

CITY OF ALISO VIEJO  
CITY COUNCIL MINUTES  
REGULAR MEETING  
JUNE 7, 2023, 7:00 P.M.  
Council Chambers, City Hall, 12 Journey  
Aliso Viejo, California

**CALL TO ORDER:** Mayor Hurt called the Regular Meeting of the City Council of the City of Aliso Viejo to order at 7:00 p.m.

**ROLL CALL**

PRESENT: MAYOR RICHARD W. HURT  
MAYOR PRO TEM MIKE MUNZING  
COUNCILMEMBER TIFFANY ACKLEY  
COUNCILMEMBER ROSS CHUN

ABSENT: COUNCILMEMBER MAX DUNCAN

STAFF PRESENT: DAVID A. DOYLE, CITY MANAGER  
HONGDAO NGUYEN, ASSISTANT CITY ATTORNEY  
MITZI ORTIZ, CITY CLERK  
ANN EIFERT, FINANCIAL SERVICES DIRECTOR  
SHAUN PELLETIER, PUBLIC WORKS DIRECTOR  
SO KIM, COMMUNITY DEVELOPMENT DIRECTOR  
MICHAEL DELGADILLO, ASSISTANT PLANNER  
LIZZY MENDOZA, RECREATION & COMMUNITY SERVICES MANAGER  
ISAAC AZIZ, INFORMATION TECHNOLOGY MANAGER  
CAPT. ALAN VILLANUEVA, CHIEF OF POLICE SERVICES

**PLEDGE OF ALLEGIANCE:** Councilmember Ackley led the pledge of allegiance.

**REPORT FROM CLOSED SESSION:**

Assistant City Attorney HongDao Nguyen stated no reportable action was taken.

**1. SPECIAL PRESENTATIONS:**

**1.1. STATE OF THE CITY VIDEO**

Mayor Hurt presented the State of the City video.

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:** Mayor Pro Tem Munzing moved and Council seconded to approve the recommended actions. Motion carried 4-0-1, with Councilmember Duncan absent.

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**

**Recommended Action:** Approve the Minutes as submitted for the May 17, 2023 Regular Meeting.

4.3. **SECOND READING AND ADOPTION OF AN ORDINANCE ESTABLISHING BY-DISTRICT ELECTIONS, DEFINING DISTRICT BOUNDARIES, AND SCHEDULING ELECTIONS WITHIN THE DISTRICTS**

**Recommended Action:** Conduct second reading and adopt Ordinance No. 2023-236 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, ADDING SECTION 1.12.020 TO CHAPTER 1 OF TITLE 1 OF THE ALISO VIEJO MUNICIPAL CODE ESTABLISHING BY-DISTRICT ELECTIONS, DEFINING DISTRICT BOUNDARIES, AND SCHEDULING ELECTIONS WITHIN THE DISTRICTS.

4.4. **ACCOUNTS PAYABLE**

**Recommended Action:** Ratify accounts payable checks and electronic funds transfers issued between April 28 and May 25, 2023, in the amount of \$1,677,390.96.

4.5. **TREASURER'S STATEMENT – APRIL 2023**

**Recommended Action:** Receive and file the April 2023 Treasurer's Statement.

4.6. APPROPRIATIONS LIMIT - FISCAL YEAR 2023-24

**Recommended Action:** Adopt Resolution No. 2023-11 establishing the appropriations limit for Fiscal Year (FY) 2023-24 at \$56,164,572.

4.7. AGREEMENTS FOR FY 2023-24 LAW ENFORCEMENT SERVICES AND CROSSING GUARD SERVICES

**Recommended Action:**

1. Authorize the City Manager to execute the agreement with the County of Orange for FY 2023-24 law enforcement services; and
2. Authorize the City Manager to execute the agreement with All City Management Services, Inc. for school crossing guard services.

