

CITY OF ALISO VIEJO
CITY COUNCIL MINUTES
REGULAR MEETING
January 19, 2022, 7:00 P.M.
Council Chambers, City Hall, 12 Journey
Aliso Viejo, California

City Council conducted this meeting in accordance with California Government Code Section 54953(e)(2) and COVID-19 pandemic protocols.

CALL TO ORDER: Mayor Chun called the Regular Meeting of the City Council of the City of Aliso Viejo to order at 7:01 p.m.

ROLL CALL:

PRESENT: MAYOR ROSS CHUN *(via teleconference)*
MAYOR PRO TEM RICHARD HURT *(via teleconference)*
COUNCILMEMBER TIFFANY ACKLEY *(via teleconference)*
COUNCILMEMBER DAVID C. HARRINGTON *(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
PAUL ESPINOZA, INTERIM ADMINISTRATIVE SERVICES DIRECTOR
SHAUN PELLETIER, PUBLIC WORKS DIRECTOR
OMAR DADABHOY, COMMUNITY DEVELOPMENT DIRECTOR
LIZZY MENDOZA, ACTING RECREATION & COMMUNITY SERVICES
DIRECTOR
ISAAC AZIZ, INFORMATION TECHNOLOGY MANAGER
CAPT. CHAD KAJFASZ, CHIEF OF POLICE SERVICES

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

1. SPECIAL PRESENTATIONS:

1.1. FEATURED BUSINESS OF THE MONTH – ALISO VIEJO CERTIFIED FARMERS' MARKET

Mayor Chun introduced a video and presented the certificate of recognition to Market Manager Mary Senske. Ms. Senske expressed her appreciation.

1.2. MOULTON NIGUEL WATER DISTRICT PRESENTATION REGARDING DROUGHT & DISTRICT UPDATES

Mayor Chun introduced Assistant General Manager Matt Collings, who provided an update on Moulton Niguel Water District.

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: Councilmember Munzing moved and Councilmember Ackley 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. RESOLUTION EXTENSION AUTHORIZING VIRTUAL CITY COUNCIL MEETINGS PURSUANT TO ASSEMBLY BILL 361

Recommended Action: Move to reconfirm findings under Assembly bill 361 and extend Resolution No. 2021-27 to continue virtual City Council meetings.

4.3. APPROVAL OF MINUTES

Recommended Action: Approve the minutes as submitted for the December 1, 2021 Regular Meeting.

4.4. ACCOUNTS PAYABLE

City Manager David Doyle and City Clerk Mitzi Ortiz responded to questions regarding payment made.

Recommended Action:

1. Ratify accounts payable checks and electronic funds transfers issued November 23, 2021, in the amount of \$358,685.11;
2. Ratify accounts payable checks and electronic funds transfers issued December 09, 2021, in the amount of \$1,162,500.30; and
3. Ratify accounts payable checks and electronic funds transfers issued December 22, 2021, in the amount of \$394,056.84.

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

4.5. TREASURER'S STATEMENT – OCTOBER 2021

Recommended Action: Approve October 2021 Treasurer's Statement.

4.6. ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR)

Councilmembers commented on the matter. City Manager David Doyle responded to questions regarding revenue sources.

Recommended Action: Receive and file the Annual Comprehensive Financial Report (ACFR) for the year ended June 30, 2021.

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

4.7. RESOLUTION APPROVING THE ISSUANCE BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY OF THE PORTION OF REVENUE BONDS THE PROCEEDS OF WHICH ARE TO BE LOANED TO QCF/I, INC., A 501(c)(3) NONPROFIT HEALTHCARE ORGANIZATION, AND USED TO ACQUIRE THE EXISTING FACILITY LOCATED AT 200 FREEDOM LANE, ALISO, VIEJO, CALIFORNIA ; AND APPROVING CERTAIN OTHER MATTERS RELATING THERETO

Recommended Action: Adopt Resolution No. 2022-01 approving the issuance by the California Municipal Finance Authority of the portion of revenue bonds the proceeds of which are to be loaned to QCF/I, Inc., a 501 (c)(3) nonprofit healthcare organization, and used to acquire the existing facility located at 200 Freedom Lane, Aliso, Viejo, California; and approving certain other matters relating thereto.

