



MISSION VIEJO BUZZ

Keeping the California Promise

Week of April 22, 2006

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The Patriot Post Founders' Quote Daily

"A free people [claim] their rights as derived from the laws of nature, and not as the gift of their chief magistrate."

-- Thomas Jefferson (Rights of British America, 1774)

Reference: Jefferson: Writings, Peterson ed., Library of America (121)

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THE EGO HAS LANDED STAFF EDITORIAL – APRIL 18

Is the constant political rumble on the Mission Viejo City Council caused by something in the water? After former council members were dumped by voters, what else could explain how quickly new council members became arrogant and surly?



As part of the problem, it takes a certain amount of ego to run for office. For those with abundant ego but without redeeming qualities, ego and power become a lethal combination.



Can't we all just ... get along?



The clash of egos on Mission Viejo's council is an underlying reason for its failure to serve or represent the city's residents. Council Members Ury, Lance MacLean and Trish Kelley seem to believe they've been anointed to make decisions without regard for the voters who elected them. They appear to thrive on conducting business behind closed doors – without listening to public input until after decisions are made. This council should be ashamed of itself, and the fact it isn't strongly indicates the attitude of lording over the "little people." While countless residents go before the self-anointed tribunal, Ury rolls his eyes, leans back in his chair or whispers to MacLean, who laughs out loud.

Ego:
An exaggerated sense
of self-importance; conceit.



Councilman Frank Ury was recently quoted in the Orange County Register in an article about housing [Sunday, April 9, Marketplace section], saying he wants more affordable housing projects in Mission Viejo. He made an odd comment that Irvine council members are "more statesmanlike" than his council peers. The fact Ury has been judging others on the dais and making scathing remarks in a county blog provides insight about his own lack of diplomacy.

Three council members have strong ties to political consultants. Ury is connected to John Lewis of Orange, and MacLean and Ledesma are associated with Scott Taylor of Newport Beach. Ury, MacLean and Ledesma seem more interested in payback to their political consultants than representing the residents. For several years, Steadfast

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couldn't get a foot in the door with its affordable housing plans in a commercial zone. Steadfast hired Scott Taylor in 2005 and, voila, the vote was 5-0 to overturn commercial zoning and plunk condos in a business park. Steadfast also donated to all five council members' "campaign accounts."



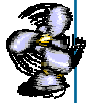
While political candidates are entitled to have consultants, voters must be watchful not to empower a consultant who has council members under his thumb. Ury hasn't succeeded in running plays for Lewis because he controls only one vote. However, Taylor has both MacLean and Ledesma, and voters would be wise to react in November for this reason alone. Taylor represents Ware Disposal, and the city's trash contract is up for bid in 2008. If Ware presents the best offer, it would be another matter. However, who benefited from Steadfast's housing deal except five council members, the developer and Scott Taylor? Not the residents, who will pay a high price.

In the city attorney fiasco, the worst possible contender (Richards, Watson and Gerschon) got the contract because numerous council members were neither representing residents nor trying to get the best legal advice for the city. Because negotiation took place behind closed doors, residents should wonder if Ury was voting for Lewis' client and Ledesma and MacLean were voting for Taylor's client. Renewing the old contract for Richards, Watson and Gershon could be interpreted as failed deal-making by council members who voted on behalf of outside interests. Regardless of any plausible explanation, when the worst comes in first, it's time to dump the deal-makers.

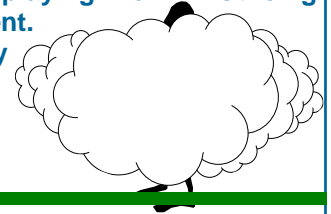


It takes a lot of nerve to disregard 100 percent of public input on any subject, which the current council majority routinely does. Unlike the federal and state systems of checks and balances – executive, legislative and judicial branches – local government relies on public input and expert advice. At this time (between elections) the council is ignoring public input and operating largely without

accountability. As Ury said on Feb. 20 when rejecting public outcry to put zone changes on the ballot, "You elected us to make decisions for you." Ury's entire fan club can now fit into his SUV.



