

CITY OF ALISO VIEJO  
CITY COUNCIL MINUTES  
REGULAR MEETING  
APRIL 2, 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  
PHILLIP B. TSUNODA  
GREG A. FICKE

ABSENT: COUNCIL MEMBERS: NONE

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

PUBLIC COMMENT: There was no public comment regarding Closed Session.

CLOSED SESSION: The City Council convened Closed Session at 6:02 p.m., to consider the following matters:

1. Conference with Legal Counsel – Anticipated Litigation: Initiation of litigation, one potential case, pursuant to Government Code Section 54956.9(c).
2. Conference with Legal Counsel – Anticipated Litigation: Significant exposure to litigation, one potential case, pursuant to Government Code Section 54956.9(b)(1)

AFTER CLOSED SESSION: The Mayor reconvened the meeting to open session at 7:40 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  
PHILLIP B. TSUNODA  
GREG A. FICKE

ABSENT: COUNCIL MEMBERS: NONE

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

PLEDGE OF ALLEGIANCE TO THE FLAG: Fire Chief Fleming led the assembly in the Pledge of Allegiance to the Flag.

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION: City Attorney Smith reported there was no action taken in Closed Session.

### SPECIAL PRESENTATIONS

1. RECOGNITION AND PRESENTATION – EDDA MARGESON, MISS TEEN ALISO VIEJO

Mayor Phillips presented the certificate and recognized Ms. Margeson for her leadership and contributions. He announced that she is representing the City at the Miss Teenage California Pageant in Los Angeles next month. Ms. Margeson expressed thanks and commented about the Orange County Theatre Outreach non-profit organization that she launched to provide more children's theatre in Orange County and to help boost self esteem.

2. PROCLAMATION – DMV/DONATE LIFE CALIFORNIA MONTH:

Mayor Phillips presented the proclamation to Dr. Raymond DeLeon, who expressed thanks and gave background and statistical information about the program. Donate Life California is a non-profit organ and tissue donor registry dedicated to saving the lives of people awaiting transplants. He expressed thanks to Legacy One that sponsors the efforts to solicit donations for live organs. He invited the public to visit [www.donatelivecalifornia.org](http://www.donatelivecalifornia.org) for more information and encouraged them to register as a donor through the DMV license process.

### CONSENT CALENDAR

Mayor Phillips asked if any member of the City Council or the public wished to remove an item from the Consent Calendar. Mayor Pro Tem Garcia requested that Agenda

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Item No. 5, Accounts Payable, be removed for discussion, Councilmember Tsunoda requested that Agenda Item No. 7, First Amendment to Professional Services Agreement for Planning Services with Lilley Planning Group, be removed for discussion, and Councilmember Cave requested that Agenda Item No. 9, Community Development Block grant Program – Iglesia Park Improvements, be removed for discussion. No member of the public requested that an item be removed.

**MOTION: MOTION BY MAYOR PRO TEM GARCIA AND SECONDED BY COUNCIL MEMBER FICKE, THE CITY COUNCIL TOOK THE FOLLOWING ACTIONS ON THE FOLLOWING CONSENT CALENDAR ITEMS:**

3. 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.

4. MINUTES—REGULAR MEETING HELD ON MARCH 5, 2008: Approved the March 5, 2008 Regular Meeting minutes.

6. TREASURER'S STATEMENT – FEBRUARY 2008: Approved the February 2008 Treasurer's Statement.

8. FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT FOR LAND USE AND PLANNING CONSULTANT SERVICES WITH HODGE & ASSOCIATES: Approved the first amendment to Professional Services Agreement between the City of Aliso Viejo and Hodge & Associates.

**MOTION UNANIMOUSLY CARRIED FOR CONSENT CALENDAR ITEMS 3, 4, 6 & 8.**

END OF CONSENT CALENDAR

**REMOVED FROM CONSENT CALENDAR**

5. ACCOUNTS PAYABLE:

Mayor Pro Tem Garcia removed the matter from the Consent Calendar. He expressed concern about the number of off-site training and conferences and requested staff to provide him with a list of off-site training or conferences that staff attended in the last year.

