CITY OF ALISO VIEJO
CITY COUNCIL MINUTES
REGULAR MEETING
July 18, 2018, 7:00 P.M.
Council Chambers, City Hall, 12 Journey
Aliso Viejo, California

CALL TO ORDER: Mayor Harrington called the Regular Meeting of the City Council of the City of Aliso Viejo to order at 7:07 p.m.

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

ABSENT: NONE

STAFF PRESENT: DAVID A. DOYLE, CITY MANAGER
SCOTT C. SMITH, CITY ATTORNEY
MITZI ORTIZ, CITY CLERK
GLENN YASUI, ADMINISTRATIVE SERVICES DIRECTOR
GINA THARANI, FINANCE DIRECTOR
SHAUN PELLETIER, PUBLIC WORKS DIRECTOR / CITY ENGINEER
OMAR DADABHOY, COMMUNITY DEVELOPMENT DIRECTOR
ERICA ROESS, SENIOR PLANNER
ISAAC AZIZ, INFORMATION TECHNOLOGY MANAGER
STEPHANIE BROWN, COMMUNITY SERVICES MANAGER
LT. CHAD KAJFASZ, CHIEF OF POLICE SERVICES

PLEDGE OF ALLEGIANCE: Eagle Scout Aaron Kasper led the pledge of allegiance.

REPORT FROM CLOSED SESSION:

City Attorney Scott Smith stated no reportable action was taken. Please refer to the July 18, 2018 Special Meeting Minutes.

SPECIAL PRESENTATIONS:

A. RECOGNITION OF EAGLE SCOUTS JONATHON DIBLEY, AARON KASPER, GRANT RANDOLPH, AND MATTHEW VERHOEF

Mayor Harrington recognized the Eagle Scouts on their achievement. The Scouts provided an overview of their projects and expressed their appreciation.

B. RECOGNITION OF DEPUTY STEPHEN LUNA AND POLICE ASSISTANCE LIAISON SERVICES (PALS) VOLUNTEER ED SHANDREW

Mayor Harrington introduced Police Services Chief Lt. Chad Kajfasz. Lt. Kajfasz expressed his appreciation and presented plaques to Deputy Luna and Ed Shandrew in recognition of their service to the community.

C. PRESENTATION TO FEATURED BUSINESS OF THE MONTH BURGERIM

Mayor Harrington presented a Certificate of Recognition to Andrea Le and Joanne Palma. Ms. Le and Ms. Palma expressed their appreciation.

D. PRESENTATION BY JAMES MCQUEEN, OC HUMAN RELATIONS

Mayor Harrington introduced James McQueen, who presented the OC Human Relations Annual Report.

ADDITIONS, DELETIONS, REORDERING TO THE AGENDA

None.

COMMUNITY INPUT:

1. Sharon Blain expressed concern regarding the fountain in Aliso Viejo Town Center.
2. David Bendall commented on the City's action regarding SB 54.
3. Nicole Watson, Boys and Girls Club of Capistrano Valley Area Director, expressed appreciation for the City's support and partnership.

CONSENT CALENDAR ITEM NOS. 1-12:

Mayor Harrington 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 PHILLIPS MOVED AND COUNCILMEMBER MUNZING SECONDED TO APPROVE CONSENT CALENDAR ITEMS 1-12 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 – JUNE 6, 2018 SPECIAL MEETING, JUNE 6, 2018 REGULAR MEETING AND JUNE 13, 2018 ADJOURNED REGULAR MEETING

Approved the subject Minutes as submitted.

3. ACCOUNTS PAYABLE

1. Ratified accounts payable checks and electronic funds transfers issued May 17, 2018 in the amount of $300,112.80;
2. Ratified accounts payable checks issued May 24, 2018 in the amount of $1,800;
3. Ratified accounts payable checks and electronic funds transfers issued May 31, 2018 in the amount of $401,366.58;
4. Ratified accounts payable checks and electronic funds transfers issued June 7, 2018 in the amount of $123,135.21;
5. Ratified accounts payable checks and electronic funds transfers issued June 14, 2018 in the amount of $183,122.78;
6. Ratified accounts payable checks issued June 21, 2018 in the amount of $149,290.55; and
7. Ratified accounts payable checks and electronic funds transfers issued June 28, 2018 in the amount of $316,968.67.