The counterpart of ego is fear, and those up for reelection – particularly Kelley and MacLean – should have a sense of fear in direct proportion to their egos. MacLean is hiding behind bravado and Kelley is playing her strong suit by remaining silent. They can run but they can't hide.



APRIL 17 COUNCIL MEETING SUMMARY EDITORIAL STAFF

The most significant council business on April 17 may have been conducted behind closed doors. Closed-session topics included the YMCA's lease with the city and re-tenanting major spaces at The Shops after Saks leaves and Macy's replaces Robinsons-May.

Members of the public pulled the only consent calendar item, \$99,500 for cat isolation and rabbit hut buildings at the animal shelter. The council unanimously approved all other consent calendar items and likely would have unanimously approved the animal buildings as well, had the item not been pulled by the public. All public comments supported the item. Councilman Frank Ury questioned the cost and dissented when the council voted 4-1 to approve. Ury isn't up for reelection this fall, and he apparently isn't courting the cat and rabbit vote.



The council agreed to combine an item regarding franchise audits with three audits proposed by Ury. By consensus the council requested information from Southern California Edison regarding its franchise terms, number of customers, amount of power consumed and payment information during

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the past five years. Ury also proposed a franchise audit of Cox Communications. MacLean commented about Cox's recent internal audit, after which the company paid approximately \$157,000 to the city for miscalculation of advertising revenue. MacLean suggested another audit wouldn't be fruitful or worth the cost.



Ury countered MacLean's comments by claiming the audit of Cox would be at no cost to the city because of Cox's payment following its internal audit. City CFO Irwin Bornstein said, no, the money from Cox had been owed and it went into the general fund. Even with fuzzy math, a cost of \$24,000 still costs \$24,000. Ury then asked why the council was objecting to the "\$10,000 cost," which moments ago had been stated and restated as \$24,000. That's salesmanship. The motion failed on a 3-2 vote (Reavis, Kelley and MacLean against, Ury and Ledesma for).

The council next voted 5-0 to spend \$13,500 for an audit of the franchise fees from Waste Management, going back three years.

A schedule of franchise audits should have been implemented years ago, and residents should ask why the city has been operating on blind faith instead of monitoring companies that pay the city \$2.5 million annually in franchise fees for rendering services to the residents. Ury, whose political contributors include an independent power provider, has a long history waging an anti-Edison campaign. He may have hit on the benefits of auditing all city franchises for the wrong reason, but the city should have implemented an audit schedule years ago. Despite the lengthy and somewhat contentious discussion, a comprehensive plan didn't result regarding which companies would be audited in which years.

The council next unanimously approved posting a speed limit on Trabuco Circle, following staff and Planning Commission recommendations.

Councilman John Paul Ledesma proposed the support for Orange County 2006 Measure A. The ballot measure prohibits the exercise of eminent domain for private purpose when the intent of the acquisition is to convey the prop-

erty so acquired to any private party. MacLean commented, saying the council's support wasn't necessary. He said, "This is an exercise in political grandstanding, which is distasteful for me personally." Others were perhaps ignoring the irony of his remark about grandstanding when they voted unanimously to support the county's ballot measure.

LETTER TO THE EDITOR LOOK AT BIG AND LITTLE PICTURES



Let's look at the big picture in three cities and how they answered similar problems now facing Mission Viejo. The city of San Marino passed a "no truck thoroughfare" in their town, including Huntington Drive. South Pasadena long ago agreed the Long Beach freeway could pass through the city "only if no cross-streets are disturbed." So the freeway stands as stopped today! Then a main highway right-of-way just north of Chico was so designed to mow down the most famous Hooker Oak tree! Give the people of Chico credit for insisting "no" to the State Highway Commission - "You go around it!" http://en.wikipedia.org/wiki/Hooker_Oak

