

**MINUTES
CITY COUNCIL REGULAR MEETING
February 5, 2002**

CALL TO ORDER

The regular meeting of the City Council of the City of Aliso Viejo was called to order at 7:12 p.m. by Mayor Vali in 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 City Engineer Whitman. Mayor Vali advised the City has a new American flag courtesy of Charles Abbott & Associates and thanked them for the gift.

SPECIAL PRESENTATIONS

None

ADDITIONS, DELETIONS, REORDERING TO THE AGENDA

City Attorney Smith advised there would be no closed session.

CONSENT CALENDAR

A MOTION was made by Council Member Phillips, seconded by Council Member Ficke, to approve the Consent Calendar as presented, 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 – January 15, 2001 Regular Meeting**
Approved the Minutes as submitted.
3. **Warrants of January 23, 2002**
Ratified and approved warrants in an amount totaling \$61,678.31.
5. **Second Harvest Food Drive**
Approved the City's participation in the Second Harvest Food Bank of Orange County's annual citywide food drive in Aliso Viejo for March-April 2002 and authorize the Mayor to sign a letter of support.

6. **Parking Fine/Bail Schedule**

**RESOLUTION NO. 2002 – 003
A RESOLUTION OF THE CITY OF ALISO VIEJO, CALIFORNIA,
ESTABLISHING A FINE SCHEDULE FOR PARKING VIOLATIONS
OCCURRING WITHIN THE CITY OF ALISO VIEJO, CALIFORNIA**

Adopted Resolution No. 2002-003, establishing a fine schedule for parking violations.

ITEMS REMOVED FROM THE CONSENT CALENDAR

4. **Warrants of February 7, 2002**

Mayor Vali advised there is a typo on the list. She was listed as receiving a reimbursement of expenses when it should be to Bill Woollett.

A MOTION was made by Mayor Pro Tem Pickett, seconded by Council Member Phillips, to ratify and approve the warrants as corrected. Motion carried unanimously, 5-0.

PUBLIC HEARINGS

7. **Adult Business Ordinance**

City Clerk Lee presented an Ordinance entitled:

**ORDINANCE NO. 2002-027
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO,
CALIFORNIA, AMENDING THE ALISO VIEJO PLANNED COMMUNITY
DEVELOPMENT PLAN AND SUPPLEMENTAL TEXT AND ADOPTING
REGULATIONS PERTAINING TO THE ESTABLISHMENT AND OPERATION
OF ADULT BUSINESSES**

Which title was read.

Mayor Vali opened the public hearing.

City Attorney Smith gave background on the item.

There being no speakers Mayor Vali closed the public hearing.

A MOTION was made by Council Member Ficke, seconded by Council Member Phillips, to introduce Ordinance No. 2002-027 regarding adult businesses. Motion carried unanimously, 5-0.

COUNCIL BUSINESS

8. Proposed Ordinance Amendment Designating Time, Date and Location of City Council Meetings

Discussion ensued regarding having closed session before the regular meeting at 7:00 p.m.; holding the meetings on the first and third Wednesdays; and keeping the current schedule of meetings.

A MOTION was made by Mayor Pro Tem Pickett, seconded by Council Member Phillips, to direct staff to bring back and Ordinance changing the date of Council meetings to the first and third Wednesdays, with closed session, if necessary, to be at 5:30 p.m. and regular business to follow at 7:00 p.m.

Council Member Phillips voiced 5:30 p.m. is too tight for everyone.

A MOTION was made, withdrawing the previous motion, by Mayor Pro Tem Pickett, seconded by Council Member Warkowski, to move the Council meetings to the first and third Wednesday of every month. Motion carried, 4-1, with Council Member Ficke dissenting.

Discussion ensued regarding the 5:30 p.m. hour being too early.

A MOTION was made by Mayor Pro Tem Pickett, seconded by Council Member Warkowski, to delete the section in Ordinance regarding closed session and the regular meeting to start at 7:00 p.m. Motion carried unanimously, 5-0.

Consensus for the change in meeting days take effect immediately.

9. Selection of Public Members for Development Review Committee

City Engineer Whitman gave background.

Discussion ensued regarding how to determine the members of the committee in an open forum; possibility of an ad hoc committee reviewing the applications; when the committee would be appointed.

A MOTION was made by Council Member Phillips, seconded by Mayor Pro Tem Pickett, to have an Ad Hoc Committee formed to interview the candidates. Motion carried unanimously, 5-0.

A MOTION was made by Mayor Pro Tem Pickett, seconded by Council Member Warkowski, to appoint Council Member Phillips and Mayor Vali as the Ad Hoc Committee. Motion carried unanimously, 5-0.

