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**CITY COUNCIL  
REGULAR MEETING**



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**February 10, 2010  
7:00 P.M.**

**REGULAR MEETING AGENDA**

**Location: Rancho Santa Margarita City Hall, Council Chamber  
22112 El Paseo, Rancho Santa Margarita, California 92688**

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Any person wishing to address the City Council on any matter, whether or not it appears on this Agenda, is asked to complete a "Speaker Request Form" available at the side table. The completed form is to be submitted to the City Clerk prior to an individual being heard by the City Council.

There will be a time limitation of three minutes per person, and a time limit of thirty minutes for the Public Comments portion of the Agenda. If you are commenting on an Agenda Item, your comments will be heard at the time that item is scheduled on the Agenda. If you are addressing the City Council on items not on the agenda, the City Council is prohibited by law to take any action on that item.

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL OF CITY COUNCIL MEMBERS:**

Neil C. Blais, Council Member  
Gary Thompson, Council Member  
James M. Thor, Council Member  
L. Anthony Beall, Mayor Pro Tempore  
Jerry Holloway, Mayor

**1. PRESENTATIONS AND PROCLAMATIONS**

- 1.1 CERTIFICATE OF COMMENDATION – DEPUTIES JACK ACKERMAN AND JASON FINLEY SPECIAL ENFORCEMENT TEAM FOR 2009 DEPUTY OF THE YEAR
- 1.2 CERTIFICATE OF RECOGNITION – INVESTIGATIVE ASSISTANT ANN GUBA FOR THE AMERICAN LEGION AWARD FOR MERIT FOR 2009
- 1.3 STUDENT RECOGNITION PROGRAM
  - SANTA MARGARITA CATHOLIC HIGH SCHOOL – PIKE HUGHES AND MEGAN KANG
  - SERRA CATHOLIC SCHOOL – MARISSA REYNOLDS AND SAMANTHA SLAVIN

## 2. SCHEDULE OF FUTURE EVENTS

2.1 PRESIDENTS DAY, FEBRUARY 15, 2010 – CITY HALL CLOSED

## 3. CONSENT CALENDAR

(All matters on the Consent Calendar are to be approved in one motion unless a Council Member, or a member of the public, requests a separate action on a specific item on the Consent Calendar.)

3.1 MOTION WAIVING THE FULL READING OF ALL ORDINANCES AND RESOLUTIONS. TITLES FOR ORDINANCES AND RESOLUTIONS 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.

3.2 [APPROVAL OF CERTIFICATES OF RECOGNITION AND COMMENDATION](#)  
(McLaughlin)

RECOMMENDATION: That the City Council:

1) Approve the following Commendation:

- Deputies Jack Ackerman and Jason Finley Special Enforcement Team for 2009 Deputy of the Year

2) Approve the following Certificates of Recognition:

- Investigative Assistant Ann Guba – American Legion Award for Merit for 2009
- Student Recognition Program  
Santa Margarita Catholic High School – Pike Hughes and Megan Kang  
Serra Catholic School – Marissa Reynolds and Samantha Slavin

3) Ratify the following Certificate of Recognition:

- Thomas K. Russell, Planning Commissioner

3.3 [APPROVAL OF MINUTES](#) (McLaughlin/Ferris)

RECOMMENDATION: That the City Council approve:

- 1) The minutes of the January 27, 2010, City Council Adjourned Regular Meeting.
- 2) The minutes of the January 27, 2010 City Council Regular Meeting.

3.4 [APPROVAL OF WARRANT REGISTERS FOR PERIOD ENDED FEBRUARY 10, 2010](#) (Boyer)

RECOMMENDATION: That the City Council approve the warrant registers in the amount of \$326,446.25.

3.5 [INVESTMENT REPORT FOR THE MONTH OF DECEMBER 2009](#) (Boyer)

RECOMMENDATION: That the City Council receive and file the Investment Report for the month of December 2009.

3.6 [AWARD OF CONSTRUCTION CONTRACT FOR THE ALICIA PARKWAY REHABILITATION PROJECT TO IMPERIAL PAVING COMPANY, INC. OF SANTA FE SPRINGS, CALIFORNIA](#) (Wieske)

RECOMMENDATION: That the City Council approve the plans and specifications for the Alicia Parkway Rehabilitation Project and award a construction contract to Imperial Paving Company, based on the lowest base bid, in the amount of \$244,319.10, and authorize the Mayor to execute the agreement, and to reject all other bids.

