

CITY OF ALISO VIEJO
CITY COUNCIL MINUTES
REGULAR MEETING
August 17, 2022, 7:00 P.M.
Council Chambers, City Hall, 12 Journey
Aliso Viejo, California

City Council conducted this meeting in accordance with California Government Code Section 54953(e)(2) and COVID-19 pandemic protocols.

CALL TO ORDER: Mayor Chun called the Regular Meeting of the City Council of the City of Aliso Viejo to order at 7:26 p.m.

ROLL CALL:

PRESENT: MAYOR ROSS CHUN *(via teleconference)*
MAYOR PRO TEM RICHARD HURT *(via teleconference)*
COUNCILMEMBER TIFFANY ACKLEY *(via teleconference)*
COUNCILMEMBER DAVID C. HARRINGTON *(via teleconference)*
COUNCILMEMBER MIKE MUNZING *(via teleconference)*

ABSENT: NONE

STAFF PRESENT: DAVID A. DOYLE, CITY MANAGER
SCOTT C. SMITH, CITY ATTORNEY
MITZI ORTIZ, CITY CLERK
ANN EIFERT, FINANCIAL SERVICES DIRECTOR
SHAUN PELLETIER, PUBLIC WORKS DIRECTOR
SO KIM, COMMUNITY DEVELOPMENT DIRECTOR
JOHN KANLUND, ASSOCIATE PLANNER
LIZZY MENDOZA, RECREATION & COMMUNITY SERVICES MANAGER
ISAAC AZIZ, INFORMATION TECHNOLOGY MANAGER
CAPT. SCOTT MERRILL, CHIEF OF POLICE SERVICES

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Hurt led the pledge of allegiance.

REPORT FROM CLOSED SESSION:

City Attorney Scott Smith stated there was no reportable action.

1. SPECIAL PRESENTATIONS:

1.1. FEATURED BUSINESS OF THE MONTH - COLD STONE CREAMERY

Mayor Chun introduced the video and presented the certificate of recognition to Owner Lawrence Cassel. Mr. Cassel expressed his appreciation.

1.2. TRUSTED PARTNER RECOGNITIONS - SOUTH COUNTY OUTREACH AND FAMILY ASSISTANCE MINISTRIES

Mayor Chun presented the certificates of recognition to South County Outreach President LaVal Brewer and Family Assistance Ministries Chief Executive Officer Elizabeth Andrade. Mr. Brewer and Ms. Andrade expressed their appreciation.

1.3. STATE OF THE CITY VIDEO

Mayor Chun presented the State of the City video.

2. ADDITIONS, DELETIONS, REORDERING TO THE AGENDA:

City Manager David Doyle introduced Community Development Director So Kim

Mayor Chun expressed condolences on the passing of Valentino Rodriguez.

3. COMMUNITY INPUT:

None.

4. CONSENT CALENDAR:

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

Motion: Councilmember Munzing moved and Mayor Pro Tem 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. RESOLUTION EXTENSION AUTHORIZING VIRTUAL CITY COUNCIL MEETINGS PURSUANT TO ASSEMBLY BILL 361

Recommended Action: Move to reconfirm findings under Assembly Bill 361 and extend Resolution No. 2021-27 to continue virtual City Council meetings.

4.3. APPROVAL OF MINUTES

Recommended Action: Approve the Minutes as submitted for the July 20, 2022 Regular Meeting.

4.4. ACCOUNTS PAYABLE

Recommended Action:

1. Ratify accounts payable checks and electronic funds transfers issued July 25, 2022, in the amount of \$750,932.53;
2. Ratify accounts payable checks and electronic funds transfers issued July 28, 2022, in the amount of \$1,154.11; and
3. Ratify accounts payable checks and electronic funds transfers issued August 4, 2022, in the amount of \$2,263,912.05.

4.5. TREASURER'S STATEMENT – JUNE 2022

Recommended Action: Approve June 2022 Treasurer's Statement.

4.6. CONTRACT WITH CT CONSTRUCTION SERVICES FOR CITY HALL SUITE 200 IMPROVEMENTS

Recommended Action:

1. Award a contract in the amount of \$106,491 to CT Construction Services, Inc. for the City Hall Suite 200 Improvements project;
2. Authorize the City Manager to execute a contract with CT Construction Services, Inc.; and
3. Authorize City staff to make total compensation to CT Construction Services, Inc. up to \$106,491 plus \$21,298 (20% of the contract amount) to allow for contingencies, totaling \$127,789.

5. PUBLIC HEARINGS:

- 5.1. FENNEL MEDITERRANEAN RESTAURANT (PA22-011): AN ADMINISTRATIVE USE PERMIT TO ESTABLISH AN ALCOHOLIC BEVERAGE CONTROL (ABC) LICENSE TYPE 47 (ON-SALE GENERAL – EATING PLACE) IN CONJUNCTION WITH A NEW 5 RESTAURANT (FENNEL MEDITERRANEAN RESTAURANT) AND A SITE DEVELOPMENT PERMIT (SDP) FOR EXTERIOR MODIFICATIONS TO THE BUILDING INCLUDING THE ENCLOSURE OF AN EXISTING PATIO WITHIN AN EXISTING TENANT SPACE LOCATED AT 26611 ALISO CREEK ROAD, SUITE A (ALISO VIEJO TOWN CENTER)

City Manager David Doyle provided an overview. Mayor Chun opened the public hearing. There were no comments.