4.8. AGREEMENT WITH THE CITY OF MISSION VIEJO FOR ANIMAL CONTROL AND SHELTER SERVICES

**Recommended Action:**

1. Approve a seven-year agreement with the City of Mission Viejo for animal control and shelter services; and
2. Authorize the City Manager to execute a seven-year agreement with the City of Mission Viejo, in the amount of \$474,487 for fiscal year 2023-24 and in an amount to be determined annually thereafter.

4.9. AGREEMENT WITH WINTER VISUALS

**Recommended Action:** Approve and authorize the City Manager to execute a 3-year professional services agreement with Winter Visuals to perform video production services.

4.10. FIFTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH CIVIC SOLUTIONS, INC. TO PROVIDE PLANNING CONSULTING SERVICES

**Recommended Action:** Approve and authorize the City Manager to execute a Fifth Amendment to the Professional Services Agreement with Civic Solutions, Inc. for planning consulting services to increase the total compensation by an amount not to exceed \$68,000.

4.11. PROFESSIONAL SERVICES AGREEMENT WITH CHARLES ABBOTT ASSOCIATES TO PROVIDE BUILDING & SAFETY AND CODE ENFORCEMENT SERVICES

**Recommended Action:** Approve and authorize the City Manager to execute a Professional Services Agreement with Charles Abbott Associates for building & safety and code enforcement consulting services for a five-year period, with a total compensation amount not to exceed \$600,000, annually (\$3,000,000 total).

4.12. AGREEMENT WITH CHARLES ABBOTT ASSOCIATES, INC. FOR ENVIRONMENTAL CONSULTING SERVICES

**Recommended Action:**

1. Approve a 3-year agreement with Charles Abbott Associates, Inc. to perform environmental consulting services; and
2. Authorize the City Manager to execute a professional services agreement with Charles Abbott Associates, Inc. for an amount of \$900,000.

4.13. AGREEMENT WITH CHARLES ABBOTT ASSOCIATES, INC. FOR PUBLIC WORKS CONSULTING SERVICES

**Recommended Action:**

1. Approve a 5-year agreement with Charles Abbott Associates, Inc. to perform public works consulting services; and
2. Authorize the City Manager to execute a professional services agreement with Charles Abbott Associates, Inc. with a compensation amount of \$140,000 annually, and total compensation not to exceed \$700,000 over the 5-year term.

4.14. AGREEMENT WITH ENGINEERING RESOURCES OF SOUTHERN CALIFORNIA, INC. FOR ON-CALL CIVIL ENGINEERING SERVICES

**Recommended Action:**

1. Approve a 3-year agreement with Engineering Resources of Southern California, Inc. to perform on-call civil engineering services; and
2. Authorize the City Manager to execute a professional services agreement with Engineering Resources of Southern California, Inc. for an amount of \$400,000.

4.15. FIRST AMENDMENT WITH NICHOLS CONSULTING ENGINEERS, CHTD FOR PAVEMENT MANAGEMENT PROGRAM SERVICES

**Recommended Action:**

1. Approve a first amendment to the agreement with Nichols Consulting Engineers, CHTD (NCE) to perform pavement management program services to renew the agreement through June 30, 2024, and increase the total compensation under the agreement by \$40,000; and
2. Authorize the City Manager to execute the first amendment to the agreement.

4.16. AQUATIC CENTER EQUIPMENT MAINTENANCE

**Recommended Action:**

1. Approve a Second Amendment to the Agreement with Knorr Systems, Inc. to perform Equipment Maintenance Services at Aquatic Center that extends the term one year and increases the compensation amount by \$50,000 for a total authorization of \$220,000 since 2020; and
2. Authorize the City Manager to execute the Second Amendment to the Agreement.

4.17. SECOND AMENDMENT TO THE AGREEMENT WITH RK ENGINEERING GROUP INC. FOR ON-CALL PARKING AND TRAFFIC ANALYSIS

**Recommended Action:**

1. Approve a second amendment to the agreement with RK Engineering Group, Inc. to perform on-call parking and traffic analysis that renews the agreement for an additional one-year term and increases the total compensation under the agreement by \$50,000 for a total amount of \$100,000; and
2. Authorize the City Manager to execute the second amendment to the agreement.

