

**MINUTES
CITY COUNCIL REGULAR MEETING
October 2, 2001**

CALL TO ORDER

The regular meeting of the City Council of the City of Aliso Viejo was called to order at 7:02 p.m. by Mayor Vali at the Orange County Sheriff's Aliso Viejo Station Community Room, 11 Journey, Aliso Viejo, California.

ROLL CALL

Present: Phillips, Pickett, Warkomski, Mayor Vali
Absent: Ficke (arrived at 7:04 p.m. as he was assisting the Chief of Police Services)

PLEDGE OF ALLEGIANCE

The Pledge was led by Chief Richard Witesman, OCFA.

SPECIAL PRESENTATIONS

A presentation was made to the City by the Orange County Fire Authority (OCFA).

A Proclamation was presented to the OCFA for National Fire Prevention Week (October 7-13, 2001) & Day of Remembrance and Reflection (October 13, 2001).

ADDITIONS, DELETIONS, REORDERING TO THE AGENDA

Request to pull items #6 & #7 off the consent calendar for discussion.

CONSENT CALENDAR

A MOTION was made by Council Member Ficke, seconded by Council Member Phillips, to approve the consent calendar with the exception of item #6 & #7. 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**
Prepared by: Sandra Higginbotham, MuniFinacial
Approved the expenditures.

3. **Minutes – July 31, 2001 Regular Adjourned Meeting**
Prepared by: Debbie Lee, City Clerk
Approved the Minutes as submitted.
4. **Minutes – August 7, 2001 Regular Meeting**
Prepared by: Debbie Lee, City Clerk
Approved the Minutes as submitted.
5. **Minutes – August 21, 2001 Regular Meeting**
Prepared by: Debbie Lee, City Clerk
Approved the Minutes as submitted.
8. **Abandoned Vehicle Abatement Program**
Prepared by: Rich Paddock, Chief of Police Services

RESOLUTION NO. 2001 - 049
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO,
CALIFORNIA CONCERNING PARTICIPATION IN THE ORANGE COUNTY SERVICE
AUTHORITY FOR ABANDONED VEHICLES

Adopted Resolution No. 2001-049 authorizing participation in the Service Authority for Abandoned Vehicles Plan.

ITEMS REMOVED FROM THE CONSENT CALENDAR

6. **Tract No. 15451 (AV Properties/Hearthside Homes) and Tract No. 15455 (AV Properties) Accepting Public Street Improvements**
Prepared by: John Whitman, City Engineer

RESOLUTION NO. 2001 - 047
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO
AUTHORIZING AND APPOINTING THE CITY MANAGER AND/OR THE CITY
ENGINEER AS ITS AGENT TO ACCEPT AND CONSENT TO TRACT MAPS
OF REAL PROPERTY WITHIN TRACTS 15451 AND 15455, PURSUANT TO
SECTION 27281 OF THE CALIFORNIA GOVERNMENT CODE

City Manager Woollett explained he asked for item #6 & #7 be pulled for further explanation to the Council.

City Engineer Whitman gave an explanation of item #6 & #7. General discussion ensued regarding final maps, bonds, street improvements, etc.

A MOTION was made by Mayor Pro Tem Pickett, seconded by Council Member Phillips, to certify public street improvements to Boundary Oak (Tract 15451) as

complete; certify public street improvements to Wood Canyon Drive (Tract 15455) as complete; adopt Resolution No. 2001-047 accepting public street improvements; and direct staff to record proper documents with the Orange County Recorder. Motion carried unanimously, 5-0.

7. **Tract No. 15715 Accepting Tract Map**
Prepared by: John Whitman, City Engineer

RESOLUTION NO. 2001 - 048

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO
AUTHORIZING AND APPOINTING THE CITY MANAGER AND/OR THE CITY
ENGINEER AS ITS AGENT TO ACCEPT AND CONSENT TO TRACT MAPS OF
REAL PROPERTY AND EASEMENTS WITHIN TRACT 15715, PURSUANT TO
SECTION 27281 OF THE CALIFORNIA GOVERNMENT CODE**

A MOTION was made by Council Member Phillips, seconded by Council Member Ficke, to certify the final Tract Map for Tract No. 15715 is correct and adopt Resolution No. 2001-048 accepting easements for maintenance and access for streets, driveways, signs, lights, storm drains and arrogations; and direct staff to record proper documents with the Orange County Recorder. Motion carried unanimously, 5-0.

