

CITY OF ALISO VIEJO  
CITY COUNCIL MINUTES  
REGULAR MEETING  
August 19, 2015, 7:00 P.M.  
Council Chambers, City Hall, 12 Journey  
Aliso Viejo, California

**CALL TO ORDER:** Mayor Phillips called the Closed Session of the City Council of the City of Aliso Viejo to order at 6:47 p.m.

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

ABSENT: COUNCILMEMBER PHILLIP B. TSUNODA

STAFF PRESENT: DAVID A. DOYLE, CITY MANAGER  
SCOTT SMITH, CITY ATTORNEY

**PUBLIC COMMENTS:**

None.

**CLOSED SESSION:**

1. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION:**  
Pursuant to Government Code Section 54957  
Title: City Attorney

The Closed Session adjourned at 7:03 p.m.

**CALL TO ORDER:** Mayor Phillips called the Regular Meeting of the City Council of the City of Aliso Viejo to order at 7:06 p.m.

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

ABSENT: COUNCILMEMBER PHILLIP B. TSUNODA

STAFF PRESENT: DAVID A. DOYLE, CITY MANAGER  
SCOTT SMITH, CITY ATTORNEY  
MITZI ORTIZ, CITY CLERK  
GLENN YASUI, ADMINISTRATIVE SERVICES DIRECTOR  
KAREN CROCKER, COMMUNITY SERVICES DIRECTOR  
GINA THARANI, FINANCE DIRECTOR  
SHAUN PELLETIER, PUBLIC WORKS DIRECTOR / CITY  
ENGINEER  
TED HALSEY, BUILDING OFFICIAL  
ERICA ROESS, SENIOR PLANNER  
SGT. RAY ULMER, ADMINISTRATIVE SERGEANT

**REPORT ON CLOSED SESSION:** City Attorney Scott Smith stated no reportable action was taken.

**PLEDGE OF ALLEGIANCE:** Led by Boy Scout Troop 700.

### **SPECIAL PRESENTATIONS**

A. **COUNCIL RECOGNITION AND PRESENTATION TO ALISO VIEJO AYSO GLADIATORS**

Mayor Phillips presented Certificates of Recognition to the following team members: Charlie Bourget, Tyler Burkhart, Caden Childs, Matthew Fuentes, Jackson Geiger, Dylan Kissen, Matias Lynch, Daniel Messer, Ricardo Montes, Joseph Perlongo, Luke Simpson, James Wanderling and Grant Snyder.

B. **PRESENTATION OF RESULTS OF THE 12<sup>TH</sup> ANNUAL ALISO VIEJO COMMUNITY CUP GOLF TOURNAMENT**

Robert Bunyan, Aliso Viejo Community Foundation President, expressed his appreciation and presented the City with the event proceeds in the amount of \$33,800 to be used toward youth programs.

Councilmember Tsunoda joined the dais at 7:25 p.m. for the remainder of the meeting.

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

None.

**CONSENT CALENDAR ITEM NOS. 1-7:** Mayor Phillips asked if any member of the City Council, staff or the public wished to remove an item from the Consent Calendar. There were no requests to remove items from the Consent Calendar.

**MOTION: COUNCILMEMBER CHUN MOVED AND MAYOR PRO TEM MUNZING SECONDED TO APPROVE CONSENT CALENDAR ITEM NOS. 1-7, 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 – AUGUST 5, 2015 REGULAR MEETING**

Approved the subject Minutes as submitted.

3. **ACCOUNTS PAYABLE**

1. Ratified accounts payable checks issued July 30, 2015 in the amount of \$628,070.17; and
2. Ratified accounts payable checks issued August 6, 2015 in the amount of \$719,124.76;

4. **FIRST AMENDMENT TO CITY MANAGER EMPLOYMENT AGREEMENT**

Approved the First Amendment to the Employment Agreement between the City of Aliso Viejo and David A. Doyle.

5. **FIRST AMENDMENT TO EMPLOYMENT AGREEMENT FOR INTERIM PLANNING DIRECTOR SERVICES**

Authorized the City Manager to enter into a First Amendment to Employment Agreement with Vern Jones for Interim Planning Director services.

6. **FIRST AMENDMENT TO AGREEMENT FOR ON-CALL CIVIL ENGINEERING SERVICES – FIRM NAME CHANGE FROM APA ENGINEERING, INC. TO ENGINEERING RESOURCES OF SOUTHERN CALIFORNIA, INC.**

1. Approved a First Amendment to the Agreement in order to accommodate the APA Engineering, Inc. firm name change to Engineering Resources of Southern California, Inc. to provide on-call civil engineering services; and
2. Authorized the City Manager to execute the First Amendment to the Agreement.

7. **RELEASE OF BONDS FOR VANTIS COMMERCIAL POCKET PARK**

Adopted Resolution No. 2015-29 exonerating the Landscaping Improvement (#SUR0031888) Bond for Vantis.

