



MISSION VIEJO BUZZ

Keeping the California Promise

Week of August 26, 2006

The Patriot Post Founders' Quote Daily

"I am not influenced by the expectation of promotion or pecuniary reward. I wish to be useful, and every kind of service necessary for the public good, become honorable by being necessary."

-- Nathan Hale (remark to Captain William Hull, who had attempted to dissuade him from volunteering for a spy mission for General Washington, September 1776)

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THE EDITORIAL FOR THE WEEK FOR WHOM THE BELL TOLLS BY BO KLEIN



The city council race has begun. An abundance of candidates are charging ahead like Pamplona's Running of the Bulls down Mission Viejo's streets. Who will get trampled under hoof, and who will butt heads while bellowing campaign rhetoric? The untouchables are loose – don't dare get in the way of this herd. Count 'em, ten in all! That's a lot of mess to clean up later.

As the campaigns begin, discussion around town generally starts with what services a city should provide. The range of response includes "everything for everybody" or "nothing for all, all for me." What a city should provide to justify its existence to its owners – the public – is a matter of balance. Enter the politicians who claim to know the proper balance of who gets what. Our city charter has elements of safety, transportation, fire, recreation, housing and other obligations that change with every new majority rule. The budget and staff will service those elements as directed by our elected officials. God forbid if politicians have their own agendas that throw out the balance of a city, and yet, it certainly happens.

It's perfectly logical to assume any candidate has a personal agenda or goal to push forward if elected. What happens when candidates are elected and their obsessive personal agendas overcome logic and balance? Such an example is Councilwoman Trish Kelley.

The Saddleback Valley News reported Kelley's Aug. 21 agenda item of having the city perform an inquiry into the now seriously gored and trampled Capistrano Unified School District. The district had been sewn on like a Siamese twin to Kelley over the years, and her personal agenda of cooperating with them has thrown our city out of balance. She lately is attempting to shed the relationship as if she personally has been afflicted by their questionable actions. She



casts her CUSD friends off to the buzzards to save her own hide (as in hide from inquiry herself, not hide of a bull). That's like one black buzzard calling another one black.

Blog staffers, in fact, support Kelley's request for a letter of reprimand and an investigation. The council should additionally ask for an investigation of Kelley. In CUSD, relatives of trustees receive excessive payment and special privilege, and loyal PTA-types have been rewarded with district jobs. As an aside, taxpayers crying "FOUL" over Supt. James Fleming's son being hired by a CUSD plumbing contractor should

(Continued on page 2)

(Continued from page 1)

take note Kelley's son was given a job by the city's ambulance contractor while her other son was hired by a competitor who also wanted the ambulance contract.

Has Kelley reaped any personal income from her association with Fleming and the trustees? While she was on the PTA, the district diverted our tax dollars to other cities while our schools deteriorated. Kelley responded by pressing parents to donate the difference and tax themselves again with Measure A. On the council, she has diverted city tax income to benefit a school district, espousing the "everything for everyone" view. Kelley effectively blocked the zoning of two massive land parcels slated for business development, which would have allowed private schools, thus preventing competition for her allies. When her allies leave office, will she still receive the same privileges of any piano instructor in town? Will her prior loyalty afford continual unlimited personal access and referrals to the CUSD student base without ever paying for advertising?

When an elected official or a candidate proposes ideas, voters need to consider balance before voting. It behooves us to vote wisely on Nov. 7. When a politician like Kelley wears a slogan like "Community of Character" and attempts to color herself and allies as unimpeachable, she should know the truth will come out. Reconciling the difference is called the balance of justice, *and that's no bull.*

LETTERS TO THE EDITOR

LATEST REVISED JUNE 2007 BUDGET

The city staff presented to the city council the revised 2006-2007 budget at the council meeting on Aug. 21. Just because the budget is straightforward, it does not mean it is acceptable as written. The following observations may be applicable:

1) The budget as submitted still provides for a Director of Technology at \$153,000 plus benefits. Benefits usually add up to 25 percent or 30 percent of salary or more. This is simply a meal ticket for someone, since technology changes so fast that a person will have to be at a conference 24/7 weekly just to keep up. The city could hire people or specialists of the best

type, and this would still apply. This position should be contracted out for the best results on a semi-annual or tri-annual basis. Mission Viejo is a contract city, and we should remain consistent.

