CITY OF ALISO VIEJO
CITY COUNCIL MINUTES
REGULAR MEETING
June 1, 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 7:01 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
GEORGE BUELL, INTERIM COMMUNITY DEVELOPMENT DIRECTOR
LIZZY MENDOZA, RECREATION & COMMUNITY SERVICES MANAGER
ISAAC AZIZ, INFORMATION TECHNOLOGY MANAGER
CAPT. SCOTT MERRILL, CHIEF OF POLICE SERVICES

PLEDGE OF ALLEGIANCE: Councilmember Richard Hurt led the pledge of allegiance.

1. SPECIAL PRESENTATIONS:

None.

2. ADDITIONS, DELETIONS, REORDERING TO THE AGENDA:

Mayor Chun requested the addition of an item to authorize the use of City letterhead for correspondence expressing condolences to the family of Dr. John Cheng.

Motion: Councilmember Munzing moved and Mayor Pro Tem Hurt seconded to approve the addition of the item as Consent Calendar Item 4.13. Motion carried 5-0.

3. COMMUNITY INPUT:

1. Gary Alldredge expressed concerns regarding e-bike safety and regulations.
2. Erik Hansen expressed concerns regarding e-bike safety and public outreach.
3. Lesa Lockridge expressed concerns regarding park safety and lighting.
4. April Palmer indicated interest in an update on Aliso Viejo Town Center revitalization.

4. CONSENT CALENDAR:

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

Motion: Councilmember Munzing moved and Councilmember Ackley 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 May 4, 2022 Regular Meeting.

4.4. ACCOUNTS PAYABLE

Recommended Action:

1. Ratify accounts payable checks and electronic funds transfers issued April 28, 2022, in the amount of $390,592.35; and
2. Ratify accounts payable checks and electronic funds transfers issued May 12, 2022, in the amount of $1,256,184.36.

4.5. TREASURER'S STATEMENT – MARCH 2022

Recommended Action: Approve March 2022 Treasurer's Statement.

4.6. AUTHORIZED OFFICERS FOR LOCAL AGENCY INVESTMENT FUND (LAIF)

Recommended Action: Adopt Resolution No. 2022-09 to update the City employees authorized to order the deposit or withdrawal of monies in the Local Agency Fund (LAIF) and rescinding Resolution No. 2006-027.

4.7. PROFESSIONAL SERVICES AGREEMENT WITH ROGERS, ANDERSON, MALODY & SCOTT, LLP FOR AUDITING SERVICES

Recommended Action:
1. Approve the agreement with Rogers, Anderson, Malody & Scott, LLP for auditing services; and
2. Authorize the City Manager to execute the agreement for an amount not to exceed $36,000.

4.8. AQUATIC CENTER MANAGEMENT SERVICES AGREEMENT WITH PREMIER AQUATIC SERVICES

Recommended Action: Approve and authorize the City Manager to execute the Aquatic Center Management Services Agreement with Premier Aquatic Services.

4.9. CONTRACT WITH ALL AMERICAN ASPHALT FOR THE FY 22-23 SLURRY SEAL AND REHABILITATION PROJECT

Recommended Action:
1. Approve Contract Documents, Specifications, and Plans for the FY 22-23 Slurry Seal and Rehabilitation Project;
2. Award a contract in the amount of $1,362,775.83 to All American Asphalt as the lowest responsible bidder for the FY 22-23 Slurry Seal and Rehabilitation Project;
3. Authorize the City Manager to execute a contract with All American Asphalt;
4. Authorize City staff to make total compensation to All American Asphalt up to $1,362,775.83 plus $136,277.58 (10% of the contract amount) to allow for contingencies, totaling $1,499,053.41; and
5. Declare this project categorically exempt from the California Environmental Quality Act (CEQA) process Per Title 14 of the California Code of Regulations, Chapter 3, Article 19, Section 15301 (Class 1: Existing Facilities).

4.10. THREE-YEAR AGREEMENT WITH NV5, INC. FOR CONSTRUCTION INSPECTION SERVICES

Recommended Action:
1. Approve a 3-year agreement with NV5, Inc. to perform construction inspection services; and
2. Authorize the City Manager to execute a professional services agreement with NV5, Inc. for an amount of approximately $100,000 annually not to exceed $300,000 over the 3-year term of the agreement.

4.11. AGREEMENTS WITH RICHARD FISHER ASSOCIATES AND RJM DESIGN GROUP, INC. FOR LANDSCAPE ARCHITECTURE AND INSPECTION SERVICES

Recommended Action:

1. Approve an agreement with Richard Fisher Associates to perform landscape architecture and inspection services for an amount not to exceed $300,000;
2. Approve an agreement with RJM Design Group, Inc. to perform landscape architecture and inspection services for an amount not to exceed $100,000; and
3. Authorize the City Manager to execute professional services agreements with Richard Fisher Associates and RJM Design Group, Inc.

4.12. GENERAL MUNICIPAL ELECTION – NOVEMBER 8, 2022

Recommended Action:

1. Adopt Resolution No. 2022-10 calling for the holding of a General Municipal Election to be held on Tuesday, November 8, 2022, for the election of certain officers as required by the provisions of the laws of the State of California relating to general law cities and for the submission to the voters a question relating to establishing term limits for Members of the City Council;
2. Adopt Resolution No. 2022-11 requesting the Orange County Board of Supervisors to consolidate a General Municipal Election to be held on Tuesday, November 8, 2022, with the Statewide General Election to be held on the date pursuant to § 10403 of the Elections Code; and
3. Adopt Resolution No. 2022-12 adopting regulations for candidates for elective office pertaining to candidate statements submitted to the voters at an election to be held on Tuesday, November 8, 2022.

