

CITY OF ALISO VIEJO
CITY COUNCIL MINUTES
REGULAR MEETING
MARCH 21, 2012, 7:00 P.M.
Council Chambers, City Hall, 12 Journey
Aliso Viejo, California

CALL TO ORDER: Closed Session convened at 6:30 p.m.

PRESENT: COUNCIL MEMBERS: DONALD A. GARCIA
WILLIAM A. PHILLIPS
CARMEN CAVE
GREG A. FICKE

ABSENT: COUNCIL MEMBERS: PHILLIP TSUNODA

STAFF PRESENT: MARK PULONE, CITY MANAGER
SCOTT SMITH, CITY ATTORNEY

CLOSED SESSION

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code Section 54957
Title: City Attorney

PUBLIC COMMENT: There was no public comment.

CALL TO ORDER: Mayor Garcia called the Regular Meeting of the City Council of the City of Aliso Viejo to order at 7:05 p.m.

ROLL CALL:

PRESENT: COUNCIL MEMBERS: DONALD A. GARCIA
WILLIAM A. PHILLIPS
CARMEN CAVE
GREG A. FICKE
PHILLIP B. TSUNODA (arrived 7:20
p.m.)

ABSENT: COUNCIL MEMBERS: NONE

STAFF PRESENT: MARK A. PULONE, CITY MANAGER
SCOTT C. SMITH, CITY ATTORNEY
SUSAN A. RAMOS, CITY CLERK
GLENN YASUI, ADMINISTRATIVE SERVICES DIRECTOR
GINA THARANI, FINANCE DIRECTOR
JOHN WHITMAN, CITY ENGINEER/PUBLIC WORKS DIRECTOR
SHAUN PELLETIER, ASSISTANT CITY ENGINEER
ALBERT ARMIJO, PLANNING DIRECTOR
LT. ROBERT OSBORNE, CHIEF OF POLICE SERVICES
SGT. DJ HALDEMAN, POLICE SERVICES

PLEDGE OF ALLEGIANCE TO THE FLAG: Led by Michael Rodriguez, Chief Operating Officer, Clariant Inc.

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

No reportable action at this time.

SPECIAL PRESENTATIONS

A. COUNCIL RECOGNITION AND PRESENTATION TO JOAN BURGE FOR HER OUTSTANDING VOLUNTEER EFFORTS AT THE ALISO VIEJO BOYS AND GIRLS CLUB

Mayor Garcia gave background and invited Joan Burge and her husband James to come forward to receive her Certificate of Recognition. James Littlejohn with the Boys and Girls Club also expressed commendation for her efforts. Mrs. Burge accepted and expressed thanks and appreciation.

B. PRESENTATION ENTITLED "CONNECT THE COAST TO THE CLEVELAND" BY MELANIE SCHLOTTERBECK WITH LAGUNA GREENBELT

Ms. Schlotterbeck with Laguna Greenbelt gave a powerpoint presentation regarding the wilderness connection of about 20,000 acres of protected natural lands in the Laguna Coast to the more than 150,000 acres of the Cleveland National Forest and the Santa Ana Mountain foothills, noting in particular the connection northeast of the Great Park known as the Federal Aviation Administration (FAA) property. She stated this property was originally designated as part of an adopted habitat reserve called an NCCP/HCP and the FBI wishes to convert its uses to a tactical training facility, and has developed an environmental document which portends no negative environmental effect from this transfer of ownership and new use. She said Laguna Greenbelt believes differently and is asking the cities that link or abut said wilderness corridor to provide their comments on the environmental assessment document. She also requested Council adopt a resolution of support to preserve these lands from the transfer of ownership and change

of use.

At this time, Councilmember Tsunoda arrived at 7:20 p.m.

Mayor Garcia and Mayor Pro Tem Phillips gave some background and discussion ensued.

City Manager Pulone stated that the Planning Director will prepare a comment letter to the FBI expressing opposition to the proposed use.

