



MISSION VIEJO BUZZ

Keeping the California Promise
Week of February 25, 2006

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The Patriot Post Founders' Quote Daily

"They are of the People, and return again to mix with the People, having no more durable preeminence than the different Grains of Sand in an Hourglass. Such an Assembly cannot easily become dangerous to Liberty. They are the Servants of the People, sent together to do the People's Business, and promote the public Welfare; their Powers must be sufficient, or their Duties cannot be performed. They have no profitable Appointments, but a mere Payment of daily Wages, such as are scarcely equivalent to their Expences; so that, having no Chance for great Places, and enormous Salaries or Pensions, as in some Countries, there is no triguing or bribing for Elections." -- Benjamin Franklin (letter to George Whatley, 23 May 1785) Reference: Franklin Collected Works, Lemay, ed., 1108.

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MISSION VIEJO LOSES WHEN STEADFAST WINS

by Dale Tyler

On Mon., Feb. 20, the city council approved a mixed-use project on property near Los Alisos and Jeronimo consisting of 144 high-density townhouses and a large Target store. All this property was previously zoned commercial since the city was master planned in the 1970s. The Target store will be a benefit to our city, but the residential units will not, as outlined below.



This housing project is a **LOSER** for the city, for the citizens of Mission Viejo as a whole and for the neighbors of the project.

The city loses money on every new residential unit built. We spend about \$48 million per year on operations of the city of Mission Viejo. Di-

vide that by roughly 33,000 dwellings, and you get a cost to the city of \$1,450 per dwelling per year. If you believe the Aliso Ridge units will sell for \$700,000, then the 1-percent tax levy will be \$7,000, and the city share at approximately 12 percent is \$840. So we would lose \$610 per unit per year, or \$878,400 net loss over 10 years. By contrast, the city would gain about \$3 million if the proposed residential area were developed as retail over the same 10 years. In fact, we would be better off financially leaving the planned residential area as bare dirt rather than building houses.

Also, assuming that the in-lieu fees for parks, the library and police reflect the actual extra costs of the project and are not a profit center for the city, then those amounts, attractive as they may seem, cannot be used to claim the city benefits from the residential project.

The citizens lose because of more demand on schools and parks, as well as more residents

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competing for peak-hour, peak-direction road use. Commercial use would reverse the flow, and most trips would be into the property when residents are going to work and vice versa in the evening.

The commercial neighbors lose because we will see complaints from the new residents about lights and noise generated by the commercial operations in the area.

The only winners are the Public Law Center, of whom the council appears to be terrified, and the developer, Steadfast. Neither of these have any real community roots in Mission Viejo, other than campaign contributions made to city council members by Steadfast.