Now for the small picture, look at voting pressure by the current Mission Viejo City Council. The current and most recent mayors (MacLean and Kelley) pressed for term limits of the most valuable planning commission members, thereby eliminating any and all experience that disagreed with their personal issues. As a result, you will have Crown Valley widening with no thought as to what the effect will be on Mission Viejo, however wonderful the results will be for Ladera Ranch and far beyond across the gulch. Think how stirring it will be when Oso and Avery are added to the plans. Presently, I have noted two miles of Marguerite Parkway clogged and waiting for signal changes between Avery and Crown Valley. Consulting management is taking care of info with large orange signs to inform us - if you dare to stop to read and get rear-ended! (Faubel fumble.)



Hey, It's only this wide!

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A smaller picture comes with the bending and bowing to Steadfast and UDR/Pacific by changing commercial zones to residential (campaign donations?) with a token inclusion of "affordable" housing approved therein.

Now guess what? Sacramento and Santa Ana "mandates" (duh! – so says the Or. Co. Register) that one-bedroom units are not enough. Now we need more affordables (and larger ones) because Steadfast is building more \$600,000-plus homes in the city.

Had enough yet? As you travel south toward San Juan Capistrano via the I-5 Freeway, on the left you will see the nearly \$50-million (unfurnished) edifice built by Supt. James Fleming and Capistrano school district's elected trustees. With regard to the effort to recall the trustees, students are shifted to different locations while other students are currently assigned to temporary "shanty town" buildings. According to the latest news, crumbs from CUSD might be tossed to Mission Viejo soon, but are "yet unscheduled."

As for the future picture, yes, locally – there will be an election soon. Councilman John Paul Ledesma is consistently doing his homework and should be reelected. Two other incumbents

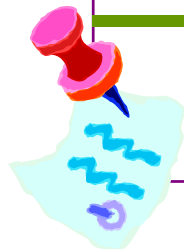
should be replaced, as they only envision the small picture of cost overruns, sports arenas, gaudy signs, basketball courts commingled with school systems, and paying for the city's telephone survey I answered recently asking, among other things, whether I liked living in Mission Viejo.

My answer was "Yes, but"

Bill Cruse
Mission Viejo

LETTER TO THE EDITOR DECLINING SCHOOLS AFFECT EVERYONE

Our city needs to send a strong message to the Capistrano Unified School District. Some CUSD schools in Mission Viejo are aging and showing signs



of neglect. Parents and other community members should no longer count on the district's statements that facilities might be improved or money might be spent at some unspecified time in the future.

Mission Viejo residents throughout the city are affected by declining school facilities. Real estate agents are well aware that some school facilities are falling below potential homebuyers' demands for excellent schools, and that includes excellent school facilities.

When parents have complained about conditions in the past, it seems the district immediately sends a press release about award-winning schools. Mission Viejo has award-winning schools because we have award-winning students, award-winning teachers, and the parents deserve awards as well because they're often the ones raising money to keep programs afloat. I have yet to hear of awards for the aging and neglected buildings or the deteriorating portables.

I completely support the city council's decision to send a strong message to CUSD with the audit of the CDA pass-through funds, Mello-Roos and Measure A funds received from Mission Viejo. As part of open government, the council needs to obtain an explanation of how and where these funds were used. Additionally, I am among the Mission Viejo taxpayers demanding that CUSD bring all its schools in our city up to standards.

James Edward Woodin
Mission Viejo

LETTER TO THE EDITOR GLORIFICATION OF MEOCRITY



I'm off to do some heavy-duty spring and birthday-present shopping. First, I'll head down La Paz to Heather Ridge to pick up prescriptions, developed pictures and other popularly priced basics, plus the extra-special surprise bargains at Costco. Next

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door, I'll stop at Kohl's to get clothes my grandkids love, plus some special housewares – they always have great sales and a great variety of well-priced items.

