

B. PRESENTATION BY SCOTT MALONI, VICE PRESIDENT, POSEIDON RESOURCES REGARDING HUNTINGTON BEACH DESALINATION PROJECT

Scott Maloni, Vice President, Poseidon Resources gave a Powerpoint presentation and expressed thanks for the opportunity to present the item. He asked for Council's support of the program by adopting a resolution at a subsequent meeting.

C. COUNCIL RECOGNITION AND PRESENTATION TO THE NEIGHBORHOOD CUP FOR ITS PHILANTHROPIC CONTRIBUTIONS

Mayor Tsunoda introduced Steve Secofsky and his daughter Jennifer and presented background about the Neighborhood Cup, a local business they own and operate with co-owners Diane and Nick Anderseck, and their philanthropic contributions to the community in the last year.

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 FICKE SECONDED TO APPROVE CONSENT CALENDAR ITEMS 1 – 5, 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 APRIL 7, 2010

Approved the Minutes as submitted.

3. ACCOUNTS PAYABLE

Ratified accounts payable checks issued on April 1, 2010 in the amount of \$169,442.09 and accounts payable checks issued on April 8, 2010 in the amount of \$215,513.99.

4. REQUEST FOR PROPOSALS (RFP) FOR STREET SWEEPING SERVICES.

Approved the RFP and directed staff to advertise, interview contractors if necessary, and recommend a contractor for City Council selection to perform street sweeping services throughout the City.

5. ORANGE COUNTY FIRE WATCH PROGRAM

Adopted Resolution No. 2010-11 entitled below:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, EXPRESSING SUPPORT FOR THE ORANGE COUNTY FIRE WATCH PROGRAM.

MOTION CARRIED 4-0. COUNCILMEMBER PHILLIPS WAS ABSENT.

END OF CONSENT CALENDAR

PUBLIC HEARING ITEM NO. 6

6. ZONING CODE AMENDMENT ZOA AV10-01: SIGN REGULATIONS AND OTHER AMENDMENTS INCLUDING CHANGES TO GENERAL PLAN CONSISTENCY DESIGNATIONS, PERMIT REQUIREMENTS FOR ALCOHOLIC BEVERAGE LICENSES, AND PARKING STANDARDS, CHANGES TO EXISTING DEVELOPMENT, MODIFICATIONS TO SPECIFIC PLANS, AND VARIOUS OTHER CODE REVISIONS

Larry Lawrence, Planning Consultant, presented the staff report and noted he had recently received an expressed concern about the proposed change to section 12.34.070 regarding electronic signs pertaining to colors. He recommended changing the proposed provision to remove the prohibition on more than two colors at a time and explained this prohibition would hinder the use of logos which is usually multi colored.

Questions and discussion ensued regarding electronic signs and flashing signs.

Mayor Tsunoda opened the public hearing.

Wayne Buck, Soka University representative, read a letter dated April 21, 2010 from Arch Asawa, Soka University Vice President for Finance and Administration and Chief Financial Officer, regarding the ability to utilize full color and visual images in their monument signs. (The letter is on file with the City Clerk's office).

There was no additional public testimony received and the public hearing was closed.

FIRST MOTION: MAYOR PRO TEM CAVE MOVED TO INTRODUCE FOR FIRST READING ORDINANCE NO. 2010-123, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, ADOPTING ZONING CODE TEXT AMENDMENT ZOA AV10-01, INCLUDING CHANGES TO GENERAL PLAN CONSISTENCY DESIGNATIONS, PERMIT REQUIREMENTS FOR ALCOHOLIC BEVERAGE LICENSES, PARKING STANDARDS, THE ADDITION OF PROVISIONS TO ALLOW MINOR MODIFICATIONS TO EXISTING DEVELOPMENT AND CHANGES TO SPECIFIC PLANS, AND VARIOUS OTHER CODE REVISIONS, AMENDED AS FOLLOWS:

15.34.070 GENERAL REQUIREMENTS

“E. *ELECTRONIC SIGNS.* ELECTRONIC SIGNS ARE PERMITTED ONLY WHERE EXPRESSLY ALLOWED IN THIS CHAPTER. ELECTRONIC SIGNS MAY CONTAIN CHANGEABLE COPY BUT SUCH COPY SHALL BE LIMITED TO LETTERS, NUMBERS, AND LOGOS ONLY. SIGN COPY MAY BE STATIC OR MAY SCROLL, CRAWL OR DISSOLVE. HOWEVER, IN ORDER TO MITIGATE DISTRACTIONS TO MOTORISTS, NO ELECTRONIC OR OTHER SIGN MAY INCORPORATE PICTURES, FLASHING COPY, OR ANIMATED VISUAL EFFECTS.”

AND, DIRECT STAFF TO CONTINUE ITS RESEARCH ON DIGITAL SIGNS AND PRESENT RECOMMENDATIONS FOR AMENDMENTS TO THE SIGN REGULATIONS IN THE ZONING CODE AS DEEMED APPROPRIATE, TO COUNCIL FOR CONSIDERATION.

Councilmember Garcia seconded to amend the motion to include the removal of the word “moving” from Section 15.34.190.A.4.regarding prohibited flashing signs.

Mayor Pro Tem Cave accepted the amended motion as follows:

AMENDED MOTION: MAYOR PRO TEM CAVE MOVED AND COUNCILMEMBER GARCIA SECONDED TO AMEND THE FIRST MOTION TO INCLUDE AN AMENDMENT TO THE FOLLOWING PROVISION IN THE ZONING CODE, TO READ:

15.34.190 PROHIBITED SIGNS

“A.4. FLASHING, ANIMATED OR PULSATING SIGNS, LASER LIGHTING, OR SEARCHLIGHTS.”

MOTION CARRIED 4-0. COUNCILMEMBER PHILLIPS WAS ABSENT.

COMMUNITY INPUT

None

CITY MANAGER'S REPORT

City Manager Pulone reported the blue directional signs for the Aquatic Center are being installed and is scheduled for completion before May 1. He deferred to Lt. Bob Osborne to update the Council on the impending Capistrano Unified School District (CUSD) teachers' strike.

Lt. Osborne reported on the impending strike based on the information he received. He noted it will begin on Thursday, April 22 and is expected to go on for three school days. He also noted deputies have been briefed and will be deployed to all the schools in the district to provide public safety to the affected communities including Aliso Viejo.

ANNOUNCEMENTS/COUNCIL COMMENTS/COMMITTEE UPDATES

Ficke

- Attended the Cal State Fullerton Economic Summit and indicated pertinent materials will be distributed to Council as soon as they are available.
- Requested staff to report back to Council on the public safety costs associated with the CUSD teachers' strike.

Garcia

- None

Cave

- Advised she might miss the Council meeting on May 5 to attend the SCAG Regional Conference.

Tsunoda

- None

ADJOURNMENT: The Mayor adjourned the meeting at 8:05 p.m. to the regularly scheduled Council meeting of May 5, 2010.

Respectfully submitted,

Approved by:

SUSAN A. RAMOS
CITY CLERK

PHILLIP B. TSUNODA
MAYOR