
**CITY COUNCIL
REGULAR
MEETING**



**MAY 26, 2009
7:00 P.M.**

AGENDA

Location: City Council Chamber, 24035 El Toro Road, Laguna Hills, California 92653

CALL TO ORDER

Resolution No. 96-04-09-1 established rules of decorum for public meetings held by the City of Laguna Hills. Resolution No. 96-04-09-1 is available on the table at the back of the City Council Chamber.

PLEDGE OF ALLEGIANCE: Council Member Carruth

ROLL CALL OF CITY COUNCIL MEMBERS:

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

- 1. PRESENTATIONS AND PROCLAMATIONS**
- 2. PUBLIC COMMENTS**

This is the appropriate time for members of the public to make comments regarding items listed on the Consent Calendar and issues not listed on the Agenda. Any person wishing to address the City Council on any matter, whether or not it appears on this Agenda, is asked to complete a "Request to Speak" form available on the table at the back of the Chamber. The completed form is to be submitted to the City Clerk prior to an individual being heard by the City Council. *No action will be taken on any items not on the Agenda unless the City Council makes a determination that an emergency exists or that the need to take action on the item arose subsequent to posting of the Agenda.*

There will be a time limitation of three minutes per person, an overall time limit of ten minutes for any one subject, and a time limit of thirty minutes for the Public Comments portion of the Agenda.

Subscriptions to receive City Council Agendas on a regular basis are available through the City Clerk's Office. City Council Agendas may also be viewed on the City's website: www.ci.laguna-hills.ca.us

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

RECOMMENDATION: That the City Council receive an oral report from Laguna Hills High School Student Liaison Lauren Buys.

3. MINUTES

3.1 REGULAR MEETING, MAY 12, 2009 (0410-50)

RECOMMENDATION: That the City Council approve the minutes of the May 12, 2009, regular meeting.

4. CONSENT CALENDAR

All matters listed under "CONSENT CALENDAR" are considered to be routine and will be enacted by one motion approving the recommendation listed on the Agenda. There will be no separate discussion unless Members of the City Council or Staff request specific items be removed from the Consent Calendar.

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

RECOMMENDATION: That the City Council waive reading of Ordinances and Resolutions.

4.2 APPROVAL OF WARRANT REGISTER FOR PERIOD ENDED MAY 26, 2009 (0300-30)

RECOMMENDATION: That the City Council approve the Warrant Register in the amount of \$1,155,277.13.

4.3 DESTRUCTION OF RECORDS (0170-50)

RECOMMENDATION: That the City Council adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, AUTHORIZING AND DIRECTING THE CITY CLERK TO DESTROY CERTAIN CITY RECORDS AND DOCUMENTS, WITH A DESTRUCTION DATE OF MAY 27, 2009, PURSUANT TO THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA.

4.4 MODIFICATIONS TO THE CITY'S ADOPTED 2007 EDITIONS OF THE CALIFORNIA BUILDING STANDARDS CODES (0480-10)

RECOMMENDATION: That the City Council introduce an Ordinance entitled:

AN ORDINANCE OF THE CITY OF LAGUNA HILLS, CALIFORNIA, AMENDING SECTION 10-28.010 AND REPEALING SECTIONS 10-32.020, 10-36.020 AND 10-40.020 OF TITLE 10 OF THE LAGUNA HILLS MUNICIPAL CODE RELATING TO THE CITY'S PRIOR ADOPTION OF THE 2007 EDITIONS OF THE CALIFORNIA BUILDING, ELECTRICAL, MECHANICAL, AND PLUMBING CODES;

and direct that the Ordinance be placed on the June 9, 2009, meeting agenda for a Public Hearing.

4.5 PROGRESS PAYMENT NO. 1 FOR MOULTON PARKWAY PAVEMENT REHABILITATION PROJECTS, CIP NO. 166 AND CIP NO. 167 (0400-10)

RECOMMENDATION: That the City Council approve progress payment No. 1, in the net amount of \$187,349.71, to All American Asphalt, for Moulton Parkway pavement rehabilitation projects, CIP No. 166 and CIP No. 167.

4.6 LA PAZ ROAD WIDENING AT INTERSTATE 5 STATUS REPORT (0400-10)

RECOMMENDATION: That the City Council receive and file the status report on the La Paz Road Widening at Interstate 5 Project, CIP No. 159, and authorize staff to request a time extension for the Measure M funds allocated to the project.

4.7 ADOPTION OF A REVISED DISADVANTAGED BUSINESS ENTERPRISE PROGRAM AND GOAL FOR FEDERAL FISCAL YEAR 2009-2010 (0840-70)

RECOMMENDATION: That the City Council:

1. Approve the California Department of Transportation Disadvantaged Business Enterprise Program Implementation Agreement for local agencies;
2. Authorize the City Manager to execute the Agreement; and
3. Approve the Disadvantaged Business Enterprise (DBE) goal for the Federal 2009-2010 fiscal year.

