

**MINUTES
CITY COUNCIL REGULAR MEETING
September 3, 2003**

CALL TO ORDER

The regular meeting of the City Council of the City of Aliso Viejo was called to order at 7:04 p.m. by Mayor Adams at the City Hall Council Chambers, 12 Journey, Aliso Viejo, California.

Present: Ficke, Phillips, Vali-Cave, Warkomski, Mayor Adams
Absent: None

The Pledge of Allegiance was led by Sammy Cole, Aliso Viejo Little League All-Stars Member.

SPECIAL PRESENTATIONS

A Certificate of Appreciation was presented to Jim Meyer for his contribution for the continued preservation of intercoastal watershed. It was announced the 7th Annual Intercoastal Cleanup Day will be held on Saturday, September 20, 2003.

Certificates were presented to the Aliso Viejo Little League All-Stars for their State championship win.

ADDITIONS, DELETIONS, REORDERING TO THE AGENDA

City Attorney Smith announced the closed session will not need to be held.

CONSENT CALENDAR (Items 1 – 6)

A MOTION was made by Council Member Vali-Cave, seconded by Mayor Pro Tem Phillips, to approve the consent calendar as presented. Motion carried, 5-0.

1. **Waive the Reading of All Ordinances**
Waived the reading of all Ordinances in their entirety and read by title only.
2. **Minutes – August 6, 2003 Regular Meeting**
Prepared by: Debbie A. Lee, City Clerk
Approved the Minutes as submitted.
3. **Minutes – August 20, 2003 Regular Meeting**
Prepared by: Debbie A. Lee, City Clerk
Approved the Minutes as submitted.

4. **Warrants**
Prepared by: Gina M. Tharani, Financial Services Manager
Approved warrants issued 08-14-03, for \$66,667.56; and approved warrants issued 08-21-03, for \$379,346.73.
5. **Treasurer's Statement**
Prepared by: Gina M. Tharani, Financial Services Manager
Approved the July 2003 Treasurer's Statement.
6. **800mhz Backbone System Cost Sharing**
Prepared by: Lt. Rich Paddock, Chief of Police Services

RESOLUTION NO. 2003 – 026
**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO,
CALIFORNIA, APPROVING BOTH THE JOINT AGREEMENT AND
AMENDMENT TO THE JOINT AGREEMENT FOR THE IMPLEMENTATION
AND OPERATION OF THE ORANGE COUNTY 800 MHZ COUNTYWIDE
COORDINATED COMMUNICATIONS SYSTEM**

Adopted Resolution No. 2003-026 approving both the Joint Agreement and Amendment to the Joint Agreement for the implementation and operation of the Orange County 800 MHz countywide coordinated communications system; and authorized the Mayor and City Clerk to sign both agreements.

PUBLIC HEARINGS (Item 7)

7. **Resolution Adopting Certain Fees for Occupancy and Zoning Determinations (Continued from 08-20-03)**
Prepared by: John Whitman, City Engineer

RESOLUTION NO. 2003 – 027
**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO,
CALIFORNIA, ADOPTING CERTAIN FEES ASSOCIATED WITH OCCUPANCY
AND ZONING DETERMINATIONS**

Mayor Adams opened the public hearing.

City Attorney Smith gave background from the staff report.

There being no speakers Mayor Adams closed the public hearing.

Discussion ensued regarding the Resolution being revenue neutral.

A MOTION was made by Council Member Ficke, seconded by Mayor Pro Tem Phillips, to adopt Resolution No. 2003-027 adopting certain fees associated with occupancy and zoning determinations. Motion carried, 5-0.

COUNCIL BUSINESS (Items 8 - 10)

**8. Community Assistance Grant Funding – FY2003-04
Prepared by: Helen Wilson, Community Services & Special Projects Manager**

Community Services & Special Projects Manager Wilson gave background from the staff report.

Discussion ensued regarding Operation Clean Slate; and ensuring all who applied are represented even if they missed the deadline.

Council Member Vali-Cave advised her spouse sits on the Saddleback College Foundation Board so she will be abstaining on that issue.

Council Member Ficke advised he sits on the Saddleback College Foundation Board and he will be abstaining on that issue, even though he has a legal opinion stating he has no conflict of interest.

A MOTION was made by Council Member Vali-Cave, seconded by Mayor Pro Tem Phillips, to allocate funding as follows: Ariel Rescue - \$2,200; Operation Clean Slate - \$1,500; Philharmonic Society of Orange County - \$2,500; and South Coast Symphony - \$2,300. Motion carried, 5-0.

A MOTION was made by Mayor Pro Tem Phillips, seconded by Council Member Warkomski, to allocate funding to Saddleback College Foundation for \$1,500. Motion carried, 3-0-2, with Council Members Ficke and Vali-Cave abstaining.

**9. Proposed Change in City Clerk's Office
Prepared by: David J. Norman, City Manager**

City Manager Norman gave background from the staff report.

