CITY OF LAGUNA HILLS, CALIFORNIA
CITY COUNCIL REGULAR MEETING
MINUTES
JUNE 23, 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 Songstad 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; Peggy Johns, City Clerk; Greg Simonian, City Attorney; Vern Jones, Community Development Director; Steve Doan, Chief of Police Services; David Reynolds, Deputy City Manager; Ron Blaul, Battalion Chief, Orange County Fire Authority; Melissa Au-Yeung, Management Analyst; Dan Meehan, Community Services Superintendent; and Sandi Mogan, Deputy City Clerk.

1. PRESENTATIONS AND PROCLAMATIONS

1.1 CERTIFICATE OF RECOGNITION FOR SAM CASTILLO (0410-65)

Mayor Lautenschleger presented a Certificate of Recognition to Sam Castillo in honor of his commitment and support of service men and women and for raising awareness of the needs of America's Veterans.

2. PUBLIC COMMENTS

2.1 TRAFFIC ENFORCEMENT ON MOULTON PARKWAY (0260-35)

Pierre Gilbert, Laguna Hills, requested that the Sheriff's Department establish a police presence on Moulton Parkway between Laguna Hills and Alicia Parkway. This past Sunday, there was a major car accident that knocked out power within the area for a greater portion of the day. Mr. Gilbert noticed when picking his children up from school that many people crossing Alicia Parkway coming from Moulton Parkway often ran the light at this intersection.

Mr. Gilbert asked for increased patrol presence to ensure that drivers were abiding by the speed limits.

Lieutenant Doan reported there was an accident over the weekend which involved significant property damage to Southern California Edison Company equipment. Lieutenant Doan indicated that if there were red light violations occurring, it warranted the attention of the Sheriff's Department.

3. MINUTES

3.1 REGULAR MEETING, JUNE 9, 2009 (0410-50)

IT WAS MOVED BY COUNCIL MEMBER SONGSTAD, SECONDED BY MAYOR PRO TEMPORE BRESSETTE, TO APPROVE THE MINUTES OF THE JUNE 9, 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 Scott removed Item No. 4.2 and Council Member Carruth removed Item No. 4.9 from the Consent Calendar.

IT WAS MOVED BY MAYOR PRO TEMPORE BRESSETTE, SECONDED BY COUNCIL MEMBER SCOTT, THAT THE RECOMMENDATIONS BE ACCEPTED FOR THE FOLLOWING ITEMS LISTED ON THE CONSENT CALENDAR WITH THE EXCEPTION OF ITEMS NO. 4.2 AND NO. 4.9.

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.

4.3 ADOPTION OF ANNUAL APPROPRIATIONS LIMIT FOR FY 2009-2010 (0330-60)

Written report from the Administrative Services Department indicated that in accordance with Article XIIIB of the California Constitution, which placed limits on the amounts of revenue that could be spent by public entities from proceeds of taxes, staff calculated that the City would be under the limit by $17,055,107 for the budget year FY 2009/10.

ADOPTED RESOLUTION NO. 2009-06-23-1, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, DETERMINING AND ADOPTING AN APPROPRIATIONS LIMIT FOR FISCAL YEAR 2009/10 IN ACCORDANCE WITH ARTICLE XIIIB OF THE CONSTITUTION OF THE STATE OF CALIFORNIA, AND SECTION 7910 OF THE GOVERNMENT CODE.

4.4 FY 2009-2010 CROSSING GUARD AGREEMENT (0400-10)

Written report from the Police Services Department indicated that since 1994, the City of Laguna Hills had contracted with All City Management Services to provide six (6) crossing guards at five (5) locations throughout the City. All City Management Services had continued to be a reliable and cost effective method of providing this needed service. Staff recommended the City Council continue the current level of service provided in the Agreement for FY 2009-2010. The projected number of hours for crossing guard services this year, including summer school, was 4,548 hours. The contract cost for FY 2009-2010 should not exceed $64,809. This was a three percent increase in cost over the FY 2008-2009 Agreement.

AUTHORIZED THE MAYOR TO EXECUTE THE CROSSING GUARD SERVICES AGREEMENT BETWEEN ALL CITY MANAGEMENT SERVICES AND THE CITY OF LAGUNA HILLS FOR SCHOOL CROSSING GUARD SERVICES FOR FY 2009-2010.

