

**MINUTES**  
**CITY COUNCIL REGULAR MEETING**  
**September 4, 2001**

**CALL TO ORDER**

The regular meeting of the City Council of the City of Aliso Viejo, California, was called to order at 7:05 p.m. by Mayor Vali at the Orange County Sheriff's Department Aliso Viejo Substation Community Room, 11 Journey, Aliso Viejo, California.

**ROLL CALL**

Present: Council Members Ficke, Phillips, Warkomski, Mayor Pro Tem Pickett,  
Mayor Vali

Absent: None

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Nancy Conley.

**SPECIAL PRESENTATIONS**

A Proclamation was presented for the Komen Orange County Race for the Cure, which will take place on September 23, 2001.

Certificates of Recognition were presented for the 100<sup>th</sup> Anniversary Celebration of Community Colleges.

**ADDITIONS, DELETIONS, REORDERING TO THE AGENDA**

Request to take Item #3 in closed session.

**CONSENT CALENDAR**

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

1. **Waive the Reading of All Ordinances**  
Waived the reading of all Ordinances in their entirety and read by title only.
2. **Approval of Expenditures**  
Approved the expenditures.

## **PUBLIC HEARINGS**

There were no public hearings scheduled.

## **COUNCIL BUSINESS**

### **3. Recruitment of Assistant City Manager Prepared by William Woollett, Jr., City Manager**

Discussion ensued regarding the process, timeline, Council participation in the process and job description; Role of the recruitment firm; Cost of the firm.

**A MOTION** was made by Mayor Pro Tem Pickett, seconded by Council Member Warkomski, to direct the City Manager to conduct the recruitment of the Assistant City Manager by: Hiring a firm to assist at a cost not to exceed \$25,000; and Presenting the most qualified candidate(s) to the City Council for their decision. Motion carried, 4-1, with Council Member Ficke dissenting.

### **4. Parking Citations Contract Prepared by: Rich Paddock, Chief of Police Services**

Discussion ensued regarding any alternatives to MSB/Data Ticket Group; Private property and commercial property issues; Contested and overturned tickets; In Section 1.10, first paragraph, strike out "...or no more than 21 miles outside the County of Orange" and keep it within the City boundaries; In Section 4.6 it states the late payment rate will be 12% and should state it's annually.

**A MOTION** was made by Council Member Ficke, seconded by Council Member Warkomski, to suspend action on the item until the provider can be present.

Discussion ensued regarding why the provider wasn't here and maybe with the changes being discussed they should be given the opportunity.

**MOTION** failed, 2-3, with Council Member Phillips, Mayor Pro Tem Pickett and Mayor Vali dissenting.

**A MOTION** was made by Council Member Warkomski, seconded by Mayor Pro Tem Pickett, to enter into a contract with MSB/Data Ticket group for processing of parking citations, with the change to Section 1.10 and Section 4.6 to specify the rate is annually. Motion carried, 4-1, with Council Member Ficke dissenting.

### **5. Readopt Orange County Code Prepared by: Debbie A. Lee, City Clerk, & Scott Smith, City Attorney**

City Clerk Lee presented an Ordinance entitled:

**ORDINANCE NO. 2001-018**  
**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO,**  
**CALIFORNIA, ADOPTING THE ORANGE COUNTY CODE AND OTHER**  
**RELEVANT NON-CODIFIED ORANGE COUNTY ORDINANCES AS CITY**  
**ORDINANCES**

which title was read.

**A MOTION** was made by Council Member Phillips, seconded by Council Member Ficke, to introduce Ordinance No. 2001-011 readopting the Orange County Code and other relevant non-codified Orange County Ordinances as City Ordinances. Motion carried unanimously, 5-0.

**6. Orange County Transportation Authority Board (OCTA) Growth Management Area (GMA) 10 Appointment**  
**Prepared by: Susan Taylor, Executive Coordinator**

**A MOTION** was made by Council Member Warkomski, seconded by Mayor Pro Tem Pickett, to designate Council Member Phillips as the primary representative to participate in the GMA 10. Motion carried unanimously, 5-0.

**A MOTION** was made by Council Member Phillips, seconded by Council Member Warkomski, to designate Council Member Ficke as the alternate representative. Motion carried unanimously, 5-0.

