



MISSION VIEJO BUZZ

Keeping the California Promise
Week of May 13, 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

"All men having power ought to be distrusted to a certain degree."

-- James Madison (speech at the Constitutional Convention, 7/11/1787)

Reference: Advice to My Country, Mattern ed. (79); original The Papers of John Madison, Congressional Series, vol. 10 (98)

Founders' Quote Daily is a service of The Patriot Post, the most widely read conservative journal on the Internet. If you would like to receive Founders Quote Daily, and this highly acclaimed Digest of news, policy and opinion delivered FREE by e-mail to your inbox, link to: <http://PatriotPost.US/subscribe/>

THE WEAKEST LINK EDITORIAL STAFF



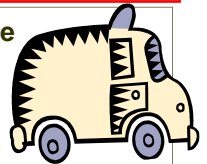
The city election this November won't be another perfect storm like the one in 2002. When Council Members Sherri Butterfield, Susan Withrow and John Paul Ledesma were up for reelection in 2002, voters excised Butterfield and Withrow with considerable precision. Ledesma campaigned with challengers

Trish Kelley and Lance MacLean, leveraging the residents' ire against the two gals.

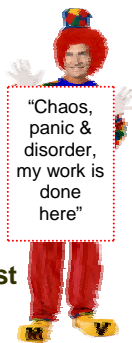
Mission Viejo voters have become adept at dumping whacko incumbents. The current council circus is causing residents as well as out-of-town politicians to measure the odds of another new-come r coup d'etat. With Council Members John Paul Ledesma, Trish Kelley and Lance MacLean up for reelection, who's the weakest link?

Councilwoman Trish Kelley's supporters from 2002 are lining up to campaign against her. Her liabilities include nasty personal conflicts and a penchant for social engineering. As her latest bad idea, she's promoting a pricey Band-aid after 3 1/2

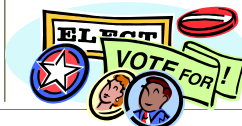
years of ignoring her campaign promise of senior transportation. At the May 1 council meeting, she suggested adding \$200,000 to the city's mid-year budget for a taxi subsidy for those 85 years of age and older. One senior citizen reacted by saying, "The only transportation seniors need at that age is an ambulance."



MacLean revealed his true political stripe almost immediately after the 2002 election. He quickly aligned with the old regime, including Butterfield and Withrow. He slammed his council peers, the residents and the city with quotes in the L.A. Times. His behavior caused former supporters to ask whether he's the weakest link or the missing link.



Ledesma's record as a fiscal conservative is no longer intact. He supported a redevelopment deal in 2003, and he's lately sided with developers against residents. The council's 5-0 vote approving Steadfast's housing project turned into a double whammy against the residents – more housing and a resulting lawsuit against the city. If residents have a forgiving attitude toward Ledesma, it's likely because he doesn't stoop to personal attack. He'll probably be reelected if he has a well-organized campaign.

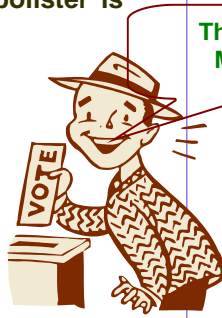


(Continued on page 2)



(Continued from page 1)

Mission Viejo's No. 1 sidewalk pollster is continuing to ask hundreds of residents about the council race. He said, "I don't see any support for MacLean. I haven't found one person who will vote for him." Regarding Kelley, he said, "She doesn't have the support of four years ago, but she's not as unpopular as MacLean. People are ready to vote him out." The pollster said Ledesma receives fewer negative remarks, adding, "Ledesma has a better image among people who follow city politics, and the other residents don't know specifics."



County District Attorney's pending investigation against the CUSD leadership.

This ain't for McClown!

According to a press release from The CUSD Recall Committee, "Like never before, taxpayers in South Orange County have come to realize just how serious the problems are at CUSD. By the thousands, voters are embracing the core message of the recall campaign – the CUSD Trustees have squandered millions of taxpayer dollars and breached the public trust, and by so doing they have relegated the children into overcrowded and substandard conditions."

Of incumbents in the 2006 council race, MacLean appears to be the weakest link. While Kelley has lost friends and supporters, MacLean has made enemies. Both have embarrassed the city with their unprofessional behavior and buffoonery. If challengers can organize effective campaigns, both of these circus performers can kiss their council seats goodbye.



