

**MINUTES
CITY COUNCIL REGULAR MEETING
January 15, 2002**

CALL TO ORDER

The regular meeting of the City Council of the City of Aliso Viejo was called to order at 7:11 p.m. by Mayor Vali, at the City Hall Council Chambers, 12 Journey, Aliso Viejo, California.

Present: Ficke, Phillips, Pickett, Warkomski, Mayor Vali
Absent: None

The Pledge of Allegiance was led by Boy Scout Troop 700.

SPECIAL PRESENTATIONS

Mayor Vali announced there are two Boy Scout Troops, 700 and 734 present in the audience. Self introductions were done. She also announced the meeting will be adjourned in memory of Gaye Soroka of Waste Management.

ADDITIONS, DELETIONS, REORDERING TO THE AGENDA

There were none.

CONSENT CALENDAR

City Clerk Lee advised there is a speaker for item #4.

A MOTION was made by Council Member Ficke, seconded by Council Member Phillips, to approve the Consent Calendar with the exception of item #4. 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. **Minutes – December 11, 2001 Regular Meeting**
Approved the Minutes as submitted.
3. **Approval of Expenditures**
 1. Approved expenditures issued December 21, 2001;
 2. Approved expenditures issued December 26, 2001;
 3. Approved expenditures issued December 27, 2001; and
 4. Approved expenditures issued January 15, 2002.

5. **Get Out and Vote Outreach Project**

Approved the project elements proposed for the Get Out and Vote Outreach Project for the March 5, 2002 election.

6. **Personnel Handbook**

**RESOLUTION NO. 2002 – 002
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO,
CALIFORNIA, REPEALING RESOLUTION NO. 2001-027 AND ADOPTING
THE CITY OF ALISO VIEJO EMPLOYEE HANDBOOK/PERSONNEL
POLICIES & PROCEDURES**

Adopted Resolution No. 2002-002 adopting an employee handbook/personnel policies and procedures.

ITEMS REMOVED FROM THE CONSENT CALENDAR

4. **Proposition W – Park Initiative**

**RESOLUTION NO. 2002 – 001
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO,
CALIFORNIA, SUPPORTING THE ORANGE COUNTY BALLOT INITIATIVE,
PROPOSITION W (THE ORANGE COUNTY CENTRAL PARK AND NATURE
PRESERVE INITIATIVE) FOR THE COUNTYWIDE ELECTION TO BE HELD
ON MARCH 5, 2002**

Mayor Vali advised this item is a reaffirmation of the Council's opposition to the development of an airport at MCAS El Toro.

Douglas Brown, Citizens for Safe and Healthy Communities, advised the County is moving ahead to build an airport at El Toro. Advised he realizes the City cannot spend money to campaign for this, but he does have envelopes for individuals who would like to contribute to promote Measure W.

A MOTION was made by Council Member Ficke, seconded by Council Member Phillips, to adopt Resolution No. 2002-001 supporting the Orange County Central Park and Nature Preserve Initiative. Motion carried unanimously, 5-0.

PUBLIC HEARINGS

None scheduled.

COUNCIL BUSINESS

7. City Logo Design

Administrative Assistant Wilson gave the staff report.

A MOTION was made by Council Member Phillips, seconded by Mayor Pro Tem Pickett, to appoint Mayor Vali to work with the City Manager in the final selection of a logo design and authorize the City Manager to hire a professional graphic artist for an amount not to exceed \$1,500 to finalize the logo design and incorporate selected elements and colors. Motion carried unanimously, 5-0.

8. Adult Business Ordinance

**ORDINANCE NO. 2002 – 026
AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO
VIEJO AMENDING THE ALISO VIEJO PLANNED COMMUNITY
DEVELOPMENT PLAN AND SUPPLEMENTAL TEXT AND ADOPTING
REGULATIONS PERTAINING TO THE ESTABLISHMENT AND OPERATION
OF ADULT BUSINESSES**

City Attorney Smith gave the staff report.

Discussion ensued regarding the location in Town Center not being desirable thus eliminating Planning Area 40.3 (South of Enterprise); the inability to ban adult businesses altogether; restrictions which could be placed on these types of businesses over other businesses; and rights of surrounding property owners.

A MOTION was made by Council Member Ficke, seconded by Council Member Phillips, to adopt Ordinance No. 2002-026 adopting regulations pertaining to the establishment and operation of adult businesses, with the correction on page 12, Section 3, eliminating Planning Area 40.3 (South of Enterprise) . Motion carried unanimously, 5-0.

