

CITY OF ALISO VIEJO
CITY COUNCIL MINUTES
REGULAR MEETING
OCTOBER 15, 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 6:00 p.m.

ROLL CALL:

PRESENT: COUNCIL MEMBERS: WILLIAM A. PHILLIPS
DONALD A. GARCIA
CARMEN CAVE
GREG 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 6:00 p.m., to consider the following matters:

1. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Pursuant to Government Code Section 54956.9(c)
Initiation of Litigation
Number of potential case: One

2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8

Property: 632-141-06
Agency Negotiator: City Manager and City Attorney
Negotiating Parties: United States Postal Service
Under Negotiation: Price and terms of payment

Property: Santa Barbara 29-33
Agency Negotiator: City Manager and City Attorney
Negotiating Parties: Clubcorp
Under Negotiation: Price and terms of payment for community center use/lease

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AFTER CLOSED SESSION: The Mayor reconvened the meeting at 7:10 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 FICKE
PHILLIP B. TSUNODA

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 FINANCE
GENIA GARCIA, DIRECTOR OF PLANNING SERVICES
WAYNE LOFTUS, PLANNING CONSULTANT
JOHN WHITMAN, CITY ENGINEER/PUBLIC WORKS DIR.
LT. RICH PADDOCK, DIRECTOR OF POLICE SERVICES

PLEDGE OF ALLEGIANCE TO THE FLAG: Bryce Keeler led the pledge of allegiance.

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION:

There was no reportable action at this time.

SPECIAL PRESENTATIONS

1. UPDATE ON UNITED STATES POSTAL SERVICE (USPS) PROPOSED DISTRIBUTION CENTER

Mayor Phillips presented the following updates:

- Encouraged the public to visit the City's website and review the issues and environmental concerns because the last day for comments is on October 23, 2008. Comments can be mailed to the USPS by this date. Comments can also be mailed to the City by October 20, 2008.
- Encouraged the public to be specific in their concerns about the project

Councilmember Cave reminded the public regarding the impacts of the proposed project specifically the high volume of diesel trucks on the City's streets during peak hours, causing traffic congestion and air pollution.

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2. RECOGNITION – DUANE CAVE FOR REPRESENTING ALISO VIEJO AS AN UMPIRE IN THE LITTLE LEAGUE WESTERN REGIONAL TOURNAMENT IN SAN BERNARDINO

Mayor Phillips presented the certificate of recognition to Mr. Cave who expressed thanks and appreciation and responded to questions regarding the event.

3. RECOGNITION – 2008 ALISO VIEJO NATIONAL LITTLE LEAGUE TEAM –

Mayor Phillips, with assistance from Bruce North, team coach, presented the certificates of recognition to the following: Bruce North, Coach, Dave Cole, Manager, and Payton Batliner; Nathan Cole; Sean Corrigan; Bryan Firks; Justin Fowler; Steven Harrison; Bryce Keeler; Kyle Molnar; Brett Sebadel; Kenji Teshima; Jalen Walker; Calvin Westfall, Players.

Coach North expressed his thanks and appreciation to the City and the parents and families for all their support, and the team members for their hard work that led them to the Western Regional Tournament. He stated that although the team didn't make it to the Little League World Series, the players represented their league, family and community well.

ADDITIONS, DELETIONS, AND REORDERING OF THE AGENDA

Mayor announced that the Public Hearing agenda items 8 and 9 will be continued to the next regularly scheduled meeting of November 5, 2008.

CONSENT CALENDAR

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

MOTION: MAYOR PRO TEM GARCIA MOVED AND COUNCILMEMBER CAVE SECONDED TO APPROVE THE FOLLOWING CONSENT CALENDAR ITEMS NO. 4 THROUGH 7:

4. 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.

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5. APPROVAL OF MINUTES

A. ADJOURNED REGULAR MEETING OF NOVEMBER 7, 2007

B. REGULAR MEETING OF OCTOBER 1, 2008

Approved the minutes of November 7, 2007 and October 1, 2008. Councilmember Ficke expressed his abstention on agenda item 5B, regular meeting of October 1, 2008.

6. ACCOUNTS PAYABLE

Ratified Accounts Payable checks issued September 11, 2008 in the amount of \$45,410.62 and ratified Accounts Payable checks issued September 18, 2008 in the amount of \$222,572.89.

7. PLANNING COMMISSION ITEMS OF SEPTEMBER 23, 2008 MEETING

Reviewed and approved the September 23, 2008 decisions.