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

**4. PUBLIC HEARING ITEM**

**5. CONTINUED ITEMS**

**6. NEW BUSINESS**

6.1 [ADOPTION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, CALIFORNIA SUPPLEMENT, AS THE CITY'S MANUAL FOR THE IMPLEMENTATION OF TRAFFIC CONTROL DEVICES AND PROCEDURES](#) (Wieske)

RECOMMENDATION: That the City Council introduce for first reading, and read by title only, an Ordinance entitled:

AN ORDINANCE OF THE CITY OF RANCHO SANTA MARGARITA, CALIFORNIA AMENDING SECTIONS 11.01.050 OF CHAPTER 11.01, AND 11.02.170 OF CHAPTER 11.02, AND ADDING SECTION 11.07.280 TO CHAPTER 11.07 OF TITLE 11 OF THE RANCHO SANTA MARGARITA MUNICIPAL CODE REGARDING ADOPTION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, CALIFORNIA SUPPLEMENT

6.2 [CONSIDERATION OF A MODIFICATION TO THE CITY COUNCIL POLICY NUMBER 4.4, RULES OF DECORUM AND PROCEDURE FOR THE CONDUCT OF CITY COUNCIL MEETINGS, REGARDING THE PUBLIC COMMENT PORTION OF THE CITY COUNCIL AGENDA](#) (Hayman/McLaughlin)

This item was requested to be agendized by Mayor Jerry Holloway.

RECOMMENDATION: That the City Council:

- 1) Discuss and provide direction to staff on whether to modify City Council Policy Number 4.4, Rules of Decorum and Procedure for the Conduct of City Council Meetings, regarding the Public Comment portion of the City Council Agenda, by adding an additional location on the agenda where public comments could be heard.
- 2) If the City Council directs staff to modify City Council Policy Number 4.4 to allow for two Public Comment periods on the agenda, then City Council will also need to give staff direction on the individual length of such Public Comment periods and on the amount of time each speaker will be given.
- 3) If the City Council chooses to consider the modification, direct staff to agendize this item for the February 24, 2010 City Council Regular meeting.

6.3 [ACCEPTANCE OF PLANNING COMMISSIONER RESIGNATION AND NOTICE OF UNSCHEDULED PLANNING COMMISSION VACANCY](#) (Hayman/Haton)

RECOMMENDATION: That the City Council:

- 1) Formally accept the resignation of Planning Commissioner Thomas Russell, which letter of resignation was received by the City Clerk on January 22, 2010.
- 2) Direct the City Clerk to post the legally required "Special Vacancy Notice" in the Office of the City Clerk and that the Rancho Santa Margarita Library, as mandated by the Maddy Act, and provide direction to the City Clerk, if any, on whether to expand the posting locations of the Special Vacancy Notice (further notice is optional).
- 3) Direct staff to agendize nomination and appointment of a Planning Commissioner to serve the remaining unexpired portion of Commissioner Russell's term; and that such appointment be brought back to the City Council for consideration at a future meeting more than 10 working days after the posting of the legally required "Special Vacancy Notice."

**7. PUBLIC COMMENTS**

This is the time to address the City Council on any matter not on this Agenda.

**8. CITY MANAGER REPORTS**

**9. MATTERS PRESENTED BY MAYOR AND COUNCIL MEMBERS**

9.1 COMMITTEE ASSIGNMENT REPORTS

RECOMMENDATION: That the City Council receive Oral Reports on the following City Council Committee Assignments:

ECONOMIC DEVELOPMENT COMMITTEE (Council Member Blais)

ORANGE COUNTY FIRE AUTHORITY (Council Member Blais)

9.2 COUNCIL MEMBER REPORT/COMMENTS

10. CLOSED SESSION

**ADJOURNMENT**

The next Adjourned Regular Meeting of the City Council will be held February 24, 2010, at 5:30 p.m. at City Hall in the EOC Conference Room, located at 22112 El Paseo, Rancho Santa Margarita, California.

The next Regular Meeting of the City Council will be held February 24, 2010, at 7:00 p.m. in the City Council Chamber, located at 22112 El Paseo, Rancho Santa Margarita, California.

**CERTIFICATION**

I, MOLLY MCLAUGHLIN, City Clerk of the City of Rancho Santa Margarita, do hereby certify that a copy of the foregoing Agenda was posted at Rancho Santa Margarita City Hall, Fire Station No. 45, and Trabuco Canyon Water District on February 5, 2010, by 6:00 p.m.

\_\_\_\_\_  
MOLLY MCLAUGHLIN, 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) 635-1800. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.***

**Staff Reports**

***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 22112 El Paseo, Rancho Santa Margarita, California, during normal business hours.***