Councilmember Cave expressed concern about the costs for planning consultant services, noting that in January the City paid a total of approximately \$235,000. She suggested revisiting the level of staffing for the Planning Department and depending on workload, the City might want to consider hiring a full time staff member for half the cost.

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**MOTION: MOTION BY MAYOR PRO TEM GARCIA AND SECONDED BY COUNCIL MEMBER FICKE, TO RATIFY ACCOUNTS PAYABLE CHECKS ISSUED MARCH 13, 2008 IN THE AMOUNT OF \$672,169.27 AND ACCOUNTS PAYABLE CHECKS ISSUED MARCH 20, 2008 IN THE AMOUNT OF \$774,315.64. MOTION UNANIMOUSLY CARRIED.**

**7. FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT FOR PLANNING SERVICES WITH LILLEY PLANNING GROUP**

Councilmember Tsunoda removed the matter from the Consent Calendar. He stated for the record that because staff reports are public documents, they should be clear and complete particularly the fiscal impacts section. He noted that fiscal impacts should articulate how the numbers are reached and what the impact means overall from a broader perspective. He asked staff to clarify the basis for the additional \$45,000 as it relates to hours.

Director of Planning Services Genia Garcia explained that the original contract was for approximately \$25,000 to begin February 1 and end June 30, 2008. Staff is proposing to extend it to July 31, 2008 to allow for last minute clean up. Phase 1 has been completed with 280 hours and Phase 2 is estimated to be completed by or before the end of June using an additional 520 hours. The total hours estimated is 800 hours for a total cost of \$70,000 which would include the additional \$45,000.

Mayor Pro Tem Garcia questioned the number of hours proposed to complete the sign inventory project. He expressed concern about amending consultant contracts to increase the number of hours for a project that has not changed in scope. He recalled that previous information showed 80 percent of the project completed using 280 hours and could not understand why the remaining 20 percent of the project would require an additional 520 hours. He thought Phase 1 would require more time than Phase 2.

Director of Planning Services Garcia clarified that the 80 percent of completed work was for Phase 1 and not for the entire project.

Councilmember Cave expressed concern over the delay of this project and the proposed extension to July 31, 2008. She stated she would expect a full implementation report by end of June. She questioned the amount of time spent on the project and the number of hours estimated to complete the remainder of the project which would be to identify the non-conforming signs from the inventory list. She stated she would not approve the extension of time to July 31 and the additional amount of \$45,000.

Additional questions and clarification ensued regarding alternatives if the amendment is not approved tonight and funding for Phase 2.

Mayor Pro Tem Garcia suggested the Council consider approving \$10,000 to complete the project.

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**FIRST MOTION:** COUNCILMEMBER TSUNODA MOVED TO CONTINUE THE ITEM TO THE NEXT REGULAR COUNCIL MEETING AND ASKED STAFF TO PROVIDE COUNCIL WITH MORE SPECIFIC INFORMATION ABOUT PHASE 2 IN TERMS OF COSTS AND COMPLETED WORK TO DATE. COUNCILMEMBER FICKE SECONDED THE MOTION FOR DISCUSSION.

Councilmember Cave commented it is not necessary to delay the matter but it is necessary to set parameters. She stated that with the inventory spreadsheet in place, staff should be able to review it, identify the non-conforming signs and prepare a full report to Council by end of June. She explained there would be no value in spending time to research the permit history at this point because she believes about 70 to 90 percent of the signs inventoried would be conforming.

**SUBSTITUTE MOTION:** A SUBSTITUTE MOTION BY COUNCILMEMBER CAVE TO AMEND THE AGREEMENT WITH LILLEY PLANNING GROUP TO REFLECT AN ADDITIONAL 100 HOURS IN AN AMOUNT NOT TO EXCEED \$8500.00 TO COMPLETE THE SIGN INVENTORY AND ANALYSIS PROJECT WITH A FINAL REPORT TO COUNCIL ON JUNE 4, 2008.