"Today, thanks to the incredible hard work, dedication and total commitment shown by hundreds of volunteers from all across South Orange County, the people are one step closer to removing the current school board, and, one step closer to restoring honesty, integrity and accountability into our public school system."

"We urge everyone to join with us in support the CUSD Recall Committee's on-going efforts to reform the corrupt leadership at CUSD. Help us fight back – for the taxpayers, for our schools and for our kids' future."

NEWS BRIEF CUSD RECALL COMMITTEE UNVEILS

The CUSD Recall Committee has just unveiled its official weblog/message board site – The CUSD Recall Forum. According to the group's spokesman, Tom Russell, the blog will focus on mismanagement and corruption within Capistrano Unified School District. Access the blog by clicking the link at the top of the official website of the CUSD Recall Committee, www.cusdrecall.com



Russell said the new blog site will become the principle Internet gathering place where concerned parents, teachers, taxpayers and elected officials can regularly check in for updates and provocative discussion relating to the campaign to reform CUSD.

The CUSD Recall Forum will provide breaking news stories as well as updates on other ongoing important topics, such as the Orange

The CUSD Recall Committee is the **RecallWarnings** grassroots organization that led South Orange County residents in the unprecedented campaign to recall all seven CUSD elected trustees.

LETTER TO THE EDITOR LACK OF A PLAN JEOPARDIZES CITY

The state collects local tax dollars and returns a portion back – no surprise there. Mission Viejo was developed through the efforts of local citizens to gain more direct control over local infrastructure instead of depending on state politicians to delegate tax funds for local projects. Norman P. Murray, Mission Viejo's first mayor, is one of our city's founding fathers. I had the privilege of working with Norm and such others as Jack Anderson, Dr. Michael Kennedy and Dorothy Wedel on the Planning Commission. Along with transportation issues,

(Continued on page 3)

(Continued from page 2)

the Planning Commission also presides over preliminary plans for housing, including low-income housing.

WHEN our city's founders drafted the city zoning plan years ago, it incorporated a state-required adult entertainment district. For the solution of the requirement to zone such a district, our current zoning map allows such use only in limited areas, and those areas have landlords that do not have adult entertainment businesses as tenants. That pretty much solved citizens' concerns over that use and complied with the state's requirement. The state is not threatening a lawsuit because we have a zoning plan in effect for adult entertainment despite not having such businesses. That makes sense to me, and I believe it is a good way to handle low-income housing in our built-out city.

THE state requires a plan that includes additional provisions not offered to other landowners unless low-income housing is built. These extra mandated incentives should be all that our city offers and not more. The state does not require overriding the General Plan concerns in approving low-income projects. Why not comply with the law and not give away everything else? Recently, certain projects have been rejected over those related issues. Some housing projects have been approved, and the city is now being challenged in court.

THE very basis of this lawsuit is that Mission Viejo did not complete a plan for low-income housing, as it did with the adult entertainment plan. Therefore, we are out of compliance by not having a plan – a plan does not exist. The Planning Commission I worked on was very close to presenting a plan two years ago. I think the plan likely would have complied with state law, but decisions still would have been up to the property owner regarding whether or not to build such housing. To date, even with new planning commissioners and an ad hoc committee of Councilmen Frank Ury and Lance MacLean, such a plan is still not developed.

MY feeling on the subject is that the state has not reasonably funded nor analyzed the true possibility that Mission Viejo can actually build massive affordable housing without detrimental effect on other elements of the General Plan. If this is true, I believe the solution would be to

propose an affordable housing plan based on only the minimum “perks” the state requires and allow the landowner to decide whether or not to build such housing. This approach would be similar to the situation with adult entertainment districts and, to date, none have been built nor proposed due to financial concerns and impacts.

THE current council's approach is absurd. They've provided giveaways to two developers far beyond the average property owner's privileges so that wealthy landowners can capitalize on the city's lack of an approved low-income housing plan. The situation has evolved to a point this city is not now in a position to defend in court the lack of a plan. Instead of the current approach – which clearly has not worked – we should be vigorously defending a submitted plan that is designed to minimize low-income housing in accordance with actual state compliance requirements and not saturated with developer leniency. We formed this city to have control of its own destiny, and state laws require a city to do just that. Yet, some current city officials have tossed that responsibility aside. The city is now being sued, which jeopardizes the future of Mission Viejo.