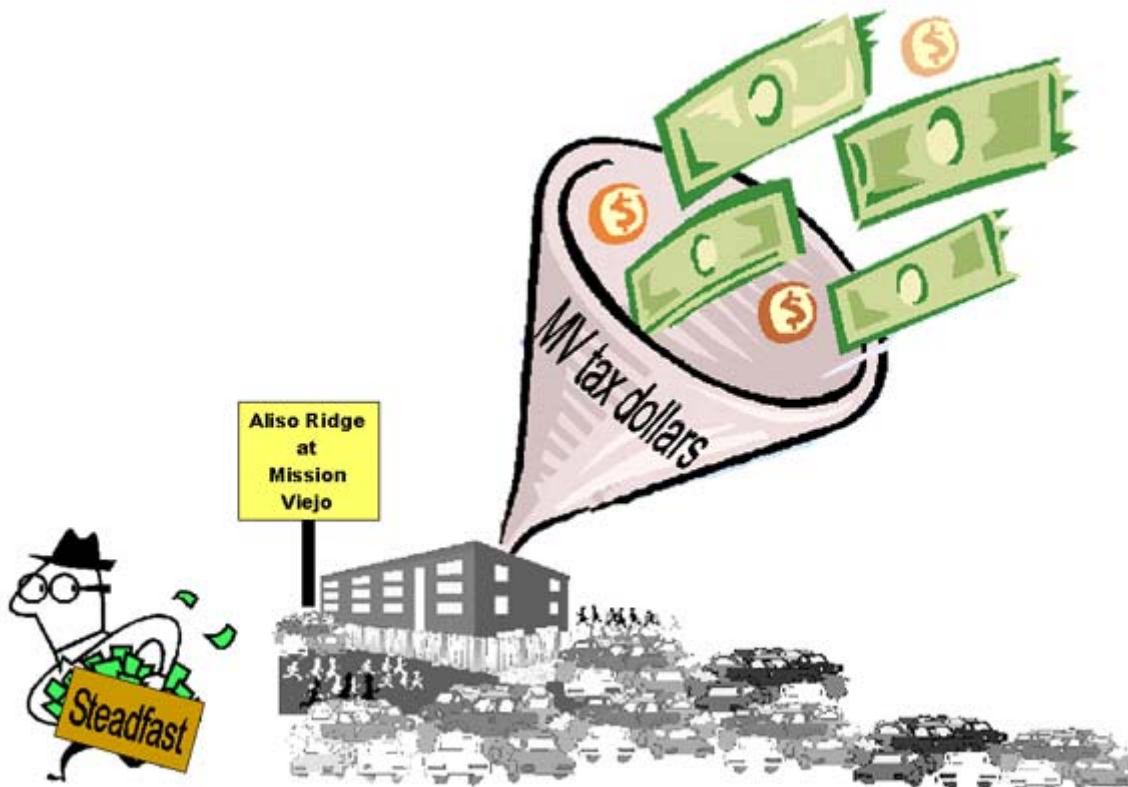
Once again, our council members have done something that will cause the city problems after they are long out of office. We need to find leaders who won't just think about the short term and look to spend and give away money whenever they can today without considering the long-term health of the city.

A Failure Of Imagination

by Dale Tyler

On Mon., Feb. 20, all five of our city council members failed the citizens of Mission Viejo. Instead of trying to find a solution that would preserve the quality of life in our beautiful city, they elected to take the easy – some would say cowardly – road and bend to the will of an unjust set of guidelines set out by one of the state's most hated bureaucracies, the Department of Housing and Community Development (HCD).

An even worse failure was our new city attorney, who at one point said a court would be able to tell the citizens of Mission Viejo that they could not replace defective water heaters, faulty electrical wiring or furnaces spewing carbon monoxide into their homes if HCD did not “certify” our city's housing element. The housing element is a docu-



Graphic from Lisa DePaul-Snyder for the blog

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ment that describes how the city will satisfy the needs of current and future residents of the city. Given that we are built out, this should be a simple document, but, as with all bureaucracies, it is not.

Also failing the citizens were city staff members in the Community Development department who were tireless advocates for Steadfast's project and worked against the long-term interests of Mission Viejo. Certainly, they could have done much more to present the council and citizens with alternatives to ruining the last large vacant parcel of commercial land with low-income, high-density residential units, which will – if history is any guide – become a slum like some other developments nearby. By permitting inadequate parking, which, while technically complying with city codes, is actually far less than is really needed as shown by similar developments, the city staff doomed the future residents to a life that is not up to the standards of Mission Viejo as a whole. We need to find city staff members who will work for the city's residents, not against them



The council, in 2002, with Butterfield, Withrow and Craycraft in control, took the easy road and designated two properties as possible locations for low-income housing. Although they did not change the zoning from commercial, they set the stage for what this current council has now done. One of the properties, the former Kmart site on Los Alisos, had been rezoned in 2005 by this same council to hold very high-density housing, with 250 units on a small parcel of land, including 38 low-income units to be built along with regular units. Now, this council has rezoned the other parcel, near Los Alisos and Jeronimo, to have 144 units with 22 of them being reserved for low-income persons. Unfortunately, even with these two projects, the city is still 94 units short of the requested number of low-income units. Using 15 percent as the normal amount of low-income units built in a project, this means we will have to build 627 more dwellings in Mission Viejo. Where will this land come

from?

