

CITY OF ALISO VIEJO  
CITY COUNCIL MINUTES  
REGULAR MEETING  
APRIL 5, 2023, 7:00 P.M.  
Council Chambers, City Hall, 12 Journey  
Aliso Viejo, California

**CALL TO ORDER:** Mayor Hurt called the Regular Meeting of the City Council of the City of Aliso Viejo to order at 7:01 p.m.

**ROLL CALL**

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

ABSENT: COUNCILMEMBER MAX DUNCAN

STAFF PRESENT: DAVID A. DOYLE, CITY MANAGER  
HONGDAO NGUYEN, ASSISTANT CITY ATTORNEY  
MITZI ORTIZ, 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:** Recreation & Community Services Manager Lizzy Mendoza led the pledge of allegiance.

**1. SPECIAL PRESENTATIONS:**

**1.1. PROCLAMATION - FAIR HOUSING MONTH**

Mayor Hurt presented the proclamation to Outreach Coordinator Christina Prado. Ms. Prado commented on the importance of Fair Housing Month and expressed her appreciation.

**1.2. PROCLAMATION - DMV / DONATE LIFE MONTH**

Mayor Hurt introduced Mayor Pro Tem Munzing who commented on the importance of organ donation. Mayor Hurt presented the proclamation to OneLegacy Ambassador Leslie Eskildsen. Ms. Eskildsen expressed her appreciation and commented on the significance of the designation.

1.3. PROCLAMATION - NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK

Mayor Hurt presented the proclamation to Division Chief Baryic Hunter. Chief Hunter expressed his appreciation for the recognition.

2. ADDITIONS, DELETIONS, REORDERING TO THE AGENDA:

None.

3. COMMUNITY INPUT:

None.

4. CONSENT CALENDAR:

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

**Motion:** Mayor Pro Tem Munzing moved and Councilmember Ackley seconded to approve the recommended actions. Motion carried 4-0-1, with Councilmember Duncan absent.

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 March 15, 2023 Special Meeting and the March 15, 2023 Regular Meeting.

4.3. ACCOUNTS PAYABLE

**Recommended Action:** Ratify accounts payable checks and electronic funds transfers issued between March 8, 2023, and March 16, 2023, in the amount of \$1,386,410.55.

#### 4.4. TREASURER'S STATEMENT – FEBRUARY 2023

**Recommended Action:** Receive and file the February 2023 Treasurer's Statement.

#### 4.5. NATIONAL OPIOID SETTLEMENT AGREEMENTS WITH DEFENDANTS TEVA; ALLERGAN; WALMART; WALGREENS; AND CVS

City Manager David Doyle introduced Assistant City Attorney HongDao Nguyen, who provided an overview. Staff responded to questions regarding judicial jurisdiction. Councilmember commented on the matter.

**Recommended Action:**

1. Opt into settlement agreement with three pharmacy chains—CVS, Walgreens, and Walmart and direct the City Manager or his designee to execute any documents necessary to implement the action and, when possible, allocate the City's designated share of settlement funds to the County of Orange; and
2. Opt into settlement agreement with two opioid manufacturers—Allergan and Teva and direct the City Manager or his designee to execute any documents necessary to implement the action and, when possible, allocate the City's designated share of settlement funds to the County of Orange.

**Motion:** Councilmember Chun moved and Mayor Pro Tem Munzing seconded to approve the recommended actions. Motion carried 4-0-1, with Councilmember Duncan absent.

#### 5. PUBLIC HEARINGS:

##### 5.1. FIRST PUBLIC HEARING TO CONSIDER COMPOSITION OF DISTRICTS FOR BY-DISTRICT ELECTIONS

Assistant City Attorney HongDao Nguyen introduced Center for Demographic Research Director Deborah Diep, who provided an overview. Staff and consultant responded to questions regarding ethnic demographics, map drawing process, state districting statutes, California Voting Rights Act demand letter, election sequencing, and fiscal impact. Mayor Hurt opened the public hearing and the following persons provided comment:

1. Anand Rao expressed concern with map submission process.

There were no other comments. Mayor Hurt closed the public hearing.

**Recommended Action:** Conduct first public hearing, receive and consider input from the public, provide further direction to staff.

**Motion:** Mayor Pro Tem Munzing moved and Councilmember Chun seconded to approve the recommended actions. Motion carried 4-0-1, with Councilmember Duncan absent.