**COUNCILMEMBER TSUNODA WITHDREW HIS FIRST MOTION AND SECONDED THE SUBSTITUTE MOTION. SUBSTITUTE MOTION UNANIMOUSLY CARRIED.**

**9. COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM – IGLESIA PARK IMPROVEMENTS**

Councilmember Cave removed the matter from the Consent Calendar to add clarifying language to the Resolution that the original application for CDBG funds for Fiscal Year 2007-08 was approved by the City Council and the Housing and Urban Development. She also noted for the public that a revised Exhibit A was submitted by staff after the printing of the agenda reflecting the following changes: Timeline for project completion to July 30, 2008; project construction to May 15, 2008; start of project to April 21, 2008; and, award of contract to April 16, 2008.

**MOTION:** MOTION BY COUNCILMEMBER CAVE, SECONDED BY COUNCIL MEMBER FICKE, TO ADOPT THE RESOLUTION ENTITLED AS FOLLOWS, AMENDED TO INCLUDE LANGUAGE UNDER THE FOURTH WHEREAS CLAUSE THAT THE ORIGINAL APPLICATION FOR CDBG FUNDS FOR FISCALYEAR 2007-08 WAS APPROVED BY THE ALISO VIEJO CITY COUNCIL AND THE HOUSING AND URBAN DEVELOPMENT (HUD):

RESOLUTION NO. 2008-09, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, AUTHORIZING THE CITY OF ALISO VIEJO TO AMEND THE CONTRACT FOR GRANT FUNDS IN THE AMOUNT OF \$350,000.00 FOR THE FISCAL YEAR 2007-2008 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING PROGRAM FOR PUBLIC FACILITIES AND IMPROVEMENT

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(PF&I) ACTIVITIES.

Roll Call Vote:

AYES: COUNCILMEMBERS: PHILLIPS, GARCIA, CAVE, FICKE, AND  
TSUNODA

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: NONE

**MOTION UNANIMOUSLY CARRIED.**

Mayor Phillips declared Resolution No. 2008-09 duly passed and adopted.

DISCUSSION ITEMS

10. AMENDMENT TO ORDINANCE NO. 2008-094 REGARDING THE ESTABLISHMENT OF A PLANNING COMMISSION: City Manager Pulone briefed the staff report of April 2, 2008.

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

There being no discussion, Mayor Phillips asked for a motion.

**MOTION: MOTION BY COUNCILMEMBER FICKE AND SECONDED BY COUNCILMEMBER TSUNODA TO INTRODUCE FOR FIRST READING THE FOLLOWING ENTITLED ORDINANCE:**

ORDINANCE NO. 2008-095 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, AMENDING ORDINANCE NO. 2008-094 AND ARTICLE 1 OF DIVISION 9 OF CHAPTER 7 OF THE CODIFIED ORDINANCES OF THE COUNTY OF ORANGE AS ADOPTED BY THE CITY OF ALISO VIEJO REGARDING THE ESTABLISHMENT OF A PLANNING COMMISSION AND PARTICIPATION IN DECISIONS OF THE DEVELOPMENT REVIEW COMMITTEE AS NON-VOTING MEMBERS.

Roll Call Vote:

AYES: COUNCILMEMBERS: PHILLIPS, GARCIA, CAVE, FICKE, AND  
TSUNODA

NOES: COUNCILMEMBERS: NONE

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ABSENT: COUNCILMEMBERS: NONE

**MOTION UNANIMOUSLY CARRIED.**

Mayor Phillips declared Ordinance No. 2008-095 duly passed and adopted.

11. CITY COUNCIL PLANNING COMMISSION POLICY: City Attorney Smith briefed the staff report dated April 2, 2008 and provided suggested language to address the removal of a member.

