



Mayor Garcia provided background information about the team's accomplishments and presented certificates of recognition to the team as follows: Bob Diluchio, Manager; Scott Poirot and Doug White(absent), Coaches; Austin Anderson, Spencer Anderson, Michael Ballasch, Ryan Dilucio, Josua ellis, Tyler Hudson, Jackson Odgers, Ryan Poirot, Sam Ponzio, Alex Ruiz, Johnny Santiago and Bryan White, Players. Mr. Diluchio expressed thanks to the City for recognizing the team's efforts and hard work.

#### ADDITIONS, DELETIONS, AND REORDERING OF THE AGENDA

None at this time.

#### CONSENT CALENDAR

Mayor Garcia asked if any member of the City Council or the public wished to remove an item from the Consent Calendar. There were no requests from the Council or the public to remove any items.

**MOTION: COUNCIL MEMBER PHILLIPS MOVED AND COUNCILMEMBER CAVE SECONDED TO APPROVE CONSENT CALENDAR ITEMS 1 - 7 WITH A CORRECTION TO ITEM 2, AS FOLLOWS:**

1. WAIVE THE READING OF ALL ORDINANCES AND RESOLUTIONS

Approved the reading by title only of all ordinances and resolutions wherein the titles appear on the public agenda; said titles shall be determined to have been read by title, and further reading was waived.

2. MINUTES – REGULAR MEETING OF AUGUST 19, 2009

Minutes were approved with the following correction by Mayor Garcia: On Pages 5 and 6, under Agenda Items 9, 10, and 11, the votes should reflect 3-0 since Councilmember Ficke and Mayor Pro Tem Tsunoda were absent.

3. ACCOUNTS PAYABLE

Ratified Accounts Payable checks issued August 13, 2009 in the amount of \$575,167.43 and Accounts Payable checks issued August 20, 2009 in the amount of \$127,640.87.

4. TREASURER'S STATEMENT – JULY 2009

Approved the July 2009 Treasurer's Statement.

5. JUSTICE ASSISTANCE GRANT (JAG) FUND DISTRIBUTION

Approved the Agreement for the transfer of funds for the Fiscal Year 2009 Recovery Justice Assistance Grant (JAG) Program from the County of Orange to the City of Aliso Viejo.

6. ADVERTISE FOR BIDS – PACIFIC PARK DRIVE REHABILITATION (CHEYENNE TO ALISO VIEJO PARKWAY)

Approved contract documents, specifications, and plans for Pacific Park Drive Rehabilitation Project and authorized staff to advertise, evaluate bids, and recommend contractor for Pacific Park Drive Rehabilitation project.

**MOTION UNANIMOUSLY CARRIED ON CONSENT ITEMS 1 AND 3 – 6. MOTION CARRIED 3-0 ON ITEM 2, AS AMENDED, WITH COUNCILMEMBER FICKE AND MAYOR PRO TEM TSUNODA ABSTAINING.**

**END OF CONSENT CALENDAR**

**DISCUSSION ITEMS NOS. 7 THROUGH 10**

7. ZONING CODE AMENDMENT (PHASE II)

Planning Consultant Larry Lawrence presented the staff report and responded to questions pertaining to requiring the same environmental standards for wet labs and R&D regardless of size of business establishment, industry standards and how other cities control wet labs, the review and approval process for applicants submitting applications prior to the adoption and effective date of the comprehensive zoning amendment ordinance, and the definition of semi public.

Councilmember Cave provided the following comments for further clarification and changes in the final draft for Council consideration:

1. Page 14 Bedroom: Refine definition to include dens, family room, bonus room and other similar rooms?
2. Page 16 Office Park: Why is it lumped in with business park and industrial park? If they all have the same definition why are they zoned differently?
3. Page 31 Guesthouse: Refine definition to stipulate that they are not to be used as rental units.
4. Page 34 Kitchen: Refine definition of cooking appliances, e.g. toaster ovens, microwave oven, etc.
5. Page 34 Kitchen: Refine definition of a kitchen or a cooking facility inside a guest house.
6. Page 38 Manufactured Home – Separate manufactured homes from

mobilehomes. They are not the same.

7. Page 46 Planned Unit Development: This sub-title should be in bold.
8. Page 51 Second Residential Unit – ensure consistency with goals and stipulate that it is not intended for sale
9. Page 67, Table 15.12.020 – Permitted Uses in Residential District: Ensure that design standards for mobilehomes or manufactured homes are the same as a regular house. There should be no architectural differences between them.