4.5 PROGRESS PAYMENT NO. 2 FOR MOULTON PARKWAY PAVEMENT REHABILITATION PROJECTS, CIP NO. 166 AND CIP NO. 167 (0400-10)

Written report from the Public Services Department indicated that work on the Moulton Parkway Pavement Rehabilitation Projects, CIP No. 166 and CIP No. 167, began on April 6, 2009, and was being performed by All American Asphalt. Work performed in May included traffic control, water quality management, clearing and grubbing, signing and striping, excavation, asphalt concrete replacement, asphalt concrete overlay, utility adjustments, and cold planing. The contractor had submitted the second progress payment request for approval. The progress payment was within the Capital Improvement Program Budget for the Moulton Parkway Pavement Rehabilitation Projects, CIP No. 166 and CIP No. 167.

APPROVED PROGRESS PAYMENT NO. 2, IN THE NET AMOUNT OF $602,258.16, TO ALL AMERICAN ASPHALT, FOR MOULTON PARKWAY PAVEMENT REHABILITATION PROJECTS, CIP NO. 166 AND CIP NO. 167.

4.6 PROGRESS PAYMENT NO. 4, FINAL, FOR ARTERIAL HIGHWAY PAVEMENT REHABILITATION PROJECT, CIP NO. 101-F (0400-10)

Written report from the Public Services Department indicated that in accordance with City Council authorization, R. J. Noble Company began work on the Arterial Highway Pavement Rehabilitation Project, CIP No. 101-F, on August 25, 2008. The work was substantially completed in April 2009, and the contractor, R. J. Noble Company, had submitted the fourth payment request including Contract Change Order No. 1 for extra work. Approval was recommended along with the filing of the Notice of Completion. The progress payment was within the Capital Improvement Program Budget for the Arterial Highway Pavement Rehabilitation Project, CIP No. 101-F.

APPROVED PROGRESS PAYMENT NO. 4, FINAL, IN THE NET AMOUNT OF $39,643.82, AND CONTRACT CHANGE ORDER NO. 1, TO R. J. NOBLE COMPANY, FOR ARTERIAL HIGHWAY PAVEMENT REHABILITATION PROJECT, CIP NO. 101-F, AND AUTHORIZED THE FILING OF THE NOTICE OF COMPLETION AND RELEASE OF RETENTION 35 DAYS POST RECORDATION, IF NO LIENS HAD BEEN FILED.

4.7 PROGRESS PAYMENT NO. 5 FOR EL TORO ROAD STREETSCAPE AND MEDIAN ISLAND IMPROVEMENTS, CIP NO. 313 (0400-10)

Written report from the Public Services Department indicated that work on the El Toro Road Streetscape and Median Island Improvements, CIP No. 313, began on January 12, 2009, and was being performed by ValleyCrest Landscape Development, Inc. Work performed in May included clearing and grubbing, water quality management, soil preparation, mulching, concrete and monument installation, landscape installation, irrigation installation, lighting installation, median pilasters and walls, and work on the bus shelters. The project was placed on the 90-day maintenance at the end of May. The contractor had submitted the fifth progress payment request for approval. The progress payment was within the Capital Improvement Program Budget for the El Toro Road Streetscape and Median Island Improvements, CIP No. 313.

APPROVED PROGRESS PAYMENT NO. 5, IN THE NET AMOUNT OF $328,059.36 TO VALLEYCREST LANDSCAPE DEVELOPMENT, INC., FOR EL TORO ROAD STREETSCAPE AND MEDIAN ISLAND IMPROVEMENTS, CIP NO. 313.

4.8 AMENDMENT NO. 1 TO STREET SWEEPING CONTRACT SERVICES AGREEMENT (0400-10)

Written report from the Public Services Department indicated that the City's current service provider for street sweeping services, Sunset Property Services, had satisfactorily completed its first year of service of a five-year contract term. Sunset Property Services had requested approval to exchange the required contract security from paper bonds to a cash deposit held in a bank. The deposited funds would be under the control of the City during the remainder of the term of the Contract. Staff had no objection to this requested change and had determined that the amount of this cash security would be adequate in the amount of $65,000 in lieu of the paper bond value of $130,000. The City Attorney's office had prepared the attached Amendment No. 1 to Street Sweeping Contract Services Agreement for City Council approval to be effective July 1, 2009.

APPROVED AMENDMENT NO. 1 TO STREET SWEEPING CONTRACT SERVICES AGREEMENT AND AUTHORIZED THE CITY MANAGER TO EXECUTE THE AMENDMENT.