THERE WAS COUNCIL CONSENSUS TO SUPPORT THE PRESERVATION OF SAID LANDS FROM CHANGE OF USE AND OWNERSHIP.

ADDITIONS, DELETIONS, REORDERING TO THE AGENDA

None

CONSENT CALENDAR

Mayor Garcia asked if any member of the City Council or the public wished to remove an item from the Consent Calendar. No member of the City Council and the public requested that an item be removed for discussion.

MOTION: COUNCILMEMBER CAVE MOVED AND MAYOR PRO TEM PHILLIPS SECONDED TO APPROVE CONSENT CALENDAR ITEMS 1 - 8 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 is waived.

2. MINUTES – REGULAR MEETING OF MARCH 7, 2012

Approved the Minutes as submitted.

3. ACCOUNTS PAYABLE

Ratified Accounts Payable checks issued March 1, 2012 in the amount of \$727,089.91, and Accounts Payable checks issued March 8, 2012 in the amount of \$101,290.87.

4. ADOPTION OF ORDINANCE 2012-140 ZONING CODE AMENDMENT INCLUDING CHANGES THROUGHOUT THE CODE

Conducted second reading and adopted said Ordinance entitled:

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, ADOPTING ZONING CODE TEXT AMENDMENT PA 12-001 TO AMEND TITLE 15 OF THE ALISO VIEJO MUNICIPAL CODE (ZONING CODE)

5. CLAIM FOR DAMAGES: JOE HARDING

Claim rejected pursuant to the City's claim adjuster, Carl Warren & Co. recommendation.

6. RELEASE OF BOND FOR SHEA HOMES VANTIS, INC. – TRACT 16865

Adopted a Resolution entitled:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, RELEASING SUBDIVISION MONUMENT BOND NO. 6399472 FOR SHEA HOMES VANTIS, INC. – TRACT 16865

7. RELEASE OF BOND FOR DONAHUE SCHRIBER REALTY GROUP, L.P.

Adopted a Resolution entitled:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, RELEASING SUBDIVISION BOND NO. 2209700 FOR DONAHUE SCHRIBER REALTY GROUP, L.P. FOR THAI BITES IN ALISO PACIFIC PLAZA – APN 62917109

8. REDUCTION OF BONDS FOR VANTIS, SHEA HOMES – TRACT 16865

Adopted a Resolution entitled:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, REDUCING THE AMOUNT OF THE GRADING PERMIT SURETY BOND NO. 0433628 TO \$50,000 AND PUBLIC IMPROVEMENT PERFORMANCE BOND NO. 6399471 TO \$100,000 FOR SHEA HOEMS VANTIS, INC. – TRACT 16865

MOTION UNANIMOUSLY CARRIED TO APPROVE THE CONSENT CALENDAR AS PRESENTED.

PUBLIC HEARING ITEM NO. 9

9. PA 12 – 004 A CONDITIONAL USE PERMIT TO ALLOW EXPANSION OF A WET LABORATORY BIOMEDICAL TESTING OPERATION IN AN EXISTING BUILDING

City Manager Pulone reported staff is recommending to continue the public hearing to April 18 to allow additional time to complete environmental review of the proposed project.

Mayor Garcia opened the public hearing and there was no public testimony received.

MOTION: COUNCILMEMBER CAVE MOVED AND COUNCILMEMBER FICKE SECONDED TO CONTINUE THE PUBLIC HEARING TO APRIL 18, 2012 AS RECOMMENDED. MOTION UNANIMOUSLY CARRIED.

DISCUSSION ITEMS NOS. 10 THROUGH 13

10. GREEN CITY INITIATIVE

Director of Planning Albert Armijo presented the staff report.