Council Member Vali-Cave voiced concern on the following: Not having a seasoned City Clerk for the October 7 election; concerns with the City's first election next year and having no experienced City Clerk; concerns in getting qualified candidates due to the job description and pay for the position; and having another option for the possibility of not being able to attract candidates for this position.

City Manager Norman stated if the City Council is willing, the salary could be taken higher.

Council Member Vali-Cave inquired if there are other alternatives to the combination of staff that might accommodate a lower paid person with a

different job title performing some of the same functions or even redistributing the responsibilities for the staff already in existence.

City Manager Norman answered no as the staff is already working at maximum capacity presently.

Council Member Vali-Cave inquired who would appoint this position.

City Manager Norman answered he would appoint the Assistant to the City Manager position and the Council would appoint the City Clerk position. It is much like how the Financial Services Manager/City Treasurer is appointed.

At 7:52 p.m. Council Member Warkowski left the Dias.

Council Member Vali-Cave restated this may be too big a job for one person.

Mayor Pro Tem Phillips voiced to go ahead and have a provision to come back in 30 days to update the Council on the process.

City Manager Norman stated if the Council authorizes, he can take the position up to \$90,000.

At 7:54 p.m. Council Member Warkowski returned to the Dias.

Mayor Adams voiced if the salary is an issue, we may want to modify or prioritize the duties to make a better fit.

A MOTION was made by Council Member Ficke, seconded by Mayor Pro Tem Phillips, to approve the recruitment and hiring of an Assistant to the City Manager/City Clerk to fulfill the appointed Office of City Clerk. Motion carried, 4-1, with Council Member Warkowski dissenting.

10. **Appointment of Interim City Clerk**
Prepared by: David J. Norman, City Manager

RESOLUTION NO. 2003 – 028
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO,
CALIFORNIA, REPEALING RESOLUTION NO. 2001-044 AND APPOINTING
AN INTERIM CITY CLERK

City Manager Norman gave background from the staff report.

Discussion ensued regarding appointment of Deputies.

A MOTION was made by Council Member Ficke, seconded by Mayor Pro Tem Phillips, to adopt Resolution No. 2003-028 appointing an Interim City Clerk, effective September 27, 2003. Motion carried, 5-0.

COMMUNITY INPUT

There were no speakers.

CITY MANAGER'S REPORT

City Manager Norman advised of the League of California Cities Annual Conference in Sacramento next week. Also he is proposing having no Council meeting on September 17. However, the October 1 meeting will be a regular, routine business meeting. October 15 will start with special closed session meetings at 4:00 p.m. for the interview of candidates for the Assistant to the City Manager/City Clerk position. That will also be a GPAC meeting night for Council Members Ficke and Vali-Cave. October 22 will be a special meeting for the preliminary draft General Plan.

Council consensus to not have a Council meeting on September 17, 2003.

ANNOUNCEMENTS/COUNCIL COMMENTS/COMMITTEE UPDATES

Council Member Warkomski voiced the Trails 4 All event will be on September 20. He was appointed to the Board of Directors for South Orange County Watershed Conservancy. September 21 is a sustainable food festival at South Coast Farm from 1-5 p.m. He was invited to the 13th annual Environmental Media Awards in Los Angeles. On September 20 there is a 5k Walk for Hope event in Huntington Beach. The Heart and Soul Coalition will honor Jane Goodall on September 13 in Laguna Beach at the Festival of the Arts. Orange County Interfaith Coalition for the Environment will be hosting an event on October 25, from 8:30 a.m.-3:00 p.m. in Huntington Beach. On October 11 Orange County Coast Keeper will be holding their annual fundraiser "Toast for the Coast" in Dana Point. He voiced concerns regarding the resolution regarding wilderness designations and scenic rivers at the League's annual conference.

Council Member Vali-Cave voiced the Median Ad-Hoc Committee has met. The TCA Committee met yesterday and sent the Traffic and Revenue Study back to the Finance Committee. She has been asked to go to New York for the TCA to talk to potential finance group regarding the potential merger.

Council Member Ficke voiced he attended the OCCOG meeting provided an update to the Council. He will be attending the League of California Cities Annual Conference in Sacramento next week and asked for clarification on Council Member Warkomski's opposition to the one resolution. He would like the Council to look at the handout he provided regarding the resolutions.

Mayor Pro Tem Phillips voiced his thanks to the Police and Public Works for diligently looking at the traffic and intersections around the schools and in the immediate area of the schools.

Mayor Adams voiced she will be attending the installation of officers for the Orange County Division of the League of California Cities on September 5 in Huntington Beach. OCFA will be held on September 25. SOKA will have a photo exhibit in the Art Gallery regarding the days following the 9/11 tragedy.

CLOSED SESSION

There was no session held.

ADJOURN

There being no further business, at 8:18 p.m. Mayor Adams declared the meeting adjourned.

Prepared By:

Approved By:

Debbie A. Lee, CMC
City Clerk

Cynthia Adams
Mayor