



Mayor Tsunoda provided him with the certificates for each team member.

**B. PROCLAMATION FOR DONATE LIFE CALIFORNIA MONTH**

Mayor Tsunoda introduced Dr. Raymond DeLeon, who gave an overview of the program, and expressed thanks and appreciation for the proclamation. He introduced a fellow organ recipient and an Aliso Viejo resident, Robert Farrington, who read a poem he wrote about how this program has impacted his life.

**C. PROCLAMATION FOR WATER AWARENESS MONTH**

Mayor Tsunoda presented the proclamation to Mike Grandy, El Toro Water District representative, who expressed thanks and appreciation.

**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. Council Member Phillips asked to pull agenda item no. 2 for continuance to the next Council meeting. Mayor Tsunoda asked to pull agenda item no. 7 for discussion. No member of the public requested that an item be removed for discussion.

**MOTION: COUNCILMEMBER GARCIA MOVED AND COUNCILMEMBER PHILLIPS SECONDED TO APPROVE CONSENT CALENDAR ITEMS 1, 3-6, AND 8-9, 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.

**3. ACCOUNTS PAYABLE**

Ratified Accounts Payable checks issued April 15, 2010 in the amount of \$672,923.32; and Accounts Payable checks issued April 22, 2010 in the amount of \$38,886.20.

**4. TREASURER'S STATEMENT – MARCH 2010**

Approved the March 2010 Treasurer's Statement.

5. ADOPT ORDINANCE NO. 2010-123 ADOPTING ZONING CODE TEXT AMENDMENT ZOA AV10-01 INCLUDING SIGN REGULATIONS AND OTHER AMENDMENTS:

Adopted Ordinance No. 2010-123 entitled below:

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, ADOPTING ZONING CODE TEXT AMENDMENT ZOA AV10-01

6. THIRD AMENDMENT TO AGREEMENT FOR TRAFFIC ENGINEERING SERVICES FOR TRAFFIC SIGNAL OPERATIONS - HARTZOG & CRABILL INC.

Approved the Third Amendment to the Agreement with Hartzog & Crabill, Inc. to perform traffic engineering services for traffic signal operations; and authorized the City Manager to execute same.

8. ADVERTISE FOR BIDS – SCE BIKE AND PEDESTRIAN TRAIL

Approved Contract Documents, Specifications, and Plans for SCE Bike and Pedestrian Trail project; and authorized staff to advertise, evaluate bids, and recommend contractor for said project.

9. RESOLUTION 2010-14 SUPPORTING CONSTRUCTION AND OPERATION OF THE PROPOSED HUNTINGTON BEACH SEAWATER DESALINATION FACILITY

Adopted Resolution No. 2010-14, entitled below:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, SUPPORTING THE CONSTRUCTION AND OPERATION OF THE PROPOSED HUNTINGTON BEACH SEAWATER DESALINATION FACILITY

**MOTION CARRIED 3-0 WITH MAYOR PRO TEM CAVE AND COUNCILMEMBER FICKE ABSENT.**

**REMOVED FROM CONSENT CALENDAR**

2. MINUTES – REGULAR MEETING OF APRIL 21, 2010

**MOTION: COUNCILMEMBER PHILLIPS MOVED AND COUNCILMEMBER GARCIA SECONDED TO CONTINUE THIS ITEM TO THE NEXT COUNCIL MEETING OF MAY 19, 2010 DUE TO LACK OF QUORUM SINCE COUNCILMEMBER PHILLIPS WOULD HAVE TO ABSTAIN FROM VOTING ON THIS MATTER BECAUSE HE WAS ABSENT AT THE MEETING OF APRIL 21, 2010. MOTION CARRIED 3-0 WITH MAYOR PRO TEM CAVE AND COUNCILMEMBER FICKE ABSENT.**

7. ADVERTISE FOR BIDS – PACIFIC PARK DRIVE AND ALISO CREEK ROAD INTERSECTION WIDENING

Mayor Tsunoda requested to remove this item from consent to request staff to include information in the report about the specifics of the publicity campaign as referenced in the staff report when this item comes back to Council for the award of contract.

