
**CITY OF LAGUNA HILLS, CALIFORNIA
CITY COUNCIL REGULAR MEETING
MINUTES
AUGUST 28, 2012**

CALL TO ORDER

PLEDGE OF ALLEGIANCE: MAYOR PRO TEMPORE LAUTENSCHLEGER

ROLL CALL OF CITY COUNCIL MEMBERS

Present: Mayor Pro Tempore Lautenschleger, Council Member Kogerman, Council Member Songstad Jr., Mayor Carruth

Absent: Council Member Bressette

1. PRESENTATIONS AND PROCLAMATIONS

1.1 LAGUNA HILLS HIGH SCHOOL MUSIC BOOSTERS REQUEST FOR PARKING

THAT THE CITY COUNCIL RECEIVE AN ORAL PRESENTATION FROM ANDY JULIAN AND CRAIG WILLIAMS, WITH THE LAGUNA HILLS HIGH SCHOOL MUSIC BOOSTERS, AND ALLOW PARKING ON LAGUNA HILLS DRIVE FROM PASEO DE VALENCIA TO INDIAN HILL LANE, AS WELL AS ONE OF THE COMMUNITY CENTER'S PARKING LOTS FOR OVERFLOW PARKING ON OCTOBER 13, 2012.

Motion to approve THAT THE CITY COUNCIL RECEIVE AN ORAL PRESENTATION FROM ANDY JULIAN AND CRAIG WILLIAMS, WITH THE LAGUNA HILLS HIGH SCHOOL MUSIC BOOSTERS, AND ALLOW PARKING ON LAGUNA HILLS DRIVE FROM PASEO DE VALENCIA TO INDIAN HILL LANE, AS WELL AS ONE OF THE COMMUNITY CENTER'S PARKING LOTS FOR OVERFLOW PARKING ON OCTOBER 13, 2012. direct them to work with ken rosenfield and tom behrens for additional ways to expand parking. Consensus achieved. made by m/ s/ .

2. PUBLIC COMMENTS

Mike Bland, Laguna Hills, update on the 3/5.

Richard Nagle, Laguna Hills, reported on the loss of the 3/5 batallion.

Meg Gorham, Laguna Hills reported on the Laguna Hills High School Grad Night Fund Raiser, Win-Win-Wednesday.

Gillion Godsend, Los Angeles,

3. MINUTES

3.1 REGULAR MEETING, JULY 10, 2012

THAT THE CITY COUNCIL APPROVE THE MINUTES OF THE JULY 10, 2012, REGULAR MEETING.

Motion to approve THAT THE CITY COUNCIL APPROVE THE MINUTES OF THE JULY 10, 2012, REGULAR MEETING. made by m/Council Member Songstad Jr. s/Mayor Pro Tempore Lautenschleger.

Approved by a vote of 4-0.

4. CONSENT CALENDAR

Kogerman 4.3 and 4.6 removed these items.

Motion to approve 4.3 and 4.6 pulled made by m/Council Member Songstad Jr. s/Council Member Bressette.

Approved by a vote of 4-0.

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

THAT THE CITY COUNCIL WAIVE READING OF ORDINANCES AND RESOLUTIONS.

4.2 APPROVAL OF WARRANT REGISTER FOR PERIOD ENDED AUGUST 28, 2012.

THAT THE CITY COUNCIL APPROVE THE WARRANT REGISTER IN THE AMOUNT OF \$2,570,907.38.

4.3 RESPONSE TO GRAND JURY REPORT DATED JUNE 14, 2012, REGARDING COMPENSATION TRANSPARENCY

THAT THE CITY COUNCIL AUTHORIZE THE MAYOR TO SIGN THE LETTER OF RESPONSE TO THE GRAND JURY'S JUNE 14, 2012, REPORT REGARDING COMPENSATION TRANSPARENCY.

