

CITY OF ALISO VIEJO
CITY COUNCIL MINUTES
REGULAR MEETING
September 5, 2018, 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 7:02 p.m.

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

ABSENT: NONE

STAFF PRESENT: DAVID A. DOYLE, CITY MANAGER
SCOTT C. SMITH, CITY ATTORNEY
MITZI ORTIZ, CITY CLERK
GLENN YASUI, ADMINISTRATIVE SERVICES DIRECTOR
RYAN SMITH, FINANCIAL SERVICES MANAGER
SHAUN PELLETIER, PUBLIC WORKS DIRECTOR / CITY
ENGINEER
OMAR DADABHOY, COMMUNITY DEVELOPMENT DIRECTOR
JENNIFER LOWE, SENIOR PLANNER
ISAAC AZIZ, INFORMATION TECHNOLOGY MANAGER
STEPHANIE BROWN, COMMUNITY SERVICES MANAGER
LT. CHAD KAJFASZ, CHIEF OF POLICE SERVICES

PLEDGE OF ALLEGIANCE: Lupita led the pledge of allegiance.

REPORT FROM CLOSED SESSION:

City Attorney Scott Smith stated no reportable action was taken. Please refer to the September 5, 2018 Special Meeting Minutes.

SPECIAL PRESENTATION:

A. **RECOGNITION OF OCSD EXPLORER ACADEMY GRADUATES**

Mayor Harrington introduced Chief of Police Services Lt. Kajfasz. Lt. Kajfasz provided information and a video on the Basic Explorer Academy. Mayor Harrington presented the graduates with Certificates of Recognition.

B. PRESENTATION OF NATIONAL PREPAREDNESS MONTH PROCLAMATION

Mayor Harrington presented the Proclamation to Chief of Police Services Lt. Kajfasz. Lt. Kajfasz provided a video on emergency preparedness.

ADDITIONS, DELETIONS, REORDERING TO THE AGENDA

None.

COMMUNITY INPUT:

1. David Bendall commented on trees in street medians and Tree City USA program.
2. Duke Nguyen commented on his candidacy for Orange County Sheriff.

CONSENT CALENDAR ITEM NOS. 1-10:

Mayor Harrington asked if any member of the City Council, staff or the public wished to remove an item from the Consent Calendar. Mayor Harrington requested the removal of Item Nos. 6, 7, 8, and 9, and Councilmember Tsunoda requested the removal of Item No. 10. There were no additional requests to remove items from the Consent Calendar.

MOTION: COUNCILMEMBER MUNZING MOVED AND COUNCILMEMBER PHILLIPS SECONDED TO APPROVE CONSENT CALENDAR ITEMS 1-5 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 – AUGUST 15, 2018 SPECIAL MEETING AND AUGUST 15, 2018 REGULAR MEETING**

Approved the subject Minutes as submitted.

3. **SECOND READING AND ADOPTION OF ORDINANCE REGULATING UNMANNED AIRCRAFT SYSTEMS (DRONES)**

Conducted second reading and adopted Ordinance No. 2018-201 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, ADDING CHAPTER 8.30 TO TITLE 8 OF THE ALISO VIEJO MUNICIPAL CODE REGULATING UNMANNED AIRCRAFT SYSTEMS, COMMONLY KNOWN AS DRONES.

4. ACCOUNTS PAYABLE

1. Ratified accounts payable checks and electronic funds transfers issued August 2, 2018 in the amount of \$1,608,741.93;
2. Ratified accounts payable checks and electronic funds transfers issued August 9, 2018 in the amount of \$83,673.79; and
3. Ratified accounts payable checks and electronic funds transfers issued August 16, 2018 in the amount of \$132,104.00.

5. TREASURER'S STATEMENT – JULY 2018

Approved the July 2018 Treasurer's Statement.

6. PROFESSIONAL SERVICES AGREEMENT WITH CABCO YELLOW, INC. FOR SENIOR TRANSPORTATION SERVICES

This item was removed from the Consent Calendar.

7. ON-CALL CIVIL ENGINEERING SERVICES

This item was removed from the Consent Calendar.

8. ALISO CREEK HABITAT RESTORATION AND ENHANCEMENT PROJECT

This item was removed from the Consent Calendar.

9. ALISO VIEJO RANCH PROJECT APPROVAL OF PREQUALIFIED BIDDERS

This item was removed from the Consent Calendar.

10. CITY / AVCA REVIEW COMMITTEE STATUS REPORT

This item was removed from the Consent Calendar.