4.10 JANITORIAL SERVICES AGREEMENT WITH THE RITZ COMPANIES FOR LAGUNA HILLS COMMUNITY CENTER (0400-10)

Written report from the Community Services Department indicated that the Laguna Hills Community Center was cleaned nightly and daily through services provided by The Ritz Companies. The janitorial services were performed at the building Monday through Friday, after 10:00 p.m., and on Saturdays and Sundays after 12:00 a.m. Janitorial service included the cleaning of all common areas, restrooms, offices, and the restocking of supplies. In addition, Monday through Fridays for four hours daily, The Ritz Companies provided a day porter to the City to assist with cleaning and maintenance activities. The Ritz Companies had provided these services to the City since the opening of the building in 2002. The janitorial services provided by The Ritz Companies had been adequate in staff's assessment, and staff was requesting to continue janitorial services with The Ritz Companies for a two-year term expiring June 30, 2011. The total two-year term not-to-exceed cost of the janitorial services Agreement was $144,000. This included $4,800 for miscellaneous on-call services such as additional carpet cleaning for the Heritage Room. The not-to-exceed cost of the Agreement was within the amount proposed for the 2009-2011 Biennial Budget.

AUTHORIZED THE CITY MANAGER TO EXECUTE AN AGREEMENT APPROVED AS TO FORM BY THE CITY ATTORNEY WITH SAVOY CONTRACTORS GROUP INC., DBA THE RITZ COMPANIES, FOR JANITORIAL SERVICES AT THE LAGUNA HILLS COMMUNITY CENTER.

4.11 CONSULTING SERVICE AGREEMENT WITH ECONOMICS, INC. FOR RECYCLING CONSULTING SERVICES (0400-10)

Written report from the Community Services Department indicated that EcoNomics had been the City's Recycling Consulting firm since 2003. EcoNomics assisted the City in the development of the current Franchise Agreement with CR&R, and as a result, was very familiar with the contractual requirements of the Agreement and the City's waste streams. EcoNomics was also instrumental with recycling program development assistance (e.g. Laguna Hills Mall recycling program, sharps waste disposal program, universal waste disposal program). Staff recommended that the City contract with EcoNomics for a new fourteen (14) month contract term for recycling consulting services. The not-to-exceed cost for EcoNomics' services of $70,000 was completely funded by the City's recycling funds. There was no General Fund impact for EcoNomics' consulting services. The not-to-exceed cost of $70,000 for EcoNomics' services would be funded completely by recycling funds.

DIRECTED THE CITY MANAGER TO EXECUTE A CONSULTING SERVICES AGREEMENT WITH ECONOMICS, INC. FOR RECYCLING CONSULTING SERVICES NOT TO EXCEED $70,000.

4.12 AMENDMENT NO. 1 TO THE COOPERATIVE AGREEMENT WITH THE STATE OF CALIFORNIA, DISTRICT AGREEMENT NO. 12-520, FOR THE LA PAZ ROAD AT I-5 IMPROVEMENTS, CIP NO. 159 (0400-10)

Written report from the Public Services Department indicated that the Capital Improvement Program Project to improve La Paz Road at Interstate 5 involved modifications to the freeway right-of-way administered by Caltrans. In 2006, the City entered into an Agreement with Caltrans to streamline the processing of the City's project. The Agreement was scheduled to expire as of June 30, 2009, but the project was not anticipated to be under construction until January 2010, for a period of up to one year. Therefore, Amendment No. 1 to the subject Agreement had been prepared to extend the term of the Cooperative Agreement to June 30, 2011.

APPROVED AMENDMENT NO. 1 TO THE COOPERATIVE AGREEMENT WITH THE STATE OF CALIFORNIA, DISTRICT AGREEMENT NO. 12-520, FOR THE LA PAZ ROAD AT I-5 IMPROVEMENTS, CIP NO. 159 AND AUTHORIZED THE MAYOR TO SIGN AND THE CITY CLERK TO ATTEST THERETO.

ITEMS REMOVED FROM THE CONSENT CALENDAR

4.2 APPROVAL OF WARRANT REGISTER FOR PERIOD ENDED JUNE 23, 2009 (0300-30)

Councilman Scott pulled this item from the Consent Calendar to state that one of his clients was a vendor on the Warrant Register and it was not appropriate for him to vote on this item.

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.

