

CITY OF ALISO VIEJO
CITY COUNCIL MINUTES
REGULAR MEETING
May 19, 2021, 7:00 P.M.
Council Chambers, City Hall, 12 Journey
Aliso Viejo, California

City Council conducted this meeting in accordance with California Governor Newsom's Executive Orders N-25-20 and N-29-20 and COVID-19 pandemic protocols.

CALL TO ORDER: Mayor Ackley called the Regular Meeting of the City Council of the City of Aliso Viejo to order at 7:13 p.m.

ROLL CALL:

PRESENT: MAYOR TIFFANY ACKLEY *(via teleconference)*
MAYOR PRO TEM ROSS CHUN *(via teleconference)*
COUNCILMEMBER DAVID C. HARRINGTON *(via teleconference)*
COUNCILMEMBER RICHARD W. HURT *(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
SHAUN PELLETIER, PUBLIC WORKS DIRECTOR
OMAR DADABHOY, COMMUNITY DEVELOPMENT DIRECTOR
STEPHANIE PHILLIPS, RECREATION & COMMUNITY SERVICES
DIRECTOR
SEA SHELTON, HUMAN RESOURCES MANAGER
ISAAC AZIZ, INFORMATION TECHNOLOGY MANAGER
CAPT. CHAD KAJFASZ, CHIEF OF POLICE SERVICES

PLEDGE OF ALLEGIANCE: Councilmember Harrington led the pledge of allegiance.

REPORT FROM CLOSED SESSION:

City Attorney Scott Smith stated no reportable action was taken.

1. **SPECIAL PRESENTATIONS:**

1.1. **PROCLAMATION - LGBTQ PRIDE MONTH**

Mayor Ackley presented the LGBTQ Pride Month Proclamation.

1.2. **STATE OF THE CITY VIDEO**

Mayor Ackley introduced the State of the City video.

2. **ADDITIONS, DELETIONS, REORDERING TO THE AGENDA:**

None.

3. **COMMUNITY INPUT:**

City Clerk Mitzi Ortiz entered the following communication into the record:

1. Hayley Allam expressed support for City Council term limits and the proposed resolution denouncing hate acts.
2. Thomas Terwilliger expressed opposition to the proposed resolution denouncing hate acts and to displaying the LGBTQ pride flag.
3. Tara expressed opposition to the proposed resolution denouncing hate acts and to displaying the LGBTQ pride flag.
4. Priscilla Huang expressed support for City Council term limits, the proposed resolution denouncing hate acts and to displaying the LGBTQ pride flag.
5. Marlene Lewis expressed concern regarding nuisance reporting procedures for barking dogs.

4. **CONSENT CALENDAR:**

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

Motion: Councilmember Munzing moved and Mayor Pro Tem Chun 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. APPROVAL OF MINUTES – APRIL 21, 2021 SPECIAL MEETING AND APRIL 21, 2021 REGULAR MEETING

Recommended Action: Approve the subject Minutes as submitted.

4.3. ACCOUNTS PAYABLE

Recommended Action:

1. Ratify accounts payable checks and electronic funds transfers issued April 22, 2021 in the amount of \$185,913.24; and
2. Ratify accounts payable checks and electronic funds transfers issued April 29, 2021 in the amount of \$764,085.82.

4.4. TREASURER’S STATEMENT – MARCH 2021

Recommended Action: Approve March 2021 Treasurer’s Statement.

4.5. LOT LINE ADJUSTMENT NO. LL 20-01 FOR TRACTS NO. 13687 AND NO. 13737, CITY OF ALISO VIEJO, ALISO VIEJO COMMUNITY ASSOCIATION

Recommended Action:

1. Adopt Resolution No. 2021-12 approving Lot Line Adjustment LL 20-01; and
2. Authorize Staff to record proper documents with the Orange County Recorder.

4.6. AGREEMENT WITH WESTERN AUDIO VISUAL FOR THE REPLACEMENT OF AUDIO AND VIDEO EQUIPMENT IN THE CITY COUNCIL CHAMBERS

Recommended Action:

1. Approve and authorize the City Manager to execute an agreement with Western Audio Visual in the amount of \$137,500; and
2. Authorize the appropriation of \$37,500 from the unreserved Technology Fund balance.

