

CITY OF ALISO VIEJO  
CITY COUNCIL MINUTES  
REGULAR MEETING  
JUNE 21, 2017, 7:00 P.M.  
Council Chambers, City Hall, 12 Journey  
Aliso Viejo, California

**CALL TO ORDER:** Mayor Harrington called the Regular Meeting of the City Council of the City of Aliso Viejo to order at 7:17 p.m.

**PRESENT:** MAYOR DAVID C. HARRINGTON  
MAYOR PRO TEM PHILLIP B. TSUNODA  
COUNCILMEMBER ROSS CHUN  
COUNCILMEMBER MIKE MUNZING  
COUNCILMEMBER WILLIAM A. PHILLIPS

**ABSENT:** NONE

**STAFF PRESENT:** DAVID A. DOYLE, CITY MANAGER  
SCOTT C. SMITH, CITY ATTORNEY  
MITZI ORTIZ, CITY CLERK  
GLENN YASUI, ADMINISTRATIVE SERVICES DIRECTOR  
GINA THARANI, FINANCE DIRECTOR  
SHAUN PELLETIER, PUBLIC WORKS DIRECTOR / CITY  
ENGINEER  
OMAR DADABHOY, PLANNING DIRECTOR  
ISAAC AZIZ, INFORMATION TECHNOLOGY MANAGER  
STEPHANIE BROWN, COMMUNITY SERVICES MANAGER  
LT. JOHN MACPHERSON, CHIEF OF POLICE SERVICES

**PLEDGE OF ALLEGIANCE:** Mariah Peters, AV Adrenaline player, led the pledge of allegiance.

**REPORT FROM CLOSED SESSION:** City Attorney Scott Smith stated no reportable action was taken. Please refer to June 21, 2017 Special Meeting Minutes.

**SPECIAL PRESENTATIONS:**

A. **COUNCIL RECOGNITION AND PRESENTATION TO AV ADRENALINE AND OC LEOPARDS**

Mayor Harrington presented Certificates of Recognition to the AV Adrenaline and OC Leopards. AV Adrenaline Coach Elliott Sarabia and Assistant Coach Chris Dunakin commented on the team's achievements. OC Leopards Coach Ken

Mangat and Assistant Coaches Chad Wanders and Odonovan Kaise commented on the team's achievements.

B. RECOGNITION OF THE ALISO VIEJO COMMUNITY FOUNDATION 2017 SCHOLARSHIP AWARD RECIPIENTS

Mayor Harrington introduced Aliso Viejo Community Foundation President Bob Bunyan. Mr. Bunyan commented on the scholarship program and presented certificates to the award recipients.

C. COUNCIL RECOGNITION AND PRESENTATION TO FEATURED BUSINESS OF THE MONTH SMOOTHIE KING

Mayor Harrington presented a Certificate of Recognition to Owner Mandeep Khattrra. Mr. Khattrra expressed his appreciation.

D. DAIRY FORK WETLAND AND HABITAT RESTORATION PROJECT UPDATE

Public Works Director / City Engineer Shaun Pelletier provided the presentation. Staff responded to questions regarding arundo removal.

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

None.

**COMMUNITY INPUT:**

None.

**CONSENT CALENDAR ITEM NOS. 1-13:**

Mayor Harrington asked if any member of the City Council, staff or the public wished to remove an item from the Consent Calendar. Councilmember Phillips requested the removal of Item No. 13. There were no additional requests to remove items from the Consent Calendar.

**MOTION: COUNCILMEMBER CHUN MOVED AND COUNCILMEMBER PHILLIPS SECONDED TO APPROVE CONSENT CALENDAR ITEMS 1 – 12, AS PRESENTED.**

1. WAIVE THE READING OF ALL ORDINANCES AND RESOLUTIONS

Approved 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.

2. APPROVAL OF MINUTES – MAY 24, 2017 SPECIAL MEETING, JUNE 7, 2017 SPECIAL MEETING AND JUNE 7, 2017 REGULAR MEETING

Approved the subject Minutes as submitted.

