

CITY OF ALISO VIEJO  
CITY COUNCIL MINUTES  
REGULAR MEETING  
AUGUST 16, 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 7:28 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  
JENNIFER LOWE, SENIOR PLANNER  
ISAAC AZIZ, INFORMATION TECHNOLOGY MANAGER  
STEPHANIE BROWN, COMMUNITY SERVICES MANAGER  
LT. JOHN MACPHERSON, CHIEF OF POLICE SERVICES

**PLEDGE OF ALLEGIANCE:** Mayor Harrington led the pledge of allegiance.

**REPORT FROM CLOSED SESSION:** City Attorney Scott Smith stated no reportable action was taken. Please refer to August 16, 2017 Special Meeting Minutes.

**SPECIAL PRESENTATIONS:**

A. **PROCLAMATION – WORLD ALZHEIMER’S AWARENESS MONTH**

Mayor Harrington presented the Proclamation to Dan Daley, representing Alzheimer’s Orange County. Mr. Daley expressed his appreciation and provided information on available services.

**B. COUNCIL RECOGNITION AND PRESENTATION TO FEATURED BUSINESS OF THE MONTH PARIS BAGUETTE**

Mayor Harrington presented a Certificate of Recognition to Senior Franchise Development Manager David Chung and Branch manager Jennifer Park. Ms. Park expressed their appreciation.

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

None.

**COMMUNITY INPUT:**

1. Michelle Antenesse commented on a political rally scheduled to be held in Laguna Beach.

**CONSENT CALENDAR ITEM NOS. 1-9:**

Mayor Harrington asked if any member of the City Council, staff or the public wished to remove an item from the Consent Calendar. City Manager David Doyle requested the removal of Item No. 8. 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 – 7 AND 9, 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 – JULY 19, 2017 REGULAR MEETING**

Approved the subject Minutes as submitted.

**3. ACCOUNTS PAYABLE**

1. Ratified accounts payable checks and electronic funds transfers issued July 13, 2017 in the amount of \$299,751.67;
2. Ratified accounts payable checks issued July 20, 2017 in the amount of \$184,071.41;

3. Ratified accounts payable checks and electronic funds transfers issued July 27, 2017 in the amount of \$604,838.82; and
4. Ratified accounts payable checks and electronic funds transfers issued August 3, 2017 in the amount of \$819,378.21.

4. TREASURER'S STATEMENT – JUNE 2017

Approved the June 2017 Treasurer's Statement.

5. REVIEW OF DEVELOPMENT AGREEMENT WITH VANTIS

1. Conducted review of development agreement between the City and Shea Properties, LLC; Shea Homes Limited Partnership; Shea Homes Vantis, LLC; Vantis, LLC; and Vantis I, LLC (collectively, "Owner") for Vantis; and
2. Found that the Owner is in good faith compliance with the Vantis Development Agreement and concluded the review process.

6. RELEASE OF BONDS FOR VANTIS, SHEA HOMES – TRACT 16865

Adopted Resolution No. 2017-21 exonerating the Grading Surety Bond No. 0028883, Street Improvement Surety Bond Nos. 0028910 and 0028882, and Landscaping Surety Bond Nos. 0031915 and 0031976 for Shea Homes Vantis, Inc. – Tract 16865.

7. RELEASE OF BONDS FOR VINTAGE ALISO SENIOR HOUSING AT 2C LIBERTY

Adopted Resolution No. 2017-22 exonerating the Grading and Surety Bond No. 92961181 and Landscaping Surety Bond No. 929637170 for Vintage Aliso at 2C Liberty.

8. LETTER OF SUPPORT – CAPISTRANO UNIFIED SCHOOL DISTRICT PROJECT

This item was removed from the Consent Calendar.

9. SELECTION OF VOTING DELEGATE FOR LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE

Designated Councilmember Ross Chun as voting delegate for the League of California Cities Annual Conference to be held September 13-15, 2017 at the Sacramento Convention Center.