4.7. PREMIER AQUATICS AGREEMENT AMENDMENT

Recommended Action: Approve and authorize the City Manager to execute a one-year agreement amendment to continue Aquatic Center management services with Premier Aquatic Services.

4.8. BOYS & GIRLS CLUB OF CAPISTRANO VALLEY AGREEMENT AMENDMENT

Recommended Action: Approve and authorize the City Manager to execute a one-year agreement amendment to continue out-of-school time services with the Boys & Girls Club of Capistrano Valley.

5. PUBLIC HEARINGS:

None.

6. DISCUSSION:

6.1. RESOLUTION TO SUPPLEMENT CITY COUNCIL PROCLAMATION OF A LOCAL EMERGENCY TO EXTEND THE EXPIRATION OF PLANNING AND BUILDING DEPARTMENT RELATED PERMITS

City Manager David Doyle introduced Community Development Director Omar Dadabhoy, who provided an overview. Staff responded to questions regarding applicant notification, eligibility, legal compliance, and term of extension.

Recommended Action: Adopt Resolution No. 2021-13 further supplementing the City Council's Proclamation of a local emergency regarding novel coronavirus (COVID-19).

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

6.2. POSSIBLE BALLOT MEASURE FOR NOVEMBER 8, 2022 GENERAL MUNICIPAL ELECTION FOR THE ADOPTION OF AN ORDINANCE ESTABLISHING TERM LIMITS FOR MEMBERS OF THE CITY COUNCIL

City Manager David Doyle introduced City Attorney Scott Smith, who provided an overview. Mayor Ackley opened for public comment. City Clerk Mitzi Ortiz entered the following communication into the record:

1. Sue Mendizza expressed support for term limits.
2. Tina Freeland expressed support for term limits.
3. Jeffrey Johnson expressed support for term limits.
4. Aimee Monahan expressed support for term limits.
5. Pam and Doug Carrie expressed support for term limits.
6. Jane Edelman expressed support for term limits.
7. Annie Wright expressed support for term limits.
8. Priscilla Huang expressed support for term limits.
9. Vu Chuong expressed support for term limits.

Staff responded to questions regarding retroactive term limits, related regulations for charter cities, City commissions, previous City Council action, ballot measure process, and legal fees. City Council discussion ensued.

Recommended Action: Continue discussion related to the possible ballot measure for the November 8, 2022 General Municipal Election adopting an ordinance establishing term limits for members of the City Council and provide direction to staff as to the timing for placing the measure on the November 8, 2022 ballot.

Motion: Councilmember Harrington moved to direct the City Attorney to draft a charter city ballot measure for the June 7, 2022 election that includes limiting Councilmember terms to two consecutive four-year terms, followed by a two-year lapse before being eligible to serve again, and filling Councilmember vacancies by election.

Amended Motion: Mayor Ackley moved and Councilmember Harrington seconded to:

1. Direct the City Attorney to proceed with ballot measure for the November 8, 2022 General Municipal Election adopting an ordinance establishing term limits for members of the City Council as presented; and
2. Direct the City Attorney to draft a charter city ballot measure for the June 7, 2022 election that includes limiting Councilmember terms to two consecutive four-year terms, followed by a two-year lapse before being eligible to serve again, and filling Councilmember vacancies by election.

Motion carried 5-0.

6.3. RESOLUTION TO REAFFIRM CITY COUNCIL BELIEF THAT THE CITY OF ALISO VIEJO DENOUNCES HATE CRIMES, HATEFUL RHETORIC, AND HATEFUL ACTS AGAINST ASIAN AMERICANS, PACIFIC ISLANDERS, AND AMERICANS OF ALL WALKS OF LIFE AND WORKS TO ENSURE THAT ALL CITIZENS FEEL SAFE AND WELCOME IN THE CITY, BOTH DURING THIS COVID-19 PANDEMIC AND BEYOND (ACKLEY / HARRINGTON)

Mayor Ackley provided an overview. Mayor Ackley opened for public comment. City Clerk Mitzi Ortiz entered the following communication into the record:

1. Marcie Deter expressed opposition to the matter.
2. Jenna Harline expressed opposition to the matter.
3. Melanie McBeth expressed opposition to the matter.
4. Tara Lea Ricksen expressed opposition to the matter.
5. Kourtney Harrison expressed opposition to the matter.
6. Fivi and Cristian Prunean expressed opposition to the matter.

