

CITY OF ALISO VIEJO  
CITY COUNCIL MINUTES  
REGULAR MEETING  
JULY 18, 2012, 7:00 P.M.  
Council Chambers, City Hall, 12 Journey  
Aliso Viejo, California

**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.

PRESENT: MAYOR DONALD A. GARCIA  
MAYOR PRO TEM WILLIAM A. PHILLIPS  
COUNCIL MEMBER CARMEN CAVE  
COUNCIL MEMBER GREG A. FICKE  
COUNCIL MEMBER PHILLIP B. TSUNODA

ABSENT: 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, DIRECTOR OF PUBLIC WORKS  
ALBERT ARMIJO, PLANNING DIRECTOR  
LARRY LAWRENCE, PLANNING CONSULTANT  
LT. ROBERT OSBORNE, CHIEF OF POLICE SERVICES

**PLEDGE OF ALLEGIANCE TO THE FLAG:** Led by Finance Director Gina Tharani.

**SPECIAL PRESENTATIONS**

A. **ECONOMIC DEVELOPMENT WEBSITE PRESENTATION**

Director of Administrative Services Glenn Yasui gave the presentation.

Mayor Pro Tem Phillips complimented the site and suggested moving the link to a more visible and readily accessible location on the homepage.

**ADDITIONS, DELETIONS, REORDERING TO THE AGENDA**

The City Manager reported Staff's recommendation that Agenda Item 11 be continued to the July 18, 2012 Council Meeting.

**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 or the public requested that an item be removed for discussion.

**MOTION: MAYOR PRO TEM PHILLIPS MOVED AND COUNCIL MEMBER CAVE SECONDED THE MOTION TO APPROVE CONSENT 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 appeared on the public agenda; said titles were determined to have been read by title, and further reading was waived.

2. MINUTES -- REGULAR MEETING OF JUNE 6, 2012

Approved the subject minutes as submitted.

3. ACCOUNTS PAYABLE

Ratified Accounts Payable checks issued June 14, 2012 in the amount of \$328,196.69; Accounts Payable checks issued June 21, 2012 in the amount of \$703,611.39; and Accounts Payable checks issued June 28, 2012 in the amount of \$727,949.92.

4. TREASURER'S STATEMENT – MAY

Approved the May 2012 Treasurer's Statement.

5. APPROPRIATIONS LIMIT – FISCAL YEAR 2012-13

Adopted Resolution No. 2012 – 23 entitled:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, SETTING THE PROPOSITION 4 (GANN) APPROPRIATIONS LIMIT FOR FISCAL YEAR 2012-13 FOR THE CITY OF ALISO VIEJO AT \$27,710.088

6. RESOLUTION OF COMMUNITY FACILITIES DISTRICT NO. 2005-01 (GLENWOOD AT ALISO VIEJO) AUTHORIZING THE ANNUAL LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2012-13

Adopted Resolution No. 2012 - 24 entitled:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALISO

VIEJO, CALIFORNIA, AUTHORIZING THE ANNUAL LEVY OF  
SPECIAL TAXES FOR FISCAL YEAR 2012-13

7. CLAIM FOR DAMAGES – ELIZABETH BLANCO

Approved the recommendation of the City's claims adjuster, Carl Warren & Co. and rejected the claim for damages submitted by Elizabeth Blanco.

8. REQUEST FOR PROPOSALS (RFP) FOR CONSTRUCTION/INSPECTION SERVICES

Approved the subject RFP and direct staff to advertise said RFP and recommend a contractor for City Council selection.

9. ADOPTION OF ORDINANCE 2012-144 DESCRIBED BELOW

Read by title only and adopted second reading of Ordinance No. 2012-144 entitled:

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
ALISO VIEJO, CALIFORNIA, DESIGNATING VERY HIGH  
FIRE HAZARD SEVERITY ZONES WITHIN THE CITY OF  
ALISO VIEJO

10. FIRST AMENDMENT TO FUNDING AND COOPERATION AGREEMENT FOR CREEKSIDE PARK IMPROVEMENTS

Authorized the use of Community Enhancement Funds to reimburse Aliso Viejo Community Association (AVCA) for the purchase of football and lacrosse equipment to be used by youth sports organizations.

11. FEDERAL TRANSIT ADMINISTRATION (FTA) AND ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA) TITLE VI PLAN ADOPTION

Adopted the Title VI Plan and authorize staff to submit to Orange County Transportation Authority (OCTA).

12. AWARD OF CONTRACT FOR CITY ATTORNEY SERVICES

Approved said Agreement and authorized the Mayor to enter into a Professional Services Agreement with Best Best & Krieger for said services.

13. FOURTH AMENDMENT TO CITY MANAGER EMPLOYMENT AGREEMENT

Approved said Agreement.

