

**ALISO VIEJO MINUTES  
CITY COUNCIL REGULAR MEETING  
October 4, 2006**

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**CALL TO ORDER**

The regular meeting of the City Council of the City of Aliso Viejo was called to order by Mayor Vali-Cave at 7:01 p.m. on Wednesday, October 4, 2006, at the Aliso Viejo City Hall Council Chambers, 12 Journey, Aliso Viejo, California.

A complete copy of the agenda for the meeting containing all items as shown herein was posted by 4:00 p.m. on September 29, 2006, on the outdoor bulletin board at City Hall. Copies were also posted at the Aliso Viejo Library, 1 Journey, and the Aliso Viejo Sheriff's Substation, 11 Journey.

**PLEDGE OF ALLEGIANCE**

Chief of Police Services Lt. Paddock led the Pledge of Allegiance.

**ROLL CALL**

Present: Mayor Carmen Vali-Cave  
Mayor Pro Tem Cynthia D. Adams  
Council Member Greg Ficke  
Council Member William A. Phillips  
Council Member Karl P. Warkowski

Absent: None.

**SPECIAL PRESENTATIONS**

Mayor Vali-Cave stated that the Junior All Stars Little League Titans Team will receive their recognition at the next meeting.

Chief of Police Services Lt. Paddock described the services performed by OCSD Community Services Officer Casey Turino while working for the City of Aliso Viejo. Mayor Vali-Cave presented her a plaque and thanked her for her dedicated service to the City. Crime Prevention Officer Turino thanked the Council and Staff for the opportunity. She commented that the City of Aliso Viejo was a great City to work and will visit on occasion.

Mayor Vali-Cave presented a proclamation declaring the week of October 8 through 14, 2006 as Fire Prevention Week to OCFA Division Chief Kramer. OCFA Division Chief Kramer stated the importance of fire prevention and the work done on a daily basis by OCFA. He introduced his team from Engine 57: Captain/Paramedic Craig Covey; Fire Apparatus Engineer Dan Goodwin; and Firefighter Paramedic Jamie Murphy. He invited everyone to attend the Open House on October 14th at Station 57. Mayor Pro Tem Adams encouraged everyone to go to the Open House at Station 57 and at the Headquarters located in Irvine.

## **PROCLAMATIONS PRESENTED ELSEWHERE**

Mayor Vali-Cave stated that a Certificate of Commendation was presented to Father Ernest Sillers for his 96-year birthday at the St Mary and All Angels function by Council Member Phillips.

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

City Attorney Smith stated that the Closed Session Item, Conference with Legal Counsel - Anticipated Litigation, would not be discussed and could be deleted from the agenda.

## **CONSENT CALENDAR**

**A MOTION** was made by Council Member Phillips and seconded by Council Member Ficke, to approve the Consent Calendar as described below with the exception of Item Number 6, Glenwood at Aliso Viejo – Tract 16969, Revised Final Tract Map. Motion carried unanimously, 5-0 with the abstention of Mayor Pro Tem Adams on Item Number 2, Minutes - August 16, 2006.

### **1. Waive the Reading of All Ordinances**

Waived the reading of all Ordinances in their entirety and read by title only.

### **2. Minutes – August 16, 2006 Meeting**

Approved the Minutes as submitted.

### **3. Warrants**

1. Ratified warrants issued September 14, 2006 in the amount of \$411,772.33; and
2. Ratified warrants issued September 21, 2006 in the amount of \$502,001.29.

4. **Treasurer's Statement – August 2006**

Approved the August 2006 Treasurer's Statement.

5. **Revised Management Agreement for Community Conference Center and Aquatic Center**

1. Approved the revised Management Services Agreement with Aliso Community Center Management, Inc.; and
2. Authorized the City Manager to execute the revised Management Services Agreement.

**REMOVED FROM CONSENT CALENDAR**

6. **Glenwood at Aliso Viejo – Tract 16969, Revised Final Tract Map**

RESOLUTION NO. 2006 - 042

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, APPROVING REVISED FINAL TRACT MAP FTM 16969, TO ESTABLISH 354 LETTERED AND NUMBERED LOTS AND CONSTRUCT 502 DWELLING UNITS, A COMMUNITY CONFERENCE AND AQUATIC CENTER WITH THREE POOLS, AND A NEW CLUBHOUSE FACILITY WITH PARKS AND HIKING TRAILS

City Manager Pulone gave a brief background from the staff report. He stated that Staff requested adding a condition that recordation occur after the appropriate posting of bonds and after the City approves the CC&Rs for the subassociation. He stated that the CC&Rs for the master association were already reviewed and approved.

Mayor Vali-Cave opened the item for public comment. There being none, Mayor Vali-Cave closed the item for public comment.

