

CITY OF ALISO VIEJO  
CITY COUNCIL MINUTES  
REGULAR MEETING  
November 7, 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 7:03 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  
HONGDAO NGUYEN, ASSISTANT 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  
ISAAC AZIZ, INFORMATION TECHNOLOGY MANAGER  
LT. CHAD KAJFASZ, CHIEF OF POLICE SERVICES

**PLEDGE OF ALLEGIANCE:** Vince and Kyle led the pledge of allegiance.

**REPORT FROM CLOSED SESSION:**

Assistant City Attorney HongDao Nguyen stated no reportable action was taken. Please refer to the November 7, 2018 Special Meeting Minutes.

**SPECIAL PRESENTATIONS:**

A. **RECOGNITION OF KAYLIN MADDOX FOR COMMUNITY SERVICE PROJECT**

Mayor Harrington presented a Certificate of Recognition to Kaylin Maddox for her community service project on music and music education at Pretend City

Children's Museum. Ms. Maddox provided information regarding her project and expressed her appreciation.

**B. FEATURED BUSINESS OF THE MONTH – PINOT'S PALETTE**

Mayor Harrington presented a Certificate of Recognition to owner Anna Brown. Ms. Brown expressed her appreciation.

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

None.

**COMMUNITY INPUT:**

1. Matt Bates provided information on City Net, a non-profit organization working to provide homelessness solutions.
2. Bill Moorhead, MNWD Director-elect, expressed appreciation for support received during election.

**CONSENT CALENDAR ITEM NOS. 1-8:**

Mayor Harrington asked if any member of the City Council or staff wished to remove an item from the Consent Calendar. Councilmember Phillips requested the removal of Item No. 4 and Mayor Pro Tem Chun requested the removal of Item No. 8. There were no additional requests to remove items from the Consent Calendar.

**MOTION: MAYOR PRO TEM CHUN MOVED AND COUNCILMEMBER MUNZING SECONDED TO APPROVE CONSENT CALENDAR ITEMS 1-3 AND 5-7 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 – OCTOBER 17, 2018 REGULAR MEETING**

Approved the subject Minutes as submitted.

**3. SECOND READING AND ADOPTION OF ORDINANCE REGARDING STORMWATER MANAGEMENT**

Conducted second reading and adopted Ordinance No. 2018-203 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA AMENDING THE ALISO VIEJO MUNICIPAL CODE REGARDING STORMWATER QUALITY TO ENSURE COMPLIANCE WITH THE CITY'S CLEAN WATER ACT NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT FOR DISCHARGES INTO AND FROM THE CITY'S STORM DRAIN SYSTEM.

4. ACCOUNTS PAYABLE

This item was removed from the Consent Calendar.

5. TREASURER'S STATEMENT – SEPTEMBER 2018

Approved the September 2018 Treasurer's Statement.

6. FOURTH AMENDMENT TO ORANGE COUNTY FIRE AUTHORITY JPA AGREEMENT FORMALIZING THE ACCELERATED PENSION LIABILITY REDUCTION PLAN

Authorized the Mayor to execute the Fourth Amendment to the Amended Orange County Fire Authority (OCFA) Joint Powers Authority Agreement, which formalizes OCFA's accelerated pension liability paydown plan.

7. FIRST AMENDMENT TO THE AGREEMENT FOR PROFESSIONAL SERVICES WITH DUDEK FOR ENVIRONMENTAL CONSULTANT SERVICES FOR THE ALISO VIEJO RANCH

1. Approved a First Amendment to the Agreement with Dudek to perform Environmental Consultant Services for the Aliso Viejo Ranch that extends the term through December 31, 2020 and increases the contract amount by \$39,000 for a total authorization of \$99,000 plus a 10% contingency of \$9,900; and
2. Authorized the City Manager to execute the First Amendment to the Agreement.

8. SUBLEASE AGREEMENT FOR WAREHOUSE SPACE

This item was removed from the Consent Calendar.

**MOTION CARRIED UNANIMOUSLY**

**END OF CONSENT CALENDAR**

**REMOVED FROM CONSENT CALENDAR**

4. **ACCOUNTS PAYABLE**

Public Works Director Shaun Pelletier responded to questions regarding road improvements and use of gas tax funds.

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

1. **RATIFY ACCOUNTS PAYABLE CHECKS AND ELECTRONIC FUNDS TRANSFERS ISSUED OCTOBER 4, 2018 IN THE AMOUNT OF \$269,828.41;**
2. **RATIFY ACCOUNTS PAYABLE CHECKS ISSUED OCTOBER 11, 2018 IN THE AMOUNT OF \$1,512,220.29;**
3. **RATIFY ELECTRONIC FUNDS TRANSFERS ISSUED OCTOBER 18, 2018 IN THE AMOUNT OF \$27,750; AND**
4. **RATIFY ACCOUNTS PAYABLE CHECKS AND ELECTRONIC FUNDS TRANSFERS ISSUED OCTOBER 25, 2018 IN THE AMOUNT OF \$310,965.21.**

**MOTION CARRIED UNANIMOUSLY**

8. **SUBLEASE AGREEMENT FOR WAREHOUSE SPACE**

Public Works Director Shaun Pelletier responded to questions regarding location.