Bo Klein
Mission Viejo

LETTER TO THE EDITOR LEGACY OF THE COMMUNE

One of the most interesting insights of the year came out of the May 1 Mission Viejo City Council Meeting.

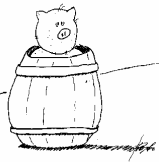
Item 21 was with regard to the Community Service Commission's recommendation for the master plan for restrooms in our neighborhood parks. Restrooms are needed in selected parks where priorities are established and secure lockups after dark can be provided. What began as a necessary restroom for Melinda Park due to high priority needs was elevated to restrooms in many parks where they may be needed on a priority basis. What is interesting about this proposal was the cost of \$500,000 per restroom advanced by city staff.

\$500,000 per toilet ! *(Continued on page 4)*

(Continued from page 3)

At the meeting, a dedicated citizen provided a price list for prefabricated restrooms ranging up to \$75,000 per unit, depending on what is required and the size of the unit. These restrooms are prefabricated units shipped to Mission Viejo, mounted on a pad at the park and hooked up.

What is so interesting is the lesson provided in the cost of government. Through a citizen's effort in using the Internet, our city could save at least \$425,000 per unit on bathrooms. Why couldn't city staff find this reasonable solution? It came from our dedicated citizens, and it represents how bloated and unimaginative our government can become.



James Edward Woodin
Mission Viejo

LETTER TO THE EDITOR WATCH THE CUSD SHELL GAME



Is it true Mission Viejo redevelopment funds are being used to pay off the \$35-million-dollar Certification of Participation that Capistrano Unified School District borrowed to finance its new administration building? A portion of this COP was supposed to fund reconstruction at Newhart Middle School according to Resolution 0102-72, dated Mar. 18, 2002.

The funds haven't been used to modernize or repair Newhart, and some parts of the school are in bad condition. Instead of the permanent facilities it needs, Newhart has received more portables. Enrollment at this school hasn't fluctuated enough to warrant the imbalance of 53 portables and 19 permanent classrooms.

The contrast is stunning between some of the rundown schools in Mission Viejo and the extravagant new administration building. An example of final touches, the new building includes wrought iron balconies, some of which are purely ornamental for windows without outdoor access. The commercial building next door is plain by comparison, and it was built by

a private developer. How can CUSD afford the new building while cutting programs and asking parents to make up the difference? The cost of the administration building jumped from \$25 million to \$35 million while parents were raising money for everything the district "can't afford."

Parents and other community members who have been watching the Taj Mahal being built alongside the freeway in San Juan Capistrano know that something isn't right with this school district. The shell game of school finance is only one of the problems.

<http://www.threeshellgame.com/allure.htm>

Connie Lee
Mission Viejo



STAFF EDITORIAL

Approximately 75 people attended the Town Hall meeting on Mon., May 8. Council members sat at a long table with the assistant city attorney next to them. Audience members who wanted to ask a question were recognized by Mayor Lance MacLean, and each council member had a chance to respond to all questions. Residents could ask a question but not engage in conversation with the council.

The audience had NOT come to praise the council. However, the tone was polite. Many of the questions were with regard to affordable housing issues. Q. Residents asked why the council had rezoned two commercial parcels to residential and why other means of attaining affordable housing goals had not been pursued. A. Councilman John Paul Ledesma expressed anger that the city had been sued, saying he would like to counter-sue.

Was that the answer?

One resident asked if Mission Viejo had consid-

(Continued on page 5)

ered joining with other cities in fighting off the state's housing goals. In summary, nothing has been tried except to put a small percentage of affordable units into two condo projects in areas that were formerly zoned for commercial use. Another resident suggested the council erred by rezoning the commercial property. Beyond residents' opposition to the project, it provided grounds for the lawsuit against the city. No direct answers were given to several questions, and MacLean instead asked the city's legal counsel to respond. The attorney's responses were usually general and without reference to case law.

If the sentiment of those attending the meeting is widespread, the council appears to be out of step with the community regarding affordable housing, traffic, slope maintenance and several other issues.

