

CITY OF ALISO VIEJO
CITY COUNCIL MINUTES
REGULAR MEETING
APRIL 7, 2010, 7:00 P.M.
Council Chambers, City Hall, 12 Journey
Aliso Viejo, California

CALL TO ORDER: Convened closed session at 6:30 p.m.

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

ABSENT: COUNCIL MEMBERS: NONE

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

PUBLIC COMMENT: There was no public comment.

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

CALL TO ORDER: Mayor Tsunoda called the open session of 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: PHILLIP B. TSUNODA
CARMEN CAVE
GREG FICKE
DONALD A. GARCIA
WILLIAM A. PHILLIPS

ABSENT: COUNCIL MEMBERS: NONE

STAFF PRESENT: MARK A. PULONE, CITY MANAGER
SCOTT SMITH, CITY ATTORNEY
SUSAN A. RAMOS, CITY CLERK
GINA THARANI, FINANCE DIRECTOR

GLENN YASUI, ADMINISTRATIVE SERVICES DIRECTOR
HELEN WILSON, COMMUNITY SERVICES DIRECTOR
JOHN WHITMAN, PUBLIC WORKS DIRECTOR
SHAWN PELLETIER, ASSISTANT CITY ENGINEER
LT. BOB OSBORNE, CHIEF, POLICE SERVICES

PLEDGE OF ALLEGIANCE TO THE FLAG: Boy Scout Troop 726 led the pledge of allegiance.

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION – No reportable action taken at this time.

SPECIAL PRESENTATIONS

A. INTRODUCTION OF MR. KURT WESTLING - ALISO NIGUEL HIGH SCHOOL'S NEW VARSITY FOOTBALL COACH

After an introduction by Mayor Tsunoda, Mr. Westling expressed thanks and appreciation for the introduction and provided comments about the school's football program and community involvement.

B. BREASTFEEDING AWARENESS – GIVING ALISO VIEJO'S YOUTH THE BEST START IN LIFE.

Jennifer Ritchie, founder and owner of Milkalicious, a local business, presented information about breastfeeding awareness through participation at local events and creating a workplace recognition program to provide community-based long term support for breastfeeding mothers.

THERE WAS COUNCIL CONSENSUS TO BRING THIS MATTER BACK TO COUNCIL FOR FURTHER DISCUSSION.

ADDITIONS, DELETIONS, REORDERING TO THE AGENDA

None.

CONSENT CALENDAR

Mayor Tsunoda asked if any member of the City Council or the public wished to remove an item from the Consent Calendar. There were no requests from the Council or the public to remove any items.

MOTION: MAYOR PRO TEM CAVE MOVED AND COUNCILMEMBER GARCIA SECONDED TO APPROVE CONSENT CALENDAR ITEMS 1 – 6, 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 17, 2010

Approved the Minutes as submitted.

3. ACCOUNTS PAYABLE

Ratified Accounts Payable checks issued March 11, 2010 in the amount of \$587,577.91; Accounts Payable checks issued March 18, 2010 in the amount of \$330,836.26; and Accounts Payable checks issued March 25, 2010 in the amount of \$56,814.85.

4. TREASURER'S STATEMENT – FEBRUARY 2010

Approved the February 2010 Treasurer's Statement.

MOTION UNANIMOUSLY CARRIED.

END OF CONSENT CALENDAR

DISCUSSION ITEMS NOS. 5 THROUGH 7

5. AWARD OF CONTRACT – HARDY AND HARPER INC. FOR THE PACIFIC PARK REHABILITATION – LA PAZ ROAD TO ALICIA PARKWAY

Assistant Engineer Shaun Pelletier presented the report and responded to Council questions pertaining to price differential between this bid and the prior bid, and the difference in process between slurry seal and street rehabilitation projects.

Mayor Tsunoda opened public comments. No comments were received.