I'll then go around the block to the Sports Chalet, Tilly's, Hallmark Cards, Mervyn's and Von's. Next, I'll go back down to La Paz to run into Home Depot and then stop in at Henry's and finish off at the biggest and most complete Target, right there with the best-priced, best-variety grocery store, Stater Brothers.

Wow! Here's an example where some planners have certainly been doing great thinking about responsible economic land-use planning!

Have you been out to the incredible Rancho Santa Margarita civic center and shopping complex? It has wonderful parking and great access to the library, City Hall and community center and a wonderful shopping center with fabulous restaurants and a great variety of shops, all without moving your car!

And what do I get in Mission Viejo? More high-density, "low-income" housing! And more stupid spot-zoning! What a disgraceful bunch of short-sighted, bought-off staff, elected and appointed officials! "Where, oh where has our California dream gone? Oh where, oh where can it be?" The Mission Viejo City Council and staff are wallowing in the glorification of mediocrity!

Too bad I have to spend my money out of the city. As I drive along the I-5, I'll look up to the west and see the enormous, elegant homes on the large lots of Nellie Gale and Bear Brand Ranch of Laguna Hills and Laguna Niguel. Obviously, the homeowners have purchasing power, hopefully, to spend in their community. I glance east, and the hills are covered with the h i g h - d e n s i t y apartments of Mission Viejo – not too classy looking. The sellout Mission Viejo control freaks are preoccupied with the cram it in, jam it in mentality, which has been usurped by this incestual power clique! BEWARE! What stupid, degrading land misuse planning tricks do they have up their sleeves to dump on us next?

Dorothy Wedel
Mission Viejo

NEWS BRIEF COMMISSION HEARS CELL TOWER PROPOSAL



The Planning Commission held a public hearing at its April 10 meeting regarding a proposed cell tower. The petition was submitted by Amit Patel of Aspen Associates Telecom, an agent for Omnipoint Communications, which is a subsidiary of T-Mobile.

Patel petitioned to construct a wireless telecommunication facility at Marguerite M. O'Neill Park, 24771 San Doval Lane in Mission Viejo. Plans include the installation of a 55-foot-high slim line pole with antennas mounted to the interior. The facility would also include a 554-square-foot equipment enclosure. The property is zoned for recreation use and owned by the City of Mission Viejo.

Residents who objected to the project said they weren't against wireless technology, but they asked for responsible use. They suggested safer alternatives, including other ways to implement the technology and at greater distances from homes, schools and children's play areas. The proposed cell tower would be near a new tot lot going into the park.

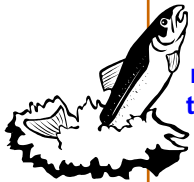
As an additional issue, some residents believe Cingular is flooding communities with antennas to offer better reception to its customers. One resident claimed Cingular has an excess of antennas following its merger with AT&T, resulting in their contracting with Black Dot Wireless to renegotiate antenna site rents at lower rates. If the lessor doesn't agree to a lower rate, Cingular could choose to end the lease agreement if the area is already covered by another antenna.

Federal law (FCC) precludes cities from denying cell towers based on health concerns about radio-frequency energy emissions. A city can, however, require that a significant gap in coverage exist before approving cell antennas.

The Planning Commission on April 10 deferred

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the vote on this application until May 8 due to unanswered questions and to allow the residents more time to research and present their opposition. The vote was 3-2 with Morton making the motion to defer and Lonsinger and Schweinberg voting in favor. Krout and Sandzimier opposed the motion to defer.

The Buzz

April 18

Former Councilman Bill Craycraft continues surveying residents to see how many votes he would get if he were to run for city council this fall. Several readers have informed The Buzz of Craycraft's apparent obsession with jumping back into the fray and/or dropping a large chunk of change. A successful council campaign costs \$30,000 to \$40,000 in Mission Viejo. The cost of an unsuccessful campaign topped out at \$80,000 in 2000 when Roger Faubel lost to Gail Reavis. Several other residents appear to be posturing to run for council, but the cost has become unreasonable for a job paying \$6,000 a year.



