CITY OF ALISO VIEJO
CITY COUNCIL MINUTES
REGULAR MEETING
August 18, 2021, 7:00 P.M.
Council Chambers, City Hall, 12 Journey
Aliso Viejo, California

City Council conducted this meeting in accordance with California Governor Newsom's Executive Orders N-25-20 and N-29-20 and COVID-19 pandemic protocols.

CALL TO ORDER: Mayor Ackley called the Regular Meeting of the City Council of the City of Aliso Viejo to order at 7:05 p.m.

ROLL CALL:

PRESENT: MAYOR TIFFANY ACKLEY *(via teleconference)*
COUNCILMEMBER DAVID C. HARRINGTON *(via teleconference)*
COUNCILMEMBER RICHARD W. HURT *(via teleconference)*
COUNCILMEMBER MIKE MUNZING *(via teleconference)*

ABSENT: MAYOR PRO TEM ROSS CHUN

STAFF PRESENT: DAVID A. DOYLE, CITY MANAGER
SCOTT C. SMITH, CITY ATTORNEY
MITZI ORTIZ, CITY CLERK
SEA SHELTON, INTERIM FINANCIAL SERVICES DIRECTOR / HUMAN RESOURCES MANAGER
SHAUN PELLETIER, PUBLIC WORKS DIRECTOR
OMAR DADABHOY, COMMUNITY DEVELOPMENT DIRECTOR
ROSE RIVERA, SENIOR PLANNER
IZZAK MIRELES, ASSISTANT PLANNER
STEPHANIE PHILLIPS, RECREATION & COMMUNITY SERVICES DIRECTOR
ISAAC AZIZ, INFORMATION TECHNOLOGY MANAGER
CAPT. CHAD KAJFASZ, CHIEF OF POLICE SERVICES

PLEDGE OF ALLEGIANCE: City Clerk Mitzi Ortiz led the pledge of allegiance.

REPORT FROM CLOSED SESSION:

City Attorney Scott Smith stated Closed Session was cancelled and no reportable action was taken.

1. SPECIAL PRESENTATIONS:

1.1. FEATURED BUSINESS OF THE MONTH – SGT. PEPPERONI'S PIZZA STORE

Mayor Ackley introduced the video and presented the recognition to owners Andy Hong and Stan Frazier. Mr. Frazier and Mr. Hong expressed their appreciation.

1.2. PRESENTATION BY OC HUMAN RELATIONS

Mayor Ackley introduced Susan Reese, who presented the OC Human Relations 2019-20 Annual Report.

2. ADDITIONS, DELETIONS, REORDERING TO THE AGENDA:

None.

3. COMMUNITY INPUT:

City Clerk Mitzi Ortiz entered the following communication into the record:

1. Wyatt Davis expressed support for a community garden.
2. Jane expressed support for a community garden and expressed concern with drought conditions.
3. Marlene Lewis requested changes to reporting procedures for barking dogs.

4. CONSENT CALENDAR:

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

Motion: Councilmember Hurt moved and Councilmember Harrington seconded to approve the recommended actions. Motion carried 4-0-1, with Mayor Pro Tem Chun 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 July 21, 2021 Regular Meeting.

4.3. ACCOUNTS PAYABLE

Recommended Action:
1. Ratify accounts payable checks and electronic funds transfers issued July 8, 2021 in the amount of $403,404.98; and
2. Ratify accounts payable checks and electronic funds transfers issued July 22, 2021 in the amount of $1,421,470.09.

4.4. TREASURER'S STATEMENT – JUNE 2021

Recommended Action: Approve June 2021 Treasurer's Statement.

5. PUBLIC HEARINGS:

5.1. REQUEST TO APPROVE PLANNING APPLICATION PA21-011 (CUP/EP) FOR A CONDITIONAL USE PERMIT AND EXCEPTION PERMIT TO ALLOW FOR A LARGE OUTPATIENT MEDICAL USE AND ALLOW A PARKING DEFICIENCY OF LESS THAN 15 PERCENT AT 27372 ALISO CREEK ROAD

City Manager David Doyle introduced Assistant Planner Izzak Mireles, who provided an overview. Mayor Ackley opened the public hearing and there were no speakers. Mayor Ackley closed the public hearing. Community Development Director Omar Dadabhoy and applicant Robert Bunyan provided additional information. Staff and applicant responded to questions regarding parking. Councilmembers commented on the matter.

