
**CITY OF LAGUNA HILLS, CALIFORNIA
CITY COUNCIL REGULAR MEETING
MINUTES
OCTOBER 27, 2009**

CALL TO ORDER

Mayor Lautenschleger 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.

PLEDGE OF ALLEGIANCE

Council Member Carruth led the Pledge of Allegiance.

ROLL CALL

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

STAFF PRESENT: Bruce Channing, City Manager; Donald White, Assistant City Manager; 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; Ron Blaul, Battalion Chief, Orange County Fire Authority; and Sandi Mogan, Deputy City Clerk.

1. PRESENTATIONS AND PROCLAMATIONS

1.1 PROPOSED HUNTINGTON BEACH SEAWATER DESALINATION FACILITY (0150-10)

Scott Maloney, Vice President of Development with Poseidon Resources, gave a PowerPoint presentation on the Huntington Beach Seawater Desalination project. Mr. Maloney indicated that Poseidon Resources was headquartered in Stamford, Connecticut, and was a privately held company that developed and invested in water infrastructure projects. Poseidon Resources was responsible for the largest privately funded municipal wastewater treatment plant in Cranston, Rhode Island, and was best known for permitting the first, large-scale seawater desalination facility in Carlsbad, California. Mr. Maloney indicated that there were approximately 8,200 plants operating worldwide in 120 different countries. Mr. Maloney indicated that the California State Department of Water Resources identified the need for 500,000 acre feet of desalinated seawater by the year 2030, and the Southern California Municipal Water District identified a need for 150,000 acre feet of seawater desalination by 2020. Local regional water agencies

were adopting desalination as part of their water management plans. Mr. Maloney reported that there were ten projects in Northern California representing approximately 150 million gallons per day of capacity; there were another seven projects in Southern California representing another 200 million gallons per day of capacity, including the Carlsbad and Huntington Beach projects. Mr. Maloney outlined the municipalities and water districts that were working with Poseidon Resources, and described the Huntington Beach project in detail. Mr. Maloney indicated that the next steps would be to execute the purchase agreement with the public water agency partners by the first half of next year, wrap up permitting, and break ground by the first quarter of 2011.

IT WAS MOVED BY MAYOR PRO TEMPORE BRESSETTE, SECONDED BY COUNCIL MEMBER CARRUTH, TO ADOPT RESOLUTION NO. 2009-10-27-1, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, SUPPORTING THE CONSTRUCTION AND OPERATION OF THE PROPOSED HUNTINGTON BEACH SEAWATER DESALINATION FACILITY.

The motion carried by the following vote:

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

2. PUBLIC COMMENTS

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

The City Council received an oral report from Laguna Hills High School Student Liaison Lisa McCorkell.

3. MINUTES

3.1 REGULAR MEETING, OCTOBER 13, 2009 (0410-50)

IT WAS MOVED BY COUNCIL MEMBER SONGSTAD, SECONDED BY MAYOR PRO TEMPORE BRESSETTE, TO APPROVE THE MINUTES OF THE OCTOBER 13, 2009, REGULAR MEETING, AS PRESENTED.

The motion carried by the following vote:

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

4. CONSENT CALENDAR

Council Member Carruth removed Item No. 4.4 from the Consent Calendar.

IT WAS MOVED BY COUNCIL MEMBER SONGSTAD,
SECONDED BY MAYOR PRO TEMPORE BRESSETTE, THAT
THE RECOMMENDATIONS BE ACCEPTED FOR THE
FOLLOWING ITEMS LISTED ON THE CONSENT CALENDAR,
WITH THE EXCEPTION OF ITEM NO. 4.4.

The motion carried by the following vote:

AYES: Council Members Carruth, Scott, Songstad, Mayor Pro
Tempore Bressette, and Mayor Lautenschleger
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 OCTOBER
27, 2009 (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 \$622,796.02.

- 4.3 FOURTH QUARTER FINANCIAL AND TREASURER'S REPORT (FY2008-
2009) (0300-40)

Written report from Administrative Services Department indicated that staff
was submitting to the City Council the Quarterly Financial Highlights for the

Fourth Quarter of FY 2008/09. The financial statements served as an interim financial report for the fiscal year, as the annual independent audit had not been completed. The audited financial statements and Comprehensive Annual Financial Report were expected to be issued in late November 2009. This quarterly financial highlight provided an unaudited overview of the City's financial position at fiscal year end. Accumulated reserves were approximately \$11.5 million and the City's total managed cash and investments of \$9,750,930 were invested in authorized securities.

