

CITY OF ALISO VIEJO
CITY COUNCIL MINUTES
REGULAR MEETING
MAY 7, 2008, 6:00 P.M.
Council Chambers, City Hall, 12 Journey
Aliso Viejo, California

CALL TO ORDER: Mayor Phillips called the Regular Meeting of the City Council of the City of Aliso Viejo to order at 6:10 p.m.

ROLL CALL:

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

ABSENT: COUNCIL MEMBERS: NONE

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

PUBLIC COMMENT: There was no public comment.

CLOSED SESSION: The City Council convened Closed Session at 6:10 p.m., to consider the following matters:

1. Conference with Legal Counsel – Anticipated Litigation: Significant exposure to litigation, three potential cases, pursuant to Government Code Section 54956.9(b)(1).
2. Conference with Legal Counsel – Anticipated Litigation: Initiation of litigation, one potential case, pursuant to Government Code Section 54956.9(c).
3. Public Employee Performance Evaluation pursuant to Governmetn Code section 54957, Title: City Manager

AFTER CLOSED SESSION: The Mayor reconvened the meeting at 7:05 p.m., welcomed the public to the meeting, and requested the City Clerk to call the roll.

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

MAY 7, 2008

ABSENT: COUNCIL MEMBERS: NONE

STAFF PRESENT: MARK A. PULONE, CITY MANAGER
SCOTT SMITH, CITY ATTORNEY
SUSAN A. RAMOS, CITY CLERK
GLENN YASUI, DIRECTOR OF ADMINISTRATIVE SERVICES
GINA THARANI, DIRECTOR OF FINANCIAL SERVICES/
CITY TREASURER
GENIA GARCIA, DIRECTOR OF PLANNING SERVICES
WAYNE LOFTUS, PLANNING CONSULTANT
JOHN WHITMAN, CITY ENGINEER/PUBLIC WORKS DIR.
HELEN WILSON, DIRECTOR OF COMMUNITY SERVICES
LT. RICH PADDOCK, DIRECTOR OF POLICE SERVICES

PLEDGE OF ALLEGIANCE TO THE FLAG: Frank Pham of Boy Scout Troop 700 led the Pledge of Allegiance to the Flag.

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION: City Attorney Smith stated there is no reportable action at this time.

SPECIAL PRESENTATIONS

1. INTRODUCTION AND RECOGNITION OF THE FIVE NEW MEMBES OF THE ALISO VIEJO POLICE ASSISTANCE LIAISON SERVICES (PALS) VOLUNTEERS

Lt. Rich Paddock, Chief of Police Services, deferred the presentation to Sergeant DJ Haldeman who introduced the following new volunteers Kellie Dearden, Christine Casper, Robin Colton, Ray Feldherr and Jeff Campangano.

2. COUNCIL RECOGNITION AND PRESENTATION TO ORANGE COUNTY SHERIFF'S DEPARTMENT MEDAL OF VALOR RECIPIENTS AND THEIR OUTSTANDING CONTRIBUTIONS TO PUBLIC SAFETY

Lt. Rich Paddock, Chief of Police Services provided background and presented certificates of appreciation to Sergeant John Carpenter, Deputy Christopher Ledbetter and Robert S. Lanier for their heroic efforts and outstanding contributions to public safety, noting that one of the recipients, Robert Lanier, is not a public safety member but lives in Aliso Viejo.

3. PRESENTATION FROM COMMUNITY ALLIANCE NETWORK (CAN) AND THE SOUTH ORANGE COUNTY UNDERAGE DRINKING TASK FORCE

Director of Community Services Helen Wilson introduced Terah Glass, representing the Community Alliance Network and South Orange County Underage Drinking Task Force,

MAY 7, 2008

to present some awards.

Terah Glass, Health Educator with National Council on Alcoholism and Drug Dependence, Community Alliance Network, introduced representatives from Boy Scout Troop 700 to present the awards. Members from Boy Scout Troop 700 presented the awards of appreciation to Lt. Rich Paddock, Margo Beaucamp and Ann Guba, for their collaborative efforts with the South Orange County Underage Drinking Task Force. Ms. Glass expressed appreciation to the recipients.

ADDITIONS, DELETIONS, AND REORDERING OF THE AGENDA

MOTION: COUNCILMEMBER TSUNODA MOVED AND COUNCILMEMBER CAVE SECONDED TO MOVE COMMUNITY INPUT TO THIS PLACE ON THE AGENDA TO RECEIVE PUBLIC TESTIMONY FROM KELLY GANNIS. MOTION UNANIMOUSLY CARRIED.

COMMUNITY INPUT

Kelly Gannis, Laguna Niguel resident, presented information about the first Taste for Aliso Niguel High School event to be held this Saturday May 10, 2008, 6 pm to 10 pm at the Pacific Park Plaza behind 24 Hour Fitness, hosted by the Parents for Aliso Niguel, a non-profit organization. She added that the school's booster clubs are selling tickets at \$45.00 each, \$25.00 of which is retained by the club. Currently, there are 1100 attendees including businesses. She invited the Council to attend and support the event. More information can be obtained at www.tasteforalisoniguel.com.