Councilmember Tsunoda reported he conducted some research on best practices of other Orange County cities regarding Council appointments and found that a more prevalent method of appointing is without a formal interview process. Based on his findings, he suggested changing the following paragraphs in the Policy under the At-Large Council Appointments heading under Section 2 – Appointment Process, to read:

- B) The City Council will review applications for qualifications.
- C) Delete
- D) Change to C, to read: The City Council will select the best candidates by majority vote.
- E) Change to D with no change in language

Councilmember Tsunoda further explained that coordinating interview dates and times with all of the applicants and conducting interviews appear to be a cumbersome process. He suggested it should be up to each Council member to do their due diligence to get information about the applicants to help determine their nomination.

Councilmember Cave noted a typographical correction to hyphenate “At-large” and revised bullet item 5 under Minimum Service Qualifications/Additional Criteria for Consideration, to read: Knowledge of planning and community development processes and policies.

Mayor Pro Tem Garcia expressed support for the proposed removal language with the following change: Add the word majority to the first line, to read, “A member may be removed by the majority of the City Council...”.He also expressed support for the changes proposed by Councilmember Tsunoda regarding the appointment process.

Councilmember Ficke asked for clarification regarding the removal process and suggested providing an opportunity for public participation before the nomination and appointment process. City Attorney Smith replied that removal of a member would be by the original appointing member or the City Council as the case may be.

Councilmember Tsunoda clarified the process based on his proposed changes, if approved, as follows: After the application deadline, copies of the applications would be distributed to Council for review and consideration, and the matter would be agendaized

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at a regular Council meeting for Council nomination and appointments. He added that during the meeting, prior to taking nominations from the Council, the public would have an opportunity to speak.

Questions and discussion ensued regarding the interview, nomination and appointment process as it relates to the Brown Act, public comments, and the removal process. City Attorney Smith stated the proposed process would satisfy the Brown Act and there would be an opportunity for public comments to take place during the meeting. Councilmember Tsunoda commented that the process for the appointment should be the model for removal. City Attorney Smith added that the policy would allow Councilmembers to remove from office their appointees for any reason.

Mayor Phillips restated the proposed process and opened the item for public comment. The following person spoke:

- 1) David Ohrn, Aliso Viejo Printing, commented there is a 2/3 vote requirement to remove a member.

City Attorney Smith replied that the voting requirement is as prescribed by the City Council since it is their policy.

There being no more public comments, Mayor Phillips closed public comment.

Councilmember Cave requested City Attorney look into the 2/3 vote requirement, and if necessary, submit a revised policy to Council to reflect it.

**MOTION: MOTION BY COUNCILMEMBER TSUNODA AND SECONDED BY MAYOR PRO TEM GARCIA TO AMEND THE COUNCIL PLANNING COMMISSION POLICY REGARDING SECTION 2-APPOINTMENT PROCESS FOR AT-LARGE COUNCIL APPOINTMENTS, AS FOLLOWS:**

- B) THE CITY COUNCIL WILL REVIEW APPLICATIONS FOR QUALIFICATIONS.
- C) DELETE
- D) CHANGE TO C TO READ: THE CITY COUNCIL WILL SELECT THE BEST CANDIDATES BY MAJORITY VOTE.
- E) CHANGE TO D

**WITH THE UNDERSTANDING THAT THE NOMINATION AND APPOINTMENT PROCESS WILL MOVE FORWARD AS DISCUSSED BY COUNCIL THIS EVENING.**

**MOTION UNANIMOUSLY CARRIED.**

**MOTION: MOTION BY COUNCILMEMBER CAVE AND SECONDED BY COUNCILMEMBER FICKE TO ADD LANGUAGE TO THE POLICY PERTAINING TO REMOVAL OF A MEMBER AS PROPOSED BY THE CITY ATTORNEY, AMENDED AS FOLLOWS:**