MOTION UNANIMOUSLY CARRIED TO APPROVE CONSENT CALENDAR ITEMS 4 THROUGH 7. COUNCILMEMBER FICKE ABSTAINED ON AGENDA ITEM 5(B)

END OF CONSENT CALENDAR

PUBLIC HEARING ITEM NOS. 8 AND 9

8. ADOPTION OF AN OFFICIAL ZONING MAP TO ESTABLISH ZONING DISTRICTS FOR EACH PARCEL OF LAND IN THE CITY OF ALISO VIEJO
(Continued from October 1, 2008 Council meeting)

Mayor Phillips opened the public hearing and asked if anyone wished to address the City Council on this matter. Hearing no further response, the public hearing was continued to November 5, 2008.

9. REVIEW OF DRAFT HOUSING ELEMENT

Mayor Phillips opened the public hearing and asked if anyone wished to address the City Council on this matter. Hearing no further response, the public hearing was continued to November 5, 2008.

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DISCUSSION ITEM NO. 10

10. **RANCH MASTER PLAN**

Director of Public Works John Whitman briefed the staff report dated October 15, 2008 and deferred to Robert Mueting of RJM Design Group, for an overhead presentation of the conceptual plan. Highlights of the presentation included goals, telephone surveys, historical evaluation, site assessment, community workshop and outcome, and the master plan and its elements.

Councilmember Cave commented that at Fire Station 57 there is a 1989 or later aerial displayed on the wall depicting the ranch with a 1940s building on the site. She suggested staff make an archival copy of this aerial for the records.

Mayor Phillips opened public comment and asked if anyone wished to address the City Council on this matter. Hearing no further response, public comment was closed.

Questions and discussion ensued regarding timeframe for the cost estimates, environmental documentation and phasing plan, funding source, and deferring the environmental plan to next fiscal year.

Councilmember Cave suggested to direct staff to scope the project, look at the alternatives and environmental work that needs to be done and bring back a menu of choices and a realm of possibilities with estimated costs for each piece for Council consideration.

Discussion continued.

MOTION: COUNCILMEMBER CAVE MOVED AND COUNCILMEMBER FICKE SECONDED TO APPROVE THE CONCEPTUAL MASTER PLAN FOR THE RANCH. MOTION UNANIMOUSLY CARRIED.

MOTION: COUNCILMEMBER CAVE MOVED AND COUNCILMEMBER FICKE SECONDED TO DIRECT STAFF TO BRING BACK A MENU OF OPTIONS COVERING THE IMMEDIATE NEEDS FOR THE RANCH TO KEEP IT OPERATIONAL AND SAFE FOR CURRENT TYPES OF PROGRAMMING THAT THE CITY HAS, COVERING THE SCOPE OF ENVIRONMENTAL WORK THAT WOULD BE REQUIRED TO IMPLEMENT ALL OF THE IDEAS PRESENTED IN THE MASTER PLAN. MOTION UNANIMOUSLY CARRIED.

COMMUNITY INPUT

Mayor Phillips asked if anyone wished to address the City Council on any matter within the subject matter jurisdiction of the City Council.

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1. William Vogeler, Dana Point resident, commented on his perspective of Proposition 8, Eliminates Rights of Same-Sex Couples to Marry, and expressed his support and urged all to vote to restore the original state of marriage in California.

Hearing no other response, Mayor Phillips closed community input.

CITY MANAGER'S REPORT

City Manager Pulone reported that he just received word that the electrical transformer box located in the vicinity of Aliso Creek Road and SR-73 has been struck by a motorist causing great damage and power outage in the area served by the transformer. He said it is estimated that the outage will be restored by sometime tomorrow afternoon.

ANNOUNCEMENTS/COUNCIL COMMENTS/COMMITTEE UPDATES

Tsunoda:

- Participated in the Walk to School Day at Oak Grove Elementary School

Cave

- Participated in the Walk to School Day at Wood Canyon Elementary School
- Attended the Mission Viejo City Council where the Animal Services agreement was approved
- Attended groundbreaking of the SR73 toll road widening project. The project is moving forward with minimal disruption for residents in the neighborhood
- Attended OCFA open house this weekend; good turnout. City needs to work with Fire Department to address parking issues.
- TCA merger not moving at this time pending market conditions.

Ficke

- Attended the Library Ad Hoc meeting with Tim Scott and staff to review their programs and changes to the library and future partnership opportunities. Announced Aliso Viejo is second in the County for circulation. Library is planning to repaint the interior and exterior of the building.
- With the reported power outage, he requested Director Whitman to review the placement of stop signs at the intersections so it does not block off lanes.

Garcia:

- None at this time.

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Phillips:

- Thanked the residents who cooperated with the Sheriff's Department for the incident at Rue de Chalet
- Thanked the volunteers who helped paint the FRC
- Reported he received a request for a recommendation from the Council from Doctors Ambulance. Council expressed no opposition.
- Wished everybody a safe Halloween.

ADJOURNMENT: The Mayor adjourned the meeting at 8:30 p.m.

Respectfully submitted,

Approved by:

SUSAN A. RAMOS
CITY CLERK

WILLIAM A. PHILLIPS
MAYOR