A MOTION was made by Mayor Pro Tem Pickett, seconded by Council Member Phillips, to authorize the City Clerk to advertise for three public members and one alternate public member for the Development Review Committee. Motion carried unanimously, 5-0.

10. Emergency Management Performance Grant

**RESOLUTION NO. 2002 – 004
A RESOLUTION OF THE CITY OF ALISO VIEJO, CALIFORNIA,
AUTHORIZING CITY OFFICIALS TO SIGN ALL REQUIRED
DOCUMENTATION FOR THE PURPOSE OF OBTAINING EMERGENCY
MANAGEMENT FINANCIAL ASSISTANCE**

Chief of Police Services Paddock gave the background.

Discussion ensued regarding where the center would be and the supplies for the center.

A MOTION was made by Council Member Ficke, seconded by Council Member Phillips, to adopt Resolution No. 2002-004 authorizing City Officials to sign documentation relating to emergency management financial assistance. Motion carried unanimously, 5-0.

A MOTION was made by Council Member Phillips, seconded by Council Member Ficke, to approve permission to participate in the Grant, given the financial terms as stated in the staff report. Motion carried unanimously, 5-0.

11. Cooperative Agreement - Rehabilitation of El Toro Road

City Engineer Whitman gave the background.

Discussion ensued regarding straightening the City boundaries; and the fiscal impact of the project.

A MOTION was made by Mayor Pro Tem Pickett, seconded by Council Member Phillips, to enter into Cooperative Agreement No. D01-080 with the City of Laguna Beach and the County of Orange to rehabilitate El Toro Road.

Council consensus for staff to look at all inconsistencies on roads and report back to Council by September 2002; and to draw up a map.

12. Legislative Matters

Council took action as follows:

1. AB680 (Steinberg) Land Use: Sales Tax and Property Tax Revenue Allocation

A MOTION was made by Mayor Pro Tem Pickett, seconded by Council Member Phillips, to oppose this item. Motion carried unanimously, 5-0.

2. Proposition 40 California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002-AB1602 (Keeley)-Bond Measure

A MOTION was made by Mayor Pro Tem Pickett, seconded by Council Member Phillips, to remain neutral on this item. Motion carried, 3-2, with Council Members Ficke and Warkowski dissenting.

3. Proposition 42 Transportation Funding-Sales and Use Tax Revenues-ACA4 (Dutra)-Legislative Constitutional Amendment

A MOTION was made by Mayor Pro Tem Pickett, seconded by Council Member Ficke to support this item. Motion carried unanimously, 5-0.

4. Proposals to Allocate State Department of Water Resources (DWR) Power Purchase Costs to Utilities (SDG&E Request)

A MOTION was made by Mayor Pro Tem Pickett, seconded by Council Member Phillips, to support this item. Motion carried unanimously, 5-0.

Discussion ensued regarding the drafting of a future Legislative Policy. Assistant City Manager Norman informed Council that said policy would be forthcoming.

COMMUNITY INPUT

Dee Leif, South County Community Services Council, gave an overview of their program and the services they offer.

Duane Cave, The Gas Company, gave an update on The Gas Company.

CITY MANAGER'S REPORT

There was nothing to report.

ANNOUNCEMENTS/COUNCIL COMMENTS/COMMITTEE UPDATES

Council Member Warkowski had nothing to report.

Council Member Phillips gave an update on the meeting with Capistrano Unified

School District last week.

Mayor Pro Tem Pickett advised the OCFA Board meeting was held. Updated on TIP. They have asked her to send a letter on City letterhead to San Clemente as they are the only South County city not a member of TIP.

Council Member Ficke gave an update on TCA.

Mayor Vali gave an update on ETRPA, the League dinner and the General Plan Committee meeting. Advised this Saturday City Hall will be open for voter registration.

CLOSED SESSION

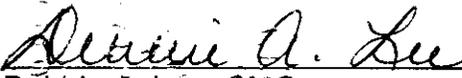
No closed session was held.

ADJOURN

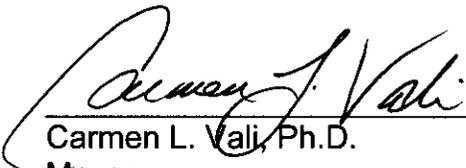
There being no further business, Mayor Vali declared the meeting adjourned at 8:38 p.m.

Submitted By:

Approved By:



Debbie A. Lee, CMC
City Clerk



Carmen L. Vali, Ph.D.
Mayor