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**“A MEMBER MAY BE REMOVED BY THE MAJORITY OF THE CITY COUNCIL, AFTER HEARING, FOR MISCONDUCT OR NON PERFORMANCE OF DUTY. ANY MEMBER WHO MISSES MORE THAN FOUR CONSECUTIVE REGULAR MEETINGS WITHOUT HAVING BEEN GIVEN A LEAVE OF ABSENCE BY THE CITY COUNCIL SHALL BE REMOVED BY THE CITY COUNCIL WITHOUT A HEARING, AND ANOTHER MEMBER SHALL BE APPOINTED BY THE CITY COUNCIL OR APPOINTING INDIVIDUAL COUNCILMEMBER, AS APPROPRIATE TO COMPLETE THE UNEXPIRED TERM OF SUCH MEMBER. THE INDIVIDUALLY APPOINTED MEMBER SHALL SERVE AT THE PLEASURE OF THE APPOINTING COUNCILMEMBER AND COULD BE REMOVED AT ANY TIME FOR ANY REASON.**

**MOTION UNANIMOUSLY CARRIED.**

**MOTION: MOTION BY COUNCILMEMBER CAVE AND SECONDED BY COUNCILMEMBER FICKE TO APPROVE THE REMAINDER OF THE COUNCIL POLICY AS IS WRITTEN.**

**MOTION UNANIMOUSLY CARRIED.**

**12. REQUEST FOR BIDS/FLATWORK AGREEMENT FOR CITY HALL EXTERIOR IMPROVEMENTS:** City Manager briefed the staff report dated April 2, 2008. He deferred additional comments to Director of Public Works, John Whitman.

Director Whitman presented cost data for exterior improvements to City Hall including the canopy over the front door for weather relief, replacement of existing landscaping with drought tolerant landscaping, and the replacement of missing pavers. He presented slides of sample canopy and awning designs.

Mayor Pro Tem Garcia questioned the need for a canopy and stated he would prefer to use the funds for hardscape improvements.

Councilmember Cave expressed opposition to the installation of a canopy in front of City Hall.

Councilmember Tsunoda requested staff to place copies of the slides on the dais for Council reference.

Councilmember Ficke concurred that the funds should be used for hardscape improvements.

Mayor Phillips concurred with the elimination of the canopy or awning noting that Council direction is to eliminate the idea of a canopy or awning and asked staff to look into other safety alternatives for inclement weather.

Director Whitman clarified Council's direction as follows: Eliminate any canopy, awning

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or other architectural feature over the front entrance and look into a non-skid surface alternative; implement the landscaping plans drawn by Nuvis, complete the hardscape improvements as detailed two weeks ago including moving the curb out, moving the handicap parking spaces to the west side of the building, and installing new pavers using neutral colors to match exterior of the building.

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

Councilmember Cave asked for clarification regarding the status and funding of the remaining items that have yet to be completed in the Council Chambers and interior of City Hall.

City Manager Pulone replied that the funding for the interior items would come from the \$140,000 remaining Certificates of Participation. Director of Administrative Services Glenn Yasui added that the City has proposed \$10,000 from the General Fund in the proposed 2008-09 budget for the remaining interior work in City Hall.

**MOTION: MOTION BY COUNCILMEMBER CAVE AND SECONDED BY COUNCILMEMBER FICKE TO ALLOCATE \$130,000 OF THE REMAINING CERTIFICATES OF PARTICIPATION FOR EXTERIOR IMPROVEMENTS TO INCLUDE ENLARGING THE PAVER AREA ON WEST SIDE OF DOORS BY APPROXIMATELY 12 FEET, ENHANCING TWO EXISTING BOLLARDS AND ADDING TWO ADDITIONAL BOLLARDS, REPLACING EXISTING PAVERS WITH NEUTRAL COLORED PAVERS, REMOVING AND REPLANTING EXISTING PLAZA TREES, COMPLETING THE LANDSCAPE AS INCLUDED IN THE \$71,000 ESTIMATE, AND CONSIDER ADDING TWO BENCHES AND TRASH CONTAINERS AS IDENTIFIED. MOTION UNANIMOUSLY CARRIED.**

Councilmember Cave noted that if the proposed exterior improvements exceed the \$71,000 estimate, the item would come back to the City Council for further consideration.