3. ACCOUNTS PAYABLE

1. Ratified accounts payable checks issued June 1, 2017 in the amount of \$449,308.59; and
2. Ratified accounts payable checks issued June 8, 2017 in the amount of \$233,775.29.

4. INVESTMENT POLICY

Adopted Resolution No. 2017-12 approving the Investment Policy for Fiscal Year 2017-18 and rescinding Resolution No. 2016-32 in its entirety.

5. APPROPRIATIONS LIMIT – FISCAL YEAR 2017-18

Adopted Resolution No. 2017-13 setting the Proposition 4 (Gann) Appropriations Limit for Fiscal Year 2017-18 for the City of Aliso Viejo at \$38,047,127, utilizing 34.68% of this limit in FY 2017-18.

6. FIRST AMENDMENT TO AGREEMENT WITH BEST BEST & KRIEGER FOR CITY ATTORNEY SERVICES

1. Approved the First Amendment to Agreement with Best Best & Krieger for City Attorney Services; and
2. Authorized the City Manager to execute the First Amendment to the Agreement.

7. UPDATED EMPLOYEE HANDBOOK/PERSONNEL POLICIES & PROCEDURES

1. Adopted Resolution No. 2017-14 approving the City of Aliso Viejo Employee Handbook / Personnel Policies & Procedures; and
2. Delegated authority to the City Manager to update the Employee Handbook / Personnel Policies & Procedures to address future laws, programs and practices.

8. RENEWED MEASURE M ELIGIBILITY – 7-YEAR CIP

1. Adopted a 7-year Capital Improvements Program (CIP) for Street Projects; and
2. Adopted Resolution No. 2017-15 concerning the status of the Circulation Element, Local Signal Synchronization Plan and Mitigation Fee Program.

9. AGREEMENT WITH CIVILSOURCE, INC. FOR CONSTRUCTION INSPECTION SERVICES

1. Awarded an agreement to CivilSource, Inc., an NV5 Company, to perform construction inspection services of capital improvement projects citywide; and
2. Authorized the City Manager to execute a professional services contract with CivilSource for an amount not to exceed \$150,000.

10. FIRST AMENDMENT TO AGREEMENT FOR VIDEO PRODUCTION SERVICES – WINTER VISUALS

Authorized the City Manager to execute the First Amendment to Professional Services Agreement with Winter Visuals for video production services.

11. SECOND AMENDMENT TO AGREEMENT FOR COMMUNITY RELATIONS SERVICES – KT COMMUNITY RELATIONS

Authorized the City Manager to execute the Second Amendment to Professional Services Agreement with KT Community Relations for community relations services.

12. FIRST AMENDMENT TO AGREEMENT FOR CUSTODIAL SERVICES AT THE ALISO VIEJO CENTER AND AQUATIC CENTER – VANGUARD CLEANING SYSTEMS

Authorized the City Manager to execute the First Amendment to Professional Services Agreement with Vanguard Cleaning Systems for custodial services at the Aliso Viejo Center and Aquatic Center.

13. RESOLUTION OF DECISION REGARDING ADMINISTRATIVE APPEAL FROM DENIAL OF REQUESTED ACCOMMODATION FOR ILLEGAL LODGING USE AT 16 GOLF DRIVE

This item was removed from the Consent Calendar.

**MOTION CARRIED UNANIMOUSLY**

**END OF CONSENT CALENDAR**

**REMOVED FROM CONSENT CALENDAR**

13. RESOLUTION OF DECISION REGARDING ADMINISTRATIVE APPEAL FROM DENIAL OF REQUESTED ACCOMMODATION FOR ILLEGAL LODGING USE AT 16 GOLF DRIVE

Councilmember Phillips stated his intent to abstain due to his absence from the June 7, 2017 City Council meeting.