MOTION CARRIED UNANIMOUSLY

END OF CONSENT CALENDAR

REMOVED FROM CONSENT CALENDAR

6. PROFESSIONAL SERVICES AGREEMENT WITH CABCO YELLOW, INC. FOR SENIOR TRANSPORTATION SERVICES

City Manager David Doyle and Community Services Manager Stephanie Phillips responded to questions regarding the benefit to the community, the proposal process and public outreach to users. Tim Conlon, Cabco Yellow, Inc. President, provided additional information.

MOTION: COUNCILMEMBER TSUNODA MOVED AND MAYOR HARRINGTON SECONDED TO CONTINUE THE MATTER TO OCTOBER 3, 2018.

MOTION CARRIED UNANIMOUSLY

7. **ON-CALL CIVIL ENGINEERING SERVICES**

Public Works Director Shaun Pelletier provided an overview.

MOTION: COUNCILMEMBER TSUNODA MOVED AND COUNCILMEMBER PHILLIPS SECONDED TO:

- 1. AWARD AGREEMENT TO ENGINEERING RESOURCES OF SOUTHERN CALIFORNIA, INC. (ERSC) TO PERFORM ON-CALL CIVIL ENGINEERING SERVICES; AND**
- 2. AUTHORIZE THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH ERSC FOR AN AMOUNT NOT TO EXCEED \$400,000 AS NEEDED FOR A PERIOD OF UP TO 3 YEARS.**

MOTION CARRIED UNANIMOUSLY

8. **ALISO CREEK HABITAT RESTORATION AND ENHANCEMENT PROJECT**

City Manager David Doyle provided an overview. Mayor Harrington opened for public comment and the following person spoke:

1. David Bendall expressed support of the matter.

There were no other speakers.

MOTION: COUNCILMEMBER MUNZING MOVED AND COUNCILMEMBER PHILLIPS SECONDED TO:

- 1. SUPPORT THE LAGUNA CANYON FOUNDATION'S (LCF) CONTINUING EFFORTS TO HELP RESTORE AND ENHANCE THE HABITAT OF ALISO CREEK; AND**
- 2. AUTHORIZE CITY STAFF TO PROVIDE GRANT MATCHING FUNDS TO LAGUNA CANYON FOUNDATION TOTALING UP TO \$50,000 OVER 5 YEARS CONTINGENT UPON LCF BEING AWARDED THE GRANT FUNDS.**

MOTION CARRIED UNANIMOUSLY

9. **ALISO VIEJO RANCH PROJECT APPROVAL OF PREQUALIFIED BIDDERS**

MOTION: MAYOR HARRINGTON MOVED AND COUNCILMEMBER MUNZING SECONDED TO APPROVE THE PREQUALIFIED BIDDERS FOR THE ALISO VIEJO RANCH PROJECT.

MOTION CARRIED UNANIMOUSLY

10. CITY / AVCA REVIEW COMMITTEE STATUS REPORT

Mayor Harrington provided an overview.

MOTION: COUNCILMEMBER TSUNODA MOVED AND COUNCILMEMBER PHILLIPS SECONDED TO RECEIVE AND FILE REPORT.

MOTION CARRIED UNANIMOUSLY

PUBLIC HEARING ITEM NOS. 11-12:

11. PLANNING APPLICATION PA16-028 (CUP) – REQUEST FOR A CONDITIONAL USE PERMIT TO INSTALL A WIRELESS COMMUNICATIONS FACILITY FOR VERIZON WIRELESS ON AN EXISTING SOUTHERN CALIFORNIA EDISON TRANSMISSION TOWER AT ARGONAUT PARK

City Manager David Doyle introduced Senior Planner Jennifer Lowe who provided the staff report. Staff responded to questions regarding property rights and visual impact. Rachael Davidson, on behalf of applicant, provided additional information. Mayor Harrington closed the public hearing.

MOTION: COUNCILMEMBER PHILLIPS MOVED AND COUNCILMEMBER MUNZING SECONDED TO:

1. **CONDUCT A PUBLIC HEARING;**
2. **DETERMINE THE PROJECT IS CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”) PURSUANT TO CATEGORICAL EXEMPTION CLASS 3 FOR NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES (STATE CEQA GUIDELINES, §15303); AND**
3. **ADOPT RESOLUTION NO. 2018-34 TO APPROVE PLANNING APPLICATION PA16-028 (CUP) FOR A CONDITIONAL USE PERMIT TO ESTABLISH A WIRELESS TELECOMMUNICATIONS FACILITY AT ARGONAUT PARK AT 25633 CEDARBROOK IN ALISO VIEJO, CA, AS AMENDED TO ADD CONDITION FOR NEW LANDSCAPING.**