**MOTION: MAYOR TSUNODA MOVED AND COUNCILMEMBER PHILLIPS SECONDED TO APPROVE THE CONTRACT DOCUMENTS, SPECIFICATIONS, AND PLANS FOR PACIFIC PARK DRIVE AND ALISO CREEK ROAD INTERSECTION WIDENING PROJECT; AND AUTHORIZE STAFF TO ADVERTISE, EVALUATE BIDS, AND RECOMMEND CONTRACTOR FOR SAID PROJECT. MOTION CARRIED 3-0 WITH MAYOR PRO TEM CAVE AND COUNCILMEMBER FICKE ABSENT.**

END OF CONSENT CALENDAR

**PUBLIC HEARING ITEM NO. 10**

10. REQUEST FOR CONDITIONAL USE PERMIT UPAV10-04 TO ESTABLISH A HEALTH CLUB, BOXING AND MARTIAL ARTS USE AT 27060, 27062, AND 27064 LA PAZ ROAD

Director of Planning Al Armijo presented the staff report.

Mayor Tsunoda opened the public hearing. There was no public testimony and the public hearing was closed.

Questions and discussion ensued regarding term of the CUP, ability to revoke for non compliance, pending litigation, and hours of operation.

**MOTION: COUNCILMEMBER GARCIA MOVED AND COUNCILMEMBER PHILLIPS SECONDED TO ADOPT RESOLUTION NO. 2010-15 ENTITLED BELOW:**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT UPAV10-04 TO ESTABLISH A HEALTH CLUB, BOXING AND MARTIAL ARTS USE FOR LA BOXING AV INC. AT 27060, 27062 and 27054 LA PAZ ROAD IN ALISO VIEJO**

**MOTION CARRIED 3-0 WITH MAYOR PRO TEM CAVE AND COUNCILMEMBER FICKE ABSENT.**

**DISCUSSION ITEMS NOS. 11 THROUGH 16**

11. **YEAR 2010 UPDATE TO LOCAL GUIDELINES FOR IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

City Attorney Smith presented the staff report.

Mayor Tsunoda opened for public comments. There were no public comments.

**MOTION: COUNCILMEMBER GARCIA MOVED AND COUNCILMEMBER PHILLIPS SECONDED TO ADOPT RESOLUTION NO. 2010-12 ENTITLED BELOW:**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, TO AMEND AND ADOPT LOCAL GUIDELINES FOR IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FOR YEAR 2010**

**MOTION CARRIED 3-0 WITH MAYOR PRO TEM CAVE AND COUNCILMEMBER FICKE ABSENT.**

12. **SECOND AMENDMENT FOR STREET AND STORM DRAIN MAINTENANCE – PV MAINTENANCE**

City Manager Pulone presented the staff report.

Mayor Tsunoda opened for public comments. There were no public comments.

**MOTION: COUNCILMEMBER PHILLIPS MOVED AND COUNCILMEMBER GARCIA SECONDED TO APPROVE A SECOND AMENDMENT TO SAID AGREEMENT WITH PV MAINTENANCE FOR STREET AND STORM DRAIN MAINTENANCE AND AUTHORIZE THE CITY MANAGER TO EXECUTE SAME. MOTION CARRIED 3-0 WITH MAYOR PRO TEM CAVE AND COUNCILMEMBER FICKE ABSENT.**

13. COMMUNITY ASSISTANCE GRANT FUNDING FISCAL YEAR 2010-11

City Manager Pulone presented the staff report.

Discussion ensued regarding the allocations, a historical matrix going back five years and rationale for the denial and reduction of funding requests.

Mayor Tsunoda opened for public comments. There were no public comments.

**MOTION: COUNCILMEMBER GARCIA MOVED AND COUNCILMEMBER PHILLIPS SECONDED TO CONTINUE THIS ITEM TO MAY 19, 2010 AND INCLUDE A MATRIX OF COMMUNITY ASSISTANCE GRANTS GOING BACK FIVE YEARS AND AN EXPLANATION FOR THOSE APPLICATIONS THAT ARE RECOMMENDED TO RECEIVE NO FUNDING OR FUNDING LESS THAN REQUESTED. MOTION CARRIED 3-0 WITH MAYOR PRO TEM CAVE AND COUNCILMEMBER FICKE ABSENT.**

14. FISCAL YEAR 2010 PROPOSED BUDGET FOR THE COMMUNITY TRUST ACCOUNT

City Manager Pulone presented the staff report.

