



MISSION VIEJO BUZZ

Keeping the California Promise
Week of April 15, 2006

CARL SCHULTHESS, EDITOR IN CHIEF carl.s@cox.net
DALE TYLER, PUBLISHER edt@missionviejoca.org
KATHY MIRAMONTES, CONTENT/DESIGN MANAGER katmiris@cox.net

The Patriot Post Founders' Quote Daily

"Knowledge is, in every country, the surest basis of public happiness."

-- George Washington (First Annual Message, 8 January 1790)

Reference: George Washington: A Collection, W.B. Allen, ed. (469)

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MELTDOWN CONTINUES A BROKEN PROCESS STAFF EDITORIAL

At the April 3 council meeting, Council Members John Paul Ledesma, Gail Reavis and Trish Kelley put similar items on the agenda in response to requests from Capistrano Unified School District parents. They asked for an audit of CUSD funding to explain why schools in Mission Viejo have been declining for years. Despite the unanimous vote of 5-0, the process was acrimonious.



Kelley began the discussion of CUSD funding with a rambling speech, often talking about herself. Before Ledesma could get a word in, Councilman Lance MacLean began reading a lengthy letter from CUSD Supt. Fleming about money that might come Mission Viejo's way. With parents throughout the district raising fresh hell over declining facilities, Fleming may have felt compelled to list things that **might** happen.

It was still Ledesma's turn to speak, as he was one of those putting the item on the agenda. MacLean, after reading Fleming's letter, instead

acknowledged Kelley again, who continued talking about her personal experiences.

Ledesma had not yet had a turn and again asked to be recognized, but MacLean turned to the city attorney to ask questions. The rambling continued.

When Ledesma finally got a turn, he said the CUSD issues had escalated to the point the city needed to get involved on behalf of the residents. Reavis spoke briefly, deferring to Ledesma, but saying CUSD's comprehensive mission statement indicated the community has a right to hold the district accountable.

Councilman Frank Ury's diatribe criticized everything and everyone but offered no remedies. He said, "Do you want to hear a speech or do you want to hear what we can do, because I've heard three speeches. 'We care, we care, we care.' It doesn't take a speech. All it takes is a public records request." He read through Ledesma's four-point recommendation: "1) Bring CUSD into compliance regarding facilities. In reality, we can't. 2) Demand explanation why CUSD is busing in students. That's just posturing. 3) The audit. That's reasonable. 4) Publish information in the next City Outlook. Yes." His strongest criticism



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was implied against the public for asking the city's help. Ury said the agenda item was symbolic posturing. He also suggested it was about campaigning, "We're getting into the season of unnatural political acts, and I'm not interested in flimflaming along those lines."



MacLean said, "I share Councilman Ury's sentiments, and I don't like some of the hype I'm hearing up here." MacLean suggested council members "get out of town" to see that Mission Viejo schools aren't the worst examples. He said, "Our schools are not inadequate for a learning environment." He next referred to the agenda item as extortion. He said "You can catch more flies with honey than with vinegar."



Perhaps the reference to flies wasn't the best choice of words when talking about the trustees or the situation of rundown facilities.

Ledesma again tried to justify the city's involvement. He said, "I don't think the average person has the leverage to get information, and we have an obligation."

While Ledesma was speaking, MacLean attempted to talk over him about Brown Act violations, essentially defending Fleming and the trustees.



Me Me Me
- I LOVE Me!

Kelley spoke again, "I did fundraising for the schools, and I'm a parent, and I'm on the foundation board trying to raise money for the high school."

Ury returned to criticizing the recommended action. He said, "This is what happens when you put an item on the agenda and you don't think things through." About getting information about busing students, he said, "The district will Xerox their answers. If you're going to feel better about having them send their answers to you, OK, fine. This is very poorly

thought out, but if you get the answers from us instead of CUSD, and people will feel better about what they're doing, fine."

After a particularly contentious discussion over Ury's attempt to divide the question, which failed, MacLean insisted on rereading the entire motion. The agenda item passed 5-0.

The matter at stake was parents trying to get the city to intervene to get CUSD to clean up and renovate schools in Mission Viejo. With no opposition in the audience – and possibly no opposition in the entire community – why did the discussion become contentious and acrimonious? When elected officials cannot follow civil procedures to conduct a simple business matter, perhaps voters will see fit to change the council makeup on November 7.



Remember when it counts! No More City Council Fight Nights !