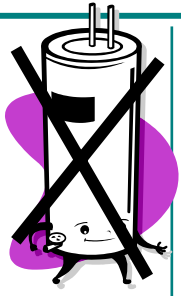
Why would the council take these steps that were clearly not in the best interests of the city, the residents or the neighbors (http://www.missionviejoca.org/News/2006_02_25/article5/article5.html) The problem starts with the California Department of Housing and Community Development (HCD). Essentially, HCD tells communities around the state of California that they must build low-income housing. For new communities with plenty of vacant land, this is no problem because it is simply a matter of explaining the rules to the developers and zoning parcels to accommodate a mix of regular and low-income uses. Of course, it is bad public policy to create entitlements for those who are unwilling to do what the rest of us have done – namely, work hard and save to buy a house that we can afford – but this is ultra-liberal California. However, while HCD's rules make sense for communities with open land, they don't work for built-out cities like Mission Viejo. We are forced to build new low-income units, despite the fact there is no more land zoned residential and despite the fact that the community already has quite a number of projects housing low-income persons.

As another problem, HCD every few years creates a new set of numbers that require the construction of yet more low-income housing. This becomes a zero-sum game at some point, with no more open land, cities must demolish existing buildings to construct new low-income housing or split existing low-income units into more and more dense projects. Since we know that higher densities lead to more neglect, which leads to crime and other undesirable social conditions, it seems that HCD's rules will hurt – not help – low-income persons, as well as the community that surrounds them.



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Clearly, HCD's demands make no sense. However, with the help of Celeste Brady and Bill Curley, our "esteemed" city attorneys, members of the council tried to scare themselves and the public with scenarios like no permits to replace defective water heaters, taking of private property – including your house – to build low-income units and other doomsday scenarios. Let's be realistic. No court would order such things and, if it did, the city should, on behalf of the people of Mission Viejo, fight that injustice all the way to the Supreme Court of the United States. Bad laws erode the freedoms our forefathers fought and died for. Throughout the history of this country, people have stood up for what was right and not allowed themselves to be bullied by government, whether it be England and unfair taxation or the Jim Crow laws of racist states in the last century. Our council decided it was easier just to "go along" instead of fighting for the people of Mission Viejo. Perhaps we need some leadership here in Mission Viejo, as we certainly have none on our current council.



Flash!
Courts deny hot water heaters! Mission Viejo residents go without showers!

**COUNCIL MEETING SUMMARY,
 FEB. 20
 BY CONNIE LEE & MICKEY MACDONALD**

The council discussed in closed session a potential project at 28715-28841 Los Alisos Blvd., which is near Palmia. Councilwoman Gail Reavis recused herself from the discussion, saying she lives within 264 feet of the site. Indications point to the city's potential purchase of 3.4 acres to build 154 affordable apartments. Reavis made public comments as a homeowner objecting to more housing near the former Kmart site.

Councilman John Paul Ledesma revived the joint-use gymnasium discussion by placing it on the agenda and then removing it. Seven public speakers supporting the gym admonished him for the reversal. Among them was Barbara Casserly, who said, "You have to work

with the school district." Ledesma read a portion of an email from CUSD Supt. James Fleming, stating a bond issue could address the need for school facilities.

Most of those in the audience were focused on Steadfast's project at Los Alisos and Jeronimo involving 144 town homes and a Target store on the 23-acre parcel next to Unisys. More than 30 public speakers addressed the council, with most opposing the project. Apparently to counter a rumor the Target store will never be built, a Target spokesman indicated the store will open by October 2006.