2) Under Exhibit A of the budget, the \$2 million park development fee from Steadfast, presumably, is still reflected in the budget. If funds have not been paid in, they are uncollected funds. The Exhibit shows \$35 million in reserves currently, and \$67 million or \$68 million in revenues. (A question has been raised regarding how much of the \$35 million has been received.) Budget expenses are \$51 million with \$12 million or \$13 million in capital expenditures. The net effect is to have a reserve fund on June 30, 2007, of \$37 million, or simply \$2 million above current reserves. When park fees are taken out, the city is operating at zero or a deficit

3) Since the budget is designed to spend 100 percent of what the city takes in or close to it, there is no margin for error. The budget is, therefore, bordering on a deficit because expenses may exceed income.

4) The city is spending roughly two times its reserve fund balances. To put it another way, the city is spending close to 100 percent of its income or revenues.

5) Failure to bring the budget in line by providing for reserve increases will result in pain downstream in subsequent years.

James Edward Woodin
Mission Viejo

MISSION VIEJO CHANNEL 30 SHOW BIZ

"Monday Night Live," Mission Viejo's most entertaining TV show, is due for a change. One of the present "stars" peaking out is Mayor "Nothing is Wrong with Newhart School" Lance MacLean. The other fadeout is Past-Mayor "Cost-Overrun and Too Late to Get into the Me-too Capo Recall Issue" Trish Kelley.

Now is the time to reload our tapes with a new cast, namely with outstanding bright stars standing in the wings with qualified profes-

(Continued on page 3)

(Continued from page 2)

sional experience. James Woodin and Michael Ferrall already have their acts together, and they will definitely complement the city council. Bring them along with John Paul Ledesma, of course!

Bill Cruse
Mission Viejo

MISSION VIEJO BUSINESS WATCH UNISYS PROPERTY GOES ON THE MARKET

The Unisys property near Jeronimo and Los Alisos is for sale. Residents should watch closely, as the property could be rezoned from commercial to high-density residential. The current city council rezoned two parcels along Los Alisos, approving high-density housing projects despite strong objections from their constituents. Residents at a council meeting presented a petition signed by approximately 3,000 people opposing the project. All five council members took campaign donations from Steadfast, and the council voted 5-0 to approve the zone change and housing project.

The commercial division of Steadfast Properties owned the 27-acre Unisys location until the end of 2004. John Saunders Property is the current owner.

The Unisys location should not be confused with the adjacent parcel to the north, which was owned by Steadfast's affordable apartment division until Target bought the property last year. Target's proposed project, now in litigation, includes high-density residential with an affordable housing component, along with a Target store. While some residents may have become complacent with Steadfast out of the Unisys picture, the threat remains for flipping the Unisys site to high-density residential.

Following is information compiled by a resident regarding the Unisys site:

"The listing shows about 17 of the acres for potential residential development, although it is zoned commercial. Steadfast sold the property for about \$42 million, but the listing estimates

the value, with a change to residential rezoning, at between \$59 million and \$75 million. The commercial portion is shown with an estimated value of \$1.4 million to \$1.6 million per acre, but the potential rezoned property for residential use is estimated at between \$2.8 and \$3.4 million per acre. The value is predicated on Unisys vacating, but perhaps a rezoning would create enough potential profit to buy Unisys out of its lease.

"This illustrates the enormous profit potential to developers just for achieving a zoning change, regardless of whether they ever building anything on it. They can 'flip' the raw land for a huge sum. Zoning that permits higher density (more residential units per acre) of course creates even higher value to the property owner and developer."

CITY COUNCIL CAMPAIGN UPDATE THUGS LEAVE THEIR MARK



All eyes and ears are needed to ensure the 2006 Mission Viejo council campaign is ethical. In 2004, three separate campaigns reported yard signs were stolen or vandalized in nightly, Halloween-style pranks. All three campaigns had eyewitness reports of the culprits, and all leads, including vehicle descriptions, pointed to two people. For years, residents have observed a few thugs who act as if they run the city. They make nasty remarks at council meetings, they shout down and intimidate anyone who disagrees with them, and they demonstrate no respect for the rights and property of others.

In October 2004, City Hall received a call from a homeowners association in San Juan Capistrano. A maintenance worker found hundreds of Mission Viejo campaign signs in a dumpster near the HOA clubhouse. Most were the signs of candidate Nancy Howell, but Gail Reavis, Dan Joseph and Brad Morton's signs were among the mix. A few Ury signs were tossed in the dumpster as well.

The HOA manager knew the signs had been

(Continued on page 4)

(Continued from page 3)

illegally dumped. She tried calling Ury, as his was the only listed phone number. She said she spoke with Ury and informed him of the dumped signs. She asked him to inform other candidates so they could retrieve their signs. Ury said he would, but he didn't. Other candidates said they received no such call from Ury. By the time other campaigns heard about the matter, the signs had been taken to a landfill. A trademark of Ury's "sign team" in 2004 was to place a Ury sign directly in front of an opponent's sign. Some opponents' signs were spray-painted, and other signs were pulled up from the ground and damaged to prevent re-use. Among three campaigns (Reavis, Morton and Howell), more than 1,000 signs were either damaged beyond repair or they disappeared altogether. Those suspected of causing the problems have another dog in the November 2006 fight. Residents should expect to see her signs place directly in front of other candidates' signs. The city thugs particularly oppose incumbent Lance MacLean, and residents can bet his signs will take a beating.