**MOTION CARRIED UNANIMOUSLY**

**END OF CONSENT CALENDAR**

**REMOVED FROM CONSENT CALENDAR**

8. **LETTER OF SUPPORT – CAPISTRANO UNIFIED SCHOOL DISTRICT PROJECT**

City Manager David Doyle provided the staff report and introduced a video of the proposed project. Councilmembers commented on the matter.

**MOTION: COUNCILMEMBER CHUN MOVED AND COUNCILMEMBER MUNZING SECONDED TO ADOPT RESOLUTION NO. 2017-23 AUTHORIZING THE CITY MANAGER TO SIGN A LETTER OF SUPPORT FOR CAPISTRANO UNIFIED SCHOOL DISTRICT PROJECT AT ALISO NIGUEL HIGH SCHOOL.**

**MOTION CARRIED UNANIMOUSLY**

**PUBLIC HEARING ITEM NOS. 10-11:**

Councilmember Munzing recused himself and left the Council Chambers at 7:50 p.m.

10. **REQUEST TO APPROVE PLANNING APPLICATIONS PA16-005 (CUP) FOR A CONDITIONAL USE PERMIT TO AMEND THE MASTER PLAN OF DEVELOPMENT FOR SOKA UNIVERSITY; PA16-006 (SDP) FOR A SITE DEVELOPMENT PERMIT TO CONSTRUCT 2 NEW RESIDENCE HALLS WITH A TOTAL OF 100 STUDENT HOUSING UNITS AND 2 FACULTY/STAFF APARTMENTS; PA16-007 (SDP/CUP/EP) FOR A SITE DEVELOPMENT PERMIT TO CONSTRUCT A 90,425 SQUARE FOOT SCIENCE (STEM) BUILDING, CONDITIONAL USE PERMIT FOR A STRUCTURE THAT EXCEEDS THE HEIGHT LIMIT, AND EXCEPTION PERMIT FOR RETAINING WALLS OVER 6 FEET IN HEIGHT; AND RELATED ADDENDUM TO THE CERTIFIED GENERAL PLAN FINAL ENVIRONMENTAL IMPACT REPORT (SCH# 2003101060), PREPARED IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AT SOKA UNIVERSITY AT 1 UNIVERSITY IN ALISO VIEJO, CA**

City Manager David Doyle introduced Senior Planner Jennifer Lowe, who provided the staff report. Staff and Soka University representative Arch Asawa (Vice President for Finance and Administration) responded to questions regarding class schedules, parking impacts, environmental impacts, building height, wind tunnel study, OCFA approval, visual impact and construction hours. 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. ADOPT RESOLUTION NO. 2017-24 MAKING A DETERMINATION THAT THE FINAL ENVIRONMENTAL IMPACT REPORT ("FEIR") FOR THE 2004 ALISO VIEJO GENERAL PLAN (STATE CLEARINGHOUSE #2003101060) AND SUBSEQUENT ADDENDUMS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA") FULLY EVALUATED ALL IMPACTS OF THE PROPOSED DEVELOPMENT ON THE PROJECT SITE AND UNDER PUBLIC RESOURCES CODE, SECTION 2166, AND STATE CEQA GUIDELINES, SECTION 15162, NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED FOR THE PROPOSED PLANNING APPLICATIONS PA16-005 (CUP), PA16-006 (SDP), AND PA16-007 (SDP/CUP/EP);
2. ADOPT RESOLUTION NO. 2017-25 APPROVING PLANNING APPLICATION PA16-005, A CONDITIONAL USE PERMIT TO AMEND THE MASTER PLAN OF DEVELOPMENT FOR SOKA UNIVERSITY TO CONSOLIDATE FOUR SMALLER SCIENCE BUILDINGS INTO ONE LARGER SCIENCE BUILDING AND INCREASE THE PERMITTED SQUARE FOOTAGE AND BUILDING HEIGHT OF THE SCIENCE BUILDING;
3. ADOPT RESOLUTION NO. 2017-26 APPROVING PLANNING APPLICATION PA16-006, A SITE DEVELOPMENT PERMIT TO CONSTRUCT TWO RESIDENCE HALLS THAT WILL HOUSE A TOTAL OF 100 DORMITORY UNITS AND 2 FACULTY/STAFF APARTMENTS; AND
4. ADOPT RESOLUTION NO. 2017-27 APPROVING PLANNING APPLICATION PA16-007, A SITE DEVELOPMENT PERMIT TO CONSTRUCT A 90,425 SQUARE FOOT SCIENCE (STEM) BUILDING, A CONDITIONAL USE PERMIT TO INCREASE THE BUILDING HEIGHT, AND EXCEPTION PERMIT FOR RETAINING WALLS OVER 6 FEET IN HEIGHT.