9. Telecommunications Ordinance

**ORDINANCE NO. 2002 - ____
AN ORDINANCE OF THE CITY OF ALISO VIEJO ADDING ARTICLE 24 TO
DIVISION 3 OF CHAPTER 5 AND DIVISION 12 TO CHAPTER 7 OF THE
ORANGE COUNTY CODE AS ADOPTED BY THE CITY OF ALISO VIEJO
RELATED TO TELECOMMUNICATIONS PROVIDERS AND SERVICES AND
TO WIRELESS TELECOMMUNICATION FACILITIES**

Discussion ensued regarding how this fits into the Municipal Code; and a fee structure for facilities in the public right of way.

Wade Kloos, 59 Matisse Circle, suggested having an impact fee for towers and facilities for beautification reasons.

A MOTION was made by Council Member Phillips, seconded by Mayor Pro Tem Pickett, to authorize staff to: 1) Circulate the Ordinance to City franchisees; 2) Convene a meeting and orientation with franchisees and stakeholders for comment; and 3) Bring the Ordinance back to the City Council for first reading. Motion carried unanimously, 5-0.

10. **General Plan Advisory Committee Selection (Continued from 12-11-01)**

A MOTION was made by Mayor Pro Tem Pickett, seconded by Council Member Ficke, to appoint all applicants and Council recommendations as Members of the General Plan Advisory Committee. Motion carried unanimously, 5-0.

11. **Second Reading - Land Use Administration Ordinance**

**ORDINANCE NO. 2001 – 025
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO,
CALIFORNIA, CONCERNING THE ADMINISTRATION OF ZONING AND
SUBDIVISION REGULATIONS**

A MOTION was made by Mayor Pro Tem Pickett, seconded by Council Member Phillips, to adopt Ordinance No. 2001-025 concerning the administration of zoning and subdivision regulations. Motion carried unanimously, 5-0.

COMMUNITY INPUT

Russell Waldman, 7 Elderberry, voiced concern regarding the intersection on Canyon Vista and Madia Lane by Canyon View Park stating he would like a stop sign installed there.

Richard Groomes, 16 Yarrow, voiced concern regarding the same area stating it is very dangerous.

CITY MANAGER'S REPORT

City Manager Woollett advised the speakers if they do not get a contact by staff by Friday to call him.

ANNOUNCEMENTS/COUNCIL COMMENTS/COMMITTEE UPDATES

Council Member Warkowski advised he would like to be kept updated on the Aliso Viejo Business Advisory Council. He suggested a Chamber

representative be on it. Voiced his suggestion on TCA landscaping. Suggested passing a resolution of support for Proposition 40. Voiced concern about the financial status of KMart and suggested having a plan should the store close. Would like to know what the drawbacks are for Proposition 42. January 26 is the Greater Laguna Fire Council and January 25 is the Water Conservation meeting.

Council Member Phillips voiced there is a traffic committee tomorrow morning at the High School. Would like to get some guidance to broaden this beyond just the High School.

Mayor Pro Tem Pickett voiced the OCFA Executive Board Meeting is January 24. She added she would like all Council Members to receive information on the Business Council so everyone knows what is going on.

Council Member Ficke advised the Council Members will be informed on the Business Council. TCA was dark for January.

Mayor Vali advised if anyone gets the propoganda sent out by the County regarding the airport to please date it, sign it and turn it into City Hall. ETRPA is scheduled for January 23. The NPDES hearing was January 9 and they did not take action on the storm water permit. Stated the League of California Cities Annual Conference was in December and the main discussion was the VLF monies.

Discussion ensued regarding the VLF monies and how to protect it.

Mayor Vali showed the shirt she received from the Angels organization. She officially welcomed new Assistant City Manager, David Norman.

CLOSED SESSION

At 8:30 p.m. the City Council convened into closed session, with all Council Members present, regarding the following:

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to Government Code Section 54956.8

Property: Proposed Community Center

Negotiating Parties: City Manager

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

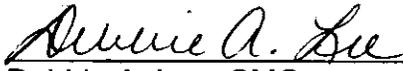
At 9:28 p.m. the City Council reconvened into open session, with all Council Members present, making no announcements.

ADJOURN

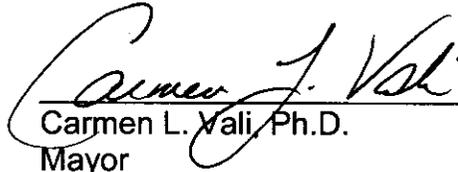
There being no further business, at 9:28 p.m. Mayor Vali declared the meeting adjourned in memory of Gaye Soroka of Waste Management.

Submitted By:

Approved By:



Debbie A. Lee, CMC
City Clerk



Carmen L. Vali, Ph.D.
Mayor