Mayor Phillips asked is anyone else wished to address the City Council. Hearing no response, Mayor Phillips closed public comments.

CONSENT CALENDAR

Mayor Phillips asked if any member of the City Council or the public wished to remove an item from the Consent Calendar. Councilmember Cave requested that Agenda Item No. 6, Accounts Payable, be removed for comment. Councilmember Ficke noted he will be abstaining from Item No. 5, approval of the minutes of April 16, 2008, since he was absent. No member of the public requested that an item be removed.

MOTION: ON MOTION BY COUNCILMEMBER TSUNODA AND SECONDED BY COUNCILMEMBER FICKE, THE CITY COUNCIL TOOK THE FOLLOWING ACTIONS ON THE FOLLOWING CONSENT CALENDAR ITEMS:

MAY 7, 2008

4. WAIVE READING IN FULL OF ALL ORDINANCES AND RESOLUTIONS:
Approved the reading by title only of all ordinances and resolution wherein the titles appear on the public agenda; said titles determined to have been read by title, and further reading was waived.
5. MINUTES—REGULAR MEETINGS OF APRIL 2 AND APRIL 16, 2008:
Approved the minutes as presented. Councilmember Ficke expressed his abstention on the minutes of April 16, 2008 due to his absence at that meeting.
7. TREASURER'S STATEMENT – MARCH 31, 2008: Approved the March 31, 2008 Treasurer's statement.
8. REQUEST FOR PROPOSAL FOR CITYWIDE STREET MAINTENANCE SERVICES: Approved the RFP and directed staff to advertise, interview, if necessary, and recommend a contractor for City Council selection to perform Citywide street maintenance services.
9. AMENDMENT OF TRAVEL AND EXPENSE POLICY TO ADDRESS MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS AND SUBSCRIPTIONS:
Approved the revised City Council Travel and Expense Policy to address membership in professional organizations and publication subscriptions.

MOTION UNANIMOUSLY CARRIED FOR CONSENT CALENDAR ITEMS 4, 5 (MINUTES OF APRIL 2, 2008 ONLY) 7, 8, AND 9. MOTION CARRIED 4-0-1 WITH COUNCILMEMBER FICKE ABSTAINING FROM THE MINUTES OF APRIL 16, 2008 UNDER CONSENT CALENDAR ITEM NO. 5.

END OF CONSENT CALENDAR

REMOVED FROM CONSENT CALENDAR

6. ACCOUNTS PAYABLE

Councilmember Cave removed the matter from consent calendar. She expressed concern about the use of the Community Trust Fund and Technology Grant Fund and questioned expenditures listed on page 6-3 under the Community Trust Account and on page 6-6 under the Technology Grant Fund. She clarified that the Community Trust Fund is not for hard costs like spring event supplies, tablecloths or snacks but for programs. The Technology Grant was a result of negotiations for the cable franchise and used to get the FRC connected online and purchase computers for this program. She suggested discussing these items for clarification at the next budget review session. She also suggested continuing the item until further clarification is provided.

Director of Finance Tharani explained the two laptops were purchased to accommodate needs at City Hall to be used by consultants in work stations that do not have a PC, the

MAY 7, 2008

laptops are portable and can be used by staff to take to meetings and conferences.

Councilmember Cave suggested the Council can consider the approval of the items tonight and reallocate it through the end of the year budget adjustment process.

Discussion ensued regarding the interest earned from these fund accounts and the use of interest money and distinguishing program costs from social events.

Mayor Phillips provided clarification that anything that is not program specific should not be charged against the Community Trust Fund until it is further clarified with the donors.

MOTION: MOVED BY COUNCILMEMBER FICKE AND SECONDED BY MAYOR PRO TEM GARCIA TO RATIFY ACCOUNTS PAYABLE CHECKS ISSUED ON APRIL 10, 2008 IN THE AMOUNT OF \$106,689.10, ON APRIL 17, 2008 IN THE AMOUNT OF \$265,336.47, AND ON APRIL 24, 2008 IN THE AMOUNT OF \$484,048.73. MOTION UNANIMOUSLY CARRIED.

DISCUSSION ITEMS

10. PROPOSED REVISIONS TO THE SIGN CODE

Director of Planning Services Genia Garcia briefed the staff report dated May 7, 2008 with Powerpoint slides.

Questions ensued regarding timeframes for temporary street banners and other applications.

Councilmember Tsunoda expressed concerns about the timeframe for temporary street banners under section 7-1-112(j) and requested additional time for review and discussion.

Councilmember Cave suggested continuing the review of the proposed revisions to the Sign Code. She felt that having been a part of the original sub committee that developed the current sign code, it would be beneficial to meet with staff to explain the history and rationale behind some of the provisions. She provided some historical information about the timeframe provision in the temporary street banner section.

