



# MISSION VIEJO BUZZ

Keeping the California Promise

Week of January 6, 2007

## The Patriot Post Founders' Quote Daily

"Public virtue cannot exist in a nation without private, and public virtue is the only foundation of republics. There must be a positive passion for the public good, the public interest, honour, power and glory, established in the minds of the people, or there can be no republican government, nor any real liberty: and this public passion must be superior to all private passions." -- John Adams (letter to Mercy Warren, 16 April 1776) Reference: The Spirit of 'Seventy-Six, Commager and Morris (109); original Warren-Adams Letters, vol. 1 (221-222)

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## JANUARY 2 COUNCIL MEETING SUMMARY EDITORIAL STAFF

The first council meeting of 2007 was relatively short and quiet. Not many residents came to watch the meeting or see Councilman Lance MacLean receive acknowledgement for serving as mayor in 2006. Mayor Gail Reavis complimented MacLean for keeping meetings short.

Reavis stated her priorities as mayor for 2007, which include maintaining infrastructure, safety, property rights and dealing with affordable housing goals. She said her objectives include recertification of the city's housing element and moving forward with economic development.

Following discussion of the proposed restroom at Melinda Park, the council rejected bids, including the lowest received by the city (\$404,458 by Hondo). The council directed city staff to send the project out for bids again. A city staff member reported that only



four companies bid on the project, and some potential bidders declined to respond because of ambiguity in the bid package. The motion to request bids again passed 5-0.

The Council reconsidered an item continued from December, an appeal by Nine Star, a retailer in the Kaleidoscope center, for a 500-square-foot skateboard and bike demo area. The Planning Commission rejected the project on Aug. 28. Six tenants spoke in opposition to the project on Jan. 2. One of the shop owners expressed his concern about noise, safety, image of the center, traffic and issues regarding crowds. He said the project would strain the facilities without providing additional revenue. The spokesman for Nine Star presented a petition signed by 300 people in favor of the project. He added that safety and security issues have been addressed. A motion to deny the project passed 4-1 with MacLean dissenting.



Council members chose their appointees for commissions, with all nominations receiving unanimous approval. Those appointed for Planning Commission are Richard Atkinson (Kelley), Rick Sandzimier (MacLean), Annette Beecham (Ury), Richard

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Schweinberg (Ledesma) and Dave Leckness (Reavis). Appointed to the Community Service Commission are Patti Bennett (Kelley), Ron Ruff (MacLean), Tim Reid (Ury) and Brian Skalsky (Reavis). Ledesma was undecided on an appointee and will nominate someone at a subsequent meeting. Both Reavis and Ledesma as mayor and mayor pro tem, respectively, chose senior citizen representatives, Ron Harris and Anna Boice.

Appointees for the Investment Advisory Commission are Kevin Moran (Kelley), Duncan Merritt (MacLean), Patrick Imburgia (Ury) and Mary Hugar (Reavis). Ledesma was undecided on his appointee.

Reavis made the following selections for city representation to various agencies: Foothill/Eastern TCA -- MacLean with Ury as alternate; Measure M -- Ury with Ledesma as alternate; San Joaquin TCA -- Ledesma with Reavis as alternate; Joint Powers Insurance Authority -- Reavis with Ledesma and staff member Irwin Bornstein as alternates; El Toro reuse -- inactive, no representative; Fire Authority -- Kelley with Ledesma as alternate; Orange County Council of Governments -- Ledesma with Ury as alternate.

Reavis chose council members to serve on ad hoc committees after making a motion to dissolve all current ad hoc committees. The motion passed 5-0, and three ad hoc committees were formed. Reavis and Ury will serve on the YMCA negotiations ad hoc committee; Reavis and MacLean will comprise the affordable housing ad hoc committee, and Kelley and Ury will serve on the senior transportation ad hoc committee.