**MOTION: COUNCILMEMBER MUNZING MOVED AND MAYOR PRO TEM TSUNODA SECONDED TO ADOPT RESOLUTION NO. 2017-16 FORMALIZING THE COUNCIL'S DECISION AT THE MAY 24, 2017 ADMINISTRATIVE APPEAL HEARING OF A REQUEST FOR ACCOMMODATION FOR A LODGING USE AT 16 GOLF DRIVE.**

**MOTION CARRIED 4-0-1, WITH COUNCILMEMBER PHILLIPS ABSTAINING.**

**PUBLIC HEARING ITEM NOS. 14-15:**

14. **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO APPROVING THE ISSUANCE BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY OF NOT TO EXCEED \$20,000,000 AGGREGATE PRINCIPAL AMOUNT OF THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY'S REVENUE OBLIGATIONS FOR THE PURPOSE OF FINANCING AND REFINANCING THE COST OF ACQUISITION, CONSTRUCTION, DEVELOPMENT, RENOVATION, REMODELING, EXPANSION AND EQUIPPING OF EDUCATIONAL FACILITIES FOR THE BENEFIT OF ST. MARY AND ALL ANGELS CHRISTIAN CHURCH**

City Manager David Doyle introduced Finance Director Gina Tharani, who provided the staff report. Mayor Harrington opened the public hearing. There were no speakers. Mayor Harrington closed the public hearing.

**MOTION: COUNCILMEMBER MUNZING MOVED AND COUNCILMEMBER PHILLIPS SECONDED TO CONDUCT A PUBLIC HEARING AND ADOPT RESOLUTION NO. 2017-17 ENTITLED:**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, APPROVING THE ISSUANCE BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY OF NOT TO EXCEED \$20,000,000 AGGREGATE PRINCIPAL AMOUNT OF THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY'S REVENUE OBLIGATIONS FOR THE PURPOSE OF FINANCING AND REFINANCING THE COST OF ACQUISITION, CONSTRUCTION, DEVELOPMENT, RENOVATION, REMODELING, EXPANSION AND EQUIPPING OF EDUCATIONAL FACILITIES FOR THE BENEFIT OF ST. MARY AND ALL ANGELS CHRISTINA CHURCH.**

**MOTION CARRIED UNANIMOUSLY**

15. **PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE ZONING CODE TO ESTABLISH NEW LAND USE REGULATIONS FOR DONATION COLLECTION BOXES**

City Manager David Doyle introduced Planning Director Omar Dadabhoy, who provided the staff report. Staff responded to questions regarding existing

collection boxes, zoning districts and violation enforcement. Mayor Harrington opened the public hearing. There were no speakers. Mayor Harrington closed the public hearing.

**MOTION: COUNCILMEMBER PHILLIPS MOVED AND COUNCILMEMBER CHUN SECONDED TO:**

1. **CONDUCT A PUBLIC HEARING;**
2. **DECLARE THAT THE PROJECTS IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA") UNDER SECTION 15061(B)(3) AS THE ACTIVITY IS COVERED BY THE GENERAL RULE THAT CEQA APPLIES ONLY TO PROJECTS WHICH HAVE THE POTENTIAL FOR CAUSING SIGNIFICANT EFFECT ON THE ENVIRONMENT. WHERE IT CAN BE SEEN WITH CERTAINTY THAT THERE IS NO POSSIBILITY THAT THE ACTIVITY IN QUESTION MAY HAVE A SIGNIFICANCE EFFECT ON THE ENVIRONMENT, THE ACTIVITY IS NOT SUBJECT TO CEQA;**
3. **INTRODUCE AN ORDINANCE ENTITLED:**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, AMENDING SECTIONS 15.18.020, 15.26.020, 15.22.100, 15.70.030 AND 15.94.020 AND ADDING SECTIONS 15.22.105 AND 15.82.040 TO THE ALISO VIEJO MUNICIPAL CODE REGARDING DONATION COLLECTION BOXES AND DEVELOPMENT REVIEW PERMITS; AND**

4. **ADOPT RESOLUTION NO. 2017-18(A) CREATING FEES FOR A DEVELOPMENT REVIEW PERMIT.**

**MOTION CARRIED UNANIMOUSLY**

**DISCUSSION ITEM NOS. 16-19:**

16. **INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, IMPOSING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT AND PERMITTING OF COUNSELING USES IN NON-RESIDENTIAL ZONES TO ALLOW FOR CONSIDERATION OF APPROPRIATE AMENDMENTS TO THE CITY MUNICIPAL CODE**

City Manager David Doyle introduced City Attorney Scott Smith, who provided the staff report.

