

CITY OF ALISO VIEJO
CITY COUNCIL MINUTES
REGULAR MEETING
September 16, 2020, 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 Pro Tem Ackley 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 PRO TEM TIFFANY ACKLEY *(via teleconference)*
COUNCILMEMBER ROSS CHUN *(via teleconference)*
COUNCILMEMBER DAVID C. HARRINGTON *(via teleconference)*
COUNCILMEMBER WILLIAM A. PHILLIPS *(via teleconference)*

ABSENT: MAYOR MIKE MUNZING

STAFF PRESENT: DAVID A. DOYLE, CITY MANAGER
SCOTT C. SMITH, CITY ATTORNEY
MITZI ORTIZ, CITY CLERK
GINA THARANI, FINANCIAL SERVICES DIRECTOR
SHAUN PELLETIER, PUBLIC WORKS DIRECTOR
OMAR DADABHOY, COMMUNITY DEVELOPMENT DIRECTOR
STEPHANIE PHILLIPS, RECREATION & COMMUNITY SERVICES
MANAGER
SEA SHELTON, HUMAN RESOURCES MANAGER
ISAAC AZIZ, INFORMATION TECHNOLOGY MANAGER
LT. CHAD KAJFASZ, CHIEF OF POLICE SERVICES
SARAH LIMONES, SENIOR EMERGENCY MANAGEMENT PROGRAM
COORDINATOR

PLEDGE OF ALLEGIANCE: City Manager David Doyle led the pledge of allegiance.

REPORT FROM CLOSED SESSION:

City Attorney Scott Smith stated no reportable action was taken. Please refer to the September 16, 2020 Special Meeting Minutes.

1. **SPECIAL PRESENTATIONS:**

1.1. FEATURED BUSINESS OF THE MONTH – DANU CORPORATION

Mayor Pro Tem Ackley introduced a video. City Clerk Mitzi Ortiz entered a pre-recorded communication from Danu Corporation President Gordon Tucker expressing his appreciation.

1.2. PROCLAMATION - NATIONAL PREPAREDNESS MONTH

Mayor Pro Tem Ackley presented the proclamation to Senior Emergency Management Program Coordinator Sarah Limones. Ms. Limones provided an overview of the City's preparedness efforts. Red Cross Community Preparedness Manager Kimberly Aufrecht provided an overview of additional preparedness opportunities. Chief of Police Services Lt. Chad Kajfasz and City Manager David Doyle provided additional information. Staff responded to questions regarding public outreach and evacuation routes. Councilmembers expressed their appreciation and commented on the matter.

2. ADDITIONS, DELETIONS, REORDERING TO THE AGENDA:

Councilmember Chun requested updates during City Manager's Report regarding recent vandalism at local parks and alleged incident involving Police Services.

3. COMMUNITY INPUT:

City Clerk Mitzi Ortiz read the following electronic communication into the record:

1. Beth Pelaez expressed opposition to Proposition 16.
2. Ashley Owen expressed opposition to Proposition 16.

4. CONSENT CALENDAR:

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

Motion: Councilmember Chun moved and Councilmember Harrington seconded to approve the recommended actions. Motion carried 4-0-1, with Mayor Munzing 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 - JULY 8, 2020 SPECIAL MEETING AND JULY 15, 2020 REGULAR MEETING

Recommended Action: Approve the subject Minutes as submitted.

4.3. SECOND READING AND ADOPTION OF AN ORDINANCE RELATING TO THE USE OF OFFICIAL INDICIA OF THE CITY OF ALISO VIEJO

Recommended Action: Conduct second reading and adopt Ordinance No. 2020-216 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA AMENDING CHAPTER 1.04 OF THE ALISO VIEJO MUNICIPAL CODE RELATING TO THE USE OF OFFICIAL INDICIA OF THE CITY OF ALISO VIEJO.

4.4. ACCOUNTS PAYABLE

Recommended Action:

1. Ratify accounts payable checks and electronic funds transfers issued July 02, 2020 in the amount of \$254,187.89;
2. Ratify accounts payable checks and electronic funds transfers issued July 09, 2020 in the amount of \$392,745.55;
3. Ratify accounts payable checks and electronic funds transfers issued July 16, 2020 in the amount of \$543,064.94;
4. Ratify accounts payable checks and electronic funds transfers issued July 23, 2020 in the amount of \$1,463,829.04;
5. Ratify accounts payable checks and electronic funds transfers issued July 30, 2020 in the amount of \$439,350.34;
6. Ratify accounts payable checks and electronic funds transfers issued August 06, 2020 in the amount of \$916,481.84;
7. Ratify accounts payable checks and electronic funds transfers issued August 13, 2020 in the amount of \$932,428.65;
8. Ratify accounts payable checks and electronic funds transfers issued August 20, 2020 in the amount of \$216,643.38; and
9. Ratify accounts payable checks and electronic funds transfers issued August 27, 2020 in the amount of \$260,950.72.

4.5. TREASURER'S STATEMENTS – JUNE AND JULY 2020

Recommended Action: Approve June and July 2020 Treasurer's Statements

4.6. LICENSE AND SERVICE AGREEMENT FOR A PERMIT TRACKING (ENTERPRISE LAND MANAGEMENT) SOFTWARE SYSTEM

Recommended Action:

1. Approve a License and Service Agreement with Tyler Technologies Inc. for Professional Services, Implementation and Licensing of the EnerGov Solution in an amount not to exceed \$427,916;
2. Authorize the City Manager to execute a License and Service Agreement and any related documentation; and
3. Authorize the appropriation of \$180,572 from the unreserved General Fund balance for the estimated first year costs.

