

**MINUTES  
CITY COUNCIL REGULAR MEETING  
March 6, 2002**

**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 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 Mayor Vali.

**SPECIAL PRESENTATIONS**

A Proclamation was presented for Girl Scout Week, March 10-16, 2002.

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

Requests to pull items #4 & #6 off the Consent Calendar for separate consideration.

**CONSENT CALENDAR**

**A MOTION** was made by Mayor Pro Tem Pickett, seconded by Council Member Phillips, to approve the Consent Calendar with the exception of items #4 and #6. 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 20, 2001 Regular Meeting**  
Approved the Minutes as submitted.
3. **Warrants of March 7, 2002**  
Ratified and approved warrants in an amount totaling \$71,558.26.
5. **Tract 14709 Certifying Public Street Improvements**

**RESOLUTION NO. 2002-005  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO  
CERTIFYING PUBLIC STREET IMPROVEMENTS TO WOOD VISTA WAY AS  
COMPLETE AND AUTHORIZING THE CITY CLERK TO EXECUTE AND  
RECORD A CERTIFICATE OF ACCEPTANCE IN CONNECTION THEREWITH**

Adopted Resolution No. 2002-005 certifying public street improvements to Wood Vista Way as complete.

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

**4. Letter in Support of TIP-Council Request**

Mayor Pro Tem Pickett advised the letter is to be sent to the City of San Clemente, not to the City of Mission Viejo as stated in the recommendation.

**A MOTION** was made by Mayor Pro Tem Pickett, seconded by Council Member Ficke, to authorize Mayor Pro Tem Pickett to send a letter to the City of San Clemente in support of Trauma Intervention Programs, Inc. using City letterhead, with a copy of the letter made available to each Council Member. Motion carried unanimously, 5-0.

**6. Tract 15225 Certifying Storm Drain Improvements as Complete**

**RESOLUTION NO. 2002-006  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO  
CERTIFYING PUBLIC STORM DRAIN IMPROVEMENTS AS COMPLETE AND  
AUTHORIZING THE CITY CLERK TO EXECUTE AND RECORD A  
CERTIFICATE OF ACCEPTANCE IN CONNECTION THEREWITH**

Council Member Phillips voiced concern regarding the storm drain and if it was constructed with the new NPDES issues today, and if the City is getting something which is not current.

Discussion ensued regarding the history of the tract; NPDES issues; xeriscape landscaping; irrigation systems; and liability on the acceptance of the storm drain.

**A MOTION** was made by Mayor Vali, seconded by Mayor Pro Tem Pickett, to adopt Resolution No. 2002-006 certifying public storm drain improvements as complete. Motion carried, 3-2, with Council Members Ficke and Warkomski dissenting.

**PUBLIC HEARINGS**

None scheduled.

**COUNCIL BUSINESS**

**7. Proposed Community Assistance Grant Funding Program**

**RESOLUTION NO. 2002 – 007  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO,**

**CALIFORNIA, ADOPTING PROCEDURES FOR FUNDING OF COMMUNITY ASSISTANCE GRANTS FOR COMMUNITY SERVICES, PROGRAMS AND ACTIVITIES**

Administrative Assistant Wilson gave the staff report.

Discussion ensued regarding the elimination of percentages on page 3 of the Resolution, #13; the need for a \$5,000 contingency in cases of emergency; timing of applications to be more consistent with fiscal year; reasons why it's geared for non-profit organizations and eliminating for-profit organizations.

Council consensus to continue this item to the April 3, 2002 Council meeting.

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

City Clerk Lee presented an Ordinance entitled:

**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**

which title was read.

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

**9. Building Permit Fees Ordinance**

City Clerk Lee presented an Ordinance entitled:

**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**

which title was read.

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

## **COMMUNITY INPUT**

There were no speakers.

## **CITY MANAGER'S REPORT**

City Manager Woollett spoke regarding parks and recreation and AVCA's and City's roles.

## **ANNOUNCEMENTS/COUNCIL COMMENTS/COMMITTEE UPDATES**

Council Member Ficke advised he has requested TCA to be at the next Council meeting to give an update on the activities at TCA.

Council Member Warkomski advised there is a chance the funding for the fire ant will be cut at the State level and would leave us with the possibility of the problem spreading. The ants tend to go into irrigated parks and golf courses they proliferate. Would like a letter from the City to AVCA recommending fire ant messages be posted in the parks. The signs are free of charge, but the request would have to come from AVCA. In regards to parks and recreation, Ridgecrest Park is at the City for plan check now. When that is finished the tennis courts and botanical gardens will start construction. He talked with the Ranger at the Aliso Wood Canyon Wilderness Reserve and there is the threat they may move to Irvine if the City dedicates them land to build their new facility. They need to expand and they will be building new facilities somewhere in the future. He is trying to keep it in Aliso Viejo.

Mayor Vali advised the February Mayors/City Managers meeting was in Laguna Beach and they discussed NPDES. The Little League had their Opening Day last Saturday and the City of Rancho Santa Margarita had their groundbreaking of Banderas Bridge. Events coming are the SOCCC Ball, Principal for the Day, Medal of Valor lunch, Mayors/Managers Meeting, League of California Cities, ETRPA.

## **CLOSED SESSION**

At 8:17 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 9:45 p.m. the City Council reconvened into open session, with all Council Members present, making the following announcement:

City Attorney Smith advised the Council voted as follows:

**MOTION by Mayor Pro Tem Pickett, second by Council Member Phillips**

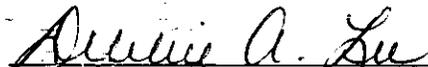
to instruct the City Attorney to 1) File a petition to the State Water Resources Control Board appealing the San Diego Regional Water Quality Control Board's NPDES permit; 2) Ask the State Board to put the City's petition in abeyance in order for the City to participate with other Orange County and Los Angeles County permittees in the proceedings on the Los Angeles permit; and 3) To seek an interim stay of the most onerous provisions of the San Diego permit, pending resolution of the Los Angeles proceedings. Motion carried unanimously, 5-0.

**ADJOURN**

There being no further business at 9:46 p.m. Mayor Vali declared the meeting adjourned.

Submitted By:

Approved By:

  
Debbie A. Lee, CMC  
City Clerk

  
Carmen L. Vali, Ph.D.  
Mayor