IT WAS MOVED BY COUNCIL MEMBER SCOTT, SECONDED BY MAYOR PRO TEMPORE BRESSETTE, TO APPROVE THE BALANCE OF THE WARRANT REGISTER IN THE AMOUNT OF $1,954.897.79 WITHOUT THE A-THRONE CO. INC., ITEM ON PAGE 2.

The motion carried by the following vote:

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

Councilman Scott recused himself from voting on the A-Throne Company Inc., item of the warrant register and left the dais.

IT WAS MOVED BY MAYOR PRO TEMPORE BRESSETTE, SECONDED BY COUNCIL MEMBER CARRUTH, TO APPROVE THE INDIVIDUAL ITEM, A-THORNE CO. INC., IN THE AMOUNT OF $114.80 ON THE WARRANT REGISTER.

The motion carried by the following vote:

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

4.9 2009-11 SALARY AND BENEFITS RESOLUTION (0520-10)

Council Member Carruth removed this item to ask the City Manager questions regarding the Resolution that stated the City Manager may grant at his discretion up to a 5% increase in salary and cost of living adjustments effective July 1, 2010.

City Manager Channing indicated the City was not granting any cost of living adjustments in the next fiscal year nor was staff making any benchmark adjustments to anyone's salary during the course of the next fiscal year; however, the Resolution was intended to cover both years of the biennial budget. It was the City Manager's expectation and it was what was included in the budget, the ability to increase the salaries for the employees at this time a year from now, commensurate with whatever change there had been in the Consumer Price Index as well as any adjustments that would be warranted by virtue of making any comparative analysis of City salaries to those of neighboring cities, up to a total of 5%.

Written report from the Administrative Services Department indicated that in connection with the biennial budget process, the City Council confers over recommended adjustments to employees salaries and other compensation in keeping with City Council policy. There was no collective bargaining Agreement, which governed employee wages, hours, and working conditions; therefore, all the conditions of employment were set forth in the Salary and

Benefits Resolution. This year, the Salary and Benefits Resolution made no adjustments to salaries based on an across the board cost of living adjustment (COLA) and no position specific adjustments based on a salary benchmark study. The Resolution memorialized the City's recent personnel reorganization, which resulted in an 8% reduction in the workforce and savings of about $500,000. All expenditures associated with the proposed Salary and Benefits Resolution were within the proposed 2009-11 Biennial Budget.

IT WAS MOVED BY COUNCIL MEMBER CARRUTH, SECONDED BY MAYOR PRO TEMPORE BRESSETTE, TO ADD ADDITIONAL LANGUAGE TO PAGE 2 OF THE RESOLUTION TO READ: THE CITY MANAGER AT HIS DISCRETION AND FOLLOWING CITY COUNCIL APPROVAL, MAY GRANT UP TO A 5% INCREASE IN SALARY AND COST OF LIVING ADJUSTMENTS EFFECTIVE JULY 1, 2010.

The motion failed by the following vote:

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

IT WAS MOVED BY COUNCIL MEMBER SONGSTAD, SECONDED BY COUNCIL MEMBER SCOTT, TO ADOPT RESOLUTION NO. 2009-06-23-2, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, REGARDING EMPLOYMENT AND ESTABLISHING SALARY RANGES AND BENEFITS FOR CLASSES OF EMPLOYMENT WITH THE CITY AND RESCINDING RESOLUTION NO. 2007-06-12-2.

The motion carried by the following vote:

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

5. CITY COUNCIL PUBLIC HEARINGS

5.1 2009-2011 BIENNIAL BUDGET (0330-30)

City Manager Channing indicated that the City was dealing with challenging times economically as the City would see a reduction in sales and property tax revenues. As a consequence, the City Manager recommended a budget that was approximately $1.4 million less than the prior year budget, which the City Council had an opportunity to review in detail in the prior study session. Mr. Channing indicated the State was still struggling with the adoption of its own budget and the substantial budget shortfall of approximately $24 billion. Mr. Channing indicated that the State was talking about solutions that included the possibility of taking money from local governments. The possibilities had now shifted to the taking of gas tax money under the Highway Users Tax account (HUTA). The information that the City had been receiving was from conference calls with our representatives at the League of California Cities and also through individual calls with the City's legislators. There were discussions that involved the State taking as much as $1.7 billion over the next two years out of the HUTA account. The City also had a legal opinion produced for the League of California Cities that suggested that it was an illegal taking. The State had also started reconsidering the taking of redevelopment money, which the City didn't have any substantial amount to rely upon, but for those cities that did have redevelopment agencies, the State was considering another billion dollars over three years, taking approximately $350 million a year from redevelopment agencies, which was again thought to be illegal. The Redevelopment Agencies Association filed a lawsuit several months back and prevailed. The other option that had been discussed was the borrowing of property tax revenues from cities under Proposition 1A. Mr. Channing indicated that could result in a $860,000 loss to the City of Laguna Hills. Mr. Channing indicated the main purpose of the Public Hearing tonight was to give the public a chance to comment on the proposed budget.

