

**MINUTES  
CITY COUNCIL REGULAR MEETING  
February 20, 2002**

**CALL TO ORDER**

The regular meeting of the City Council of the City of Aliso Viejo, California, was called to order at 7:00 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 Battalion Chief Blau of the OCFA.

**SPECIAL PRESENTATIONS**

There were none.

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

City Attorney Smith requested an item be added to closed session item regarding property on Liberty between Pursuit and Laguna Hills.

City Manager Woollett requested item #9 be continued to another meeting.

Mayor Vali requested item #5 be taken in closed session.

**A MOTION** was made by Council Member Phillips, seconded by Council Member Ficke, to approve the requests. Motion carried, 5-0.

**9. Community Assistance Grants**

**RECOMMENDATION:** Approve the allocation of funds for the following organizations from the Council's Community Assistance Grant Fund:

1. \$5,000 – AVCA, Annual Event sponsorship;
2. \$2,000 – OCFA Firefighter's Memorial Fund;
3. \$725 – Aliso Niguel High School Grad Nite 2002; and
4. \$2,500 – Philharmonic Society of Orange County.

**CONSENT CALENDAR**

**A MOTION** was made by Council Member Phillips, seconded by Council Member Ficke, to approve items #1-#4 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. **Minutes – February 5, 2001 Regular Meeting**  
Approved the Minutes as submitted.
3. **Warrants of February 7, 2002**  
Ratified and approved warrants in an amount totaling \$22,070.92.
4. **Warrants of February 21, 2002**  
Ratified and approved warrants in an amount totaling \$45,401.46.

## **PUBLIC HEARINGS**

None scheduled.

## **COUNCIL BUSINESS**

6. **Ordinance Designating Time, Date and Location of Council Meetings**

**ORDINANCE NO. 2002 – 028  
AN ORDINANCE OF THE CITY OF ALISO VIEJO, CALIFORNIA,  
RESCINDING ORDINANCE NO. 2001-003 AND DESIGNATING  
THE TIME, DATE AND LOCATION OF CITY COUNCIL MEETINGS**

Council Member Ficke advised he is still in disagreement with changing the day of the meetings from Tuesday to Wednesday.

**A MOTION** was made by Council Member Phillips, seconded by Council Member Warkowski, to introduce Ordinance No. 2002-028 redesignating the date of Council meetings. Motion carried, 4-1, with Council Member Ficke dissenting.

7. **Fiscal Year 2001-02 Midyear Review**

Assistant City Manager Norman gave the background from the staff report.

Discussion ensued regarding the budget process, revisions and updates; and possible savings regarding the airport issue.

**A MOTION** was made by Council Member Phillips, seconded by Mayor Pro Tem Pickett, to direct the City Manager to make revisions to the Fiscal Year 2001-02 General Fund Budget to implement the Budget through the remainder of the fiscal year. Motion carried unanimously, 5-0.

8. **Building Permit Fees Ordinance**

**ORDINANCE NO. 2002 - 029  
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO,  
CALIFORNIA AMENDING SECTION 7-1-20 OF ARTICLE 2 OF DIVISION 1 OF  
TITLE 7 OF THE ORANGE COUNTY CODE, AS ADOPTED BY THE CITY OF  
ALISO VIEJO TO MODIFY PROVISIONS PERTAINING TO PERMIT FEES**

Building Official Scholl gave the background on the item.

**A MOTION** was made by Council Member Phillips, seconded by Mayor Pro Tem Pickett, to introduce Ordinance No. 2002-029 to modify provisions pertaining to building permit fees. Motion carried unanimously, 5-0.

10. **Consideration of City Participation in the Annual Flo-Jo Memorial Half Marathon & 5K**

Administrative Assistant Wilson gave the staff report.

Council Member Phillips advised being a Board Member of Saddleback Hospital he checked and since he does not receive compensation from the hospital he can vote on this item.

Discussion ensued regarding the percentage which goes to the trails and Saddleback.