Recommended Action: Staff recommends the City Council continue the public hearing to September 7, 2022.

Motion: Mayor Pro Tem Hurt moved and Councilmember Ackley seconded to approve the recommended action. Motion carried 5-0.

- 5.2. PLANNING APPLICATION PA22-012: SITE DEVELOPMENT PERMIT (SDP) FOR EXTERIOR MODIFICATIONS TO THE BUILDING AND COMMON AREAS, AND AN EXCEPTION PERMIT (EP) TO ALLOW THE OUTDOOR PATIO TO EXCEED 1,000 SQUARE FEET (PROPOSED AT 1,215 SQUARE FEET) AND PROJECT DESIGN FEATURES TO MITIGATE THE OPERATIONAL SOUND IMPACTS ON SURROUNDING BUSINESSES AND SENSITIVE USES, LOCATED IN AN EXISTING TENANT SPACE OF THE COMMONS (26541 ALISO CREEK ROAD, #F); AND A CONDITIONAL USE PERMIT (CUP) TO ESTABLISH AN ALCOHOLIC BEVERAGE CONTROL (ABC) LICENSE TYPE 47 (ON-SALE GENERAL – EATING PLACE AND BEER AND WINE FOR OFFSITE CONSUMPTION) FOR A FULL-SERVICE RESTAURANT (EUREKA!) OFFERING OUTDOOR DINING WITH LATE NIGHT HOURS

City Manager David Doyle introduced Associate Planner John Kanlund, who provided an overview. Staff responded to questions regarding exterior building façade and sidewalk access. Applicant Mark Fernandez, Golden Property Development LLC, provided additional information. Mayor Chun opened the public hearing. There were no comments. Councilmembers commented on the matter. Mayor Chun closed the public hearing.

Recommended Action:

1. Open and conduct the continued public hearing;
2. Find that the request is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Sections 15301 (Existing Facilities);
3. Adopt Resolution No. 2022-22 approving a Conditional Use Permit (CUP) to establish an Alcoholic Beverage Control (ABC) License Type 47 (On-Sale General – Eating Place and Offsite consumption) in conjunction with a new restaurant “Eureka!”; and
4. Adopt Resolution No. 2022-23 approving a Site Development Permit (SDP) to allow for exterior modifications including a new outdoor dining area, a new color scheme for the facade, and new landscaping, and an Exception Permit (EP) to allow the size of the outdoor dining area to exceed the code limit of 1,000 square feet (proposed at 1,215 square feet) and use design features to mitigate the operational sound impacts of the patio on surrounding businesses and sensitive uses for an existing tenant space of The Commons located at 26541 Aliso Creek Road, #F.

Motion: Councilmember Harrington moved and Councilmember Ackley seconded to approve the recommended actions. Motion carried 5-0.

6. DISCUSSION:

6.1. SELECTION OF VOTING DELEGATE FOR LEAGUE OF CALIFORNIA CITIES ANNUAL BUSINESS MEETING

City Manager David Doyle provided an overview.

Recommended Action: Designate a voting delegate and up to two alternates for the League of California Cities Annual Business Meeting to be held on September 9, 2022 at the Long Beach Convention Center.

Motion: Councilmember Munzing moved and Councilmember Ackley seconded to appoint Mayor Chun as voting delegate and Mayor Pro Tem as alternate. Motion carried 5-0.

7. CITY MANAGER' S REPORT:

City Manager David Doyle announced Red Cross Blood Drive to be held from 12:00 p.m. to 6:00 p.m. on September 14, 2022 at Aliso Viejo Ranch; Movie Night to be held at 6:00 p.m. on August 26, 2022 at Aliso Viejo Middle School; Aliso Viejo Trails and Creek Clean-Up to be held from 8:00 a.m. to 11:00 a.m. on September 17, 2022 at Aliso Viejo Ranch; registration for fall recreation programs.

8. ANNOUNCEMENTS / COUNCIL COMMENTS / COMMITTEE UPDATES:

Councilmember Harrington: None

Councilmember Munzing:

- Attended Aliso Viejo Chamber of Commerce Networking Breakfast
- Attended AVCA Concerts in the Park

Councilmember Ackley: None

Mayor Pro Tem Hurt:

- Encouraged residents to use Orange County Public Library services

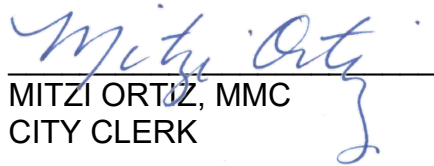
Mayor Chun:

- Attended Eagle Scout Court of Honor for Thara Venkateswaran
- Attended Shakespeare by the Sea at Soka University
- Attended tour at Families Forward
- Expressed appreciation to participants in Walk Your Dog With The Mayor event
- Attended Furry Friends Pet Fair
- Attended Grand Opening for Aliso Creek Dental
- Attended tour at Glaukos facility
- Attended presentation by Impact Schools founder

9. **ADJOURNMENT:** Mayor Chun adjourned the meeting in memory of Valentino Rodriguez at 8:34 p.m. to the regularly scheduled meeting of September 7, 2022.

Respectfully submitted:

Approved by:


MITZI ORTIZ, MMC
CITY CLERK


ROSS CHUN
MAYOR