Mayor Lautenschleger opened the Public Hearing.

Tom Epperson, Laguna Hills, indicated that he was shocked at the fact that City Council was against transparency. Mr. Epperson stated that when the City Council talked about the budget they were talking about spending the residents' money. Nobody was talking about what Mr. Channing was doing wrong or what Mr. Channing was doing that he shouldn't be doing, all we were talking about was transparency and if we don't have transparency this was the age for it.

Mayor Lautenschleger closed the Public Hearing.

IT WAS MOVED BY MAYOR PRO TEMPORE BRESSETTE, SECONDED BY COUNCIL MEMBER CARRUTH, TO DIRECT STAFF TO AMEND THE BUDGET TO DEFER THE TRAFFIC SIGNAL AT LA PAZ ROAD AND APPALOOSA PLACE TO 2011/2012, TO REPLACE GENERAL FUND EXPENDITURES IN CIP NOS. 159, 164, 173, AND/OR 174 AT THEIR DISCRETION WITH THE PROPOSITION 42 FUNDS ALLOCATED TO CIP NO. 163, AND DIRECT THE CITY MANAGER TO RESTORE ONE DEPUTY POSITION FOR 2010.

The motion failed by the following vote:

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

IT WAS MOVED BY COUNCIL MEMBER SONGSTAD, SECONDED BY COUNCIL MEMBER SCOTT, TO ADOPT RESOLUTION NO. 2009-06-23-3, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, ADOPTING THE OPERATING BUDGET, CAPITAL IMPROVEMENT PROGRAM, AND OTHER APPROPRIATIONS FOR THE CITY OF LAGUNA HILLS FOR THE FISCAL YEARS 2009/10-2010/11.

The motion carried by the following vote:

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

PLANNING AGENCY

Mayor Lautenschleger recessed the City Council meeting to the Planning Agency meeting at 8:16 p.m. and reconvened the City Council at 8:17 p.m. All Council Members were present.

6. ADMINISTRATIVE REPORTS

6.1 City Manager

The City Manager made no reports.

6.2 Chief of Police Services

A. ORDINANCE ADDING CHAPTER 5-52 TO TITLE 5 OF THE MUNICIPAL CODE REGARDING SECURITY ALARM SYSTEMS/FALSE ALARMS AND CONTINUED PARTICIPATION IN THE ORANGE COUNTY SHERIFF'S DEPARTMENT FALSE ALARM FEE PROGRAM (0480-10)

Lieutenant Doan indicated that this was the introduction of an Ordinance adding Chapter 5-52 to the City's Municipal Code. The City had participated in the Orange County Sheriff's Department False Alarm Fee Program since incorporation. The Ordinance allowed the Sheriff's Department to collect a fee that covered reasonable costs responding to chronic alarms. Lieutenant Doan indicated that the Code that the City was using was not codified and not readily accessible in the Municipal Code. The proposed Ordinance would authorize the City to set the false alarm fee amount to achieve full recovery of costs associated with Police Services responding to subsequent false security alarms.

IT WAS MOVED BY MAYOR PRO TEMPORE BRESSETTE, SECONDED BY COUNCIL MEMBER CARRUTH, TO INTRODUCE AN ORDINANCE OF THE CITY OF LAGUNA HILLS, CALIFORNIA, ADDING CHAPTER 5-52, ENTITLED "SECURITY ALARM SYSTEMS, FALSE ALARMS" TO THE LAGUNA HILLS MUNICIPAL CODE TO AUTHORIZE THE CITY'S CONTINUED PARTICIPATION IN THE ORANGE COUNTY SHERIFF'S DEPARTMENT FALSE ALARM FEE PROGRAM, AND TO AUTHORIZE THE CITY COUNCIL TO ESTABLISH THE FALSE ALARM FEE BY RESOLUTION.

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. CITY MANAGER'S BIRTHDAY (0500-05)

Mayor Lautenschleger wished the City Manager a very Happy Birthday.