PUBLIC HEARINGS

No public hearings held.

COUNCIL BUSINESS

9. **Ordinance Regarding Encroachments and Work in the Public Right of Way**
Prepared by: Scott C. Smith, City Attorney & John Whitman, City Engineer

City Manager Woollett advised staff still needs to work with the utility companies on this item. Staff will be holding a meeting on October 9, 2001 at 4:00 p.m. with the utility companies regarding this. Staff is seeking input into the process from the Council.

Discussion ensued regarding repairs which have already been done; trench cuts; time frames; and City liability.

City Attorney Smith advised comments came in before and after the agenda. Staff will circulate these comments to the utility companies.

10. **Second Reading of Ordinance No. 2001-019/Proper Use of City Seal and City-Owned Property**
Prepared by: Scott C. Smith, City Attorney

City Clerk Lee presented an Ordinance entitled:

ORDINANCE NO. 2001 – 019
AN ORDINANCE OF THE CITY OF ALISO VIEJO, CALIFORNIA, ADDING ARTICLE 5 TO DIVISION 1, TITLE 1 OF THE ORANGE COUNTY CODE AS ADOPTED BY THE CITY OF ALISO VIEJO TO REGULATE THE PROPER USE OF THE CITY SEAL AND ANY CITY-OWNED PROPERTY

which title was read.

A MOTION was made by Council Member Ficke, seconded by Council Member Phillips, to adopt Ordinance No. 2001-019 concerning the use of City Seal and any City-owned property. Motion carried unanimously, 5-0.

COMMUNITY INPUT

Sue Meserve, 15 Destiny Way, inquired when the poles advertising the apartment complexes became a permanent fixture.

Mayor Vali advised the Community Association dealt with that issue. They were permitted for the sale and advertisement of the complexes. The Association did go over whether or not the ability expired and it does not expire. The appropriate body to address this to is the Association which regulates the signs and flags. There is, however, a limit to how many they can have.

CITY MANAGER'S REPORT

City Manager Woollett advised that due to the holidays and League Conference being rescheduled he suggests the Council only meet once in December and once in January. He suggested December 11 and January 15.

Council consensus to hold the Council meetings as such in December and January.

ANNOUNCEMENTS/COUNCIL COMMENTS

Chief of Police Services Paddock introduced the two new CSO's who have just come on board at the station. In addition, he introduced Ryan Witesman who has volunteered to help put together the Emergency Management Plan for the City. He advised the new police car is out in the parking lot.

CLOSED SESSION

At 7:49 p.m. the City Council convened into closed session, with all Council Members present, pursuant to the following:

CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

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

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(a)

Name of case: Garry v. County of Orange, City of Aliso Viejo, et. al.

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9(d)

Significant exposure to litigation – 1 case

CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION

Pursuant to Government Code Section 54956.9(c)

Initiation of litigation – 1 case

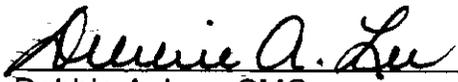
At 8:40 p.m. the City Council reconvened into open session, with all Council Members present, making no announcements.

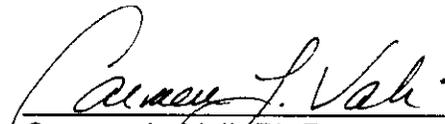
ADJOURN

There being no further business, at 8:40 p.m. Mayor Vali declared the meeting adjourned.

Submitted By:

Approved By:


Debbie A. Lee, CMC
City Clerk


Carmen L. Vali, Ph.D.
Mayor