

CITY OF ALISO VIEJO  
CITY COUNCIL MINUTES  
REGULAR MEETING  
May 15, 2024, 7:00 PM  
Council Chambers, City Hall, 12 Journey  
Aliso Viejo, California

**CALL TO ORDER:** Mayor Munzing called the Regular Meeting of the City Council of the City of Aliso Viejo to order at 7:10 p.m.

**ROLL CALL**

PRESENT: MAYOR MIKE MUNZING  
MAYOR PRO TEM TIFFANY ACKLEY  
COUNCILMEMBER ROSS CHUN  
COUNCILMEMBER MAX DUNCAN  
COUNCILMEMBER RICHARD W. HURT

ABSENT: NONE

STAFF PRESENT: MITZI ORTIZ, ACTING CITY MANAGER  
SCOTT SMITH, CITY ATTORNEY  
LEKKINA LONG, DEPUTY CITY CLERK  
ANN EIFERT, FINANCIAL SERVICES DIRECTOR  
SHAUN PELLETIER, PUBLIC WORKS DIRECTOR  
SO KIM, COMMUNITY DEVELOPMENT DIRECTOR  
ROSE RIVERA, SENIOR PLANNER  
LIZZY MENDOZA, RECREATION & COMMUNITY SERVICES MANAGER  
ISAAC AZIZ, INFORMATION TECHNOLOGY MANAGER  
CAPT. ALAN VILLANUEVA, CHIEF OF POLICE SERVICES

**PLEDGE OF ALLEGIANCE:** Eric Hauber led the pledge of allegiance.

**1. SPECIAL PRESENTATIONS:**

1.1 PROCLAMATION - DROWNING PREVENTION AWARENESS

Mayor Munzing presented the proclamation to OCFA Battalion Chief Matt Levesque. Chief Levesque expressed his appreciation and commented on the importance of the designation.

**2. ADDITIONS, DELETIONS, REORDERING TO THE AGENDA:**

None.

### 3. COMMUNITY INPUT:

1. Bob Bunyan announced Aliso Viejo Community Foundation fundraiser.

### 4. CONSENT CALENDAR:

Unless otherwise indicated below, the following pertains to all items on the Consent Calendar.

**Motion:** Councilmember Chun moved and Councilmember Hurt seconded to approve the recommended actions. Motion carried 5-0.

#### 4.1 WAIVE THE READING OF ALL ORDINANCES AND RESOLUTIONS

**Recommended Action:** Approve the reading by title only of all ordinances and resolutions wherein the titles appear on the public agenda; said titles shall be determined to have been read by title, and further reading is waived.

#### 4.2 APPROVAL OF MINUTES

**Recommended Action:** Approve the Minutes as submitted for the May 1, 2024 Special Meeting and the May 1, 2024 Regular Meeting.

#### 4.3 ACCOUNTS PAYABLE

**Recommended Action:**

1. Ratify accounts payable checks and electronic funds transfers issued on April 10, 2024, in the amount of \$5,380.87; and
2. Ratify accounts payable checks and electronic funds transfers issued between April 12, 2024, and April 25, 2024, in the amount of \$375,536.93.

#### 4.4 FIRST AMENDMENT TO THE AGREEMENT WITH GREAT SCOTT TREE SERVICES, INC. FOR TREE MAINTENANCE SERVICES

Public Works Director Shaun Pelletier responded to questions regarding a partnership with AVCA for landscaping services. City Attorney Scott Smith and Acting City Manager Mitzi Ortiz provided additional information.

**Recommended Action:**

1. Approve a first amendment to the agreement with Great Scott Tree Services, Inc. to perform tree maintenance services that renews the agreement for an additional two-year term, increases the total compensation under the agreement by \$50,000.00, and amends the contractor compensation rates; and
2. Authorize the City Manager to execute the first amendment to the agreement.

**Motion:** Councilmember Duncan moved and Councilmember Chun seconded to approve the recommended actions. Motion carried 5-0.

4.5 FIRST AMENDMENT TO THE AGREEMENT WITH NIEVES LANDSCAPE, INC. FOR LANDSCAPE MAINTENANCE SERVICES

Public Works Director Shaun Pelletier responded to questions regarding a partnership with AVCA for landscaping services. City Attorney Scott Smith and Acting City Manager Mitzi Ortiz provided additional information.

**Recommended Action:**

1. Approve a first amendment to the agreement with Nieves Landscape, Inc. to perform landscape maintenance services that renews the agreement for an additional one-year term and increases the total compensation under the agreement by \$200,000 for a total agreement amount of \$890,000; and
2. Authorize the City Manager to execute the first amendment to the agreement.

**Motion:** Councilmember Duncan moved and Councilmember Chun seconded to approve the recommended actions. Motion carried 5-0.

4.6 THIRD AMENDMENT TO THE AGREEMENT WITH BEAR ELECTRICAL SOLUTIONS FOR TRAFFIC SIGNAL MAINTENANCE SERVICES

Public Works Director Shaun Pelletier responded to questions regarding scope of services.