What's that crumpling sound? The tinfoil-hat contingent at council meetings has dwindled to three or four people, but they continue to show up. They've lately focused on one subject – dissing Southern California Edison. A vote of residents regarding burial of the power lines followed controversy in 2004 when Frank Ury emerged from the group as a council candidate. The city spent approximately \$250,000 objecting to overhead lines, and residents near the lines had the opportunity to vote on whether or not to form a special assessment district to pay for burying the lines. The ballot issue failed by 86 percent.

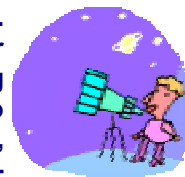
An alert reader informed The Buzz of an omission in the information about the insurance settlement following a fire at the Marguerite aquatic center. <http://cityofmissionviejo.org/ccouncil/proclamations/proc-2004-21.pdf>

The city received a payment from the insurance company not long after the fire. Because the payment went directly into the city's receivables, it was unaccounted for in the recap by The Buzz. The city's net loss was approximately \$500,000.

According to information at the April 17 council meeting, Capistrano Unified School District isn't asking for a joint-use agreement with the city for Cordova Park. CUSD previously talked about needing the park to comply with space requirements when Hankey Elementary School is converted to a K-8 facility. With the apparent plan to bring in portables, the campus would fall short of playground space. CUSD evidently offered no explanation regarding the change of mind. Parents should continue to be alert that CUSD could eventually make Hankey a middle school, which would align more closely with its original announcement of closing the elementary school.



Trabuco Hills High School won't get a parking structure in the near future. Saddleback Valley USD announced it can't get everything it planned with a \$180-million bond issue. Things changed when the cost of the parking structure, originally estimated at \$4 million, jumped to \$14 million. The district says it is "looking for other ways to increase parking space." The "other ways" tend to conjure up visions for a cartoon, but the sad truth is that surrounding neighborhood streets will provide the overflow parking.

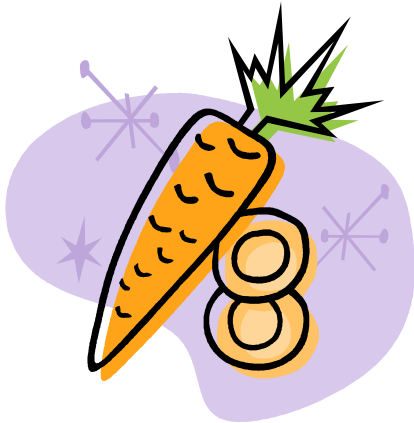


Capistrano USD will hold its regularly scheduled board meeting on Mon., April 24, at the CUSD administration building, 32972 Calle Perfecto, San Juan Capistrano, beginning at 7 p.m. On the agenda is discussion of spending \$12 million on schools in Mission Viejo: Capo Valley High School, Newhart Middle School and

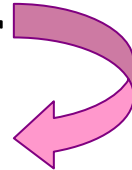
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Hankey Elementary. The agenda item may have been triggered by the Mission Viejo City Council's request for an audit of how much money the district has collected from Mission Viejo and where it's been spent. The district's meetings are amusing, particularly with over-the-top testimonials lauding the trustees for providing extraordinary service to mankind. How do they do it with a budget of only \$500 million a year?

While the city is adding animal shelter facilities costing \$99,500, including a rabbit hut, Casta del Sol is still trying to shoot its rabbits. The HOA is involved in a lawsuit following a city council vote in 2005 to grant a variance and allow shooting. As it turns out, the state statute that prohibits shooting is unaffected by a city variance. A Casta del Sol resident told The Buzz, "After spending a lot of money on lawyers, the HOA will be back to square one." <http://www.bunnybunch.org/>



Bunny hut



Tha-tha-tha-tha-that's all Folks!