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

1. **APPROVE A SUBLEASE AGREEMENT WITH PV MAINTENANCE FOR 690 SQUARE FEET OF SPACE FOR OFFICE AND STORAGE PURPOSES AT 27751 LA PAZ ROAD, SUITE B, LAGUNA NIGUEL, CA 92677; AND**
2. **AUTHORIZE THE CITY MANAGER TO EXECUTE THE LEASE AGREEMENT.**

**MOTION CARRIED UNANIMOUSLY**

**PUBLIC HEARING ITEMS:**

None.

**DISCUSSION ITEM NO. 9-11:**

9. **INTRODUCTION OF AN ORDINANCE AMENDING AND RESTATING CHAPTER 4.08 OF THE ALISO VIEJO MUNICIPAL CODE REGARDING THE TAXICAB ADMINISTRATION PROGRAM**

City Manager David Doyle introduced Assistant City Attorney HongDao Nguyen who provided an overview.

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

- 1. DETERMINE THAT THE PROPOSED ORDINANCE IS EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA") PURSUANT TO STATE CEQA GUIDELINES SECTION 15061(B)(3); AND**
- 2. INTRODUCE AN ORDINANCE ENTITLED:**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, AMENDING AND RESTATING CHAPTER 4.08 OF THE ALISO VIEJO MUNICIPAL CODE REGARDING THE TAXICAB ADMINISTRATION PROGRAM.**

**MOTION CARRIED UNANIMOUSLY**

10. **INTRODUCTION OF AN ORDINANCE ADDING CHAPTER 8.32 TO THE ALISO VIEJO MUNICIPAL CODE REGULATING URINATION AND DEFECATION IN PUBLIC PLACES**

City Manager David Doyle introduced Community Development Director Omar Dadabhoy provided an overview.

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

- 1. 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 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 SIGNIFICANT EFFECT ON THE ENVIRONMENT, THE ACTIVITY IS NOT SUBJECT TO CEQA; AND**
- 2. INTRODUCE AN ORDINANCE ENTITLED:**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, ADDING CHAPTER 8.32 TO TITLE 8 OF THE ALISO VIEJO MUNICIPAL CODE REGULATING URINATION AND DEFECATION IN PUBLIC PLACES.**

**MOTION CARRIED UNANIMOUSLY**

11. CAFETERIA PLAN BENEFITS

City Manager David Doyle provided an overview.

**MOTION: COUNCILMEMBER PHILLIPS AND COUNCILMEMBER MUNZING SECONDED TO ADOPT RESOLUTION NO. 2018-38 APPROVING A 0.9% (\$18.09 PER MONTH) INCREASE AND EMPLOYEE HEALTH BENEFIT ALLOWANCE, EFFECTIVE JANUARY 1, 2019.**

**MOTION CARRIED UNANIMOUSLY**

**CITY MANAGER'S REPORT**

City Manager David Doyle announced registration for Winter recreation classes; Aliso Viejo Ranch Project Groundbreaking to be held at 10:30 a.m. on November 15, 2018; All is Bright Holiday Celebration and Tree Lighting Ceremony to be held from 5:30 p.m. to 8:00 p.m. on November 29, 2018 at Aliso Viejo Town Center; City Council Special Meeting to be held December 12, 2018 at 7:00 p.m.; cancellation of the November 21, 2018 City Council Regular Meeting; and encouraged residents to follow the City on Facebook, Twitter, Instagram and Nextdoor.

**ANNOUNCEMENTS / COUNCIL COMMENTS / COMMITTEE UPDATES**

Councilmember Munzing

- Submitted in writing:
  - Attended Aliso Viejo Oktoberfest
  - Attended AVCA Annual Fall Harvest Festival
  - Attended Oriba 14<sup>th</sup> Annual Gala
  - Attended City Council Special Meeting
  - Attended Orange County Business Council Election Day Luncheon

Councilmember Phillips

- Congratulated Councilmember-elect Tiffany Ackley
- Commented on grants related to tree replacement
- Submitted in writing:
  - Attended meeting with OCFA
  - Attended South Orange County Watershed Management Area Meeting

Councilmember Tsunoda: None.

Mayor Pro Tem Chun

- Congratulated Councilmember-elect Tiffany Ackley
- Expressed appreciation to Temple Beth El for hosting vigil
- Commented on the passing of Steven Spiegel

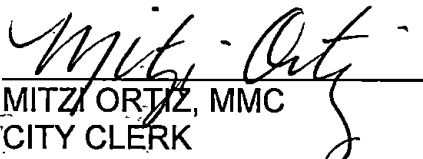
Mayor Harrington

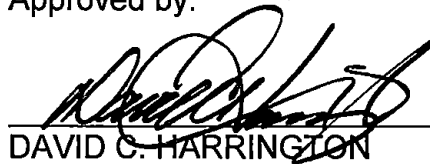
- Commented on grants related to tree replacement
- Expressed appreciation to his wife for support during re-election campaign
- Submitted in writing:
  - Attended South Orange County Association of Mayors Meeting
  - Attended AVCA Annual Fall Harvest Festival
  - Participated in interview with Canadian Broadcast Company
  - Attended City Council Special Meeting
  - Attended South Orange County Economic Coalition Meeting
  - Attended 1<sup>st</sup> Maintenance Marine Battalion Ball
  - Attended Orange County Business Council Election Day Luncheon

**ADJOURNMENT:** Mayor Harrington adjourned the meeting at 7:37 p.m. to the regularly scheduled meeting of December 5, 2018.

Respectfully submitted:

Approved by:

  
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MITZI ORTIZ, MMC  
CITY CLERK

  
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DAVID C. HARRINGTON  
MAYOR