MOTION: COUNCILMEMBER FICKE MOVED AND COUNCILMEMBER PHILLIPS SECONDED TO 1) AWARD A CONTRACT IN THE AMOUNT OF \$222,000 TO HARDY AND HARPER, INC. AS THE LOWEST RESPONSIBLE BIDDER FOR THE SUBJECT PROJECT; 2) AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT WITH HARDY AND HARPER, INC.; AND, 3) AUTHORIZE CITY STAFF TO MAKE TOTAL COMPENSATION TO HARDY & HARPER, INC. UP TO \$244,200 (10% ABOVE THE CONTRACT AMOUNT) TO ALLOW FOR CONTINGENCIES. MOTION UNANIMOUSLY CARRIED.

6. SIGNAGE FOR THE AQUATIC AND CONFERENCE CENTER

City Manager Mark Pulone presented the staff report.

Staff responded to questions regarding timelines for the installation of the signs and the proposed wording for the signs.

Mayor Tsunoda opened public comments. No comments were received.

MOTION: MAYOR PRO TEM CAVE MOVED AND COUNCILMEMBER PHILLIPS SECONDED TO APPROVE STAFF'S RECOMMENDATION TO INSTALL TWELVE (12) RECTANGULAR SIGNS AT KEY LOCATIONS IN ALISO VIEJO. MOTION UNANIMOUSLY CARRIED.

7. SELECTION OF PROPOSED OPERATOR FOR CONFERENCE AND AQUATIC CENTERS MANAGEMENT AGREEMENT, OPERATION, MAINTENANCE AND MARKETING SERVICES

Director of Administrative Services Glenn Yasui presented the staff report.

Questions and discussion ensued regarding the transition period, clarification of the management fee, definition of revenue, and the status of the second finalists.

Mayor Tsunoda opened public comments. No comments were received.

MOTION: MAYOR TSUNODA MOVED AND COUNCILMEMBER FICKE SECONDED TO 1) SELECT KEMPERSPORTS AS THE PROPOSED OPERATOR OF THE CONFERENCE AND AQUATIC CENTERS AND SELECT Z GOLF (CONFERENCE CENTER) AND YMCA (AQUATIC CENTER) AS ALTERNATES; AND, 2) DIRECT STAFF TO NEGOTIATE A MANAGEMENT AGREEMENT WITH SAID OPERATOR FOR MANAGEMENT, OPERATION, MAINTENANCE AND MARKETING SERVICES.

Mayor Pro Tem Cave suggested an amendment to the motion to include the implementation of the management transition as early as possible.

AMENDED MOTION: MAYOR TSUNODA MOVED AND COUNCILMEMBER FICKE SECONDED TO AMEND THE MOTION TO INCLUDE 3) DIRECT STAFF TO WORK WITH THE CURRENT AND PROPOSED MANAGEMENT COMPANIES TO IMPLEMENT A TRANSITION PERIOD AS EARLY AS POSSIBLE.

MOTION AND AMENDED MOTION UNANIMOUSLY CARRIED.

COMMUNITY INPUT

None at this time.

CITY MANAGER'S REPORT

City Manager Pulone reported that Aliso Viejo Police Services is on the alert to provide police presence, if necessary, at the CUSD meeting and their plans to present budget cuts.

ANNOUNCEMENTS/COUNCIL COMMENTS/COMMITTEE UPDATES

Ficke

- Reported he will be attending the Mid Year Economic Summit at Cal State Fullerton.

Garcia

- Attended the AVCA Ad Hoc Meeting.

Phillips

- None

Cave

- None

Tsunoda

- Noted that a handout has been distributed to Council and staff containing information about the February 2010 Orange County unemployment ratings which shows Aliso Viejo at 5.2%, the lowest in the County.
- Reported that the Orange County Vector Control District has terminated its General Manager effective in 6 months, pursuant to his contract, and he will be physically barred from the OCVCD facility effective immediately.

ADJOURNMENT: The Mayor adjourned the meeting at 7:50 p.m. to the regularly scheduled Council meeting of April 21, 2010.

Respectfully submitted,

Approved by:

SUSAN A. RAMOS, CITY CLERK

PHILLIP B. TSUNODA, MAYOR