**A MOTION** was made by Mayor Pro Tem Adams and seconded by Council Member Phillips, to adopt Resolution No. 2006 – 042 approving the Revised Final Tract Map (FTM) and the Subdivision Improvement Agreement for Tract 16969, Glenwood at Aliso Viejo, and directed Staff to have said final map and agreement recorded in Orange County upon posting of the appropriate bond and approval of the CC&Rs for the subassociation. Motion carried unanimously, 5-0.

## PUBLIC HEARING

None.

## COUNCIL BUSINESS

### 7. Study to provide Metrolink Transit Connections to and from Town Center supported by Park and Ride

City Engineer Whitman gave a brief background from the staff report. He stated the three objectives of the project and the project concept: to provide an enhance link between Aliso Viejo Town Center and the Laguna Niguel Metrolink Station; to enhance ridership by providing park and ride opportunities; and to enhance the opportunity for both City residents and Metro users to access Town Center businesses and activities.

Discussion ensued regarding that the park and ride lot not to be located at the Alicia lot but a more suitable location such as the lot near the SR-73 by El Toro, if there was approval from OCTA on combining the two grants, the cost for providing a study and the consultant selected, if the reallocation of grant funding needed OCTA's Board approval, the request that Staff inform Council if this item needs to go to the OCTA Board so that Council can make a presentation, and the need to utilize the funding appropriately.

Mayor Vali-Cave opened the item for public comment. There being none, Mayor Vali-Cave closed the item for public comment.

**A MOTION** was made by Council Member Phillips and seconded by Council Member Ficke, to approve a Cooperation Agreement between Orange County Transportation Authority and the City of Aliso Viejo and the Project Concept to study potential transit connections between Aliso Viejo Town Center and the Metrolink Station in Laguna Niguel with supporting Park and Ride options. Motion carried unanimously, 5-0.

### 8. Non-Exclusive Franchise Agreement for Collecting and Handling of Construction and Demolition Waste

City Manager Pulone introduced this agenda item. City Engineer Whitman gave a brief background from the staff report.

Discussion ensued regarding if the proposed requirements matched the current requirements requested from vendors, the proposed requirements being comparable to other cities, the number of vendors being able to

participate, the non-exclusive franchise being more competitive in the rate structure, how the City will monitor and enforce these agreements, the ability of Staff to void an agreement for non-reporting or non-compliance, and the purpose of this agreement was to allow flexibility in the future to make this agreement concurrent with other agreements.

Mayor Vali-Cave opened the item for public comment. There being none, Mayor Vali-Cave closed the item for public comment.

**A MOTION** was made by Council Member Phillips and seconded by Mayor Pro Tem Adams, to authorize the City Manager to distribute a Non-Exclusive Construction and Demolition Franchise Agreement to all interested solid waste haulers and to execute agreements with those haulers who are responsive. Motion carried unanimously, 5-0.

## **COMMUNITY INPUT**

Marlene Lewis urged Council to consider passing an ordinance regarding reducing the exposure to second hand smoke. She explained her personal situation and spoke of the carcinogenic additives in cigarettes. She distributed information to Council about the health consequences of involuntary exposure of tobacco smoke.

## **CITY MANAGER'S REPORT**

None.

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

### **Council Member Ficke**

Council Member Ficke stated that he attended the YMCA awards banquet and the Founder's Day at the AV Ranch event.

### **Council Member Phillips**

Council Member Phillips thanked Community Services and Special Events Manager Wilson and Staff for the hard work done on the Founder's Day at the AV Ranch event.

**Council Member Warkomski**

None.

**Mayor Pro Tem Adams**

Mayor Pro Tem Adams thanked the City Staff and Volunteers for their efforts at the Founder’s Day at AV Ranch event. She commented on how nice the AV Ranch site looked and the many exhibits displayed.

**Mayor Vali-Cave**

Mayor Vali-Cave stated that there were over 700 in attendance at the Founder’s Day at AV Ranch event. She thought that the event was a good turnout for the first time. She recommended reviewing ways to advertise this event since mailers were not as effective as desired. She stated that she has heard nothing but good feedback about the event.

Mayor Vali-Cave stated that the TCA met and reviewed the annual audit which was a clean audit. She stated that the regular meeting was scheduled for next week.

Mayor Vali-Cave stated that October 18 was the next Council meeting and wanted Council to start thinking about their preference of going dark on the second December meeting, which is scheduled on December 20.

**CLOSED SESSION**

At the hour of 7:37 p.m. the City Council recessed to Closed Session regarding:

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Pursuant to Government Code Section 54956.8

- Property: APN 632-133-03
- Agency negotiator: Mark A. Pulone, City Manager and Scott C. Smith, City Attorney
- Negotiating parties: City of Aliso Viejo and Capistrano Unified School District
- Under Negotiation: Price and Terms of Payment

At the hour of 8:05 p.m. the City Council reconvened, with all Council Members present.

Mayor Vali-Cave announced that there were no reportable actions taken in Closed Session.

**ADJOURNMENT** at 8:06 p.m.

Submitted By:

Approved By:

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Susan Robinson, CMC  
City Clerk

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Carmen Vali-Cave  
Mayor