KELLEY'S FUNDRAISER – THE PRICE OF HYPOCRISY STAFF EDITORIAL

On April 5, Councilwoman Trish Kelley hosted a fundraiser for herself at Tortilla Flats restaurant at the lake. The number of Mission Viejo residents attending was low. Why didn't Kelley invite her friends and supporters? One attendee said, "Her fund-



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raiser was blatantly a developer-type party with pay-to-play guests.”

“You don’t have any friends because I’ve taken them all away from you.”

Ms. Kelley might lack friends to invite, and a statement she made awhile back sheds light on the reason why. In one of her hostile exchanges with Councilwoman Gail Reavis, Kelley said, “You don’t have any friends because I’ve taken them all away from you.” Any friends Kelley thought she made may have come and gone.



Most of the Mission Viejo residents in attendance fell into three camps: 1) friends of the old regime of Butterfield and Withrow, 2) friends of Reavis and/or Ledesma, and 3) friends of Frank Ury. Considering the dynamics, the Sheriff’s Dept. should have been there.

Donna Varner, a P.R. consultant who put the event together, has ties with the old regime. It explains why Roger Faubel and Bill Craycraft attended. Of course, Ralph Deppisch was there representing Steadfast. This should abruptly end Kelley’s claim of purity that she has accepted no payoffs from developers for her votes. The other four council members had the wisdom to get payment in advance. Another donor was Waste Management, whose contract with the city is up for renewal in 2008. A few others were out-of-town businessmen with an interest in future rezoning or similar business agendas of their own.

Kelley spoke briefly about what good shape the city is in without reference to her leading the way to its decline. If she deserves credit for anything, it’s the devaluation of the community with more high-density housing, traffic and overcrowding. She gave a pitch for her major accomplishment after 3 1/2 years in office – one word a month – the city of character program, but she neglected to say who she’ll try to destroy next. Missing from her speech was any reason whatsoever to keep her in office.

The hypocrisy of having Kelley on the council has come at a high price. Even those attending the event mentioned Kelley shouldn’t be reelected. Said one person in summary, “Some of the vendors may have thought of the fundraiser as an investment. On the other hand, for anyone who paid and never has to deal with her again, it was worth it.”

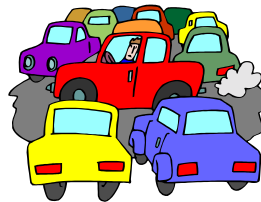


Q: What do you call a blond behind a steering wheel?
A: An air bag.

LETTERS TO THE EDITOR

FAILED NEGOTIATIONS RESULT IN TRAFFIC PROBLEMS

The city of Mission Viejo is undergoing the monumental task of dealing with our traffic issues, starting with Crown Valley Parkway. The task has become necessary because of bad planning and flawed judgment on the part of the current and prior city councils. Their efforts were futile in mitigating traffic from developments east of our city.



Case in point, as a mitigation measure for approval of the new ranch plan, estimates ranged between \$35 million and \$75 million for traffic improvements in the southern part of Mission Viejo. The prior planning commission had recommended to the city council a lawsuit preventing the approval of the ranch plan because its proposed mitigation money was based on inconclusive traffic studies authored by the ranch consultants.

The city did follow through to a point with a

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lawsuit, which was structured as a result of a joint planning commission and city council meeting. The lawsuit was dropped after Councilmen Frank Ury and Lance MacLean, while serving on an ad hoc committee, negotiated on their own the mitigation measures with the ranch. The ranch jumped on the proposed settlement of \$18 million as opposed to prior estimates of \$35 million to \$75 million for real solutions.

I have yet to hear of any plan in which \$18 million would be sufficient to handle the traffic expected when the ranch is built out. The city did, however, get two new monuments on the Crown Valley Parkway bridge, under construction, and Mission Hospital is constructing an elaborate art monument on Crown Valley Parkway. It is difficult to imagine that the shortfall of up to \$50 million won't result in long-term traffic problems. The problems are the legacy of Ury and MacLean.



The city is getting some nice art monuments, but the negotiations were a monumental failure in finding long-term traffic solutions for our city.

Bo Klein
Mission Viejo

ADDRESS REAL SOLUTIONS FOR AFFORDABLE HOUSING

It is irritating to continue seeing the state affordable housing requirements mislabeled in various articles. The Kennedy Commission numbers designated are merely non-mandatory guidelines. They are not compulsory numbers but may be one or 400.