**MOTION: COUNCILMEMBER CHUN MOVED AND COUNCILMEMBER MUNZING SECONDED TO ADOPT ORDINANCE NO. 2017-186 ENTITLED:**

**URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, IMPOSING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT AND PERMITTING OF COUNSELING USES IN NON-RESIDENTIAL ZONES TO ALLOW TIME FOR CONSIDERATION OF APPROPRIATE AMENDMENTS TO THE CITY MUNICIPAL CODE.**

**MOTION CARRIED UNANIMOUSLY**

17. **ORDINANCE TO UPDATE CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING DEPOSIT REQUIREMENTS**

City Manager David Doyle introduced Public Works Director / City Engineer Shaun Pelletier, who provided the staff report. Staff responded to questions regarding residential projects.

**MOTION: COUNCILMEMBER PHILLIPS MOVED AND COUNCILMEMBER MUNZING SECONDED TO INTRODUCE FOR FIRST READING, AN ORDINANCE ENTITLED:**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, AMENDING CHAPTER 7.15.050 OF TITLE 7 OF THE ALISO VIEJO MUNICIPAL CODE RELATING TO THE MINIMUM DEPOSIT FOR A CONSTRUCTION AND DEMOLITION PERMIT WITHIN THE CITY OF ALISO VIEJO.**

**MOTION CARRIED UNANIMOUSLY**

18. **ALISO VIEJO RANCH CONCEPTUAL SITE PLAN AND BUILDING DRAWINGS**

City Manager David Doyle provided the staff report. Jim Wilson, Thirtieth Street Architects, and Doug Grove, RHA Landscape Architects Planners, Inc., provided additional information. Mayor Harrington opened for public comment and the following persons spoke:

1. Phil Fleming, California Reflections Homeowner Association, expressed his appreciation and support of the matter.
2. Don Dooley, Friends of Niguel-Moulton Ranch, expressed his appreciation, support of the matter and requested incorporation of a water tower.
3. Matt Clements expressed his appreciation and support of the matter.
4. Jane Steven expressed her appreciation and support of the matter and requested incorporation of a water tower.
5. Larry Saavedra expressed his appreciation and support of the matter.
6. Sharon Dougherty expressed her appreciation and support of the matter.
7. Victor Scherr, Saddleback Area Historical Society, expressed his appreciation and support of the matter and urged authenticity in final design.
8. Kevin Fleming expressed support of the matter and requested incorporation of a water tower in the design.

There were no other speakers. Staff and consultant responded to questions regarding existing structures, market light elevation, cost projections, construction process, construction funding and programming cost estimates.

**MOTION: COUNCILMEMBER CHUN MOVED AND COUNCILMEMBER MUNZING SECONDED TO:**

- 1. APPROVE THE ALISO VIEJO RANCH CONCEPTUAL SITE PLAN AND BUILDING DRAWINGS, INCLUDING ADDED SOLAR PANELS;**
- 2. AUTHORIZE THE CITY MANAGER TO APPROVE SECOND AMENDMENT TO AGREEMENT WITH THIRTIETH STREET ARCHITECTS FOR THE PREPARATION OF CONSTRUCTION DOCUMENTS AND BIDDING AND CONSTRUCTION SERVICES RELATING TO THE ALISO VIEJO RANCH PROJECT;**
- 3. AUTHORIZE THE APPROPRIATION OF FUNDS FROM THE COMMUNITY ENHANCEMENT FUND UNRESERVED FUND BALANCE IN THE AMOUNT OF \$931,000 FOR THE PREPARATION OF CONSTRUCTION DOCUMENTS AND BIDDING AND CONSTRUCTION SERVICES RELATING TO THE ALISO VIEJO RANCH PROJECT; AND**
- 4. REVIEW FINANCIAL INFORMATION FOR CONSTRUCTION AND ONGOING OPERATING COSTS.**