**MOTION CARRIED 4-0-1, WITH COUNCILMEMBER MUNZING ABSTAINING**

Councilmember Munzing returned to the dais at 8:07 p.m. for the remainder of the meeting.

11. AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, PURSUANT TO GOVERNMENT CODE SECTIONS 36937 AND 65858 EXTENDING THE TEMPORARY MORATORIUM ON THE ESTABLISHMENT OF MASSAGE BUSINESSES IN THE CITY PENDING THE COMPLETION OF STUDIES AND THE PREPARATION OF AN UPDATE TO THE CITY'S MUNICIPAL AND ZONING CODE

City Manager David Doyle introduced Planning Director Omar Dadabhoy, who provided the staff report. Staff responded to questions regarding timeline for completion of Municipal Code amendment and prior related ordinance. Mayor Harrington opened the public hearing. There were no speakers. Mayor Harrington closed the public hearing.

**MOTION: COUNCILMEMBER PHILLIPS MOVED AND COUNCILMEMBER MUNZING SECONDED TO ADOPT ORDINANCE NO. 2017-190 ENTITLED:**

**AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, PURSUANT TO GOVERNMENT CODE SECTIONS 36937 AND 65858 EXTENDING THE TEMPORARY MORATORIUM ON THE ESTABLISHMENT OF MASSAGE BUSINESSES IN THE CITY PENDING THE COMPLETION OF STUDIES AND THE PREPARATION OF AN UPDATE TO THE CITY'S MUNICIPAL AND ZONING CODE.**

**MOTION CARRIED UNANIMOUSLY**

**DISCUSSION ITEM NOS. 12-13:**

12. **ALISO VIEJO RANCH**

City Manager David Doyle provided the staff report. Staff responded to questions regarding operating costs and revenue, special events, number of programs and proposals received. Mayor Harrington opened for public comment and the following persons spoke:

1. Ravi Singh expressed his appreciation and expressed concern with potential noise levels.
2. Don Dooley expressed his appreciation and expressed concern with the proposed operations, events and environmental impacts.
3. Phil Fleming expressed his appreciation and expressed concern with number of proposed events.
4. Sharon Dougherty expressed concern with the number of proposed events and programs.

There were no other speakers. Planning Director Omar Dadabhoy, Community Services Manager Stephanie Brown and Renewable Farms owner Aaron Flora provided additional information. Councilmembers commented on the matter.

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

1. **AUTHORIZE THE CITY MANAGER TO NEGOTIATE THE TERMS AND CONDITIONS OF AN AGREEMENT WITH RENEWABLE FARMS TO PROVIDE SERVICES RELATED TO AGRICULTURAL OPERATIONS AT THE ALISO VIEJO RANCH WHICH WILL BE PRESENTED TO THE CITY COUNCIL FOR APPROVAL;**
2. **DIRECT STAFF TO PREPARE A POLICY FOR COUNCIL CONSIDERATION REGARDING SPECIAL EVENTS AT THE ALISO VIEJO RANCH;**

3. DIRECT STAFF TO DEVELOP OPERATIONAL PROGRAM PROPOSAL FOR THE ALISO VIEJO RANCH; AND
4. DIRECT STAFF TO DEVELOP NEEDS ASSESSMENT RELATED TO RECREATION PROGRAMS.