Questions and discussion ensued on how some of the figures were derived, and the formula for monies taken out of the fund balance versus the general fund.

Mayor Tsunoda opened for public comments. There were no public comments.

**MOTION: MAYOR TSUNODA MOVED AND COUNCILMEMBER PHILLIPS SECONDED TO APPROVE THE COMMUNITY TRUST ACCOUNT BUDGET FOR FISCAL YEAR 2010-11 AS PRESENTED; AND, DIRECT STAFF TO COME BACK AT A FUTURE COUNCIL MEETING WITH A REVISED POLICY TO INCLUDE LANGUAGE FOR A MECHANISM TO USE THE FUND BALANCE AND THE GENERAL FUND FOR THIS PURPOSE. MOTION CARRIED 3-0 WITH MAYOR PRO TEM CAVE AND COUNCILMEMBER FICKE ABSENT.**

15. REVIEW THE DRAFT ANNUAL BUDGET FOR FISCAL YEAR 2010-11

City Manager Pulone presented the staff report.

Questions and discussion ensued regarding economic development, investment earnings, art in public places, use of reserves for the community, County Sheriff's contract, Measure M fees, management and operating costs for the Conference Center and the Aquatic Center, development impact fees, and the recreation activities overview sheet.

Mayor Tsunoda opened for public comments. There were no public comments.

Mayor Tsunoda noted he would be interested in having a discussion with Council at a future date regarding the use of City reserves for the community.

Councilmember Garcia requested staff to insert a previous year column on the recreation activities overview sheet when it comes back next year.

**COUNCIL DIRECTED THE CITY MANAGER TO CONSULT WITH MAYOR PRO TEM CAVE AND COUNCILMEMBER FICKE FOR A NEED TO BRING THIS ITEM BACK ON MAY 19, 2010 FOR ADDITIONAL QUESTIONS AND CONCERNS, BEFORE SUBMITTING THE FINAL DRAFT TO COUNCIL ON JUNE 2, 2010.**

16. CLIMATE ACTION PLAN – PROPOSITION 84 GRANT PROGRAM RESOLUTION

Council requested staff to dispense with the report.

Mayor Tsunoda opened for public comments. There were no public comments.

**MOTION: COUNCILMEMBER GARCIA MOVED AND COUNCILMEMBER PHILLIPS SECONDED TO ADOPT RESOLUTION NO. 2010-13 ENTITLED BELOW AND DIRECTED STAFF TO PROCEED WITH THE APPLICATION FOR PROPOSITION 84 GRANT FUNDS RELATED TO THE CITY'S CLIMATE ACTION PLAN:**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE SUSTAINABLE COMMUNITIES PLANNING GRANT AND INCENTIVES PROGRAM**

**MOTION CARRIED 3-0 WITH MAYOR PRO TEM CAVE AND COUNCILMEMBER FICKE ABSENT.**

**COMMUNITY INPUT**

None

**CITY MANAGER'S REPORT**

None

**ANNOUNCEMENTS/COUNCIL COMMENTS/COMMITTEE UPDATES**

Garcia

- Attended the Saddleback Veterans Memorial event at Saddleback College.

Phillips

- Attended the Laguna Canyon Foundation event to honor Michael Pinto, Ph.D. for his twenty years of service to the foundation as its founding member and president.
- Expressed thanks to all who helped in the opening at the Aquatic Center.
- Suggested to invite the Laguna Canyon Foundation to a future Council meeting to present information on the programs and events offered in Wood Canyon and Aliso Canyon.

Tsunoda

- Wished Councilmember Garcia a belated happy birthday.
- Reported that the Orange County Vector Control District will be hiring a recruiter to fill the General Manager position.

**ADJOURNMENT:** The Mayor adjourned the meeting at 9:00 p.m. to the regularly scheduled Council meeting of May 19, 2010.

Respectfully submitted,

Approved by:

---

SUSAN A. RAMOS  
CITY CLERK

---

PHILLIP B. TSUNODA  
MAYOR