Reavis announced city manager Dennis Wilberg and city employee Karen Wylie will continue working on the city's economic development



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## MISSION VIEJO POLITICS AND GOVERNMENT – 2006 YEAR IN REVIEW, PART 2

BY DALE TYLER

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In Part 1, we examined the actions of the Mission Viejo City Council and city government from January 2006 through May. However, things would get more heated as we enter the silly season, also known as the campaigns for three open seats on the city council.

The city seems to be getting more and more resistance to placing cell towers in residential neighborhoods as evidenced by the May 22 Planning Commission meeting. In this case, the cell tower permit was denied, but this issue would come up over and over again in the Planning Commission and City Council.

At the June 5, the city's so-called community survey results were reviewed. While a real survey would have been helpful in setting city priorities, this was a "feel good" attempt that asked no hard questions. Thus, the data obtained was for all practical purposes useless for anything except grandstanding by MacLean and Kelley.

The CUSD recall effort picked up more steam as the \$52M administration building came closer to completion. While the CUSD bureaucrats work in luxury, kids have to attend classes in rotting and mold infested portable classrooms.

The Mission Viejo Foundation also makes news as they refuse to disclose their books, contributions or how much they spend on salaries. Residents wonder if the foundation exists for any purpose other than to pay the salary of Bob Zuer, the foundation's director. This is becoming yet another example of the failure of the City Council to ask tough questions.

At the July 3 City Council meeting, the City Council decided to let community volunteers write parking citations. The plan was controversial, with members of the public speaking

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ing both for and against the idea. One thing seems certain, it lets the Sheriff's department who was previously writing these tickets have less work to do in this area. There is also the question of the reliability and objectiveness of those volunteers. Parking citations are a moneymaker for the city and there is no real judicial review of citations issued. Time will tell if this idea is a good one

**A**s we moved into the dog days of summer and the City Council went on vacation, the political campaigning started in earnest. The three incumbents, Ledesma, Kelley and MacLean decide to run for reelection as do seven challengers: Barker, Ferrall, Greenwood, Longsinger, McClusker, Skalsky, Woodin. Other names were mentioned as possible candidates including Bill "Name a park for Me" Craycraft. One group, supported by Ury and his posse, coalesced into a slate of Barker, Greenwood and McClusker. Another trio that was supported by some of the editorial staff of the NewsBlog was Ferrall, Ledesma and Woodin. Longinger and Skalsky each ran independent campaigns. While much was written here and elsewhere about the 2006 campaign, it was, in my view on of the nastiest campaigns I have seen here. It reminded me of campaigns in East Chicago, Indiana, except no one was shot and no one went to jail. Other than that, there were frantic 911 calls reporting one candidate moving another's sign that was placed in front of his sign, yelling "you're a looser" at back to school nights, and more childish behavior than I can remember. We also saw the first "anti" signs, reminding voters that Kelley and MacLean voted to raise taxes. There were also "anti" signs describing Greenwood and Barker as pro-tax and generally bad candidates.

**T**here was also a concerted effort to raise money from out of town interests. This money was mostly spent to assist Barker, Greenwood and McClusker by way of negative mail pieces against other candidates. While this is not illegal or even morally wrong, it was curious that the out of town contributions were funneled into a PAC that was organized at the county level, thus making it harder to see who was giving what and when. The campaign disclosure documents were only available by going to downtown Santa Ana, as opposed to all of the other political committees which had

their financial information easily available at Mission Viejo city hall. Karen, our City Clerk was very efficient in making this information available to any resident who wanted to see what was going on.

**T**he Newsblog will present a report in early February describing where each candidate got their funds and how they spent it. We will also look into the mysterious out of town donors, find out what they gave and what they spent their money on. One has to wonder what they or the candidates they supported had to hide.