Anyone who sees a suspect tampering with campaign signs should get a description of the person or vehicle and immediately call the police. Getting a license plate number is crucial. Destruction, vandalism, theft and tampering with signs are crimes. With the help of vigilant residents, the culprits can be caught and prosecuted.

The committee sent a letter to the CUSD trustees demanding they immediately relieve the judge of his investigative duties. The committee discovered Waldrip was a senior partner with the law firm of Rutan & Tucker, CUSD's primary law firm. Waldrip worked at Rutan & Tucker for 13 years, from 1967 to 1979. The press release stated, "This obvious conflict of interest disqualifies Judge Waldrip from acting as CUSD's independent investigator." Following is additional text from the recall committee's press release.

"The CUSD Recall Committee also demanded that the CUSD trustees abandon the pretense of conducting (and paying for) their own independent investigation. The CUSD trustees should not waste another penny of taxpayer money directing their highly paid lawyers to engage another highly paid consultant to conduct an "independent investigation."

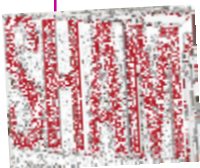
"Numerous allegations of illegal and criminal acts committed by CUSD leaders now exist. Compelling evidence supports those allegations. The CUSD trustees cannot ignore these facts.

"An independent investigation into these matters is already under way – the Orange County District Attorney is conducting it. Therefore, we demand that CUSD abandon its own "independent" investigation and instead:

- a) Invite the district attorney to come into CUSD to investigate;
- b) Confirm that Supt. Fleming and each of the trustees will cooperate fully and submit to one-on-one interviews with the district attorney's investigators;
- c) Confirm that all CUSD files, computers, books and records will be made available for immediate inspection by the district attorney's investigators; and
- d) Instruct every CUSD employee and official to cooperate fully and to come forward with any information they have relating to these serious allegations.

"Continued failure by the trustees to invite the district attorney to investigate these matters suggests strongly that the CUSD leadership does not really want a full and complete investigation."

(Continued on page 5)



CAPO SCHOOL DISTRICT UPDATE INVESTIGATION OR SHAM?

The objectivity of Judge Stuart Waldrip has been challenged. The Capistrano Unified School District's Board of Trustees recently chose Waldrip as an independent investigator regarding alleged district wrongdoing. The CUSD Recall Committee on Aug. 20 released a statement, saying the investigator has a conflict of interest.

<http://talk.ocregister.com/showthread.php?t=19514&page=107&pp=15>

(Continued from page 4)

LETTER TO CITY COUNCIL MEMBERS ACTION REGARDING NEWHART SCHOOL

Thank you again for the time you devoted to the Newhart issue during last night's council meeting. Your vote to send a letter to Capistrano Unified School District expressing your deep concern over Newhart and recent events, and to expend up to \$15,000 to perform an environmental study at Newhart, if CUSD will cooperate and allow such a study, sends a powerful message to CUSD; and it lets everyone know that the City of Mission Viejo cares deeply about what happens in the city and to its residents.

Attached is a copy of my letter to Jack O'Connell, the state superintendent of public instruction and director of education, basically appealing the response from CUSD to my *Williams* Complaint. I have also attached copies of CUSD work orders for Newhart for the period August 2004 to August 2006. Review of these work orders clearly shows the varied and long-standing problems at Newhart, and they confirm why the Mission Viejo City Council needed to act as it did.

Again, my deepest thanks and appreciation for being proactive on behalf of Mission Viejo children, parents and teachers.

Wayne P. Tate, Esq.
Ostendorf, Tate, Barnett & Wells, LLP
Mission Viejo



The Republican Central Committee of Orange County on Aug. 21 endorsed council incumbent John Paul Ledesma but **NOT** Council

Members Lance MacLean or Trish Kelley, who are also up for reelection. The maneuvering of Councilman Frank Ury prevented all three from getting an uncontested endorsement, but Ledesma eventually prevailed. While MacLean and Kelley's records show they're not fiscal conservatives, Republicans or responsible adults, Ury's attempt to jettison Ledesma was ridiculous. Ury has at least been consistent in his attempts to destroy all other council members.



The ballot statements of some of those running for city council give new meaning to the phrase "résumé enhancement." Bill

Oops ! I forgot ...