When people talk about affordable housing goals, it should always be kept in mind that each city is different. Mission Viejo is built out with only several small commercial parcels left. Other cities have more build-to-suit land, thus making comparisons erroneous.

In addition, Mission Viejo once had housing for all financial groups, i.e., upper-, middle- and lower-income. Housing values have risen, making our housing now at the upper end of the spectrum. This is not by design but only by circumstance, notably, the value of real estate.

If people really want to do something about affordable housing, they would identify condominium conversions and existing properties in a built-out city and use Community Development Agency funds to assist teachers, policemen and other residents as Mission Viejo now does with low-income home improvements. If the affordable housing law only specifies new housing, it should be changed. After units have been sold, the funds could be recycled back into the CDA pool.

To continue to hammer at Mission Viejo with illusory numbers makes it appear that Mission Viejo is not making enough effort to meet the low-income housing needs.

The future does not rest with new housing, but first with the Citizens Initiative allowing the voters the choice in rezoning issues and the Community Development Agency assistance in condominium conversions and the resale market.

James Edward Woodin
Mission Viejo

GREAT Idea! But....



Is ANYONE listening?

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**PARENTS SUE O.C. REGISTRAR TO
RECALL SCHOOL BOARD
EXCERPTS FROM CALIFORNIA POLITICAL
NEWS AND VIEWS**

Capo for Better Representation (C4BR), a group of parents who initiated a recall of their school board for what they say is financial mismanagement, formally filed a Writ of Mandate in Orange County Superior Court April 7 in an attempt to get the recall campaign certified.

C4BR filed papers in April 2005 to recall all seven trustees of the Capistrano Unified School District. The group, led by recall organizer Kevin Murphy, a financial executive and CUSD father of four whose wife served as a PTA president in the district, collected the 20,000-plus signatures needed for each trustee to place the recall on the ballot. Several hundred volunteers successfully gathered signatures at grocery stores, coffee shops, movie theaters and in neighborhoods throughout the district.

In early November, the group delivered to (acting) Orange County Registrar of Voters Neal Kelley more than 177,000 signatures: 25,000-plus signatures per trustee. In a surprising move, the registrar informed Murphy on Dec. 23 that the group did not turn in enough "valid" signatures to certify an election. They had delivered more than 25,000 per trustee when only 20,000 were required. The registrar had invalidated an unprecedented 35 percent of the signatures.

Recall volunteers went to work inspecting the signatures to find out what went wrong. What they found was disturbing. As many as 3,650 signatures per trustee were invalidated because the petition circulators wrote in the address for some of the signers when asked for assistance in doing so. Even though OC Registrar Neal Kelly's office told the petitioners on eight different occasions this was allowed, Kelley apparently reconsidered at the eleventh hour and decided to disallow these signatures.

In addition, volunteers who reviewed the signatures found that the registrar made errors on

roughly 30 percent of the invalidated signatures. The registrar invalidated voters' signatures because he claimed they were not registered when, in fact, the recall volunteers discovered that they were registered in the district. Other examples of errors include invalidation of signatures because the "signature does not match" the voter rolls. Many of the signers had registered decades before, so their signature would appear different today. In addition, voters were asked to sign seven times, once for each trustee. By the time they got to the seventh signature page, their signature often varied widely. These voters' signatures were summarily disallowed. It appears that the benefit of the doubt clearly was not given to the voter in these instances. Murphy also pointed out that the temporary staff members hired by the registrar to review the signatures were not trained handwriting analysis professionals.

The registrar appears to have been overzealous in invalidating signatures and seems to have gone out of his way to invalidate, rather than validate, signatures. This raises the issue of whether the will and intent of the voter were truly respected.

The group is asking the court either to validate the signatures based on the errors uncovered by the recall volunteers or require a recount of those petitions invalidated due to registrar error. They will ask that signatures be allowed where the circulators completed addresses at the signers' request, as the group relied on the registrar's advice regarding the completion of addresses by circulators. C4BR's lawyer anticipates a judicial review will not take more than 30 days.

For the entire article, go to <http://www.capoliticalnews.com/discuss.php?id=409>.

TRUE STUPID STORY

El Nino storms are affecting trade with Asian countries. A freighter bound for Long Beach Calif. with a cargo of yo-yos got caught in a particularly violent storm. It sank 65 times.