**T**he CUSD recall petitions were rejected by the County Registrar Neal Kelley on very dubious grounds. Among the errors made by the Registrar was the dismantling of stacks of signature petitions containing all seven trustee's names. This fatal mistake made it very difficult to validate the signatures once separated. This, in turn caused the Registrar to miss the 30 day statutory deadline and to take short-cuts which resulted in entire pages of signatures being invalidated because they were behind in their counts. Another problem that would not be widely known until later was that Kelley allowed the CUSD Trustees' workers to view the petitions which is against state law. One wonders why Kelley was not fired or in jail for his incompetence.

**A**s a result of Registrar Kelly's mishandling of the recall petitions, CUSD parents went to court to overturn Kelley's decision to throw out the recall. Although court proceeding were underway in June and July, the recall would eventually fail to be certified and the citizen's efforts would turn to removing the three trustees up for election in November.

**A**t the August 21 City Council meeting J.P. Ledesma was set to introduce three items that would have allowed the citizens to see who the true fiscal conservatives were on the the City Council. He was to propose the city endorse Prop. 90, the anti- eminent domain law that would make governments pay if they commended or damaged private property. This was opposed by bureaucrats and liberal groups around the state, but should have been an easy sell in Mission Viejo. Ledesma also was set to propose eliminate the 5 percent tax on trash

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fees and cable bills, which would have returned \$1.45 million to taxpayers in Mission Viejo. He also was to propose setting a 20 year minimum for city employees and council members before they could receive any retirement medical benefits. Unfortunately, these proposals never saw the light of day. The August 21 meeting was a long one and the items were deferred until the next meeting, where they were not brought up. What happened? My guess is that certain council members did not want to reveal their true colors so close to the election. However, the citizens of Mission Viejo won't forget.

**A**lso at the August 21 meeting was a huge increase in benefits for city employees. Information published in the O.C. Register showed that government workers already make 42 percent more in pay and benefits than equivalent private sector workers. Once again our City Council could not make the hard decisions that citizens demanded.

**O**n September 18, about six weeks before the election, the City Council approved spending more than \$8.1 million to improve the Senior and Community Center. They took this action even though the bids were almost double what the citizens had been promised and with no real needs assessment of what was going to be built. Instead, politicians did what they do best, spend taxpayer money on "feel good" projects that will be perceived as helping some disadvantaged group. While there may have been a need for improvements to the existing facility, why did the Council go so far over budget? More gold plated toilets? Also, remembering Mission Viejo's inability to complete projects within budget, often exceeding the original cost by 100 percent, I would guess this improvement will cost between \$12M and \$18M when finally complete. We can't afford this kind of waste.

**A**s usual the council activity slowed down in the weeks leading up to the election. On item which garnered some interest, both in the community and in the Council was that of boarding home care facilities. Mission Viejo seems to be a popular place for these busi-

nesses, particularly in Agean Hills and south city. Both Kelley and MacLean seized on this community issue to try and make points just before the election.

**T**he election was held on November 6. Mission Viejo residents, perhaps tired of all the negative campaigning or maybe because of the lackluster national races, stayed home in nearly record numbers. The poor turnout was disappointing to many folks who were hoping for a change in the Council. Kelley and Ledesma easily won reelection. MacLean and Greenwood we in a dead heat until the final few votes were counted, with each of them holding the lead for the third seat on the council at various times. Eventually Maclean pulled ahead and won by a mere 94 votes.

**O**n November 15, safely after the dust of the election mostly settled, except for the close race between MacLean and Greenwood, a special meeting was held to discuss the affordable housing problems visited on the city by the City Council, California HCD and the poverty supporters. Many residents were in the audience to see what the Council and Planning Commission would do. Although there

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was a parade of poverty supporters, and Cathy Creswell showed up for the State of California Housing and Community Development department to once again threaten Mission Viejo with unspecified "consequences" if we didn't build a slum, there was no real action. This issue will be with us into 2007 and beyond. Councilman Ledesma did point out that there was no realistic way we could comply with the current and future demands of HCD and SCAG (Southern California Association of Governments) even if we built to the 15% affordable level in every remaining vacant parcel in the city. This means that the state HCD wants us to build enclaves of exclusively low income housing, which will become slums in a very short time. He also pointed out that we will have more low income units assigned to us in July 2007 and every few years thereafter.