City Council discussion ensued.

Recommended Action: Adopt Resolution No. 2021-14 to reaffirm City Council belief that the City of Aliso Viejo denounces hate crimes, hateful rhetoric, and hateful acts against Asian Americans, Pacific Islanders, and Americans of all walks of life and works to ensure that all citizens feel safe and welcome in the city, both during this COVID-19 pandemic and beyond.

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

6.4. LGBTQ PRIDE MONTH FLAG RAISING (ACKLEY)

Mayor Ackley provided an overview. Mayor Ackley opened for public comment. City Clerk Mitzi Ortiz entered the following communication into the record:

1. Marcie Deter expressed opposition to the matter.
2. Jenna Harline expressed opposition to the matter.
3. Melanie McBeth expressed opposition to the matter.
4. Tara Lea Ricksen expressed opposition to the matter.
5. Kourtney Harrison expressed opposition to the matter.

6. Fivi and Cristian Prunean expressed opposition to the matter.

City Manager David Doyle, City Attorney Scott Smith, and City Clerk Mitzi Ortiz responded to questions regarding City's display of flags, previous City Council actions and discretion on future requests. City Council discussion ensued.

Recommended Action: Request the City Manager to fly the LGBTQ Pride Flag each year from the 3rd week of May until June 30th in recognition of the contributions of the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Community.

Motion: Mayor Ackley moved and Councilmember Hurt seconded to approve the recommended action. Motion carried 3-2, with Councilmember Harrington and Councilmember Munzing dissenting.

7. CITY MANAGER' S REPORT:

City Manager David Doyle announced Soka University Super POD statistics; registration is open for summer camps; water safety event to be held from 11:00 a.m. to 1:00 p.m. on May 22, 2021 at the Aliso Viejo Aquatic Center; and disaster preparedness backpacks are available for purchase.

8. ANNOUNCEMENTS / COUNCIL COMMENTS / COMMITTEE UPDATES:

Councilmember Hurt:

- Commended community partners involved in Soka University Super POD
- Attended TCA Board of Directors Meeting
- Attended Orange County Mosquito and Vector Control District Board Meeting
- Attended Library Advisory Board Meeting

Councilmember Harrington:

- Commented on the upcoming 100-year anniversary of the Tulsa race massacre

Councilmember Munzing:

- Obtained consensus to direct City Attorney to provide report on first amendment rights in public meetings

Mayor Pro Tem Chun:

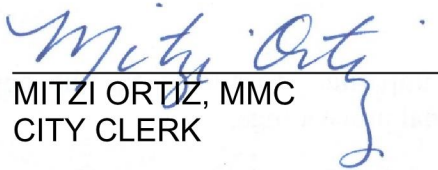
- Attended Aliso Niguel High School Senior Award Ceremony
- Commended ANHS 2021 Wolverine of the Year Adele Giovanniello
- Commended Community Leadership Scholarship recipient
- Attended Cal Cities Orange County Division General Membership Meeting
- Attended Aliso Viejo Chamber of Commerce Networking Breakfast
- Participating in presentations to local school regarding heritage and diversity
- Participating in planning mental health and wellness panel for families
- Commented on water safety event

Mayor Ackley:

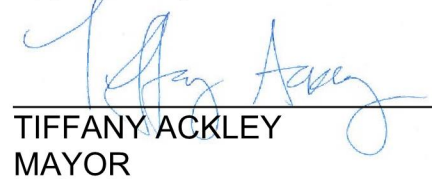
- Attended Grand Opening Ceremony for Body Contouring and More
- Attended South Orange County Watershed Management Area Committee Meeting
- Attended performance at The Center Stage Studio and obtained consensus to send letter of appreciation

9. **ADJOURNMENT:** Mayor Ackley adjourned the meeting at 9:48 p.m. to the regularly scheduled meeting of June 2, 2021.

Respectfully submitted:


MITZI ORTIZ, MMC
CITY CLERK

Approved by:


TIFFANY ACKLEY
MAYOR