Barker apparently forgot he retired 10 years ago. Adding to the hilarity is Trish Kelley's listing of "chairman of OCFA budget and finance committee." Can she add two and two? Kelley sits silently during financial discussions on the council. On July 31, she clearly hadn't read the budget material and wasn't able to participate – which is probably fortunate.

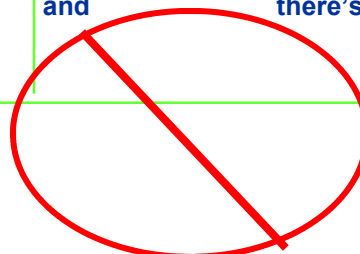


Despite a highly misleading story in the Aug. 23 OC Register, Mission Viejo doesn't have a money tree, and it doesn't have \$16.6 million to spare. Those who watched the Aug. 21 meeting learned the city is spending money as fast as it's taking it in. There's no excess, there's no bonus, and the reporter who wrote the Aug. 23 story apparently didn't understand. The article in the Register should have said the city hopes to be \$16.6 million ahead in one year – barring natural disasters, spendthrift council majorities, budget overruns, etc. What are the chances? The city two weeks ago adjusted downward the amount for this year by \$15.2 million. Another person who didn't catch the difference was Councilwoman Kelley, as she repeated over and over, "The city has \$35 million in reserves!" No, it doesn't. She made the same claim in her ballot statement, and it's wrong.



Incredibly, the council during its Aug. 21 meeting voted to allocate \$200,000 to a senior transportation pilot program. There's no program, and there's no plan. Everything

(Continued on page 6)



(Continued from page 5)

thus far has fallen through, including desperate, last-ditch efforts of throwing something together before the election. If Ms. Kelley would like to mislead seniors in Mission Viejo that she's delivered on her campaign promise of four years ago to provide them with transportation, she hasn't. To check the veracity of any such claim appearing in campaign literature, seniors should call City Hall, (949) 470-3000, and ask for a ride. **DIAL 1-5427**

★★★★★



An alert resident noticed the Unisys property is for sale. This news is crucial for all who watched in disbelief as the city council voted to approve Steadfast's zone change and affordable housing

project adjacent to the Unisys site. Be prepared to vote on November 7. The two council challengers who have vowed to stop more housing of any kind are Jim Woodin and Michael Ferrall. Both candidates have specifically stated they will oppose high-density, welfare affordable housing.

★★★★★

Blog readers have asked about the division line in Mission Viejo between Saddleback Valley and Capistrano school districts. CUSD includes everything south of Oso in Mission Viejo and everything east of Marguerite between Oso and Trabuco. The line then follows Trabuco to Los Alisos, with CUSD on the east and SVUSD on the west. The north boundary of CUSD is Olympiad north of the lake, and the line follows Melinda northeast of the lake. Casta del Sol is in Capo, and Palmia is in the Saddleback district.

★★★★★

While the Capistrano school district administration is reeling from the district attorney's investigation, the recall group should be making hay. A bright spot is Mission Viejo resident Ellen Addonizio, who is running against embattled incumbent Sheila Henness. Addonizio, a C.P.A., has a stellar background, including investigative accounting. Although the candidates must live in designated areas within the district to run for a specific seat, Mission Viejo residents who live in CUSD will get to vote for three candidates. It's not the top three vote-getters, it's the winner in each of three areas.

★★★★★

In addition to Addonizio's race, the two other

contests in CUSD include a fight for incumbent John Casabianca's seat, where he and three others filed to run. Larry Christensen of Coto and Kathy Lebon of Mission Viejo are challengers, and a third one may have dropped out. Dr. Ron Lackey of Monarch Beach spoke about CUSD issues at the Aug. 21 Mission Viejo council meeting and introduced himself as a candidate in his area. Four other candidates in Lackey's area have filed for the seat of Crystal Kochendorfer, who is retiring. The blog staff isn't making recommendations just yet except for Mission Viejo's Ellen Addonizio.

★★★★★

Frank Ury will apparently run to replace Assemblyman Todd Spitzer when Todd's term expires in 2008, according to county-level insiders. Those who know Ury have long suspected his so-called council service is a springboard to higher office. Ury throughout his 2004 council campaign said, "Let's take Mission Viejo to the next level." While Ury is taking himself to the next level, he's opened the door for his buddies to take Mission Viejo to the cleaners – he wants citywide wi-fi, developer deals for a large affordable-housing complex, an independent utility company for the city, a mega recreation development in Lower Curtis Park, and apartments on top of stores at La Paz and Marguerite – friends of Ury play and residents pay.



Don't talk unless you can improve the silence

The End