**MOTION CARRIED UNANIMOUSLY**

19. **PROFESSIONAL SERVICES AGREEMENT WITH TOWNSEND PUBLIC AFFAIRS FOR GRANT WRITING AND LOBBYIST SERVICES**

City Manager David Doyle introduced Administrative Services Director Glenn Yasui, who provided the staff report. Cori Williams, Townsend Public Affairs, provided additional information. Staff and consultant responded to questions regarding clarification on "as needed" agreement, current lobbying needs and estimated costs.

**MOTION: COUNCILMEMBER MUNZING MOVED AND MAYOR PRO TEM TSUNODA SECONDED TO APPROVE AN AGREEMENT WITH TOWNSEND PUBLIC AFFAIRS ON AN "AS NEEDED" OR "PROJECT-BY-PROJECT BASIS".**

**MOTION CARRIED 4-1, WITH MAYOR HARRINGTON DISSENTING**

**CITY MANAGER'S REPORT**

City Manager David Doyle announced City's "Sweet 16" celebration to be held on June 24, 2017, from 12:00 p.m. to 3:00 p.m. at the Aliso Viejo Aquatic Center; Community Cup Golf Tournament to be held on June 23, 2017, beginning at 9:30 a.m. at the Aliso Viejo Country Club; Walk with the Mayor to be held July 10, 17, 24 and 31, 2017,

beginning at 5:45 p.m. at the Aliso Viejo Ranch; State of the City to be held on July 27, 2017, from 6:00 p.m. to 8:00 p.m.; and encouraged residents to follow the City on Facebook, Twitter and Instagram.

**ANNOUNCEMENTS / COUNCIL COMMENTS / COMMITTEE UPDATES**

Councilmember Chun:

- Attended Urban Land Institute Retail Reality Check for Public Officials Workshop
- Met with Capistrano Unified School District Superintendent regarding SR 241
- Attended League of California Cities Policy Committee Meeting
- Attended TCA Board Meeting

Councilmember Munzing:

- Attended Aliso Viejo Chamber of Commerce Networking Breakfast
- Commented on Community Cup Golf Tournament and City's Sweet 16 Birthday Party

Councilmember Phillips:

- Attended Urban Land Institute Retail Reality Check for Public Officials Workshop
- Commented on Community Cup Golf Tournament and City's Sweet 16 Birthday Party

Mayor Pro Tem Tsunoda:

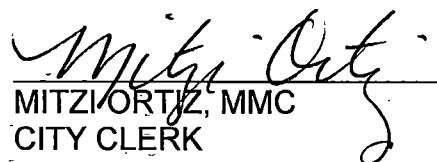
- Congratulated Royce Lewis for selection as Major League Baseball No. 1 draft pick

Mayor Harrington:

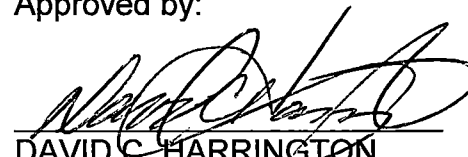
- Submitted in writing:
  - Attended Urban Land Institute Retail Reality Check for Public Officials Workshop

**ADJOURNMENT:** Mayor Harrington adjourned the meeting at 9:28 p.m. to the regularly scheduled meeting of July 19, 2017. The regularly scheduled meeting of July 5, 2017 has been cancelled.

Respectfully submitted:

  
MITZI ORTIZ, MMC  
CITY CLERK

Approved by:

  
DAVID C. HARRINGTON  
MAYOR