**MOTION: MOTION BY COUNCILMEMBER CAVE AND SECONDED BY COUNCILMEMBER FICKE TO ALLOCATE \$10,000 OF THE REMAINING CERTIFICATES OF PARTICIPATION TO COMPLETE THE INTERIOR OF CITY HALL. MOTION UNANIMOUSLY CARRIED.**

**13. SR 73 CORRIDOR ENHANCEMENT PLAN:**

Councilmember Tsunoda requested to continue this matter to the next regular meeting to allow additional time to review the materials. He asked if it would not create any hardship on City staff. City Manager Pulone replied no.

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

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**MOTION: MOTION BY COUNCILMEMBER TSUNODA AND SECONDED BY COUNCILMEMBER CAVE TO CONTINUE THIS AGENDA ITEM TO THE NEXT REGULAR MEETING OF CITY COUNCIL ON APRIL 16, 2008. MOTION UNANIMOUSLY CARRIED.**

14. CONSIDER THE PROPOSED ALISO VIEJO GRAND PRIX OF CYCLING: City Manager briefed the report dated April 2, 2008. Director of Community Services Helen Wilson provided additional information pertaining to the proposed 1.3 mile bike race course to be held on July 12, 2008, potential road closures, event details and level of City participation as Title Sponsor. She noted that the Special Event Application that was filed is incomplete and the applicant, Travis Wilkerson, is present this evening to answer any questions of the Council.

Councilmember Cave expressed concern about some of the criteria and services listed in the report. She explained that regardless of the City's status in this special event, that the City not place additional requirements that are not normally required of major special event applications. She suggested adding language in the first bullet under Special Event Application Criteria and Requirements on page 14-4 of the agenda to read, "Written approval of CBR as the sanctioning body or the sponsor event as written in the City's special event application". She expressed additional concern about the lack of information in the report regarding the incomplete application, contrasting information in the report regarding estimated costs to the City specifically for barricades, liability insurance, and terms for title sponsorship.

Director Wilson explained that the report is intended to bring forward the information staff has received to date for the proposed event and to get direction from Council at this point before continuing to move forward with the process in a timely manner. She provided clarification regarding the liability insurance and the estimated cost for barricades.

Councilmember Ficke expressed concern about the time of the proposed event. Mayor Phillips expressed concern about the short timeframe to complete the process.

Director Wilson noted that the applicant is present to respond to questions and reiterated that the purpose for tonight is to bring the application to the Council's attention recognizing that the information is incomplete and it is uncertain whether the applicant can satisfy all of the requirements. She noted that in the spirit of cooperation, staff is willing to assist the applicant in this process if there is any interest from Council for this event.

Additional questions and discussion ensued regarding road closures and traffic control.

Mayor Phillips opened the item for public comments. The following persons spoke:

1) Carla Larabee, City Lights Community Manager, expressed concerns about impacts

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to their community including the date and time because of move ins and move outs, liability, vandalism, traffic and pedestrian control and diversion of residents, and alternate parking. She asked Council to consider changing the race course or the timing of the event.

2) Travis Wilkerson, Applicant, commented he would not want to continue with the process unless there is support from the Council. He noted there is a safety plan to address the impacts to the City Lights community residents. He explained that the time of the event is long because of the multiple race categories. He noted that the request to the City for title sponsorship would help showcase the City to the rest of Southern California and other places. He clarified that he would be willing to pay the cost to rent sufficient barricades as required by the City and utilize their own volunteers for set up and tear down. He commented that the proposed road closures would minimize impact to traffic and maintain the safety of the racers. He expressed that this event could be held annually. He added that registration is available on line and the day of and information regarding the registration process is available to the City. He commented that there had been some communication lapse between him and the AVCA management company because of the change of the management company from Merit to PCM but has since spoken with PCM to clarify their requirements. He clarified that the cost to the City of approximately \$35,000 would be reduced by \$29,000 because the applicant would be providing the required barricades and the staff to set them up and remove them.

Questions and clarification ensued regarding the applicant's experience with other similar special events and the administrative permitting process for special events,

Councilmember Cave suggested asking the applicant to come back at the next regular Council meeting with an operational outline, the number of people required from the City to assist, the schedule of races in order to consider intermittent road closures at City Lights Drive, and a specific cost for title sponsorship. She asked staff to provide the applicant with a list of specific items that they can and cannot do. She noted she would be in favor of waiving the permit fees, obtaining liability insurance for an amount not to exceed \$1,000, providing minimal staffing of deputies for the barricades if necessary, and waiving the 90-day filing period.