4.8. FIFTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH KOSMONT & ASSOCIATES, INC. FOR ECONOMIC DEVELOPMENT CONSULTANT SERVICES

City Manager David Doyle and Community Development Director Omar Dadabhoy responded to questions regarding services provided. Councilmembers commented on the matter.

Recommended Action: Approve and authorize the City Manager to execute a Fifth Amendment to the Professional Services Agreement with Kosmont & Associates, Inc. For economic development consultant services to increase the total compensation by an amount not to exceed \$12,000 and extend the term of the agreement to June 30, 2022.

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

4.9. FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH MIKE LINARES, INC. FOR COMMUNITY DEVELOPMENT BLOCK PROGRAM (CDBG) PROGRAM ADMINISTRATION FOR FY 2021-2022

Councilmembers commented on the matter.

Recommended Action: Approve and authorize the City Manager to execute the First Amendment to the Professional Services Agreement with Mike Linares, Inc. for Community Development Block Program (CDBG) Program administration for FY 2021-2022.

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

4.10. THIRD AMENDMENT TO PROFESSIONAL SERVICES WITH BECKY CAHA FOR AFFORDABLE HOUSING IMPLEMENTATION SERVICES

Recommended Action: Approve and authorize City Manager to execute a Third Amendment to the Professional Services Agreement with Becky Caha, independent contractor, to increase the amount of the existing agreement.

5. PUBLIC HEARINGS:

5.1. PLANNING APPLICATION PA21-016 (SDP/AUP/EP) FOR A SITE DEVELOPMENT PERMIT TO DEMOLISH AN EXISTING BUILDING AND CONSTRUCT A NEW RESTAURANT WITH A DRIVE-THRU; AN ADMINISTRATIVE USE PERMIT FOR OUTDOOR DINING; AND AN EXCEPTION PERMIT FOR A PARKING DEFICIENCY BELOW 15% AT 26641 ALISO CREEK ROAD

City Manager David Doyle introduced Senior Planner Jennifer Lowe, who provided an overview. Community Development Director Omar Dadabhoy, and applicants Jared Taylor (Golden Property Development) and Jason Dedmore (Amy's Kitchen) provided additional information. Staff and applicants responded to questions regarding project timeline, square footage, drive-thru configuration, demolition debris removal, impact on neighboring businesses, grading, and living roof maintenance. Councilmembers commented on the matter. Mayor Chun opened the public hearing and there were no speakers. Mayor Chun closed the public hearing.

Recommended Action:

1. Open and conduct a public hearing;
2. Find that the request is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15302 (Replacement or Reconstruction); and
3. Adopt Resolution No. 2022-02 making findings under the California Environmental Quality Act and approving Planning Application PA21-016 (SDP/AUP/EP) for a site development permit to demolish an existing building and construct a new restaurant with a drive-thru; an administrative use permit for outdoor dining; and an exception permit for a parking deficiency below 15% at 26641 Aliso Creek Road.

Motion: Councilmember Munzing moved and Mayor Pro Tem Hurt seconded to approve the recommended actions. Motion carried 5-0.

5.2. REQUEST TO APPROVE PLANNING APPLICATION PA21-014 (SDP) FOR A SITE DEVELOPMENT PERMIT TO ALLOW FOR EXTERIOR MODIFICATIONS TO THE BUILDING AND PARKING LOT, INCLUDING REDESIGN OF THE PRIMARY BUILDING ELEVATION, UPGRADES TO LANDSCAPING, AND ADJUSTMENTS TO THE PARKING LOT TO SATISFY ACCESSIBILITY REQUIREMENTS, AT 7 JOURNEY AND DETERMINATION THAT PROJECT IS CATEGORICALLY EXEMPT FROM CEQA

City Manager David Doyle introduced Senior Planner Jennifer Lowe, who provided an overview. Staff responded to questions regarding train caboose aesthetic, building façade. Councilmembers commented on the matter. Applicant Jeremy Webb (Webb Grainworks) provided additional information. Mayor Chun opened the public hearing and there were no speakers. Mayor Chun closed the public hearing.