RECEIVED AND FILED THE FOURTH QUARTER FINANCIAL
AND TREASURER'S REPORT FOR FY2008-2009.

ITEMS REMOVED FROM THE CONSENT CALENDAR

4.4 ORANGE COUNTY TAXI ADMINISTRATION PROGRAM REGULATIONS REVISION (0400-10)

Council Member Carruth removed this item from the Consent Calendar to inquire if the City Council, as a member agency, wanted to make suggestions regarding some of the policies and procedures, if this would be the appropriate time to do that?

Chief of Police Services Doan indicated that the Administrative Sergeant, David Harrington, sat on both the Safety Committee and Steering Committee representing the City of Laguna Hills. The committees met on a bi-monthly basis and at any point that there was input or interest in seeing something added, modified, or removed, Sergeant Harrington would carry the City Councils' suggestions to those committees at the appropriate time.

Council Member Carruth stated the regulations contained great detail regarding the interior of the cab, upholstery, and condition of the car, but the regulations did not mention if smoking was banned in the cab. Council Member Carruth inquired if the Life Scan program checked the drivers to make sure they did not have a criminal record. Council Member Carruth also inquired if the taxi business itself was located in a residential area, did the agency have the availability to revoke the permit? Lieutenant Doan would check into all three of these issues and get back to City Council.

IT WAS MOVED BY COUNCIL MEMBER CARRUTH,
SECONDED BY MAYOR PRO TEMPORE BRESSETTE, TO
ADOPT RESOLUTION NO. 2009-10-27-2, A RESOLUTION OF
THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS,
CALIFORNIA, ADOPTING REVISED ORANGE COUNTY TAXI
ADMINISTRATION PROGRAM REGULATIONS.

The motion carried by the following vote:

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

PLANNING AGENCY

Mayor Lautenschleger recessed the City Council meeting to the Planning Agency meeting at 7:26 p.m. and reconvened the City Council at 7:27 p.m. All Council Members were present.

6. ADMINISTRATIVE REPORTS

6.1 City Manager

The City Manager made no reports.

6.2 Public Services Director/City Engineer

A. PUBLIC HEARING FOR SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD TENTATIVE ORDER NO. R9-2009-0002, FOURTH TERM NPDES PERMIT (0850-50)

Public Services Director Rosenfield indicated this report was to keep the City Council and the public apprised of the NPDES Permit, which was pending before the San Diego Regional Water Quality Control Board. Mr. Rosenfield indicated that a public hearing was scheduled for November 18, 2009, before the Board in San Diego where the fifth version of the Fourth Term Permit was being considered for adoption. Mr. Rosenfield indicated that there were several extensive technical and legal issues of concern that the principal permittee, the County of Orange, had raised to the Regional Board. Mr. Rosenfield indicated that over the past two years when the Fourth Term Permit had been in consideration, the Regional Board staff had moved towards the City's direction in terms of correcting some problems with the permit, but the Board wanted to implement new permit requirements that did not exist anywhere else in the State which would create grave financial hardship for all of the permittees. Staff recommended that a member of City Council, along with a staff member, attend the meeting and make comments before the Board.

IT WAS MOVED BY COUNCIL MEMBER SCOTT, SECONDED BY COUNCIL MEMBER CARRUTH, TO DESIGNATE MAYOR PRO TEMPORE BRESSETTE TO MAKE PUBLIC COMMENTS AT THE NPDES FOURTH TERM PERMIT PUBLIC HEARING ON NOVEMBER 18, 2009, AT 9:00 A.M., AT THE SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD OFFICE IN SAN DIEGO.

The motion carried by the following vote:

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

7. OTHER BUSINESS

There was no Other Business.

8. MATTERS PRESENTED BY MAYOR AND COUNCIL MEMBERS

8.1 Mayor Lautenschleger

A. LAGUNA HILLS HIGH SCHOOL "BASH BEFORE THE CLASH" (0930-40)

Mayor Lautenschleger reported that on November 6, 2009, the Laguna Hills High School was reinstituting the "Bash before the Clash." Mayor Lautenschleger indicated that this was a time-honored event that began in the early 1990's. He was fortunate to have been part of one of the first few events by helping barbeque tri-tip steaks prior to the football game with Trabuco Hills High School, although Trabuco no longer competed against Laguna Hills High School. Mayor Lautenschleger indicated that tickets could be obtained at the High School website or through the sports program. Mayor Lautenschleger indicated they had asked him to be the "Celebrity Cook" for the night. Mayor Lautenschleger stated that this was a great event, was a lot of fun, and encouraged everyone to attend.