B. OSO PARKWAY LANDSCAPE PROJECTS, NORTH SIDE CIP NO. 603 / SOUTH SIDE CIP NO. 604 (0400-10)

Mayor Lautenschleger indicated the pond that was built as part of this project was establishing nicely, and the plant material was filling in well. Mayor Lautenschleger was very impressed with the quality of the entire project.

C. LEAGUE OF CALIFORNIA CITIES – POLICY COMMITTEE MEETINGS (0140-10)

Mayor Lautenschleger would be traveling to Sacramento this Friday, June 26, 2009, to speak to the Subcommittee on Traffic for the League of California Cities and would report back to the City Council at their meeting of July 14, 2009.

8.2 Council Member Carruth

A. ANIMAL SHELTER SERVICES (0200-10)

Council Member Carruth indicated that in an effort to trim the State Budget, Governor Schwarzenegger had proposed cutting back the number of days pets would remain in government run shelters, reducing animal retention down to three days. Council Member Carruth indicated that there was the possibility that this proposal could seriously be considered by the Legislature, and questioned if it could impact the Orange County Animal Shelter or the City's contract. She also asked if there was any support for SB 250 Spay and Neuter law, or if the cutback would affect the County's new animal service center.

Assistant City Manager White indicated that it would not impact the number of days that animals received from the City of Laguna Hills would be retained at the shelter. Those days had already been purchased by the City. Mr. White had no discussions with other cities about supporting AB 250, and the County was continuing to work on their new shelter.

B. LAGUNA HILLS HIGH SCHOOL GRAD NIGHT (0330-25)

Council Member Carruth reported that this year, Grad Night was well attended with over 90% of the Seniors attending. It was truly a community supported event, with many businesses and parents and even adults who did not have children at the high school supporting the event. The Grad Night Committee had reduced its budget by $20,000 this year and still managed to put together a truly spectacular evening. The Sheriff Deputies were nearby and available to respond quickly, which was reassuring for the parents. It was the best group of students she had ever seen at a Laguna Hills High School Grad Night.

C. WEST NILE VIRUS (0250-60)

Council Member Carruth indicated that fortunately the season was off to a slow start nationwide. Last year Orange County was the epicenter of the West Nile Virus. This year most of the activity in the State was located in Central California, with some infected birds and mosquito beds. Last year the State had 79 human infections of West Nile Virus and three deaths. This year, because of the aerial photography specifically for South Orange County and the identification of abandoned swimming pools due to the high incidence of home foreclosures, this would make a big difference in 2009 as those pools would now be treated by the Vector Control District. Vector Control District was working closely with real estate agents and banks, urging them to take responsibility for these neglected properties and to request further compliance. The program involved notifying neighbors who lived next to foreclosed homes with swimming pools, to let them know that the Vector Control District was treating these pools. Vector Control would place a door hanger on their doors to remind these neighbors not to pour chemicals into abandoned pools, as the pools were being treated with mosquito fish.

8.3 Council Member Songstad

A. LEAGUE OF CALIFORNIA CITIES – POLICY COMMITTEE MEETINGS (0140-10)

Council Member Songstad reported that one of the first meetings on Friday, June 26, 2009, would be a joint meeting with all Committees and the members would receive a complete report on the State Budget. At the conclusion of the meetings, they would adjourn early to give the members the opportunity to speak with their Legislators about what occurred this week. Council Member Songstad would be reporting back at the next Council Meeting of July 14, 2009, and that between now and the next meeting, the State League was preparing a draft Resolution that would set forth the City's position in stark detail as to what the cities expected the State not to do with City funds. A Summit was also started by the State League to talk about how to reform what was clearly a dysfunctional State Government and try to avoid problems in the future and discuss various alternatives on how to get the job done.

9. CLOSED SESSION

Mayor Lautenschleger recessed the meeting into Closed Session at 8:36 p.m.

9.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of Litigation Pursuant To Subdivision (C) Of Government Code Section 54956.9 – (1 Potential Case).

Mayor Lautenschleger reconvened the meeting at 8:55 p.m. All Council Members were present.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Lautenschleger declared the meeting adjourned at 9:00 p.m.

Peggy J. Johns

PEGGY J. JOHNS, CITY CLERK

ATTEST:

Joel Lautenschleger

JOEL LAUTENSCHLEGER, MAYOR

APPROVED AT MEETING OF JULY 14, 2009.