4.18. RENEWED MEASURE M ELIGIBILITY

**Recommended Action:**

1. Adopt a 7-year Capital Improvements Program (CIP) for Street Projects;
2. Adopt Resolution No. 2023-12 concerning the status of the Circulation Element and Mitigation Fee Program; and
3. Adopt Resolution No. 2023-13 concerning the status of the Local Signal Synchronization Plan.

4.19. FISCAL YEAR 2023-24 PROJECT LIST FOR ROAD MAINTENANCE AND REHABILITATION ACCOUNT FUNDING (SB 1)

**Recommended Action:** Adopt Resolution No. 2023-14 adopting a list of projects for fiscal year 2023-24 funded by SB 1: The Road Repair and Accountability Act of 2017.

4.20. DIRECT CITY COUNCIL HEALTH BENEFIT ALLOWANCE TO DEFERRED COMPENSATION ACCOUNT

**Recommended Action:** Adopt Resolution No. 2023-15 directing current and future monthly health benefit allowances for Council Members to deferred compensation accounts rather than making the allowance available for the purchase of health, dental, and vision insurance, as well as retirement survivors' benefit, as applicable.

5. PUBLIC HEARINGS:

5.1. CONDITIONAL USE PERMIT TO OPERATE A CHURCH AT 115 COLUMBIA

City Manager David Doyle introduced Community Development Director So Kim, who provided an overview. Applicant Mike Sung provided additional information. Staff responded to questions regarding existing church. Mayor Hurt opened the public hearing. There were no comments. Mayor Hurt closed the public hearing. Councilmembers commented on the matter.

**Recommended Action:**

1. Find that the request is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Sections 15301 (Existing Facilities); and
2. Adopt Resolution No. 2023-16 approving the Conditional Use Permit (USE-2023-00013) to operate a church (International Grace Ministry) at 115 Columbia.

**Motion:** Councilmember Ackley moved and Mayor Pro Tem Munzing seconded to approve the recommended actions. Motion carried 4-0-1, with Councilmember Duncan absent.

5.2. CONDITIONAL USE PERMIT TO OPERATE A MASSAGE THERAPY AND SKINCARE TREATMENT ESTABLISHMENT AT 19 VANTIS (USE-2023-00009)

City Manager David Doyle introduced Assistant Planner Michael Delgadillo, who provided an overview. Applicant Lucy Wojskowicz responded to questions regarding hours of operation. Mayor Hurt opened the public hearing. There were no comments. Mayor Hurt closed the public hearing. Councilmembers commented on the matter.

**Recommended Action:**

1. Find that the request is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Sections 15301 (Existing Facilities); and
2. Adopt Resolution No. 2023-17 approving the Conditional Use Permit to operate a skincare and massage therapy establishment at 19 Vantis (USE-2023-00009).

**Motion:** Councilmember Chun moved and Mayor Hurt seconded to approve the recommended actions. Motion carried 4-0-1, with Councilmember Duncan absent.

5.3. RE-ADOPTION OF GENERAL PLAN AMENDMENT PA21-019 FOR THE 6TH CYCLE HOUSING ELEMENT UPDATE

City Manager David Doyle introduced Community Development Director So Kim, who provided an overview. Staff responded to questions regarding review and approval timeline, potential minor modifications, and affordable housing. Mayor Hurt opened the public hearing and the following persons provided comment:

1. Tom Merritt expressed concern with the potential for increased residential density at The Commons.
2. Kate Van Camp expressed support for the item and concern with proposed mixed-use project at The Commons.

There were no other comments. Mayor Hurt closed the public hearing. Councilmembers commented on the matter.