**Recommended Action:**

1. Approve a third amendment to the agreement with Bear Electrical Solutions (BES) to perform traffic signal maintenance services that extends the term five years and increases the total compensation under the agreement by \$1,000,000 for a total agreement amount of \$2,309,000; and
2. Authorize the City Manager to execute the third amendment to the agreement.

**Motion:** Councilmember Duncan moved and Councilmember Hurt seconded to approve the recommended actions. Motion carried 5-0.

4.7 AGREEMENT WITH AQUATIC SERVICES, INC. FOR AQUATIC CENTER EQUIPMENT MAINTENANCE SERVICES

**Recommended Action:**

1. Award an Agreement to Aquatic Services, Inc. for Aquatic Center Equipment Maintenance Services for an initial term of three years totaling \$150,000; and
2. Authorize the City Manager to execute the Agreement for Aquatic Center Equipment Maintenance Services with Aquatic Services, Inc.

4.8 PROFESSIONAL SERVICES AGREEMENT WITH WESTERN AUDIO VISUAL FOR AUDIO/VISUAL HARDWARE COVERAGE AND SUPPORT SERVICES

**Recommended Action:** Approve and authorize the City Manager to execute a professional services agreement with Western Audio Visual in the amount of \$59,000 for a three- year hardware warranty and ongoing system support for audio/visual equipment at the Council Chambers, Aliso Viejo Center, and Aliso Viejo Ranch.

## 5. PUBLIC HEARINGS:

### 5.1 ZONE CHANGE FOR 1 POLARIS WAY

Acting City Manager Mitzi Ortiz introduced Community Development Director So Kim who provided an overview. Staff and applicant Melinda Masson responded to questions regarding property lines, purpose and scope of the zone change, impacts on neighboring properties, and impact on RHNA numbers. Mayor Munzing opened the public hearing. There were no speakers. Mayor Munzing closed the public hearing.

**Recommended Action:** Hold a public hearing and introduce for first reading an Ordinance entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO AMENDING THE ZONING MAP TO ADD "MIXED-USE/RESIDENTIAL OVERLAY" DISTRICT TO THE EXISTING "PROFESSIONAL OFFICE" DISTRICT AT 1 POLARIS WAY AND FINDING THE ACTION TO BE EXEMPT FROM CEQA UNDER CEQA GUIDELINES SECTIONS 15060 AND 15061.

**Motion:** Councilmember Hurt moved and Councilmember Duncan seconded to approve the recommended action. Motion carried 5-0.

### 5.2 CONDITIONAL USE PERMIT FOR A NEW BOWLING ALLEY WITH LIVE ENTERTAINMENT, A VIDEO GAME ARCADE, AND A RESTAURANT WITH ALCOHOL SERVICE AT 26503 ALISO CREEK ROAD (USE-2023-00028)

Acting City Manager Mitzi Ortiz introduced Senior Planner Rose Rivera, who provided an overview. Community Development Director So Kim provided additional information. Staff and applicant, Bowlero Senior Vice President of Design and Development Andres Restrepo, responded to questions regarding the facility, operations, food and beverage offerings, parking, noise impacts, and hours of operation. Mayor Munzing opened the public hearing. There were no speakers. Mayor Munzing closed the public hearing.

**Recommended Action:**

1. Find that the request is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Sections 15301 (Existing Facilities); and
2. Adopt Resolution No. 2024-12 approving Conditional Use Permit for a new bowling alley with live entertainment, a video game arcade, and a restaurant with alcohol service at 26503 Aliso Creek Road (USE-2023-00028).

**Motion:** Councilmember Chun moved and Councilmember Duncan seconded to approve the recommended actions. Motion carried 5-0.

### 5.3 CONDITIONAL USE PERMIT AND A SITE DEVELOPMENT PERMIT REQUEST FOR AN INDOOR RECREATIONAL CLIMBING AND FITNESS FACILITY (SENDER ONE) AND TO RAISE A PORTION OF THE ROOF TO 50' IN HEIGHT AT 26505 ALISO CREEK ROAD (USE-2023-00030/SDP-2023-00010)

Acting City Manager Mitzi Ortiz introduced Senior Planner Rose Rivera, who provided an overview. Staff and the applicant's representative Jennifer Ochoa responded to questions regarding the facility layout, operations, safety precautions, signage, and anticipated opening date. Mayor Munzing opened the public hearing. There were no speakers. Mayor Munzing closed the public hearing.

**Recommended Action:**

1. Find that the request is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Sections 15301 (Existing Facilities); and
2. Adopt Resolution No. 2024-13 approving a Conditional Use Permit for an indoor recreational climbing and fitness facility and a Site Development Permit to raise a portion of the roof to 50' in height at 26505 Aliso Creek Road (USE-2023-00030/SDP-2023-00010).

