORTS

5.4.1 CHANGED PLAN APPLICATION NO. 06-11-1985, A REQUEST BY AT&T TO EXPAND THE EXISTING WIRELESS COMMUNICATIONS FACILITY LOCATED AT 25131 COSTEAU STREET IN THE (NMU) NEIGHBORHOOD MIXED USE ZONING DISTRICT

Chris Voss, Applicant, answered questions regarding the project and indicated that he had read and agreed to all of the Conditions of Approval.

MOTION TO ADOPT RESOLUTION NO. PA2011-11-08-1, A RESOLUTION OF THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING CHANGED PLAN NO. 06-11-1985, A REQUEST BY AT&T TO EXPAND THE EXISTING WIRELESS COMMUNICATIONS FACILITY LOCATED AT 25131 COSTEAU STREET IN THE (NMU) NEIGHBORHOOD MIXED USE ZONING DISTRICT, BY/AGENCY MEMBER LAUTENSCHLEGER, S/AGENCY MEMBER BRESSETTE. APPROVED BY A VOTE OF 5-0.

5.4.2 SITE DEVELOPMENT PERMIT NO. 10-11-2100, A REQUEST TO RENOVATE THE DMV BUILDING AND ADD A PARKING LOT CANOPY IN MOULTON PLAZA SHOPPING CENTER AT 23535 MOULTON PARKWAY IN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT

Dan Adams, Applicant, indicated that he had read and agreed to all of the Conditions of Approval.

MOTION TO ADOPT RESOLUTION NO. PA2011-11-08-2, A RESOLUTION OF THE PLANNING AGENCY OF THE CITY OF LAGUNA HILLS, CALIFORNIA, APPROVING SITE DEVELOPMENT PERMIT NO. 10-11-2100, A REQUEST TO RENOVATE THE DMV BUILDING AND ADD A PARKING LOT CANOPY IN MOULTON PLAZA SHOPPING CENTER AT 23535 MOULTON PARKWAY IN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT, BY M/VICE CHAIR CARRUTH, S/CHAIR SONGSTAD. APPROVED BY A VOTE OF 5-0.

5.5 PLANNING AGENCY PUBLIC HEARINGS

There were no Public Hearings.

PLANNING AGENCY ADJOURNMENT

Mayor Songstad reconvened the City Council meeting at 10:15 PM. All Council Members were present.

6. CITY COUNCIL PUBLIC HEARINGS

6.1 PUBLIC HEARING TO CONSIDER THE VACATION OF PUBLIC SERVICE EASEMENTS (SPECIFIED LANDSCAPE EASEMENTS COMMONLY KNOWN AS "TREE POCKETS") ALONG THE SOUTHWESTERLY SIDE OF PASEO DE VALENCIA BETWEEN ALICIA PARKWAY AND LA PAZ ROAD

Mayor Songstad opened the Public Hearing.

Martha Morrissey, Laguna Hills, spoke on the Vacation of Public Service Easements along Paseo De Valencia.

Mayor Songstad closed the Public Hearing.

MOTION TO ADOPT RESOLUTION NO. 2011-11-08-1, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, ORDERING THE VACATION AND ABANDONMENT OF PUBLIC SERVICE EASEMENTS CONSISTING OF SPECIFIED TREE POCKET LANDSCAPE EASEMENTS DEDICATED WITHIN TRACT MAP NOS. 9035 AND 9403, BY M/COUNCIL MEMBER LAUTENSCHLEGER, S/MAYOR PRO TEMPORE CARRUTH. APPROVED BY A VOTE OF 5-0.

7. ADMINISTRATIVE REPORTS

7.1 City Manager

The City Manager made no reports.

7.3 Deputy City Manager/Community Services

7.3.1 2012 LAGUNA HILLS HALF MARATHON, 10K & 5K EVENT

Mike Bland, Laguna Hills, spoke on the Laguna Hills Half Marathon 10K & 5K Event.

Rita Rembold, Laguna Hills, spoke on the Laguna Hills Half Marathon 10K & 5K Event.

RECEIVED AND FILED THE REPORT AND DIRECTED STAFF TO RENAME THE RACE TO THE LAGUNA HILLS MEMORIAL HALF MARATHON 10K & 5K HONORING THE UNITED STATES MARINE CORPS DARK HORSE BATTALION, BY M/COUNCIL MEMBER BRESSETTE, S/COUNCIL MEMBER KOGERMAN. APPROVED BY A VOTE OF 5-0.

DIRECTED STAFF TO BRING BACK A REPORT TO THE NEXT CITY COUNCIL MEETING REGARDING OPTIONS FOR FUNDING DONATIONS TO THE 3/5 BATTALION, BY M/MAYOR PRO TEMPORE CARRUTH, S/COUNCIL MEMBER LAUTENSCHLEGER. APPROVED BY A VOTE OF 5-0.

8. MATTERS AGENDIZED AND PRESENTED BY COUNCIL MEMBERS

There were no matters agendized and presented by Council Members.

9. CITY COUNCIL MEMBER COMMENTS

COUNCIL MEMBER LAUTENSCHLEGER

Council Member Lautenschleger reported on his attendance at a recent meeting for the Southern California Association of Governments.

Council Member Lautenschleger spoke about the “buddy poppies” for Veterans Day.

10. CLOSED SESSION

Mayor Songstad recessed the meeting into Closed Session at 11:33 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 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

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

Public Employee Title: City Manager - Annual Performance Evaluation

10.3 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 12:30 PM. All Council Members were present.

11. CONSIDERATION OF COMPENSATION FOR CITY MANAGER

There was no reportable action taken on this item.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Songstad declared the meeting adjourned at 12:31 AM.

PEGGY J. JOHNS, CITY CLERK

ATTEST:

L. ALLAN SONGSTAD, JR., MAYOR

APPROVED AT MEETING OF NOVEMBER 22, 2011.