

CITY OF ALISO VIEJO  
CITY COUNCIL MINUTES  
REGULAR MEETING  
SEPTEMBER 7, 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 7:04 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  
SO KIM, COMMUNITY DEVELOPMENT DIRECTOR  
LIZZY MENDOZA, RECREATION & COMMUNITY SERVICES MANAGER  
ISAAC AZIZ, INFORMATION TECHNOLOGY MANAGER  
PATRICIA CANTONWINE, HUMAN RESOURCES ANALYST  
CAPT. SCOTT MERRILL, CHIEF OF POLICE SERVICES

**PLEDGE OF ALLEGIANCE:** Human Resources Analyst Patricia Cantonwine led the pledge of allegiance.

**REPORT FROM CLOSED SESSION:**

City Attorney Scott Smith stated there was no reportable action.

**1. SPECIAL PRESENTATIONS:**

1.1. PROCLAMATION - NATIONAL PREPAREDNESS MONTH

Mayor Chun presented the proclamation to Chief of Police Services Captain Scott Merrill. Captain Merrill expressed appreciation and commented on the importance of the designation. American Red Cross of Orange County Executive Director Becky Firey provided additional information on preparedness.

1.2. PRESENTATION BY FAMILIES FORWARD

Mayor Chun introduced Chief Executive Officer Madelynn Hirneise, who provided information regarding services available.

2. ADDITIONS, DELETIONS, REORDERING TO THE AGENDA:

None.

3. COMMUNITY INPUT:

None.

4. CONSENT CALENDAR:

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

**Motion:** Councilmember Ackley moved and Mayor Pro Tem Hurt 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 August 17, 2022 Special Meeting and the August 17, 2022 Regular Meeting.

4.4. ACCOUNTS PAYABLE

**Recommended Action:**

1. Ratify accounts payable checks and electronic funds transfers issued August 11, 2022, in the amount of \$808,902.23; and
2. Ratify accounts payable checks and electronic funds transfers issued August 18, 2022, in the amount of \$482,874.53.

4.5. TREASURER'S STATEMENT – JULY 2022

**Recommended Action:** Approve July 2022 Treasurer's Statement

4.6. INVESTMENT POLICY FOR FISCAL YEAR 2022-23

**Recommended Action:** Adopt Resolution No. 2022-24 approving the Investment Policy for Fiscal Year 2022-23 and rescinding Resolution No. 2021-23 in its entirety.

4.7. FIRST AMENDMENT TO THE AGREEMENT FOR SOLID WASTE CONSULTING SERVICES

**Recommended Action:**

1. Approve a First Amendment to the Agreement with HF&H Consultants, LLC for Solid Waste Consulting Services to extend the term for two (2) years and to increase the agreement amount by \$50,000 for a total agreement amount of \$100,000;
2. Authorize the City Manager to approve additional funding to the agreement in an amount not to exceed \$15,000, if necessary; and
3. Authorize the City Manager to execute the First Amendment to the Agreement.

4.8. FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH LYON'S SECURITY SERVICE, INC. FOR FACILITY RESERVATION SECURITY SERVICES HELD AT ALISO VIEJO RANCH

**Recommended Action:** Approve and authorize the City Manager to execute the First Amendment to the Professional Services Agreement with Lyon's Security Service, Inc. for facility reservation security services held at Aliso Viejo Ranch to extend the term for three years and amend the compensation rates.

4.9. PROPERTY ACQUISITION – 38 COLONIAL WAY

**Recommended Action:**

1. Approve the purchase and sale agreement for 38 Colonial Way, Aliso Viejo, CA 92656 in the amount of \$227,000 and direct the City Manager to take all necessary steps to close escrow and complete the purchase of the property;
2. Find that the purchase of the property is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Sections 15301 (Existing Facilities);
3. Authorize the appropriation of Development Impact funds in the amount \$95,076 to the Fiscal Year 2022-23 Budget for the purchase; and

4. Find that the purchase of the property is in conformance with the City's General Plan Confirms with the General Plan.

**Motion:** Councilmember Ackley moved and Mayor Pro Tem Hurt seconded to approve the recommended actions. Motion carried 4-1, with Councilmember Munzing dissenting.