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The Buzz

April 10



A rumor circulated in February that a Target store would never be built next to Unisys (Jeronimo / Los Alisos Blvd.). The phantom-store hype was allegedly a Steadfast trick to get its “ride-along” housing plan approved. To counter the rumor, Target representative Kareem Ali said during the Feb. 20 council meeting the store would open in October. Ali also said Starbucks would locate inside the Target store. A call to Starbucks headquarters last week discovered no plan for Starbucks inside a Target store at Jeronimo and Los Alisos. The only Starbucks on the drawing boards in Mission Viejo is at Oso and the I-5.

Is it true that 99 percent of attorneys give the rest of them a bad name? City Attorney Bill Curley during the April 3 council meeting said he would start “fixing” the city’s policy manual where it’s outdated and inconsistent. When did the council direct him to do so, and when did they approve the cost? One should consider the city’s ill-fated legal challenge of an insurance company regarding fire damage at the Marguerite aquatics facility. The city’s legal firm charged \$659,000 to collect \$400,000 following fire damage of more than \$1.2 million. The net loss was \$1,459,000. The city can’t afford its attorney’s fixes.

How has it become Saddleback Valley News reporter Maria Hsin’s job to create news instead of reporting it? Each of her articles supports plopping a large complex of affordable apartments in Mission Viejo. <http://www.knowledgeplex.org/search.html?value=%22+Steadfast%22>



While a majority of residents at city meetings have spoken against more housing of any kind, Hsin interviews those who want more housing. Someone who asked Hsin where she lives said she commutes from Los Angeles County. That explains a lot of things but not why her editor permits calling opinion pieces news reporting.

An example of Hsin’s “reporting” about Mission Viejo and Irvine appeared in the April 9 Orange County Register, “Affordable housing, why two cities diverge.” The story claims workers with such essential jobs as teachers, policemen and firemen need affordable housing. Teachers, policemen and firemen make too much money to qualify for affordable housing in South County. Perhaps Hsin would be quite a bit happier if the Register were to reassign her to covering the People’s Republic of Irvine instead of changing Mission Viejo to her liking.

The Registrar of Voters is still in hot water. Another snafu recently surfaced when signature-gatherers for a Newport Beach initiative purchased a CD of registered voters to validate signatures. The RoV allegedly knew it had a software problem that prevented registered voters from showing up on the rolls. As conspiracy theories go, petitioners are asking if the RoV is going out of its way to prevent special elections. Check out the news video about the Capo school district recall and the Newport Beach initiative: <http://www.fulldisclosure.net/flash/VideoBlogs/VideoBlog27.php>

Frank Ury continues to bring his laptop to council meetings, opening it on the desk in front of him. Voters elected Ury to pay attention during council meetings and listen to testimony being given, not to work on his laptop. This is a good reason not to have wasted more than a quarter million dollars on a wireless system for the council members' use.

A pollster is at it again, causing Mission Viejo residents to put telemarketers on hold. Ques-

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They think I'm working, but, I'm really surfing!



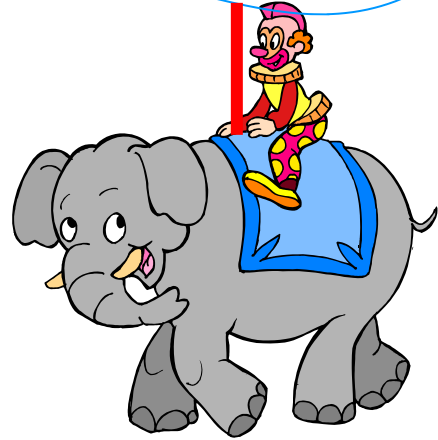
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tions include: 1) Is a basketball gym a high priority for the city? 2) Is a dog park a high priority? 3) How serious are the city's traffic problems? 4) Does the city need a performing arts center? The calls might be the city's \$20,200 poll being conducted by True North Research. One resident receiving a call said it sounded more like a political pollster, e.g., Faubel or Probolsky. <http://www.tn-research.com/>

Some of the parents who initiated the recall of CUSD trustees filed a Writ of Mandate in Orange County Superior Court on April 7 to get the recall certified. The group, Capo for Better Representation, is asking the court to validate signatures it claims were erroneously thrown out. The group's lawyer anticipates a judicial review will be complete within 30 days. The Registrar of Voters announced on Dec. 23 that the recall group had failed to gather enough valid signatures to trigger a special election. Approximately 35 percent of the signatures were deemed unqualified during the verification process.

<http://www.thecapistranodispatch.com/>

Vote NO for Kelley!



The End