Motion to approve THAT THE CITY COUNCIL AUTHORIZE THE MAYOR TO SIGN THE LETTER OF RESPONSE TO THE GRAND JURY'S JUNE 14, 2012, REPORT REGARDING COMPENSATION TRANSPARENCY. bk spoke against recommendation. did not include findings or ordinances referred to. point of this report is transparency, high pension costs this city has nothing to hide, failed to see why city not following grand jury report. need complete pension costs for all employees. transparency equals information equals checks and balances and accountability. made by m/Council Member Songstad Jr. s/Mayor Pro Tempore Lautenschleger.

Approved by a vote of 3-1.

4.4 GOVERNMENT CODE SECTION 66006 - DEVELOPMENT IMPACT FEES ANNUAL REPORT

THAT THE CITY COUNCIL APPROVE THE DEVELOPMENT IMPACT FEES ANNUAL REPORT PURSUANT TO GOVERNMENT CODE SECTION 66006.

4.5 LETTER OF AGREEMENT BETWEEN THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) AND THE CITY OF LAGUNA HILLS TO PARTICIPATE IN THE SCAG GEOGRAPHIC INFORMATION SYSTEM (GIS) SERVICES PROGRAM

THAT THE CITY COUNCIL APPROVE THE LETTER OF AGREEMENT AUTHORIZING CITY PARTICIPATION IN THE SCAG GIS SERVICES PROGRAM UNTIL MARCH 1, 2014, AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT.

4.6 ADHERENCE TO THE BROWN ACT DESPITE STATE'S SUSPENSION OF ITS REQUIREMENTS FOR FISCAL REASONS

THAT THE CITY COUNCIL ADOPT A RESOLUTION ENTITLED: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, AFFIRMING THE CITY'S COMMITMENT TO CONTINUED COMPLIANCE WITH THE RALPH M. BROWN ACT.

Motion to approve THAT THE CITY COUNCIL ADOPT A RESOLUTION ENTITLED: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, AFFIRMING THE CITY'S COMMITMENT TO CONTINUED COMPLIANCE WITH THE RALPH M. BROWN ACT. made by m/Council Member Kogerman s/Mayor Pro Tempore Lautenschleger.

Approved by a vote of 4-0.

4.7 AUTHORIZATION TO PURCHASE POLICE MOTORCYCLE

THAT THE CITY COUNCIL AUTHORIZE THE PURCHASE OF A POLICE MOTORCYCLE IN ACCORDANCE WITH SECTION 3-08.130 OF THE LAGUNA HILLS MUNICIPAL CODE.

- 4.8 PROGRESS PAYMENT NO. 16 FOR LA PAZ ROAD WIDENING AT I-5 IMPROVEMENT PROJECT, CIP NO. 159

THAT THE CITY COUNCIL APPROVE PROGRESS PAYMENT NO. 16, IN THE NET AMOUNT OF \$273,554.18, TO SEMA CONSTRUCTION, INC., FOR THE LA PAZ ROAD WIDENING AT I-5 IMPROVEMENT PROJECT, CIP NO. 159.

- 4.9 PROGRESS PAYMENT NO. 1 FOR TURF RENOVATION LAGUNA HILLS COMMUNITY CENTER AND SPORTS COMPLEX, CIP NO. 238

THAT THE CITY COUNCIL APPROVE CONTRACT CHANGE ORDER NO. 1 AND PROGRESS PAYMENT NO. 1, IN THE NET AMOUNT OF \$57,349.96, TO CSA HOLDINGS INC., DBA SPORTS FIELD INSTALLATION SPORTS FIELD SERVICES, FOR TURF RENOVATION LAGUNA HILLS COMMUNITY CENTER AND SPORTS COMPLEX, CIP NO. 238.

- 4.10 SCHOOL AND SPEED LIMIT SIGNAGE AROUND VALENCIA ELEMENTARY SCHOOL

THAT THE CITY COUNCIL RECEIVE AND FILE THE REPORT.

- 4.11 16TH ANNUAL INNER COASTAL & WATERSHED CLEANUP DAY

THAT THE CITY COUNCIL DECLARE SEPTEMBER 15, 2012, AS INNER COASTAL & WATERSHED CLEANUP DAY AND ENCOURAGE VOLUNTEER PARTICIPATION IN THIS EVENT.