4.10. RESOLUTION AMENDING CITY EMPLOYEE SALARY SCHEDULE FOR IT ANALYST POSITION

**Recommended Action:** Adopt Resolution No. 2022-25 amending employee salary schedule for IT Analyst position.

**5. PUBLIC HEARINGS:**

5.1. FENNEL MEDITERRANEAN KITCHEN AND BAR AT 26611 ALISO CREEK ROAD, SUITE A OF THE ALISO VIEJO TOWN CENTER (ADMINISTRATIVE USE PERMIT AND SITE DEVELOPMENT PERMIT TO ESTABLISH A NEW RESTAURANT SERVING FULL ALCOHOL AND PERFORM TENANT IMPROVEMENTS INCLUDING EXTERIOR MODIFICATIONS)

City Manager David Doyle provided an overview. Mayor Chun opened the public hearing. There were no comments.

**Recommended Action:** Continue the public hearing to a date uncertain.

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

**6. DISCUSSION:**

6.1. AMENDMENT TO ALISO VIEJO MUNICIPAL CODE CHAPTER 10.06, PEDESTRIAN, BICYCLE, AND SKATEBOARD REGULATIONS, AND CHAPTER 11.10, PARKS, TO REGULATE ELECTRIC BICYCLES, BOARDS, AND OTHER MOTORIZED RECREATIONAL OF ELECTRIC TRANSPORTATION

City Manager David Doyle introduced Chief of Police Services Captain Scott Merrill, who provided an overview. Public Works Director Shaun Pelletier provided additional information. Staff responded to questions regarding citations issued, impounds, juvenile offenders, grant funding, and enforcement. Councilmembers commented on the matter.

**Recommended Action:**

1. Find that the proposed Ordinance is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Sections 15378(a), 15301(c), and 15061(b)(3); and

2. Introduce for first reading an Ordinance titled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, AMENDING CHAPTER 10.06 (PEDESTRIAN, BICYCLE, AND SKATEBOARD REGULATIONS) OF TITLE 10 (STREETS AND SIDEWALKS) AND CHAPTER 11.10 (PARKS) OF TITLE 11 (PARKS AND PUBLIC SPACES) OF THE ALISO VIEJO MUNICIPAL CODE, ESTABLISHING REGULATIONS RELATING TO ELECTRIC BICYCLES, MOTORIZED SCOOTERS, AND OTHER ELECTRICALLY MOTORIZED BOARDS ON SIDEWALKS AND PARKS IN THE CITY.

**Motion:** Councilmember Ackley moved and Councilmember Harrington seconded to approve the recommended actions. Motion carried 5-0.

## 7. **CITY MANAGER' S REPORT:**

City Manager David Doyle announced Red Cross Blood Drive to be held from 12:00 p.m. to 6:00 p.m. on September 14, 2022 at Aliso Viejo Ranch; Aliso Viejo Certified Farmers' Market held every Saturday from 8:00 a.m. to 1:00 p.m. at Aliso Viejo Town Center; Aliso Viejo Trails and Creek Clean-up to be held from 8:00 a.m. to 11:00 a.m. on September 17, 2022 at Aliso Viejo Ranch; and registration for fall recreation programs.

## 8. **ANNOUNCEMENTS / COUNCIL COMMENTS / COMMITTEE UPDATES:**

Councilmember Ackley:

- Commented on the start of the school year

Councilmember Harrington: None

Councilmember Munzing:

- Attended Moulton Museum Grand Opening

Mayor Pro Tem Hurt:

- Provided leadership presentation to Soka University students
- Attended city tour with Soka University students

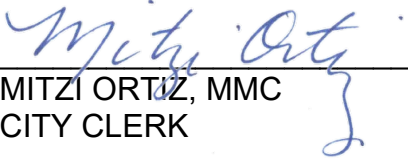
Mayor Chun:

- Facilitated city tour with Soka University students
- Attended Belmont Village Bloom Fest
- Attended Moulton Museum Grand Opening
- Obtained consensus to agendize sponsorship of Adolescent Mental Health Panel
- Announced Ridgecrest Park bocce ball courts and horseshoe pits grand opening

9. **ADJOURNMENT:** Mayor Chun adjourned the meeting at 8:03 p.m. to the regularly scheduled meeting of September 21, 2022.

Respectfully submitted:

Approved by:

  
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MITZI ORTIZ, MMC  
CITY CLERK

  
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ROSS CHUN  
MAYOR