**MOTION CARRIED UNANIMOUSLY**

**END OF CONSENT CALENDAR**

**DISCUSSION ITEM NOS. 8-11**

8. **ZONING CODE AMENDMENT PA15-020 (ZTA): AN ORDINANCE ADOPTING ZONING CODE TEXT AMENDMENT PA15-020 (ZTA) AMENDING TITLE 15 OF THE ALISO VIEJO MUNICIPAL CODE, CHAPTER 15.68**

City Manager David Doyle introduced Senior Planner Erica Roess, who provided the staff report. Staff responded to questions regarding approval process.

**MOTION: COUNCILMEMBER CHUN MOVED AND COUNCILMEMBER HARRINGTON SECONDED TO INTRODUCE AND APPROVE FOR FIRST READING AN ORDINANCE AMENDING CHAPTER 15.68 OF THE ALISO VIEJO MUNICIPAL CODE TO PROVIDE FOR EXPEDITED PERMITTING OF SMALL ROOFTOP SOLAR ENERGY SYSTEMS IN ACCORDANCE WITH ASSEMBLY BILL 2188.**

**MOTION CARRIED UNANIMOUSLY**

9. **ORDINANCE AMENDING THE ALISO VIEJO MUNICIPAL CODE BY ADDING CHAPTER 8.28 REGARDING TRESPASS ON PRIVATE PROPERTY**

City Attorney Scott Smith provided the staff report. Staff responded to questions regarding political signs, police services calls, enforcement and notification. Mayor Phillips opened for public comment and the following person spoke:

1. Mark Seidenberg requested notification to the home owners association within the City.
2. Bob Bunyan expressed concern with potential legal liability.

There were no additional speakers.

**MOTION: MAYOR PHILLIPS MOVED AND COUNCILMEMBER HARRINGTON SECONDED TO CONTINUE THE MATTER FOR SIXTY DAYS.**

**MOTION CARRIED UNANIMOUSLY**

10. **ORDINANCE ADDING CHAPTER 4.16 TO TITLE 4 OF THE ALISO VIEJO MUNICIPAL CODE TO PROHIBIT SOLICITATION OF MOTORISTS ON PUBLIC STREETS**

City Attorney Scott Smith provided the staff report. Staff responded to questions regarding definition of public streets.

**MOTION: COUNCILMEMBER HARRINGTON MOVED AND COUNCILMEMBER CHUN SECONDED TO INTRODUCE AND APPROVE FOR FIRST READING AN ORDINANCE ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, ADDING CHAPTER 4.16 TO TITLE 4 OF THE ALISO VIEJO MUNICIPAL CODE TO PROHIBIT SOLICITATION OF MOTORISTS ON PUBLIC STREETS.**

**MOTION CARRIED UNANIMOUSLY**

11. **SELECTION OF VOTING DELEGATE FOR LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE**

City Clerk Mitzi Ortiz provided the staff report.

**MOTION: MAYOR PHILLIPS MOVED AND COUNCILMEMBER HARRINGTON SECONDED TO DESIGNATE COUNCILMEMBER CHUN AS VOTING DELEGATE FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE TO BE HELD SEPTEMBER 30 – OCTOBER 2, 2015 AT THE SAN JOSE CONVENTION CENTER.**

**MOTION CARRIED UNANIMOUSLY**

**COMMUNITY INPUT:**

1. Mark Seidenberg expressed concern with parking citations due issued during street sweeping.
2. Marlene Lewis expressed concern with nuisance complaint procedures related to barking dogs.
3. Nancy Conley expressed concern with notification of City hosting Relay for Life event.

**CITY MANAGER'S REPORT**

None.

**ANNOUNCEMENTS / COUNCIL COMMENTS / COMMITTEE UPDATES**

Councilmember Chun:

- Attended SCAG special meetings
- Presented at Realtor's Roundtable regarding city government
- Attended TCA meetings
- Participated in meeting at Soka University
- Attended Relay for Life meeting

Councilmember Harrington:

- Asked residents to drive courteously while transporting students to school

Councilmember Tsunoda:

- Announced OCFA reorganization

Mayor Pro Tem Munzing:

- Attended SCAG meeting

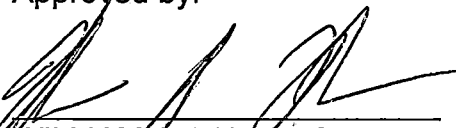
Mayor Phillips: None.

**ADJOURNMENT:** Mayor Phillips adjourned the meeting at 8:43 p.m. to the regularly scheduled meeting of September 2, 2015.

Respectfully submitted:

  
MITZI ORTIZ, MMC  
CITY CLERK

Approved by:

  
WILLIAM A. PHILLIPS  
MAYOR