Mayor Garcia opened public comments and the following persons spoke:

1. Lane Avery, business owner, expressed support and commented on sustainability.
2. Camila Duarte, expressed support and commended the process, noting the strong participation, networking and community building as a result of it. She suggested the City tap into the positive energy and involvement that has taken place to help get things done.
3. Andrew Hunter, expressed support of the initiative and the process. He suggested the City consider a traffic turnout on Aliso Viejo Parkway and Aliso Creek for loading and unloading zones for the ANHS students noting this would improve traffic and provide a safer route to school for pedestrians and motorists.

Discussion ensued. Councilmember Cave suggested creating a matrix when the item comes back to Council after the public comments process is completed. The matrix would identify the initiatives, implementation timelines, lead agency, and who would bear the cost, to help determine how much of this effort would directly be borne by the City.

City Manager Pulone noted he will work with staff on this matrix and keep Council apprised.

MOTION: COUNCILMEMBER CAVE MOVED AND COUNCILMEMBER FICKE SECONDED TO CONTINUE THIS ITEM OFF CALENDAR. MOTION UNANIMOUSLY CARRIED.

11. REPORT ON PLANNING COMMISSION

Director of Planning Albert Armijo presented the staff report.

Mayor Garcia opened public comment and there was none.

Discussion ensued regarding the impact on planning activities from a built out community and the increase in efficiency from one less layer of government.

MOTION: COUNCILMEMBER CAVE MOVED AND COUNCILMEMBER FICKE SECONDED TO DISSOLVE THE PLANNING COMMISSION AND DIRECT STAFF TO BRING BACK AN ORDINANCE FOR FIRST READING ON APRIL 18 AND SECOND READING ON MAY 2 TO BE EFFECTIVE ON JUNE 2, 2012. MOTION CARRIED 4-1 WITH COUNCILMEMBER TSUNODA DISSENTING.

12. ANNUAL BUDGET DISCUSSION FOR FISCAL YEAR 2012-13

City Manager Mark Pulone presented the staff report regarding City revenues. He noted some of the priorities and initiatives that would be included in the proposed budget including the General Plan effort, economic development, a business newsletter, a paperless Council agenda packet, an analysis of the Aliso Viejo Ranch site, patio furniture for the Aquatic Center, the City's computer system, monitoring of the Go Local project and road improvement projects for grant applications.

Mayor Garcia opened public comment and there was none.

Discussion ensued with direction regarding development impact fees and the preparation of a study, analysis of the AV Ranch site, look at wilderness park programs, revisit the restrictions imposed on home-based businesses since many residents are now working from home, and conduct a community survey.

13. PRESENTATION OF CITY'S WEBSITE RE-DESIGN

Director of Community Services Karen Crocker gave a presentation on the City's re-designed website, noting improved changes to look and feel, ease of use, as well as contents.

Mayor Garcia opened public comment and there was none.

Mayor Pro Tem Phillips pointed out the interactive map on the homepage for local businesses and shopping noting it is a useful and important marketing tool for newcomers to the City and encouraged the Council and other users to check it out.

COMMUNITY INPUT

Alex Gill-Gerards, resident, asked the Mayor to take a position on the freedom to marry

initiative noting most recently the support he received from the Mayor of Laguna Beach. He requested an opportunity to meet with the Mayor on this matter.

CITY MANAGER’S REPORT

None

ANNOUNCEMENTS/COUNCIL COMMENTS/COMMITTEE UPDATES

Ficke

- Attended the Laguna Greenbelt Authority meeting and heard the same presentation that was given earlier.

Tsunoda

- Announced the ANHS boys basketball team and the girls soccer team both won the championship and suggested inviting them to a meeting for recognition.

Phillips

- Noted the local sports victories are huge successes for Aliso Viejo and suggested writing a story about them to post on the City’s website.

Garcia

- Attended a mediation in Sacramento and met a 102 year old and oldest female veteran on the plane, returning from her visit with the Governor.

ADJOURNMENT: Mayor Garcia adjourned the meeting at 8:20 p.m. to the regular Council Meeting of April 4, 2012.

Respectfully submitted,

Approved by:

SUSAN A. RAMOS
CITY CLERK

DONALD A. GARCIA
MAYOR