Councilmember Cave deferred to Ms. Larabee's comments regarding vandalism and indicated she was not aware of any reported vandalism during the July 4<sup>th</sup> event and suggested reporting any kind of vandalism to the Sheriff's Department immediately.

Councilmember Ficke applauded the applicant for its goals in promoting the City and asked for clarification regarding the number of participants and spectators, the number of portable toilets, notification to the property owners, and the review process by the Fire and Sheriff's Departments. The applicant and staff provided a response.

Mayor Pro Tem Garcia concurred with Councilmember Cave's suggestions and asked for clarification regarding the changes made to the application by the applicant.

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Following staff's response, Mayor Pro Tem Garcia stated for the record that the change made by the applicant to the event date was to accommodate the needs and concerns of the City Lights community.

Mayor Phillips also applauded the goal to promote the City. He expressed concern that this is a big event in a very short timeframe. He asked the applicant for the dates of the other races slated to take place in other communities and asked staff to contact the cities for information and feedback. The applicant provided the following: June 29 in Manhattan Beach, June 1 in Dana Point, mid-August in Ladera Ranch, and this weekend in Redlands.

**MOTION: MOTION BY COUNCILMEMBER CAVE, SECONDED BY MAYOR PRO TEM GARCIA, TO CONTINUE THIS AGENDA ITEM TO THE NEXT REGULAR COUNCIL MEETING OF APRIL 16, 2008; TO DIRECT THE APPLICANT TO PROVIDE CITY STAFF WITHIN ONE WEEK FROM THIS DATE WITH AN OPERATIONAL OUTLINE, A SCHEDULE OF RACES, A TRAFFIC CONTROL PLAN BASED ON THE CITY'S ROAD CLOSURE REQUIREMENTS, AN ITEMIZED LIST OF OUTSTANDING OPERATIONAL ITEMS NEEDED FROM THE CITY; AN ITEMIZED LIST OF BENEFITS TO THE CITY FOR BEING A TITLE SPONSOR; AND, TO DIRECT CITY STAFF TO INCLUDE IN THEIR STAFF REPORT A LIST OF REMAINING DEFICIENCIES AND THEIR ASSOCIATED COSTS.**

#### 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. Hearing no response, Mayor Phillips closed public comments.

#### CITY MANAGER'S REPORT

There were no comments at this time.

#### ANNOUNCEMENTS/COUNCIL COMMENTS/COMMITTEE UPDATES

Ficke:

1. Attended the Chamber of Commerce Aliso Viejo Economic Summit which was a good and well attended event.
2. Attended the Medal of Valor luncheon for the Sheriff's Department and three local heroes were recognized.

Tsunoda: There were no comments at this time.

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Cave:

1. The South County Major Investment Study met Friday and reported that Alternative F is being considered for shadow tolling and toll road expansion. The original concept was to pay down tolls to encourage more motorists to use the toll roads and to expand the lanes on each direction by adding an additional lane each way. However, last Friday, it became visible that they're talking about adding more than one lane on each direction and the plan does not include an environmental study. She expressed concern and asked Engineering staff to attend the remaining future meetings to monitor and keep the City updated on this plan.

Garcia:

1. Attended the OCFA meeting last week and encouraged Council to read the accident report, which will be delivered tomorrow, which includes a well-written report on the Santiago fires.
2. Appointed Ross Chun to the Planning Commission and noted he is present in the audience.

Phillips: There were no comments at this time.

ADJOURNMENT: The Mayor declared the regular meeting adjourned at 10:05 p.m. Next Regular Meeting to be held April 16, 2008.

Respectfully submitted,

Approved by:

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SUSAN A. RAMOS, CMC  
CITY CLERK

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WILLIAM A. PHILLIPS  
MAYOR