8.2 Council Member Carruth

A. ORANGE COUNTY HEALTH CARE PRESENTATION (0250-05)

Council Member Carruth indicated that she attended the Orange County Health Care presentation this month which focused on H1N1 and the seasonal flu viruses. Council Member Carruth indicated it

was informative and reassuring to see how well prepared Orange County Health Care Agency was and how they coordinated with hospitals, medical care providers, schools, the Orange County Sheriff's Department, disaster preparedness teams, and first responders to ensure that the public was educated, informed, and that certain demographics were identified. The Orange County Health Care Agency ensured that the anti-viral assets were stocked piled and the Sheriffs' Department protected and secured those assets. Council Member Carruth indicated it was a very impressive presentation and urged anyone concerned about H1N1 to check the website at Orange County Health Care for a complete update, who qualified for H1N1, and the accessibility of the regular seasonal flu shots. Council Member Carruth stated that on October 30, 2009, over 4,000 vaccines were going to be offered for free, or for a nominal fee, at Cox Communications in Rancho Santa Margarita, and the website would show where other clinics would be offered in the County. The site also included what one can do to diminish the risk of contracting H1N1.

B. ORANGE COUNTY VECTOR CONTROL DISTRICT (0250-60)

Council Member Carruth reported that the Orange County Vector Control District was taking a proactive role as a leader in CALPERS pension reform, and focused on three fundamental changes they were attempting to bring to CALPERS. Those were: (1) new retirement formulas to encourage retirement at a later age; (2) a lower retirement formula that could be applied to all employees immediately; and (3) an improved retirement formula to be applied to future service only. Council Member Carruth stated that two County Supervisors wanted to take a serious look at the importance of the Vector Control being a separate district. Council Member Carruth indicated that the pension program and the reforms that Orange County Vector Control had outlined were a step in the right direction.

8.3 Council Member Songstad

A. TASK FORCE ON STATE GOVERNANCE REFORM (0150-20)

Council Member Songstad indicated as a member of the City/County/School Board Task Force on State Governance, the Committee had been tasked with the responsibility of developing guiding principles that each of the organizations could use in evaluating reform proposals. Council Member Songstad indicated that the guidelines were created and adopted by both the State League of Cities and the CSAC, the County organization and the School Board Association. The Committee was also tasked with the responsibility of

reviewing reform proposals. Several proposals were reviewed, and the State League had filed two revenue protection measures to protect local revenues. Council Member Songstad recommended that each Council Member read and study those proposals which were intended to protect almost all sources of local revenue, with no bargaining capability on the part of the State. The Committee also received presentations by California Forward, which was going to be sponsoring initiative proposals. Council Member Songstad indicated that the 2010 Ballot was going to be a very crowded ballot, possibly as many as 29 propositions that dealt with State governance. Council Member Songstad indicated the two most serious proposals were for a part time legislature and for a constitutional convention, but it was not a well thought out constitutional convention proposal and not well funded. Council Member Songstad stated that California Forward was an organization that was studying reform of State Governance, and Council Member Songstad described the issues they wanted to address.

Council Member Songstad indicated the Bay Area Council had been the prime movers behind the constitutional convention and gave a presentation last week in which they presented initiatives; one to call a constitutional convention, and the second would be for the guidelines for the convention. They would address governance issues of the State which would be the budget process, pay-as-you-go concept for initiative and/or legislation, the organization of State government, and government efficiency. One of the items that they would not be addressing at the convention was taxes. This was a big movement because it basically took one of the third rails of California politics out of the picture, which was Proposition 13. Council Member Songstad believed the thought process which led to that conclusion was well thought out. Council Member Songstad found interesting the way they had refined their process on the selection of delegates and explained the process.

**B. SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS
(0410-30)**

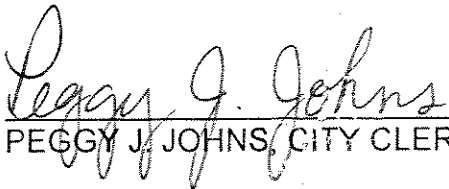
At the City Council's direction, Council Member Songstad indicated he had been appointed as the representative to the Orange County Council of Governments (OCCOG) and to the Southern California Association of Governments (SCAG). OCCOG had appointed him to serve on a SCAG Committee which dealt with SB375. He had attended one meeting and would be attending another meeting in December.

9. CLOSED SESSION

There was no Closed Session.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Lautenschleger declared the meeting adjourned at 7:51 p.m.



PEGGY J. JOHNS, CITY CLERK

ATTEST:



JOEL LAUTENSCHLEGER, MAYOR

APPROVED AT MEETING OF NOVEMBER 10, 2009.