4.7. FOURTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH KOSMONT & ASSOCIATES, INC. TO UPDATE THE CITY ECONOMIC DEVELOPMENT PLAN AND FOR ECONOMIC DEVELOPMENT CONSULTANT SERVICES

Recommended Action: Approve and authorize the City Manager to execute a Fourth Amendment to the Professional Services Agreement with Kosmont & Associates, Inc. dba Kosmont Companies for economic development consultant services to increase the total compensation by an amount not to exceed \$15,000 and extend the term of the agreement to June 30, 2021.

4.8. RELEASE OF THE LETTER OF CREDIT FOR THE COMPLETED LANDSCAPING IMPROVEMENTS FOR SOKA UNIVERSITY'S RESIDENCE HALLS AND STEM BUILDING

Recommended Action: Adopt Resolution No. 2020-34 releasing the Irrevocable Standby Letter of Credit No. S337699M for Soka University's Residence Halls and STEM Building landscaping improvements.

5. PUBLIC HEARINGS:

5.1. ORDINANCE AMENDING TITLE 15 OF THE ALISO VIEJO MUNICIPAL CODE RELATING TO MEDICAL USES IN THE TOWN CENTER COMMERCIAL (CT) ZONE

City Manager David Doyle introduced Community Development Director Omar Dadabhoy, who provided an overview. Staff responded to questions regarding Town Center boundaries, future zoning needs, and medical use definition. Mayor Pro Tem Ackley opened the public hearing. There were no public comments. Mayor Pro Tem Ackley closed the public hearing. Councilmembers commented on the matter.

Recommended Action:

1. Hold a public hearing;
2. Find that the proposed amendments are exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA guidelines, because it will not result in a direct or reasonable foreseeable indirect physical change in the environment as there is no possibility that it may have a significant effect on the environment and because it is not a project as defined in Section 15378 of the CEQA guidelines; and
3. Introduce an Ordinance entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, AMENDING TABLE 15.18.020 OF SECTION 15.18.020 OF CHAPTER 15.18 OF THE ALISO VIEJO MUNICIPAL CODE, "PERMITTED USES IN NONRESIDENTIAL DISTRICTS" REGARDING OUTPATIENT MEDICAL USES IN THE TOWN CENTER COMMERCIAL (CT) ZONING DISTRICT.

Motion: Mayor Pro Tem Ackley moved and Councilmember Harrington seconded to continue the Public Hearing to October 21, 2020. Motion carried 4-0-1, with Mayor Munzing absent.

5.2. FALSE ALARM FEE ORDINANCE

City Manager David Doyle provided an overview. Staff responded to questions regarding number of false alarms annually, and appeal process. Mayor Pro Tem Ackley opened the public hearing. There were no public comments. Mayor Pro Tem Ackley closed the public hearing. Councilmembers commented on the matter.

Recommended Action:

1. Hold a public hearing; and
2. Introduce and approve for first reading an Ordinance entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, ADDING CHAPTER 8.34 TO THE ALISO VIEJO MUNICIPAL CODE RELATING TO THE RECOVERY OF COSTS INCURRED BY THE ORANGE COUNTY SHERIFF'S DEPARTMENT'S RESPONSE TO FALSE ALARMS.

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

6. DISCUSSION:

6.1. SELECTION OF VOTING DELEGATE FOR LEAGUE OF CALIFORNIA CITIES ANNUAL BUSINESS MEETING

City Manager David Doyle provided an overview. Councilmembers commented on the matter.

Recommended Action: Designate a voting delegate and up to two alternates for the League of California Cities Annual Business Meeting to be held virtually on October 9, 2020.

Motion: Mayor Pro Tem Ackley moved and Councilmember Harrington seconded to appoint Councilmember Chun as the voting delegate for the League of California Cities Annual Business Meeting. Motion carried 4-0-1, with Mayor Munzing absent.

7. CITY MANAGER' S REPORT:

City Manager David Doyle provided an update on the City's response to vandalism in local parks and alleged incident involving Police Services; and encouraged residents to visit local businesses.

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

Councilmember Phillips:

- Commented on City's investment in The Row at Town Center

Councilmember Harrington:

- Commented on effects of wildfires across the State of California
- Commented on importance of public safety and law enforcement officers

Councilmember Chun:

- Expressed appreciation to the community for their well wishes
- Commented on 9/11 Commemoration Ceremonies
- Expressed concern regarding recent shooting of Los Angeles County deputies
- Congratulated Soka University President Daniel Habuki on his retirement
- Congratulated TCA CEO Samuel Johnson on recent promotion
- Congratulated Seven Seas Roasting Company on their anniversary
- Expressed appreciation to Moulton Niguel Water District for supporting high school
- Commented on new landscaping in street medians

Mayor Pro Tem Ackley:

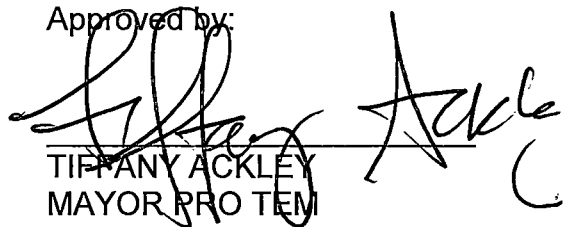
- Commented on centennial of women's right to vote
- Expressed appreciation to parents and educators on distance learning
- Requested City-sponsored activities for Halloween
- Wished Mayor Munzing good health

9. **ADJOURNMENT:** Mayor Pro Tem Ackley adjourned the meeting at 8:32 p.m. to the regularly scheduled meeting of October 7, 2020.

Respectfully submitted:


MITZI ORTIZ/MMC
CITY CLERK

Approved by:


TIFFANY ACKLEY
MAYOR PRO TEM