**MOTION CARRIED UNANIMOUSLY**

Councilmember Chun left the Council Chambers at 9:21 p.m. for the remainder of the meeting.

13. PAVEMENT MANAGEMENT PROGRAM AND CAPITAL IMPROVEMENT PROJECT BUDGET – ROAD MAINTENANCE AND REHABILITATION ACCOUNT FUNDING (SB1)

City Manager David Doyle introduced Public Works Director / City Engineer Shaun Pelletier, who provided the staff report. Staff responded to questions regarding slurry seal schedule, costs, bond rating impact.

**MOTION: COUNCILMEMBER MUNZING MOVED AND COUNCILMEMBER PHILLIPS SECONDED TO APPROVE THE PROPOSED PROJECT LIST FOR SUBMISSION THE CALIFORNIA TRANSPORTATION COMMISSION.**

**MOTION CARRIED 4-1, WITH COUNCILMEMBER CHUN ABSENT**

**CITY MANAGER'S REPORT**

City Manager David Doyle announced Fall 2017 recreation programs; Association of Orange County Deputy Sheriff's Memorial Fund fundraiser to be held on August 22, 2017 at Chili's; Summer Wedding Extravaganza to be held from 6:00 p.m. to 9:00 p.m. on August 23, 2017 at the Aliso Viejo Center; and encouraged residents to follow the City on Facebook, Twitter and Instagram.

**ANNOUNCEMENTS / COUNCIL COMMENTS / COMMITTEE UPDATES**

Councilmember Munzing:

- Attended various TCA Meetings
- Attended ACC-OC Transportation Forum
- Attended Aliso Viejo National Night Out
- Attended Aliso Viejo State of the City
- Attended South Orange County Economic Coalition Breakfast
- Attended Aliso Viejo Chamber of Commerce Networking Breakfast
- Attended Building Industry Association Seminar
- Attended TCA Joint Board Meeting

Councilmember Phillips:

- Thanked staff for community meeting at Canyon Vista Park

Mayor Pro Tem Tsunoda:

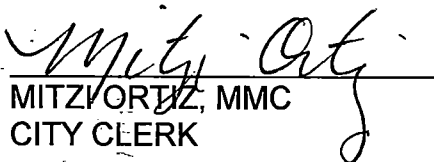
- Attended Aliso Viejo State of the City

Mayor Harrington:

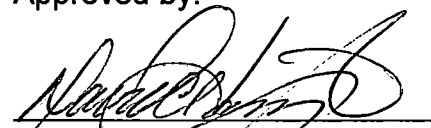
- Denounced hate speech and urged civil discourse and peaceful assembly
- Submitted in writing:
  - Attended South Orange County Association of Mayors Meeting
  - Attended Aliso Viejo National Night Out
  - Participated in Walk with the Mayor
  - Attended Lake Forest Chamber of Commerce Legislative Meeting
  - Attended Aliso Viejo State of the City
  - Attended Laguna Niguel Chamber of Commerce Governmental Affairs Forum
  - Attended Orange County Great Park's Sports Park Grand Opening
  - Attended Aliso Viejo Chamber of Commerce Networking Breakfast
  - Attended Building Industry Association Seminar
  - Attended League of California Cities Orange County Division General Membership Meeting

**ADJOURNMENT:** Mayor Harrington adjourned the meeting at 9:40 p.m. to the regularly scheduled meeting of September 6, 2017.

Respectfully submitted:

  
MITZV ORTIZ, MMC  
CITY CLERK

Approved by:

  
DAVID C. HARRINGTON  
MAYOR