Speakers supporting Steadfast's project talked about the Target store and the need for affordable housing. The Jeronimo Plaza owner said his center would benefit from more customers. Audience members recall Steadfast stating at a planning commission meeting that "more than 100 business owners" in the retail centers nearby had signed letters supporting the project. However, the three retail centers nearby contain fewer than 50 businesses in total. Following is a sampling from public comments in opposition to the project.

Jim Woodin: "Why would the city rezone a parcel if the project is not in the best interest of the public?" He added that the terms of the contract haven't been revealed.

Jim Bentley: "You know the vast majority of residents don't support this project. You're not considering what residents want, and I'll be there in the next election with treasure, time and money" to change things.

Paula Steinhauer: "You're doing the football equivalent of Wrong Way Corrigan" by supporting the project. She added "Someone has to pay for below-market housing, and it only pushes up the price for everyone else."

Dale Sandore: "These affordable housing projects are an abomination. The more the government is involved in the free market system, the more they distort it."

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Matt Corrigan: “The compelling issue is that there are no compelling reasons to rezone this property from commercial to residential or mixed use. In the past, a diligent council and planning commission have prevented this Burbank-style plan with high-density and low income or no income.”

Who on this council has accepted campaign donations from the developer and how much, Beverly Cruse wanted to know.

Allan Pilger: “We know this project is going through, and it’s just a question of how you will satisfy all the outside interests. I hope it doesn’t set a precedent.”

Tina Neukirch: “The council needs to protect the interests of existing Mission Viejo residents.” She added that the “right” of affordable housing makes someone else pay, which denies the rights of others.

Carl Schulthess compared Steadfast’s project with the defeated El Toro airport, saying it was developers against residents and homeowners. He surveyed his neighbors, and they all oppose Steadfast’s project.

HOA president Kathy Miramontes reminded council members of their campaign promises and described the overwhelming problems of too many people and too many cars in nearby projects

Dale Tyler: “This project is a loser for the city, the residents as a whole and the neighbors of this project.”

Opposing any zone change to residential, Connie Lee brought a petition with signatures of more than 2,800 people. “No one on the dais is paying attention” she said.

Good grief isn’t anyone listening!?

The council voted 5-0 in favor of the project. Councilman Ury began his comments by discussing the details of the project. Council Members Lance MacLean and Trish Kelley commented by advocating for the developer instead of discussing pros and cons or addressing residents’ questions.



As part of the agreement, Reavis, Ledesma and Kelley on a 3-2 vote favored the removal of an in-lieu fee. The vote eliminated Steadfast’s loophole to avoid building affordable units. As a result of the vote, the project will include 22 one-bedroom affordable units.



Ninety-eight percent of the adults in this country are decent, hard-working, honest Americans. It's the other lousy two percent that get all the publicity. But then--we elected them.
~Lily Tomlin~
US actress & comedienne
(1939 -)

RESIDENTS LETTERS TO THE EDITOR

THE KANGAROO COURT, OTHERWISE KNOWN AS
“MONDAY NIGHT LIVE”

Did any of you waste your time attending the Feb. 20 sham council meeting? It was held at our illustrious city hall, known for frequent microphone and visual screen malfunctions. You certainly didn’t miss any display of brilliance. Only the shadow of gloom prevailed.



When Agenda Item 19 began – Steadfast’s project – there was no discussion of pros and

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cons of a zone change at Jeronimo and Los Alisos. The discussions were all concerning items in Steadfast's contract to build condos, including affordable housing units. **HEY!** What happened to a vote on a zone change before a contract is discussed between a developer and the city for building housing on a commercially zoned property? I am repeating the same questions I asked at the meeting – of course, all unanswered.