A resident asked if the city would consider condemning the Irvine City Council's action of "hijacking" the Great Park. MacLean answered it would not, and he defended the Irvine council's position. Councilman Frank Ury appeared to agree with MacLean.



An audience member asked about building bathrooms in neighborhood parks, and she objected to any plan for a bathroom at O'Neill Park. She seemed to be referring to sexual predators who hang out in public restrooms, saying problems could be avoided if no bathrooms were built. Various council members attempted to explain why the city is considering bathroom facilities at parks, particularly since only one park had been the focus of a request.

Another resident said the city needs long-term planning. Several council members made reference to the city's General Plan and the master financial plan, which require periodic updates, saying the planning takes place at regular intervals.

A council candidate, Diane Greenwood, sat on the front row and began talking about Southern California Edison's power lines before stating she wants Mission Viejo to have a downtown area so she can have dinner at a restaurant in a



downtown environment. She identified the retail center at LaPaz and Marguerite Parkway as her choice for a downtown. Several council members explained that the retail center is owned by numerous parties, and such a project would probably involve use of eminent domain.

A resident asked if the city would consider taking a stand against illegal immigration. Several council members said it was a matter for the federal government to handle.

The meeting began at 6 p.m. and ended at 7:30. MacLean reported that the audience had asked 18 questions.

That many huh!?



Councilman Lance MacLean's campaign finance report, July through December 2005, shows his fundraising activity regarding city vendors and developers. For all of 2005, his primary donors were Steadfast (\$2,500) and Fieldstone (\$1,749), which are both associated with the housing project he approved on Feb. 20, 2006. MacLean advocated for the developer prior to the vote and ignored residents' comments and objections, including a petition against the project signed by 3,000 people.

Council members say, "It's a state mandate," referring to affordable housing goals. What mandate are they talking about, and where did they get such information? The city attorney's long-winded responses rarely cite case law. Residents should hope the city isn't depending solely on its attorney's advice in the lawsuit filed by the Public Law Center.

Responding to questions at the May 8 Town Hall meeting about affordable housing and the lawsuit against the city, Councilman Frank Ury indicated it wasn't his fault. It

(Continued on page 6)

(Continued from page 5)

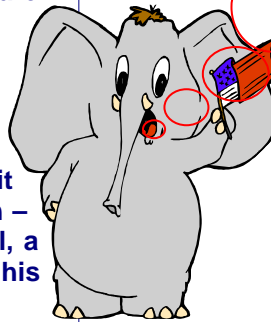
seems the key to his success is blaming others for his failures. He said the problems occurred "five years ago" when affordable housing issues weren't addressed. Ury on Feb. 20, 2006, voted for Steadfast's housing project, which is the basis of the lawsuit. Ury campaigned in 2004 on "leadership." His supporters should have asked where he was leading.



Students in the Capistrano Unified School District can go to the back of the line – behind administrators – again. A district insider said 250 administrators are recipients of new BlackBerry wireless communication devices. Parents should ask why a BlackBerry is essential equipment when they're raising money for classroom supplies and their children are sitting on the floor to eat lunch.



Two more city council candidates are headed for the November showdown. Councilman John Paul Ledesma made it official on May 4 by filing his intent to run – no surprise. On May 8, Dr. Michael Ferrall, a Community Services Commissioner, filed his intent to run.



Ferrall several months ago presented concepts to the commission on attracting a private college or private high school to the city. Possibly as a related matter, a college employee said Saddleback College is currently dealing with mold issues, but it is open to discussing a four-year college moving into space formerly occupied by Cal State Fullerton's satellite campus at Saddleback's south end. In addition to retrofitted classrooms, amenities would include parking space for 1,000 cars.

SAKS
FIFTH
AVENUE

Sak's Fifth Avenue at the Shops will remain open. The decision was made at Sak's New York headquarters following an earlier announcement the store was slated for closure. A press release stated, "The retailer said it decided to keep the Mission Viejo Saks after determining it could meet its profitability standards."

On the payroll: the city of Mission Viejo's full time equivalent is 135. By contrast, the city of Rancho Santa Margarita, also a contract city, has 16 full-time employees and two part-timers. RSM also contracts with approximately 35 additional workers for services such as planning and engineering to accommodate projects, which vary. An RSM employee said their contract philosophy allows for flexibility.



That's it for this week!