5.2. REQUEST TO APPROVE CONDITIONAL USE PERMIT AND EXCEPTION PERMIT TO ESTABLISH A BATTING CAGE FACILITY WITH REDUCED PARKING BY 19 SPACES AT 6 JOURNEY, SUITE 100 (USE-2022-00011)

City Manager David Doyle introduced Senior Planner Rose Rivera, who provided an overview. Staff responded to questions regarding parking standards, suite location, and operations. Mayor Hurt opened the public hearing. There were no comments. Mayor Hurt closed the public hearing. Councilmembers commented on the matter.

**Recommended Action:**

1. Open and conduct a public hearing;
2. Find that the request is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Sections 15301 (Existing Facilities); and
3. Adopt Resolution No. 2023-10 approving Conditional Use Permit and Exception Permit to establish a batting cage facility with reduced parking by 19 spaces at 6 Journey, Suite 100 (USE-2022-00011).

**Motion:** Councilmember Ackley moved and Councilmember Chung seconded to approve the recommended actions. Motion carried 4-0-1, with Councilmember Duncan absent.

5.3. APPROVAL OF A THIRD AMENDMENT TO THE FY 2020-2021 ANNUAL ACTION PLAN FOR THE PROPOSED USE OF COMMUNITY DEVELOPMENT BLOCK GRANT - CORONAVIRUS (CDBG-CV) FUNDS

City Manager David Doyle introduced Senior Planner Rose Rivera, who provided an overview. Community Development Director So Kim and Consultant Mike Linares provided additional information. Staff responded to questions regarding business grant program, and funding reports. Mayor Hurt opened the public hearing and the following persons provided comment:

1. Diane Harkey expressed support for the allocation of funding to Family Assistance Ministries.

There were no other comments. Mayor Hurt closed the public hearing.

**Recommended Action:**

1. Conduct a public hearing;
2. Declare the City Council finds the Third Amendment to the FY 2020-2021 Annual Action Plan is not subject to the California Environmental Quality Act ("CEQA") as the activity is not a project defined in Section 15378(b)(5) of the state CEQA Guidelines;
3. Approve and adopt the Third Amendment to the FY 2020-2021 Annual Action Plan for the use of Community Development Block Grant-Coronavirus ("CDBG-CV") funds; and
4. Authorize the City Manager to submit the Third Amendment to the FY 2020-2021 Annual Action Plan to the U.S. Department of Housing and Urban Development ("HUD") and to execute the HUD contract and authorize the City Manager to submit all related documents with the implementation of the Action Plan Substantial Amendment.

**Motion:** Councilmember Chun moved and Councilmember Ackley seconded to approve the recommended actions. Motion carried 4-0-1, with Councilmember Duncan absent.

6. **DISCUSSION:**

None.

7. **CITY MANAGER' S REPORT:**

City Manager David Doyle announced registration spring recreation programs; registration and scholarship opportunities for Summer Camp programs; and Red Cross Blood Drive to be held April 12, 2023, from 12:00 p.m. to 6:00 p.m. at Aliso Viejo Ranch.

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

Councilmember Chun:

- Observed OCFA equestrian rescue training
- Participated in AVCA Spring Celebration
- Participated in Red Cross Sound the Alarm Event
- Commented on Meals on Wheels distribution site in Aliso Viejo
- Participated in Red Cross Dog Walk Challenge
- Expressed appreciation to cities that recognized Red Cross Month
- Attended OCFA Board of Directors Meeting
- Attended OCFA Legislative and Public Affairs Committee Meeting

Councilmember Ackley:

- Encouraged residents to visit Eureka!
- Attended Little League games
- Wished residents a safe spring break
- Encouraged residents to register for Summer Camp programs

Mayor Pro Tem Munzing:

- Encouraged organ donation registration
- Wished residents a happy Easter


Mayor Hurt:

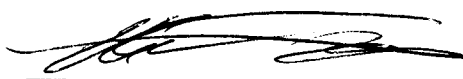
- Expressed appreciation to staff
- Attended Soka Career Night
- Attended Don Juan Avila Middle School Career Day

9. **ADJOURNMENT:** Mayor Hurt adjourned the meeting at 8:29 p.m. to the regularly scheduled meeting of April 19, 2023.

Respectfully submitted:

Approved by:

  
MITZI ORTIZ, MMC  
CITY CLERK

  
RICHARD HURT  
MAYOR