Will the citizens of Mission Viejo be informed of the various requirements in Steadfast's contract? Is it true that the council and the residents **CANNOT** object in any way to **ANY AND ALL** of Steadfast's projects and activities in the city of Mission Viejo once this contract is signed? If Target decided not to build its store (betting pools are popping up around town on this issue), who or what will control that section of Aliso Ridge? What will it cost the CITY for Steadfast's profit-making development of Aliso Ridge? How many millions of dollars has Steadfast paid off any of our council members? If so, whom and how much? Wasn't it gratifying to see the three council members who insisted upon removing Steadfast's escape hatch to pay off the city in lieu of building any affordable housing?

Now we can look forward to brighter days following the November elections when real leaders will govern our city.



Beverly Cruse
Mission Viejo

On Dec. 12, residents submitted a citizens' initiative to the ad hoc housing committee of Mission Viejo's Planning Commission (now the City Council ad hoc housing committee). The initiative would allow our citizens the right to vote on all development projects where rezoning is required from commercial to mixed-use or residential.



What better system is there to demonstrate democracy at its best? Mission Viejo is built out, and land is scarce with only commercial property left undeveloped. Give the citizens the right to say which building projects are permissible where rezoning is required.

Like other critical measures in our city, the current council majority refuses to address this initiative. It will probably sit until after November's election without being agendaized or otherwise advanced toward approval or disapproval.



Our citizens are being left out of the process, and they need to be particularly aware of the problems when they vote in November.

James Edward Woodin
Mission Viejo

TALKIN' TRASH

BY BO KLEIN

Previously, I wrote about a lunch meeting I attempted to orchestrate with Councilwomen "Trish" Kelley and Gail Reavis when the Mission Hospital plan of expansion was the topic. There was more to it than that.



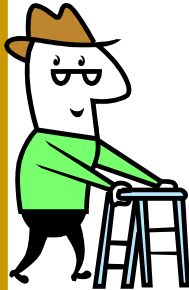
The hospital wanted to expand, mostly in the form of support facilities that would serve our seniors on a daily basis. Some of the services require seniors' frequent commutes to the hospital. Kelley, as part of her 2002 campaign platform, claimed she wanted to develop a senior transportation plan. One of our seniors' most critical needs is transportation to and from medical facilities. The hospital was faced with very expensive parking issues and may have very willingly participated in a curbside bus service for our seniors – their clients – on a daily basis to mitigate the need for traffic and parking structure expenses.

My objective was to get both councilwomen to

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meet and discuss of the potential to work out an arrangement whereby the city's seniors would have transportation without taxpayer subsidies. The seniors could get rides to vital medical services on a daily basis, and the hospital would save money while attracting and serving clients. It's a worthy discussion regardless of who is sitting across the table from whom over lunch.



Trish Kelley jettisoned the concept by refusing to attend a joint discussion then or at any time.

Her reason was clear to me: pure and simple jealousy. She couldn't stand being in the same room with Reavis, who was willing to put personal differences aside for the city's benefit. Kelley could not make this simple gesture – not even to help our seniors in need of hospital services and benefit the hospital itself. Kelley's refusal was a selfish and vindictive reaction that should not be brushed off as "politics." An opportunity was lost, and Kelley still has not provided a feasible plan for senior transportation. After more than three years in office, Kelley is now broadcasting her desire for senior transportation after announcing she's running for reelection. That's plain trash talk.

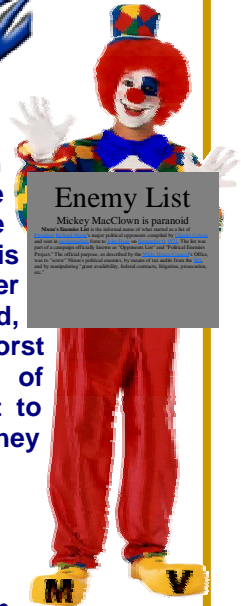
I personally like the open debate of viewpoints regarding Mission Viejo's council members, as discussion can lead to solutions. "Trish" Kelley attempts to conduct her negative talk and actions behind closed doors and otherwise out of public view. I have had the experience trying to conduct city business with her. Her exterior may appear demure, but what's inside is a whole other matter.