On November 20, the Council decided to undermine the independence of the City Clerk's office by permitting the City Manager to hire and

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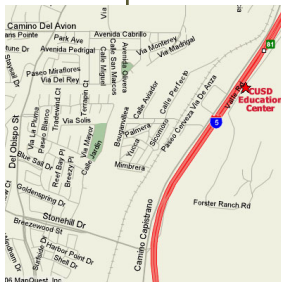
fire the Clerk. This is a big change from the past where the Clerk's office was independent and reported directly to the City Council and thus to the citizens. While this independence was not effective in some cases in the past when Dan Joseph was the City Manager and Ivy Joseph (his wife) was City Clerk, an independent Clerk's office better served the citizens of Mission Viejo. As the official custodian for public records in the city, the Clerk is responsible for answering Public Record Requests. One can only be concerned about the possibility of pressure put on the Clerk's office to prevent releasing unfavorable documents. This is another example of a bad decision made by a (still) ineffective City Council.

2006 ended much as it began, with affordable housing being a key issue. Our city Council, made up of the same 5 people who we started the year with continues to be less a voice of the people than they should. Maybe 2007 will be different, with Gail Reavis acting as mayor. We hope so, for all of our sakes.

# The Buzz

January 5, 2007

The Capo school board will meet twice next week. The regular meeting will begin at 7 p.m. on Mon., Jan. 8. The meeting on Tues., Jan. 9, 6 p.m., involves a status report on CUSD Capital (whatever that means). Both meetings are at the Education Center, 33122 Valle Road, San Juan Capistrano.



★★★★★

Councilman Frank Ury's fan club has dwindled from a tag team down to one ranter who spoke during public comments at the Jan. 2 council meeting. She criticized the other four council members for bypassing Ury as mayor for 2007, as if Ury were a



victim of political foul play. A quick review of Ury's behavior during the past two years shows his consistent record of similar political shenanigans, but he's now on the receiving end.

★★★★★

Ury's shill on Jan. 2 denounced vengeance and hate speech, and she even quoted the Bible. She then proceeded to attack the other four council members with a vengeance. Will she return during the next meeting to rant about Ury's receiving only crumbs while others were appointed to toll-road agencies and the Fire Authority? Ury previously served on the San Joaquin TCA, from which he was dumped Jan. 2.

★★★★★

As a matter of principle, almost everyone seems to believe council members should appoint whomever they wish as their city commission representatives. The falderol in January 2004 followed the successful attempt of Ury, Kelley and MacLean (acting then as the council majority) to block the choices of Ledesma and Reavis. Kelley in 2004 said one of her reasons for voting against the reappointment of Planning Commissioners Dorothy Wedel and Bo Klein was "other people want a chance to serve on a commission." On Jan. 2, 2007, Kelley reappointed Patti Bennett and Kevin Moran, two of her commissioners who have been serving for years. The character word of the month is, again, hypocrisy.

★★★★★

Mayor Gail Reavis outlined goals for 2007. Current council members have been serving since at least 2004, and they've had plenty of opportunity to work together if they chose to do so. Some observers are pointing out that nothing has changed. Council members and city staffers have the same attributes and levels of skill they had last year and the year before. The only difference is Ury's current predicament of having four council members mad at him.

★★★★★

Does anyone remember the so-called news announced by council candidate Justin McCusker at a candidate forum regarding electromagnetic field readings under the Edison lines in north Mission Viejo? McCusker claimed to have knowledge of closed-session council meetings and indicated Edison would have to pay for burying the power lines across the

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north part of the city. The council campaign and the rumor both ended abruptly on the night of the election.



**the end**