- 4.12 PROGRESS PAYMENT NO. 1 FOR CITYWIDE PAVEMENT REHABILITATION PROJECT, CIP NO. 101-H

THAT THE CITY COUNCIL APPROVE PROGRESS PAYMENT NO. 1, IN THE NET AMOUNT OF \$126,883.35, TO ALL AMERICAN ASPHALT, FOR CITYWIDE PAVEMENT REHABILITATION PROJECT, CIP NO. 101-H.

ITEMS REMOVED FROM THE CONSENT CALENDAR

5. PLANNING AGENCY

Called to order at 7:50 pm.

5.1 ROLL CALL OF PLANNING AGENCY MEMBERS

5.2 PUBLIC COMMENTS

There were no Public Comments.

5.3 MINUTES

5.3.1. REGULAR MEETING, JULY 10, 2012

THAT THE PLANNING AGENCY APPROVE THE MINUTES OF THE JULY 10, 2012, REGULAR MEETING.

Motion to approve THAT THE PLANNING AGENCY APPROVE THE MINUTES OF THE JULY 10, 2012, REGULAR MEETING. made by m/Council Member Songstad Jr. s/Council Member Kogerman.

Approved by a vote of 4-0.

5.4 PLANNING AGENCY PUBLIC HEARINGS

5.4.1. SITE DEVELOPMENT PERMIT/MASTER SIGN PROGRAM NO. 7-12-2309, A REQUEST BY CNP SIGNS ON BEHALF OF EL POLLO LOCO TO MODIFY THE EXISTING MASTER SIGN PROGRAM FOR THE SHOPPING CENTER AT 25351-25381 ALICIA PARKWAY TO ALLOW A DRIVE-THROUGH MENU BOARD THAT DEVIATES FROM THE STANDARDS SET FORTH IN THE MUNICIPAL CODE

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, DENYING SITE DEVELOPMENT PERMIT/MASTER SIGN PROGRAM AMENDMENT NO. 7-12-2309, A REQUEST BY CNP SIGNS, ON BEHALF OF EL POLLO LOCO, TO MODIFY THE EXISTING MASTER SIGN PROGRAM TO PERMIT A DRIVE-THROUGH MENU BOARD THAT DEVIATES FROM THE STANDARDS SET FORTH IN THE DEVELOPMENT CODE.

Chair Carruth opened the Public Hearing.

Brad, representative of El Pollo Loco spoke on Site Development/Master Sign Program No. 7-12-2309.

Motion to approve 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, DENYING SITE DEVELOPMENT PERMIT/MASTER SIGN PROGRAM AMENDMENT NO. 7-12-2309, A REQUEST BY CNP SIGNS, ON BEHALF OF EL POLLO LOCO, TO MODIFY THE EXISTING MASTER SIGN PROGRAM TO PERMIT A DRIVE-THROUGH MENU BOARD THAT DEVIATES FROM THE STANDARDS SET FORTH IN THE DEVELOPMENT CODE.

go back and look at using a 28 ft. sign if that is the direction of council.

made by m/Council Member Songstad Jr. s/Mayor Pro Tempore Lautenschleger.

Approved by a vote of 4-0.

Cheryl Fry, real estate representative for El Pollo Loco, spoke on Site Development Permit/Master Sign Program No.7-12-2309.

Wilson, spoke on Site Development Permit Master Sign Program No. 7-12-2309.

Chair Carruth closed the Public Hearing.

PLANNING AGENCY ADJOURNMENT

Adjourned at 8:37 pm

6. CITY COUNCIL PUBLIC HEARINGS

7. ADMINISTRATIVE REPORTS

7.1 City Manager

Reported on the agreement for pension reform.

7.2 Assistant City Manager

7.2.1. LAGUNA HILLS CIVIC CENTER PUBLIC ART PROGRAM - MURAL REPRODUCTIONS

THAT THE CITY COUNCIL DIRECT STAFF TO OFFER ONLINE SALES OF MURAL REPRODUCTIONS

Motion to approve THAT THE CITY COUNCIL DIRECT STAFF TO OFFER ONLINE SALES OF MURAL REPRODUCTIONS made by m/Council Member

Songstad Jr. s/Mayor Carruth.