**A MOTION** was made by Council Member Ficke, seconded by Mayor Pro Tem Pickett, to authorize City participation in the Fourth Annual Flo-Jo Memorial Half Marathon and 5K as follows: 1) Authorize the City Manager to execute the Sponsor Agreement at the Associate Level through contribution of in-kind services; 2) Conduct the necessary road closures and/or traffic control at appropriate intersections within the City, between 7:00 a.m. to about 8:00 a.m. on May 27, 2002; 3) Provide four uniformed Orange County Sheriff Deputies or Reserve Officers at a cost not to exceed \$1,000 and charge to the Community Assistance Grant Account; and 4) Waive encroachment permit fee of \$129 and charge to the Community Assistance Grant Account. Motion carried unanimously, 5-0.

11. **Legislative Policy**

Assistant City Manager Norman gave the staff report.

Items which Council wants to eliminate from it's legislative platform:

II.A.3.; III.A.1.; III.A.4.; IV.C.2.; IV.D.; and IV.E.6.

Discussion ensued regarding further review of the platform and Council

requested additional information to be provided by staff.

**A MOTION** was made by Council Member Phillips, seconded by Council Member Ficke, to continue the item to March 6, 2002. Motion carried unanimously, 5-0.

**12. Second Reading of Ordinance No. 2002-027/Adult Businesses**

**ORDINANCE NO. 2002 – 027  
AN ORDINANCE 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**

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

**COMMUNITY INPUT**

There were no speakers.

**CITY MANAGER'S REPORT**

City Manager Woollett gave an update on the annual City Manager's conference.

**ANNOUNCEMENTS/COUNCIL COMMENTS/COMMITTEE UPDATES**

Council Member Warkomski advised he has an event with the Nature Conservancy this Saturday on land acquisition issues and invited everyone to attend.

Council Member Phillips emphasized the critical need for everyone to get out and vote on March 5 on Measure W.

Mayor Pro Tem Pickett advised OCFA is holding workshops in the community talking about the Reserve Firefighter Program. The Board will get a full report at their March meeting.

Council Member Ficke also emphasized the need to vote on March 5 regarding Measure W. Gave an update on TCA activities.

Mayor Vali advised they had their first General Plan Committee meeting and gave an update on the meeting. She gave an update on a meeting with the Chamber of Commerce; the Teen Speak Out at Barnes & Noble last week; the forum at Aliso Niguel High School regarding Measure W; a meeting with Police Services regarding past law enforcement challenges; she was a judge for the Amazing Inventions

contest at Irvine Valley College; the Saddleback Community Outreach Night of Hope fundraiser is this Saturday; Mayors and City Managers meeting is tomorrow morning in Laguna Beach; and ETRPA will meet on Monday.

## **CLOSED SESSION**

At 8:05 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

## **5. Amicus Requests**

**RECOMMENDATION:** Authorize the City Attorney to add the City's name to amicus brief for the following:

1. 99 Cents Only Stores v. Lancaster Redevelopment Agency, No. 00-07572SVW C.D.Cal.
2. Oak Creek Estates v. Town of Paradise, CO38577 (3d Dist.); and
3. California Dump Truck Owners Association v. Gray Davis, et al., No. Civ S-01-517 (E.D. Cal. Oct. 30, 2001).

At 9:20 p.m. the City Council reconvened into open session, with all Council Members present, making the following announcement:

**A MOTION** was made by Council Member Ficke, seconded by Council Member Warkomski, to authorize the City Attorney to add the City's name to amicus brief for the following:

1. 99 Cents Only Stores v. Lancaster Redevelopment Agency, No. 00-07572SVW C.D.Cal.
2. Oak Creek Estates v. Town of Paradise, CO38577 (3d Dist.); and
3. California Dump Truck Owners Association v. Gray Davis, et al., No. Civ S-01-517 (E.D. Cal. Oct. 30, 2001).

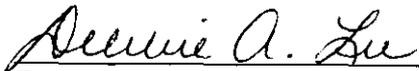
**MOTION** carried unanimously, 5-0.

**ADJOURN**

There being no further business, at 9:25 p.m. Mayor Vali adjourned the meeting to Saturday, March 2, 2002 at 9:00 a.m.

Submitted By:

Approved By:

  
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Debbie A. Lee, CMC  
City Clerk

  
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Carmen L. Vali, Ph.D.  
Mayor