**Recommended Action:**

1. Find that the request is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption);
2. Adopt Resolution No. 2023-18 adopting a General Plan Amendment for the 6th Cycle Housing Element (PA21-019); and
3. Authorize the Community Development Director to make minor modifications to the 6th Cycle Housing Element to the extent that such modifications are necessary to address further HCD comments and receive certification.

**Motion:** Mayor Pro Tem Munzing moved and Councilmember Chun seconded to approve the recommended actions. Motion carried 4-0-1, with Councilmember Duncan absent.

## 6. DISCUSSION:

### 6.1. PROPOSED ANNUAL BUDGET FOR FISCAL YEAR 2023-24

City Manager David Doyle introduced Financial Services Director Ann Eifert, who provided an overview. Staff responded to questions regarding facility rental fees, Aliso Viejo Ranch debt service payment, and Recreation & Community Services expenditures. Councilmembers commented on the matter.

#### **Recommended Action:**

1. Adopt Resolution No. 2023-19 adopting the Annual Budget for Fiscal Year 2023-24; and
2. Adopt Resolution No. 2023-20 approving City Salary Schedules.

**Motion:** Mayor Pro Tem Munzing moved and Councilmember Chun seconded to approve the recommended actions. Motion carried 4-0-1, with Councilmember Duncan absent.

## 7. CITY MANAGER' S REPORT:

City Manager David Doyle announced the beginning of Summer Camps and encouraged residents to register for upcoming programs; announced Movie Night to be held at 6:00 p.m. on August 25, 2023, at Aliso Viejo Middle School; and expressed appreciation to staff and the City Council for a great Fiscal Year 2023-24.

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

Councilmember Ackley:

- Attended Support our Marines Car Wash fundraiser in Laguna Niguel
- Wished everyone a safe and happy 4<sup>th</sup> of July
- Encouraged residents to attend AVCA July 4<sup>th</sup> Celebration & Fireworks
- Wished AVCA Board Member Bill Conley well in his retirement
- Wished everyone a happy Pride Month

Councilmember Chun:

- Congratulated Aliso Niguel High School graduates
- Congratulated Aliso Viejo Community Foundation Scholarship recipients
- Expressed appreciation to The Covington for invitation to perform
- Presented on Hawaiian culture at Belmont Village
- Attended OCFA helicopter tour
- Attended SCAG Transportation Committee Meeting

- Attended Don Juan Avila Middle School Jewish American Heritage Month event
- Presented American Red Cross Spirit of Hope Award posthumously to Dr. John Cheng
- Participated in Canyon Vista Elementary School Multicultural Day event
- Announced dog walking event in partnership with local businesses
- Expressed appreciation to AVCA Board Member Bill Conley for his years of service

Mayor Pro Tem Munzing:

- Attended Aliso Viejo Chamber of Commerce Field Trip Friday at Microvention
- Attended Aliso Viejo Chamber of Commerce After Hours event
- Attended Memorial Day Observance at El Toro Memorial Park
- Expressed condolences on the passing of Tustin Councilmember Allen Bernstein
- Attended Aliso Niguel High School Graduation
- Encouraged residents to attend AVCA July 4<sup>th</sup> Celebration & Fireworks

Mayor Hurt:

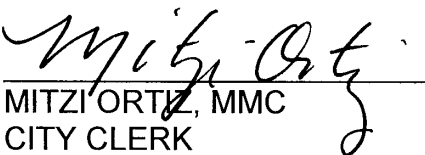
- Attended various TCA Committee Meetings
- Attended Memorial Day Observance at El Toro Memorial Park
- Attended Aliso Niguel High School Graduation
- Attended San Joaquin Elementary School Graduation
- Wished everyone a safe and happy 4<sup>th</sup> of July

9. **ADJOURNMENT:**

Mayor Hurt adjourned the meeting at 8:17 to July 19, 2023. The regularly scheduled City Council meetings of June 21 and July 5, 2023 have been cancelled.

Respectfully submitted:

Approved by:

  
 MITZI ORTIZ, MMC  
 CITY CLERK

  
 RICHARD HURT  
 MAYOR