4.13 REQUEST TO AUTHORIZE USE OF CITY LETTERHEAD

Mayor Chun provided an overview. Councilmembers commented on the matter.

Recommended Action: Authorize the use of City letterhead for correspondence expressing condolences to the family of Dr. John Cheng.

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

5. PUBLIC HEARINGS:

5.1. ORDINANCE REGARDING TRANSIENT LODGING OCCUPANT REGISTRATION

City Manager David Doyle introduced City Attorney Scott Smith, who provided an overview. Mayor Chun opened the public hearing and the following persons provided comment:

1. Lynn Mohrfeld (California Hotel/Lodging Association) expressed concern with the absence of short-term rentals in the proposed ordinance.

There were no other comments. Mayor Chun closed the public hearing. Staff responded to questions regarding short-term rentals. Councilmembers commented on the matter.

Recommended Action:

1. Open the public hearing, take any public testimony, and close the public hearing;
2. Find that the Ordinance is not subject to the requirements of the California Environmental Quality Act for the following reasons:
   a) The Ordinance is not a "project" within the meaning of Section 15378 of the State CEQA Guidelines because it has no potential for resulting in direct or indirect physical change in the environment;
   b) The Ordinance is exempt under Section 15061(b)(3), the general rule exemption, because it can be seen with certainty that there is no possibility that the code amendments therein will have a significant effect on the environment; and
3. Introduce for first reading an Ordinance entitled: ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA AMENDING CHAPTERS 3.06 AND 15.18 OF THE ALISO VIEJO MUNICIPAL CODE REGARDING TRANSIENT LODGING OCCUPANT REGISTRATION AND FINDING THE ORDINANCE NOT SUBJECT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

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

6. DISCUSSION:

6.1. ORDINANCE PROHIBITING UNLAWFUL POSSESSION OF CATALYTIC CONVERTERS IN THE CITY OF ALISO VIEJO

City Manager David Doyle introduced Chief of Police Services Scott Merrill, who provided an overview. Staff responded to questions regarding etching, and theft prevention efforts. Councilmembers commented on the matter.

Recommended Action: Introduce an Ordinance for first reading, entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, ADDING CHAPTER 8.36 (UNLAWFUL POSSESSION OF A CATALYTIC CONVERTER PROHIBITED) TO TITLE 8 (PUBLIC PEACE, MORALS AND WELFARE) OF THE ALISO VIEJO MUNICIPAL CODE ESTABLISHING REGULATIONS PROHIBITING THE UNLAWFUL POSSESSION OF CATALYTIC CONVERTERS IN THE CITY OF ALISO VIEJO.

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

6.2. DRAFT ANNUAL BUDGET FOR FY 2022-23

City Manager David Doyle introduced Financial Services Director Ann Eifert, who provided an overview. Staff responded to questions regarding unallocated General Fund Reserves, investment revenue, unfunded pension liability, public safety costs, property tax revenue, animal control services. Councilmembers commented on the matter.

Recommended Action:
1. Review the draft FY 2022-23 Annual Budget;
2. Authorize Cost of Living adjustment (4.3%) effective July 1, 2022 ($123,615); and
3. Provide any additional direction to staff regarding the draft FY 2022-23 Budget.

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

7. CITY MANAGER' S REPORT:

City Manager David Doyle reported on school safety efforts; announced Summer Camp registration and scholarship opportunities; Certified Farmers' Market held from 8:00 a.m. to 1:00 p.m. on Saturdays at Aliso Viejo Town Center; and Furry Friends Pet Fair to be held from 8:00 a.m. to 12:00 p.m. on August 6, 2022 at Aliso Viejo Ranch;

8. ANNOUNCEMENTS / COUNCIL COMMENTS / COMMITTEE UPDATES:

Councilmember Ackley:
- Commented on school safety

Councilmember Harrington: None

Councilmember Munzing:
- Commented on school safety

Mayor Pro Tem Hurt:
- Commented on school safety
- Attended Soka University Public Policy student presentations

Mayor Chun:
- Attended Red Cross Sound the Alarm Event on May 21, 2022
- Attended Aliso Niguel High School PTSA Meeting
- Attended Capistrano Unified School District Vocational Webinar
- Presented at Don Juan Avila Middle School on Asian American Pacific Islander Month
- Attended Aliso Viejo Ranch Historic Site Dedication Ceremony and Reception Honoring Bill Phillips
- Attended OCFA Best and Bravest Awards Dinner

- Attended American Red Cross OC Heroes Luncheon
- Attended Aliso Niguel High School Senior Awards Night
- Attended Southern California Edison Asian American Pacific Islander Month Celebration
- Attended OCFA Board of Directors Meeting
- Interviewed by Japanese newspaper publication Seikyo Shimbun
- Attended memorial service for Dr. John Cheng
- Attended Annual Memorial Day Observance at El Toro Memorial Park
- Attended OCFA Human Resources Committee Meeting
- Attended OCFA Security Committee Meeting
- Attended Boys & Girls Club of Laguna Beach Community Partners Breakfast

9. **ADJOURNMENT:** Mayor Chun adjourned the meeting at 8:52 p.m. to the regularly scheduled meeting of June 15, 2022.

Respectfully submitted:

MITZI ORTIZ, MMC
CITY CLERK

Approved by:

ROSS CHUN
MAYOR