Approved by a vote of 4-0.

7.2.2. COMMUNITY CENTER ONLINE PUBLIC ART ARCHIVE

THAT THE CITY COUNCIL RECEIVE AND FILE THE REPORT.

Motion to approve THAT THE CITY COUNCIL RECEIVE AND FILE THE REPORT. made by m/Council Member Songstad Jr. s/Mayor Pro Tempore Lautenschleger.

Approved by a vote of 4-0.

7.3 Deputy City Manager/Community Services

7.3.1. 2012 FOURTH OF JULY POST EVENT REPORT

THAT THE CITY COUNCIL RECEIVE AND FILE THE REPORT.

Motion to approve THAT THE CITY COUNCIL RECEIVE AND FILE THE REPORT. made by m/Council Member Songstad Jr. s/Mayor Pro Tempore Lautenschleger.

Approved by a vote of 4-0.

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

8.1 COUNCIL MEMBER KOGERMAN

8.1.1. DISPLAY OF "3/5 MARINES DARKHORSE BATTALION" BANNER AT THE LAGUNA HILLS COMMUNITY CENTER DURING THEIR CURRENT DEPLOYMENT AND DURING ALL FUTURE DEPLOYMENTS

THAT THE CITY COUNCIL AUTHORIZE THE DISPLAY OF THE "3/5 MARINES DARKHORSE BATTALION" BANNER AT THE LAGUNA HILLS COMMUNITY CENTER AT ANY TIME THE 3/5 MARINES ARE ON DEPLOYMENT.

Motion to approve THAT THE CITY COUNCIL AUTHORIZE THE DISPLAY OF THE "3/5 MARINES DARKHORSE BATTALION" BANNER AT THE LAGUNA HILLS COMMUNITY CENTER AT ANY TIME THE 3/5 MARINES ARE ON DEPLOYMENT. made by m/Council Member Kogerman s/Mayor Pro Tempore

Lautenschleger.

Approved by a vote of 4-0.

9. CITY COUNCIL MEMBER COMMENTS

Council Member Lautenschleger attended the OC Vecotr Control meeting last week and reported on West Nile Virus .

Council Member Lautenschleger attended the ACC Occ Meeting.

Mayor Carruth spoke on the San Onofre Nuclear.

Mayor Carruth spoke on the toll road in a year from now no cash no toll booths the toll roads.

Council Member Kogerman spoke on the deploument on the ship.

Council Member Kogerman concerns about the Oso Parkway interchange cal trans admitted that things can change in the year 2013 they will have a better system.

10. CLOSED SESSION

10.1 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to subdivision (a) of Government Code Section 54956.9
Name of Case: Heather Montecinos vs. City of Laguna Hills, et al., Orange County Superior Court Case No. 30-2012-00584773.

10.2 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to subdivision (a) of Government Code Section 54956.9
Name of Case: Spectrasystems, Inc., dba Spectraturf vs. Louis Thomas Gabriel, III, Signature Contractors, City of Laguna Hills, et al., Orange County Superior Court Case No.: 30-2012-00583831-CL-BC-HLH.

10.3 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to subdivision (a) of Government Code Section 54956.9
Name of Case: Teresa Martinez Ruiz, Elvira Jimenez Martinez, and Clemente Jimenez vs. MV Transportation, Inc., Kathleen Larkin, Orange County Transportation Authority, the City of Laguna Hills, and the County of Orange, Orange County Superior Court Case No. 30-2012-00587582.

10.4 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to subdivision (a) of Government Code Section 54956.9
Name of Case: Ralph Colombo vs. City of Laguna Hills and Nellie Gail Ranch
Owners Association, Orange County Superior Court Case No. 30-2012-
00537583.

10.5 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957
Public Employee Title: City Manager

ADJOURNMENT

PEGGY J. JOHNS, CITY CLERK

ATTEST:

MELODY CARRUTH, MAYOR

APPROVED AT MEETING OF _____