Council directed staff to continue with the Zoning Code amendment process noting the questions and comments provided this evening.

Council also provided clarification that if a project application is submitted prior to the adoption and effectiveness of the zoning code amendments, an urgency ordinance could be considered by Council.

#### 8. UPDATE ON CITY OF ALISO VIEJO'S STRATEGIC INITIATIVES

City Manager Mark Pulone presented the staff report and provided updates on some projects including the Aliso Creek at SR73, Bike Trail on SCE Row, Aliso Viejo Parkway Median at Pacific Park to Grand, Aliso Viejo Ranch Rehabilitation Project Phase 1, Transportation Plan (Go-Local project), Mareblu Rehabilitation project at Pacific Park to North End and other Prop. 1B projects listed, and the Public Access Computer Station.

Staff responded to questions regarding the total project cost and funding source for the Go Local project under the Transportation Plan #042. Council suggested listing the all-inclusive total project cost and Measure B funds as a funding source for this particular project. Staff also responded to questions regarding the rejection of the plans by Caltrans for the Aliso Creek at SR73 Traffic Islands #037 project and received comments from Council to consider looking at other options. Council also commented about the trail projects and the availability of federal grant funding to promote walkability. Council requested staff ask Townsend Public Affairs to monitor for funding sources.

Mayor Garcia opened for public comment and there was none.

There was no further discussion on the matter. Staff noted Council comments.

#### 9. GPA 08-01 HOUSING ELEMENT AMENDMENT

Director of Planning Services Albert Armijo presented the staff report and noted that John Douglas, Consultant, is present to answer any questions.

Questions and discussion ensued regarding overlay zones, timelines and next steps, self-certification, and consequences for non-compliance.

Mayor Garcia opened for public comment and there was none.

**MOTION: COUNCILMEMBER FICKED MOVED AND COUNCILMEMBER PHILLIPS SECONDED TO DIRECT STAFF TO SEND AN AMENDED VERSION OF THE DRAFT HOUSING ELEMENT TO HCD WITH RESPONSES TO THE MARCH 24, 2009 HCD LETTER. MOTION CARRIED 4-1, COUNCILMEMBER CAVE DISSENTED.**

#### 10. ENGINEERING CONSULTANT SERVICES

Director of Public Works John Whitman presented the staff report.

Mayor Garcia opened for public comment and there was none.

**MOTION: COUNCILMEMBER PHILLIPS MOVED AND COUNCILMEMBER CAVE SECONDED TO AWARD CONTRACTS TO APA ENGINEERING AND CIVLSOURCE TO PERFORM VARIOUS ENGINEERING DESIGN SERVICES AND AUTHORIZE THE MAYOR TO EXECUTE SAID CONTRACTS WITH APA FOR AN AMOUNT NOT TO EXCEED \$400,000.00 AND CIVLSOURCE FOR AN AMOUNT NOT TO EXCEED \$200,000.00 AS NEEDED FOR A PERIOD OF UP TO FOUR (4) YEARS. MOTION UNANIMOUSLY CARRIED.**

#### COMMUNITY INPUT

None at this time.

#### CITY MANAGER'S REPORT

None at this time.

#### ANNOUNCEMENTS/COUNCIL COMMENTS/COMMITTEE UPDATES

##### Ficke

- None at this time.

##### Phillips:

- Thanked staff for their assistance to Trader Joe's for their art display at the grand opening.

##### Cave:

- None at this time.

Tsunoda:

- Requested staff to provide Council with a statistical report related to the summer activities at the Aquatics Center broken down by day, hours, staff, etc. He noted that the data will help plan for next year's activities.

Garcia:

- Announced the grand opening of Trader Joe's on September 8, 2009.
- Reported that there are 14 cats for adoption at the County animal shelter.
- Requested staff to add projected costs to the breakdown of the Aquatics Center summer activity report.

ADJOURNMENT: The Mayor adjourned the meeting at 8:35 p.m. to the regularly scheduled Council meeting of October 7, 2009. The September 16, 2009 meeting is canceled.

Respectfully submitted,

Approved by:

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SUSAN A. RAMOS  
CITY CLERK

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DONALD A. GARCIA  
MAYOR