**END OF CONSENT CALENDAR**

**PUBLIC HEARING NO. 14**

14. PA 11-039 – CONTINUED REVIEW OF A CONDITIONAL USE PERMIT FOR MODIFICATIONS TO THE EXISTING BUILDING-MOUNTED WIRELESS COMMUNICATION FACILITY AT COAST HILLS COMMUNITY CHURCH

Planning Consultant Larry Lawrence presented the staff report.

Mayor Garcia opened public hearing.

Mitchell Bryant, Coastal Business Group for AT&T Mobility, stated he is available for Council questions.

There was no further public testimony and the public hearing was closed.

**MOTION: COUNCILMEMBER CAVE MOVED AND MAYOR PRO TEM PHILLIPS SECONDED TO ADOPT RESOLUTION NO. 2012 – 25 ENTITLED:**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, TO APPROVE THE CONDITIONAL USE PERMIT TO MODIFY THE EXISTING BUILDING MOUNTED WIRELESS COMMUNICATION FACILITY AT COAST HILLS COMMUNITY CHURCH**

**MOTION UNANIMOUSLY CARRIED.**

**DISCUSSION ITEMS NOS. 15 THROUGH 17**

15. SELECTION OF VOTING DELEGATES FOR LOCC ANNUAL CONFERENCE

City Manager Pulone presented the staff report.

Mayor Garcia opened public comment and there was none.

**FIRST MOTION:**

**COUNCILMEMBER TSUNODA MOVED TO NOMINATE MAYOR GARCIA AND MAYOR PRO TEM PHILLIPS TO SERVE AS DELEGATE AND ALTERNATE RESPECTIVELY FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE TO BE HELD ON SEPTEMBER 5 – 7, 2012 AT THE SAN DIEGO CONFERENCE CENTER. NO VOTE WAS TAKEN AND AN ALTERNATE MOTION WAS MADE.**

**ALTERNATE MOTION:**

**MAYOR GARCIA MOVED TO NOMINATE COUNCILMEMBER CARMEN CAVE AND COUNCILMEMBER TSUNODA AS DELEGATE AND ALTERNATE RESPECTIVELY FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE TO BE HELD ON SEPTEMBER 5 – 7, 2012 AT THE SAN DIEGO CONFERENCE CENTER. MOTION CARRIED 4-1, COUNCILMEMBER TSUNODA DISSENTED.**

**16. SECOND AMENDMENT TO AGREEMENT FOR RECREATION AND COMMUNITY SERVICE PROGRAMS WITH THE BOYS AND GIRLS CLUBS OF CAPISTRANO VALLEY (BGCCV) FOR FISCAL YEAR 2012-13**

City Manager Mark Pulone presented the staff report.

Mayor Garcia opened public comment and there was none.

Mayor Garcia suggested staff give a presentation at a future meeting on the City's Teen Program.

**MOTION: MAYOR GARCIA MOVED AND COUNCILMEMBER FICKE SECONDED TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE SECOND AMENDMENT TO SAID AGREEMENT AND AUTHORIZE A BUDGET AMENDMENT IN THE AMOUNT OF \$7,500.00 FROM THE COMMUNITY TRUST ACCOUNT UNRESERVED FUND BALANCE. MOTION UNANIMOUSLY CARRIED.**

**17. ALISO VIEJO LIPDUB**

City Manager Mark Pulone presented the staff report and responded to a Council comment to contact AVCA about the event for any potential issues they might have.

Mayor Garcia opened public comment and there was none.

**MOTION: COUNCILMEMBER FICKE MOVED AND MAYOR PRO TEM PHILLIPS SECONDED TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH PEOPLESTAR FILMWORKS FOR THE PRODUCTION OF A "LIPDUB" VIDEO FOR THE CITY OF ALISO VIEJO. MOTION UNANIMOUSLY CARRIED.**

### **COMMUNITY INPUT**

None.

### **CITY MANAGER'S REPORT**

None.

**ANNOUNCEMENTS/COUNCIL COMMENTS/COMMITTEE UPDATES**

Tsunoda

- Reported AVCA approved the final permit for Youth Lacrosse to use Creekside Park for activities, noting the completion of the Recreation Ad Hoc Committee's list of projects and requested staff bring back an agenda item to dissolve the Committee at the next meeting.
- Announced Kyla Ross, a resident and a gymnast, has been selected to compete in the Olympics and suggested staff schedule a recognition for her.

Suggestions were also made by Council on additional ways to recognize her such as a community viewing party during her performance, inviting her to the City's lip dub event, providing her with City pins to distribute at the Olympics when appropriate.

Phillips

- Announced the annual Relay Walk for Life at Grand Park opening ceremonies is scheduled on Saturday, July 28, 2012 at 10 a.m.

Garcia

- Attended the July 4<sup>th</sup> event at Grand Park and visited with the public at the City Council booth for questions.

**ADJOURNMENT:** Mayor Garcia adjourned the meeting at 7:35 p.m. to the next regular Council Meeting of August 1, 2012.

Respectfully submitted,

Approved by:

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SUSAN A. RAMOS  
CITY CLERK

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DONALD A. GARCIA  
MAYOR