**Motion:** Councilmember Chun moved and Councilmember Hurt seconded to approve the recommended actions. Motion carried 5-0.

**6. DISCUSSION:**

**6.1 ON-STREET PARKING – COLUMBIA AND JOURNEY**

Acting City Manager Mitzi Ortiz introduced Public Works Director Shaun Pelletier, who provided an overview. Staff and Compass Bible Church Business Administrator Rick Talcott responded to questions regarding aesthetics, safety, project costs, and parking regulations and enforcement. Mayor Munzing opened for public comment and the following persons provided comment:

1. Bob Bunyan expressed support for the item on behalf of Webb's Grainworks.

There were no other comments.

**Recommended Action:**

1. Approve an applicant request to modify the lane configuration on Columbia to allow for on-street parking;
2. Approve a Staff request to modify the lane configuration on Journey to allow for on-street parking;
3. Authorize Staff to finalize parking/lane configuration and complete the work on Columbia; and
4. Authorize Staff to finalize parking/lane configuration and complete the work on Journey.

**Motion:** Mayor Pro Tem Ackley moved and Councilmember Chun seconded to approve applicant request to modify the lane configuration to allow for on-street parking on Columbia, authorize Staff to finalize parking/lane configuration and complete the work on Columbia, and continue the request to modify lane configuration on Journey to a future date. Motion carried 4-1 with Councilmember Hurt dissenting.

## 6.2 FISCAL YEAR 2023-24 FINANCIAL UPDATE

Acting City Manager Mitzi Ortiz introduced Finance Director Ann Eifert, who provided an overview.

### **Recommended Action:**

1. Receive and file the fiscal year (FY) 2023-24 financial update;
2. Authorize an increase in revenue estimates by \$3,645,297 and increase budget appropriations by \$2,169,000 to the adopted FY 2023-24 General Fund Budget; and
3. Authorize the additional appropriation of \$35,000 in Gas Tax, \$48,992 in State Grants, and \$139,546 in Integrated Waste Management funds to the FY 2023-24 Budget.

**Motion:** Mayor Pro Tem Ackley moved and Councilmember Duncan seconded to approve the recommended actions. Motion carried 5-0.

## 6.3 REQUEST TO AUTHORIZE USE OF CITY LETTERHEAD BY MAYOR MUNZING

Mayor Munzing provided an overview. Acting City Manager Mitzi Ortiz responded to questions regarding the staff report preparation. City Council discussion ensued.

**Recommended Action:** Consider authorizing the use of City letterhead for a letter of opposition to Harm Reduction Institute's syringe services program application for a program in the City of Santa Ana.

Mayor Munzing withdrew the item from consideration.

## 7. CITY MANAGER' S REPORT:

Acting City Manager Mitzi Acting City Manager Mitzi Ortiz announced "Learn about the Opioid Crisis, Fentanyl and Naloxone" forum to be held from 6:00 p.m. to 7:30 p.m. on May 16, 2024, at Aliso Viejo Ranch and a Spanish language forum to be held from 6:00 p.m. to 7:30 p.m. on June 4, 2024, at Iglesia Park Community Center.

## 8. ANNOUNCEMENTS / COUNCIL COMMENTS / COMMITTEE UPDATES:

Councilmember Chun

- Attended SCAG Regional Conference & General Assembly
- Attended farewell celebration for Boys & Girls Clubs of Capistrano Valley Executive Director James Littlejohn
- Attended Soka University Peace Festival
- Attended OCFA Fire Ops 101 Training
- Attended OCFA Human Resources Committee meeting
- Attended OCFA Budget and Finance Committee meeting
- Expressed appreciation to Bower & Associates for support of Aliso Viejo Girls Softball

Councilmember Duncan: None

Councilmember Hurt:

- Attended SJHTCA Board of Directors Meeting
- Attended OC Mosquito and Vector Control District Board of Trustees Meeting

Mayor Pro Tem Ackley: None

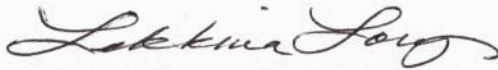
Mayor Munzing:

- Attended Crystal Apple Awards Ceremony
- Attended County of Orange City Selection Committee Meeting
- Attended Aliso Viejo Chamber of Commerce Networking Breakfast

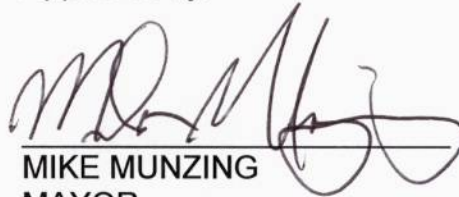
9. **ADJOURNMENT:** Mayor Munzing adjourned the meeting at 9:22 p.m. to the regularly scheduled meeting of June 5, 2024.

Respectfully submitted:

Approved by:



LEKKINA LONG  
DEPUTY CITY CLERK



MIKE MUNZING  
MAYOR