**7. City Logo**  
**Prepared by: Helen Wilson, Administrative Assistant**

**A MOTION** was made and amended by Mayor Pro Tem Pickett, seconded by Council Member Phillips, to conduct a contest within the community to solicit proposals for review and selection which the Press can notify the community; Hire a professional artist/designer for the actual rendering of the logo; and the current logo be added to the contest.

Discussion ensued regarding the City having the ability to choose elements from different submissions to make up the logo; and all submittals to be the property of the City, including the copyright.

**MOTION** carried unanimously, 5-0.

**8. Land Use Administration Ordinance**  
**Prepared by: Clint Sherrod, Director of Planning Services & John Whitman,**  
**City Engineer/Director of Public Works**

City Clerk Lee presented an Ordinance entitled:

**ORDINANCE NO. 2001 – 019**  
**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO,**  
**CALIFORNIA, CONCERNING THE ADMINISTRATION OF ZONING AND**  
**SUBDIVISION REGULATIONS**

which title was read.

Discussion ensued regarding land use regulations and administration; Public input into the process; and a Planning Commission.

**A MOTION** was made by Mayor Pro Tem Pickett, seconded by Council Member Ficke, to send this back to staff for further review and appoint Council Member Phillips and Mayor Vali as a committee to work on this item with staff. Motion carried unanimously, 5-0.

**COMMUNITY INPUT**

M.L. Stein, 18 Lyon Ridge, inquired as to what the difference is between the City and AVCA.

Melanie Rodriguez, representing Saddleback College, invited the Council and the public to attend the 100<sup>th</sup> anniversary celebration.

**Valley of the Schools Traffic Issues - Barbara DeShann**

Barbara DeShann, AVCA Delegate, made a presentation regarding traffic and safety issues.

Discussion ensued regarding non-structural changes, i.e., having different starting times and ending times; Rescinding the bus fees; Working group of Council, staff, Police services, Schools, School District, City and County, AVCA, residents in the area to look at this issue; 4-lane Bridge.

**9. Traffic Issues**

**Prepared by: John Whitman, City Engineer/Public Works Director**

Staff presented the Traffic Calming Program.

**CITY MANAGER'S REPORT**

City Manager Woollett updated the Council on the grease trap Ordinance and the recruitment for a clerk/typist.

**ANNOUNCEMENTS/COUNCIL COMMENTS**

Council Member Ficke advised he and Mayor Vali had attended a TCA meeting and

other related other TCA issues.

Council Member Phillips requested a meeting with Moulton/Niguel Water District regarding putting the streets back in the condition in which they found them before they started their street work.

City Attorney Smith advised they did have a meeting with them regarding this issue and advised there will be an item at the next meeting regarding trench cuts, etc.

Discussion ensued regarding trench cuts and the utility districts.

Mayor Vali advised she attended the City's official first meeting as an ETRPA member and they are involved in seven lawsuits regarding the airport. Advised the public hearing for the airport has been held over and we have the opportunity to get our comments on the record stating they have not responded to our comments regarding the EIR. We also have not received a copy of their response to comments which they should have done. She would like to agendaize this item at this time.

**A MOTION** was made by Mayor Vali, seconded by Council Member Phillips, to add this item to the agenda. Motion carried unanimously, 5-0.

**A MOTION** was made by Mayor Vali, seconded by Council Member Phillips, to send a letter to the Board of Supervisors letting them know we have not received a response to our comments and demand a response to our comments and a copy of their response to comments.

Discussion ensued regarding legal challenges to the EIR and their non-response to our comments.

**MOTION** carried unanimously, 5-0.

## **CLOSED SESSION**

At 9:05 p.m. the City Council convened into closed session, with all Council Members present regarding the following:

Pursuant to Government Code Section 54957.6 Conference with Labor Negotiator

Agency designated representatives: Cyndi Pickett, Bill Phillips, Scott Smith  
Unrepresented employee: City Manager

At 9:38 p.m. the City Council reconvened into open session, with all Council Members present, making no announcements.

**ADJOURN**

There being no further business, at 9:38 p.m. Mayor Vali declared the meeting adjourned.

Submitted By:

Approved By:

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Debbie A. Lee, CMC  
City Clerk

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Carmen L. Vali, Ph.D.  
Mayor