Bo Klein
Mission Viejo

The Buzz

Feb. 21



Mission Viejo has an elite group of 15 residents. Councilman Lance MacLean compiled the list, saying it comprises those who want him out of office. His theory is reminiscent of former Councilwoman Sherri Butterfield, who in 2002 thought her worst problem was a small group of watchdogs. Readers may want to contact the blog to find out if they made the Elite 15.

Word traveled quickly after Councilman John Paul Ledesma put the joint-use gymnasium on the Feb. 20 council agenda. The agenda was released on Feb. 16, and a handful of people showed up at the meeting after Ledesma removed the item. Gym supporters promised they would "remember in November." Perhaps what they should remember is Trish Kelley's effort – and failure – to get any of her PTA buddies to run with her against Ledesma. As an aside, a friend of Kelley's spoke at the public microphone about a claim from Councilwoman Reavis' attorney. Isn't that closed-session information?

The newest member of the Planning Commission is Richard Sandzimier, who works for the City of Irvine. MacLean appointed Sandzimier to fill the seat vacated by Mary Binning in December. Binning, an attorney who works for John Cavanaugh's law firm, may have resigned because her boss was interviewing for city attorney in Mission Viejo. If Cavanaugh had been chosen, he proposed to assign Binning as the city's assistant attorney.

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Binning's trademark during her first two years on the Planning Commission may have been her tendency to argue all sides of each issue. Her typical comments ran: "... on this hand ... and on the other hand ... and on one hand ... and on the other hand." Sandzimier is unknown in Mission Viejo city politics, but MacLean now might have one person who will campaign for him this fall. Just look for the house with all 1,000 of MacLean's signs in one yard.

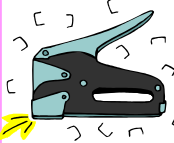


How is The Frank Ury Staples Center coming along? The "regional sports complex" proposed by Ury might have considerably more appeal to outsiders than Mission Viejo residents. What he hasn't mentioned is that Mission Viejo's regional sports complex won't be in Mission Viejo.

The city will only get to contribute to *someone else's* sports complex. It's a new concept in good ol' boy politics: give away the bacon.



Frank said it's Gail's fault. Following ratification of the "new" city attorney's contract on Feb. 20, Ury explained that it really wasn't his fault he made a big stink over Richards, Watson and Gershon and then voted to rehire the same firm after a yearlong search. After everyone but Larry H. Parker interviewed for the job, Ury said he couldn't push out the old law firm that was involved in Reavis' legal issues. Reavis corrected him, saying her claim ended in June 2005. What's the real story? It might help everyone to know that Reavis' attorney was recommended by Ury's campaign consultant, John Lewis. If the attorney isn't completely incompetent, he managed to give the worst advice in the history of lawyering. Beware of legal counsel from a supporter of your archrival.



READERS RESPOND

BY DALE TYLER, PUBLISHER OF THE MISSION VIEJO NEWSBLOG
EDT@MISSIONVIEJOCA.ORG

We occasionally receive a reader response that does not specifically indicate it is acceptable to publish the response. In such a case, we all read the response but cannot publish it.

If you decide to comment and want your comments considered for publication, be sure to provide an email address or phone number and check the box indicating your response can be made public. We will work with you to help improve grammar and presentation to make your submission more readable, if needed.

We sometimes receive letters for publication that are hard to understand and with few substantive points. These letters do not add to a factual discussion of an issue, and, in most cases, they won't be published. The author will be contacted and encouraged to rewrite the submission to strengthen his or her arguments.

The purpose of the Newsblog is to bring issues to light that affect Mission Viejo residents and to share informed opinion on the foibles of our elected officials. Often, those who support a particular official become quite exorcised over having their favorite person's failings discussed. However, if there is a case where a factual error has been made and you can prove it with objective evidence, then please let us know. We will publish a correction immediately after the facts have been confirmed.

That's all!