MOTION: MOTION BY COUNCILMEMBER CAVE AND SECONDED BY COUNCILMEMBER FICKE TO CONTINUE THIS MATTER TO A FUTURE MEETING, DATE NOT CERTAIN.

MOTION UNANIMOUSLY CARRIED.

Mayor Phillips requested staff to change the format for the presentation next time to make it more reader friendly.

MAY 7, 2008

11. CONSIDERATION OF MARKETING VIDEO AND BROCHURE

City Manager Mark Pulone briefed the staff report dated May 7, 2008.

Jessica Spaulding, Amies Communications, presented a sample marketing video and provided actual samples of marketing brochures from other clients. She described ways the video can be made available or displayed to different audiences.

Questions and discussion ensued regarding the samples and marketing outreach efforts by Amies Communications and KT Community Relations.

Mayor Phillips opened the item for public comment. Hearing no response, public comment was closed.

MOTION: MOTION BY COUNCILMEMBER FICKE AND SECONDED BY COUNCILMEMBER TSUNODA TO ENTER INTO AN AGREEMENT WITH AMIES COMMUNICATIONS FOR THE CREATION OF A MARKETING VIDEO AND BROCHURE.

MOTION UNANIMOUSLY CARRIED.

PUBLIC HEARING

12. RESOLUTION NO. 2008-012 APPROVING SIGN PROGRAM PERMIT SPP 08-02 AMENDING THE ALISO COMMONS SPECIFIC PLAN SIGN PROGRAM RELATING TO TACO BELL SIGNAGE

Wayne Loftus, Planning Consultant, briefed the staff report dated May 7, 2008.

Questions and discussion ensued regarding exemption of directional signs, administration of specific plans and their sign provisions, and monument signs.

Councilmember Cave suggested in the future providing Council with a table showing the Sign Ordinance and the proposed sign program side by side for comparing and contrasting purposes.

Mr. Loftus noted the request and further clarified that in the case of a specific plan, the table would also include signage allocation. He added that this particular specific plan has a higher square footage allocation in certain sign categories than the current sign ordinance. In response to Councilmember Cave, he further stated that the subject application does not deviate from the specific plan and to his knowledge, the applicant is not planning to submit anything that would deviate from the specific plan.

Mayor Pro Tem Garcia expressed concern that on this application the amount of signage is very close to what is allowed and commented that while it satisfies the

MAY 7, 2008

requirement on paper, it is also important to focus on the end result.

Mayor Phillips opened the public hearing. There being no public testimony, the public hearing was closed.

MOTION: MOTION BY COUNCILMEMBER FICKE AND SECONDED BY MAYOR PRO TEM GARCIA TO ADOPT RESOLUTION NO. 2008-012, ENTITLED AS FOLLOWS:

RESOLUTION NO. 2008-012, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO APPROVING SIGN PROGRAM PERMIT SPP08-02 AMENDING THE ALISO COMMONS SPECIFIC PLAN SIGN PROGRAM.

MOTION UNANIMOUSLY CARRIED.

COMMUNITY INPUT

This portion of the agenda was moved up to the beginning of the agenda.

CITY MANAGER'S REPORT

No report at this time.

ANNOUNCEMENTS/COUNCIL COMMENTS/COMMITTEE UPDATES

Tsunoda:

No report at this time.

Cave:

- Attended the Aliso Viejo Ranch Design Workshop on April 19, 2008
- Golf Tournament is still on the schedule for July 11, 2008
- Participated in Walk to School Day at Canyon Vista Elementary School
- Attended Soka University International Festival
- Met with the president of the Highlands Homeowners Association regarding a concern about residents parking illegally at night in the fire lanes. They are requesting the City adopt an ordinance to allow enforcement of the vehicle code on their private streets. After some research, there are approximately 300 streets with the same width as Highlands in the City which would impact enforcement. She wanted to bring it to the Council's attention for further discussion during the budget discussion at their next meeting.

MAY 7, 2008

Garcia

- Attended Ranch Design Workshop
- Attended Soka International Festival
- Attended Latino Leadership Events
- Invited everyone to the Town Centre Street Faire this Saturday, May 10

Phillips:

- Invited the public to attend the Aliso Canyon Walk Around of the Aliso Canyon Golf Course, on Saturday, May 10 from 2 p.m. to 5 p.m. The applicant will be at the site with exhibits of their proposal
- Announced that the new Executive Director for the Laguna Canyon Greenbelt Foundation Karl Warkomski. He is scheduled to start in sixty days.

ADJOURNMENT: The Mayor adjourned the regular meeting at 8:35 p.m. to May 21, 2008 at 7:00 p.m. in the Council Chambers at City Hall.

Respectfully submitted,

Approved by:

SUSAN A. RAMOS, CMC
CITY CLERK

WILLIAM A. PHILLIPS
MAYOR