Recommended Action:
1. Conduct a public hearing;
2. Find that the request is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Sections 15301 and 15303 (Existing Facilities and New Construction or Conversion of Small Structures); and
3. Adopt a Resolution to approve Planning Application PA21-011 (CUP/EP) for a conditional use permit and an exception permit to allow a large outpatient medical use and allow a parking deficiency of less than 15 percent at 27372 Aliso Creek Road.

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

6. DISCUSSION:

6.1. DRAFT 2021-2029 HOUSING ELEMENT UPDATE

City Manager David Doyle introduced Community Development Director Omar Dadabhoy, who provided an overview. Mayor Ackley opened for public comment and City Clerk Mitzi Ortiz entered the following communication into the record:

1. Catherine Van Camp expressed concern with aspects of the draft Housing Element.

Councilmembers commented on the matter.

Recommended Action: Review and accept the draft 2021-2029 Housing Element Update document and direct staff to submit the document to the Department of Housing and Community Development (HCD) to start the State's 60-day review and comment period. The City Council is not adopting or approving the draft housing element document at this time.

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

6.2. BALLOT MEASURES FOR NOVEMBER 8, 2022 GENERAL MUNICIPAL ELECTION FOR THE ADOPTION OF AN ORDINANCE ESTABLISHING TERM LIMITS FOR MEMBERS OF THE CITY COUNCIL AND FOR THE ADOPTION OF A CHARTER ESTABLISHING TERM LIMITS FOR MEMBERS OF THE CITY COUNCIL AND REQUIRING SPECIAL ELECTIONS TO FILL COUNCIL VACANCIES

City Attorney Scott Smith provided an overview. City Clerk Mitzi Ortiz provided additional information. Staff responded to questions regarding procedures to fill City Council vacancies, difference between measures, retroactive terms limits, estimated cost for special elections, dividing draft charter into two measures, election deadlines. City Council discussion ensued.

Recommended Action:

1. Consider a resolution for a ballot measure for the November 8, 2022 General Municipal Election adopting an ordinance establishing term limits for members of the City Council.
2. Instruct staff to set and notice a first and second hearing on a resolution placing on the November 8, 2022 ballot an Aliso Viejo charter establishing term limits for members of the City Council and requiring special elections for Council vacancies.

Motion: Mayor Ackley moved and Councilmember Harrington seconded to instruct staff to set and notice a first and second public hearing to consider a resolution placing on the November 8, 2022 General Municipal Election two ballot measures that would adopt a city charter establishing term limits for members of the City Council and requiring special elections to fill Council vacancies. Motion carried 3-1-1, with Councilmember Munzing dissenting and Mayor Pro Tem Chun absent.

Motion: Councilmember Harrington moved and Mayor Ackley seconded to postpone consideration of a resolution for a ballot measure for the November 8, 2022 General Municipal Election adopting an ordinance establishing term limits for members of the City Council. Motion carried 4-0-1, with Mayor Pro Tem Chun absent.

7. CITY MANAGER' S REPORT:

City Manager David Doyle expressed appreciation to City Clerk Mitzi Ortiz.

8. ANNOUNCEMENTS / COUNCIL COMMENTS / COMMITTEE UPDATES:

Councilmember Hurt:
- Expressed appreciation to City Clerk Mitzi Ortiz
- Commented on nearby road closures

Councilmember Harrington: None

Councilmember Munzing:
- Attended AVCA's Concert in the Park
- Wished the community well

Mayor Ackley:
- Wished students well on their return to school

9. ADJOURNMENT: Mayor Ackley adjourned the meeting at 8:38 p.m. to the regularly scheduled meeting of September 1, 2021.

Respectfully submitted:

MITZI ORTIZ, MMC
CITY CLERK

Approved by:

TIFFANY ACKLEY
MAYOR