4.8 CLAIM OF ESTHER KIM AND APPLICATION FOR LEAVE TO FILE A LATE CLAIM (0180-15)

RECOMMENDATION: That the City Council:

1. Deny the Application for Leave to File a Late Claim submitted by claimant Esther Kim on the grounds that the criteria established in Government Code Section 911.6 for excusing the claim are not met; and
2. Direct the City Clerk to provide written notice by June 5, 2009, to claimant Esther Kim that her Application is denied and that her underlying Claim is being returned again.

ITEMS REMOVED FROM THE CONSENT CALENDAR

5. CITY COUNCIL PUBLIC HEARINGS

5.1 COMMUNITY CENTER FACILITY RENTAL RATE STUDY (0410-80)

RECOMMENDATION: That the City Council:

1. Conduct a Public Hearing; and
2. Adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, ADJUSTING THE COMMUNITY CENTER FACILITY AND GYMNASIUM RENTAL RATES AND ESTABLISHING AN AUTOMATIC ADJUSTMENT TO THESE RENTAL RATES BASED ON INFLATION EVERY TWO YEARS;

3. Approve staff's proposed Amendments to the City Council Reservation Policies No. 309, No. 313, and No. 316 as reflected in the attachments to this staff report.

5.2 2009 WEED ABATEMENT PROGRAM PUBLIC HEARING (0240-50)

RECOMMENDATION: That the City Council:

1. Conduct a Public Hearing, receive and consider all objections; and
2. Adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, ISSUING AN ABATEMENT ORDER AND AUTHORIZING THE DIRECTOR OF PUBLIC SERVICES/CITY ENGINEER TO COMMENCE ENFORCING WEED, RUBBISH, AND REFUSE ABATEMENT AGAINST SPECIFIED PARCELS OF LAND.

PLANNING AGENCY

ROLL CALL OF PLANNING AGENCY MEMBERS

PUBLIC COMMENTS

This is the appropriate time for members of the public to make comments regarding issues not listed on the Agenda. Any person wishing to address the Planning Agency on any matter, whether or not it appears on this Agenda, is asked to complete a "Request to Speak" form available on the table at the back of the Chamber. The completed form is to be submitted to the City Clerk prior to an individual being heard by the Planning Agency.

MINUTES

5.3 MINUTES OF THE REGULAR MEETING OF MAY 12, 2009 (0120-10)

RECOMMENDATION: That the Planning Agency approve the minutes of the May 12, 2009, regular meeting.

PLANNING AGENCY ADJOURNMENT

6. ADMINISTRATIVE REPORTS

6.1 City Manager

6.2 Public Services Director/City Engineer

- A. AUTHORIZATION TO UTILIZE NIGHT WORK FOR THE MOULTON PARKWAY IMPROVEMENT PROJECT FROM SANTA MARIA AVENUE TO EL PACIFICO DRIVE, CIP NO. 137 (0400-10)

RECOMMENDATION: That the City Council approve the use of night work hours for the Moulton Parkway Smart Street Improvements between Santa Maria Avenue and El Pacifico Drive.

7. OTHER BUSINESS

8. MATTERS PRESENTED BY MAYOR AND COUNCIL MEMBERS

9. CLOSED SESSION

The City Council shall convene in Closed Session, in the City Hall Conference Room, to consider the following matters:

9.1 CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to Government Code § 54956.8

Property: 24031 El Toro Road, Suite No. 250, Laguna Hills

Agency Negotiator: Donald J. White, Assistant City Manager

Negotiating Parties: City of Laguna Hills and Windstone Behavioral Health

Item Under Negotiation: Price and Terms of Lease

Reconvene in regular session in the City Council Chamber.

Report on whether any reportable action was taken on matters considered during Closed Session.

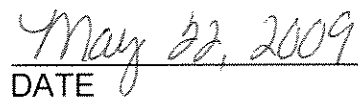
ADJOURNMENT

The next Regular Meeting of the City Council will be June 9, 2009, at 7:00 p.m., in the City Council Chamber, located at 24035 El Toro Road, Laguna Hills, California.

CERTIFICATION

I, PEGGY J. JOHNS, City Clerk of the City of Laguna Hills, do hereby certify that a copy of the foregoing Agenda was posted at Laguna Hills City Hall, Laguna Hills Community Center, and La Paz Center by May 22, 2009, at 5:00 p.m.


PEGGY J. JOHNS, CITY CLERK


DATE

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, you should contact the office of the City Clerk at (949) 707-2635. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

Materials related to an item on this Agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 24035 El Toro Road, Laguna Hills, California, during normal business hours.