Recommended Action:

1. Open and conduct a public hearing;
2. Find that the request is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Sections 15301 (Existing Facilities); and
3. Adopt Resolution No. 2022-03 approving Planning Application PA21-0174 (SDP) for a site development permit to allow for exterior modifications to the building and parking lot, including redesign of the primary building elevation, upgrades to landscaping, and adjustments to the parking lot to satisfy accessibility requirements, at 7 Journey..

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

5.3. GENERAL PLAN AMENDMENT PA21-019 (GPA) - HOUSING ELEMENT

City Manager David Doyle introduced Community Development Director Omar Dadabhoy, who provided an overview. City Attorney Scott Smith and consultant John Douglas provided additional information. Staff and consultant responded to questions regarding affordable housing levels in recent developments, density bonus provisions, skilled and trained workforce policy, non-compliance, and taxpayer subsidy. Councilmembers commented on the matter. Mayor Chun opened the public hearing and the following person spoke:

1. John Hanna, Southwest Regional Council of Carpenters, regarding skilled and trained workforce.
2. Amir Baum expressed support for mixed-use development.

There were no other speakers. Mayor Chun closed the public hearing.

Recommended Action:

1. Open and conduct a public hearing;
2. Find that the request is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Sections 15061(b)(3) (Common Sense Exemption); and
3. Adopt Resolution No. 2022-04 making findings under the California Environmental Quality Act and approving Planning Application PA21-019 (GPA) approving a general plan amendment to adopt the 2021-2029 Housing Element Update.

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

6. DISCUSSION:

6.1. ACCEPTANCE OF DONATED SCULPTURE FROM ARTIST JON SEEMAN FOR PLACEMENT AT ALISO VIEJO RANCH

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

Recommended Action:

1. Accept donation of sculpture from artist Jon Seeman for placement at Aliso Viejo Ranch; and
2. Appropriate funds from General Fund Reserves and authorize City

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

6.2. RESOLUTION AMENDING CITY EMPLOYEE SALARY SCHEDULE TO MODIFY EXISTING POSITION AND ADD NEW HUMAN RESOURCES ANALYST POSITION

City Manager David Doyle provided an overview. City Attorney Scott Smith provided additional information. Staff responded to questions regarding staff training, legal support services, and cost savings. Councilmembers commented on the matter.

Recommended Action: Adopt Resolution No. 2022-05 amending City employee salary schedule to modify existing position and add new Human Resources Analyst position.

Motion: Councilmember Ackley moved and Councilmember Munzing seconded to approve the recommended actions. Motion carried 5-0.

7. **CITY MANAGER' S REPORT:**

City Manager David Doyle encouraged residents to visit the Aliso Viejo Certified Farmers' Market on Saturdays from 8:00 a.m. to 1:00 p.m. at Aliso Viejo Town Center; and to register for recreation programs.

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

Councilmember Ackley:

- Encouraged residents to obtain free COVID-19 test kits through federal program

Councilmember Harrington: None

Councilmember Munzing: None

Mayor Pro Tem Hurt:

- Encouraged residents to visit Aliso Viejo Ranch and participate in events and programs
- Expressed appreciation to City staff

Mayor Chun:

- Expressed appreciation to donors and staff at American Red Cross Blood Drive
- Met with Moulton Niguel Water District
- Congratulated Aliso Viejo Chamber of Commerce on continued services
- Attended SCAG Transportation Committee Meeting
- Attended League of California Cities Orange County Division Board Meeting
- Expressed belated birthday wishes to Mayor Pro Tem Hurt

9. **ADJOURNMENT:** Mayor Chun adjourned the meeting at 9:27 p.m. to the regularly scheduled meeting of February 16, 2022.

Respectfully submitted:

Approved by:



MITZI ORTIZ, MMC
CITY CLERK



ROSS CHUN
MAYOR