MOTION CARRIED UNANIMOUSLY

12. INTRODUCTION OF AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE ALISO VIEJO MUNICIPAL CODE FOR THE ESTABLISHMENT OF A HEALTH FACILITIES AND OUTPATIENT MEDICAL USES OVERLAY DISTRICT, AND MAKING MINOR AMENDMENTS TO THE MUNICIPAL CODE RELATING TO PARKING REQUIREMENTS, DEFINITIONS, AND ZONING CODE APPENDIX A

City Manager David Doyle introduced Community Development Director Omar Dadabhoj who provided the staff report. Mayor Harrington opened the public hearing and the following persons spoke:

1. Ben Kaneaiakala expressed concern with the proposed ordinance, including size restrictions and impact on service providers.
2. John Stratman (Kaiser Permanente) expressed concern with the proposed ordinance, including appointment intervals.

There were no other speakers. Mayor Harrington closed the public hearing.

MOTION: MAYOR PRO TEM CHUN MOVED AND COUNCILMEMBER PHILLIPS SECONDED TO:

1. **CONDUCT A PUBLIC HEARING;**
2. **DECLARE THAT THE PROJECT IS EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA") PURSUANT TO STATE CEQA GUIDELINES SECTION 15061(B)(3) AS THE ACTIVITY IS COVERED BY THE GENERAL RULES 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 SIGNIFICANT EFFECT ON THE ENVIRONMENT, THE ACTIVITY IS NOT SUBJECT TO CEQA; AND**
3. **APPROVE FIRST READING AND INTRODUCE AN ORDINANCE ENTITLED:**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO CALIFORNIA, AMENDING CHAPTERS: 15.10 RESIDENTIAL DISTRICTS; 15.18 NONRESIDENTIAL DISTRICTS; 15.22 SUPPLEMENTAL NONRESIDENTIAL REGULATIONS; 15.26 SPECIAL PURPOSE DISTRICTS; 15.38 PARKING; 15.86 NONCONFORMING USES, LOTS, AND STRUCTURES; 15.94 DEFINITIONS; AND ZONING CODE APPENDIX A: REQUIREMENTS FOR CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN REGARDING THE ESTABLISHMENT OF A HEALTH FACILITIES AND OUTPATIENT MEDICAL USES OVERLAY DISTRICT WITH REGULATIONS, AND MINOR MODIFICATIONS TO PARKING REQUIREMENTS, DEFINITIONS, AND ZONING CODE APPENDIX A.

MOTION CARRIED UNANIMOUSLY

DISCUSSION ITEMS:

None.

CITY MANAGER'S REPORT

City Manager David Doyle announced Aliso Viejo Trails and Creek Clean-Up Event to be held from 8:00 a.m. to 11:00 a.m. on September 15, 2018, meeting at the Aliso Viejo Ranch.

ANNOUNCEMENTS / COUNCIL COMMENTS / COMMITTEE UPDATES

Councilmember Munzing

- Submitted in writing:
 - Attended Active Shooter Response Training
 - Attended Aliso Viejo Chamber of Commerce After Hours Event
 - Attended Aliso Viejo Middle School 25th Anniversary Celebration

Councilmember Phillips

- Expressed appreciation to Police Services for providing Active Shooter Response Training
- Submitted in writing:
 - Attended Active Shooter Response Training
 - Attended Aliso Viejo Middle School 25th Anniversary Celebration

Councilmember Tsunoda

- Requested status on City's membership in ACC-OC
- Wish happy birthday to his wife

Mayor Pro Tem Chun

- Expressed appreciation to Police Services for providing Active Shooter Response Training and to Temple Beth El for hosting the event
- Attended League of California Cities OC Division General Membership Meeting
- Met with Laguna Canyon Foundation Executive Director
- Commented on South County Outreach's plumbing accident and need to repair and replenish food pantry

Mayor Harrington

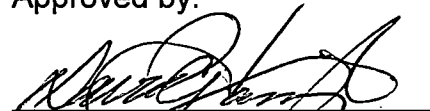
- Congratulated Nicole Suydam, Second Harvest Food Bank of Orange County CEO, on her new position with Goodwill of Orange County
- Requested link to OCTA Long Range Transportation Plan on website and social media
- Submitted in writing:
 - Attended OCFA Board of Directors Meeting
 - Attended Walk with the Mayor Event
 - Attended OCTA 5th District Mayor Forum
 - Attended Aliso Viejo Middle School 25th Anniversary Celebration

ADJOURNMENT: Mayor Harrington adjourned the meeting at 8:37 p.m. to the regularly scheduled meeting of September 19, 2018.

Respectfully submitted:


MITZI ORTIZ, MMC
CITY CLERK

Approved by:


DAVID C. HARRINGTON
MAYOR