4. TREASURER'S STATEMENT – MAY 2018

Approved the May 2018 Treasurer's Statement.

5. INVESTMENT POLICY

Adopted Resolution No. 2018-25 to adopt the Investment Policy for Fiscal Year 2018-19 and rescinds Resolution No. 2017-12 in its entirety.

6. ANNUAL LEVY OF ASSESSMENTS FOR COMMUNITY FACILITIES DISTRICT NO. 2005-01 (GLENWOOD AT ALISO VIEJO) FOR FISCAL YEAR 2018-19

Adopted Resolution No. 2018-26 of the City Council, acting as the legislative body of Community Facilities District No. 2005-01 (Glenwood at Aliso Viejo) authorizing the annual levy of assessments for Fiscal Year 2018-19.

7. FIRST AMENDMENT TO AGREEMENT FOR INFORMATION TECHNOLOGY CONSULTING SERVICES WITH MR2 SOLUTIONS

Approved and authorized the City Manager to execute the first amendment to professional services agreement with MR2 Solutions for information technology consulting services, network monitoring and Simplivity hyperconvergence hardware support.

8. AGREEMENT FOR PROFESSIONAL VIDEOGRAPHY AND PRODUCTION SERVICES – WINTERS VISUALS

Authorized the City Manager to execute a professional services agreement with Winters Visuals for video production services.

9. PROFESSIONAL SERVICES AGREEMENT FOR OUT-OF-SCHOOL TIME PROGRAMS WITH THE BOYS & GIRLS CLUBS OF CAPISTRANO VALLEY

Authorized the City Manager to execute a professional services agreement with Boys and Girls Clubs of Capistrano Valley for out-of-school time programs for $157,500 annually.

10. AGREEMENT FOR THE ALISO VIEJO CENTER MANAGEMENT, OPERATIONS AND MAINTENANCE SERVICES – ALISO VIEJO BANQUET CENTER, LLC AND WEDGEWOOD BEVERAGE, INC.

Authorized the City Manager to execute an agreement with Aliso Viejo Banquet Center, LLC and Wedgewood Beverage, Inc. for the continued management and operations of the Aliso Viejo Center.

11. ALISO VIEJO RANCH PROJECT REQUEST FOR PREQUALIFICATION

Adopted Resolution No. 2018-27 authorizing prequalification of bidders for City of Aliso Viejo public works contracts.

12. MSRC CLEAN TRANSPORTATION PROGRAM 2017 LOCAL GOVERNMENT PARTNERSHIP PROGRAM APPLICATION TO RECEIVE GRANT FUNDS ($65,460) FOR ALISO VIEJO RANCH PROJECT

1. Acknowledged receipt of the MSRC-supplied presentation; and
2. Authorized the proposed projects utilizing MSRC Local Government Partnership Program matching funds;
3. Allocated $37,940 in AQMD AB 2766 funds to match MSRC funds; and
4. Adopted Resolution No. 2018-28 to adopt the MSRC Local Government Partnership Program Requirements for $65,460 MSRC Matching Funds

MOTION CARRIED UNANIMOUSLY

END OF CONSENT CALENDAR

PUBLIC HEARING ITEM NOS. 13-16:

13. REQUEST TO APPROVE AND ADOPT RELATED INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION PREPARED IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (SCH # 2018061036) FOR PLANNING APPLICATION PA17-031 (SDP/CUP/EP/MSP) TO ESTABLISH A

PUBLIC PARK WITH A COMMUNITY CENTER AND SMALL-SCALE FARM AT THE ALISO VIEJO RANCH, 100 PARK AVENUE AND MUNICIPAL CODE AMENDMENTS TO AVMC SECTIONS 6.04.380 AND 15.26.020 TO ALLOW LIVESTOCK AS PART OF AN APPROVED AGRICULTURAL USE; AND APPROVE PLANNING APPLICATION PA17-031 (SDP/CUP/EP/MSP) TO ESTABLISH A PUBLIC PARK WITH A COMMUNITY CENTER AND SMALL-SCALE FARM AT THE ALISO VIEJO RANCH, 100 PARK AVENUE AND MUNICIPAL CODE AMENDMENT TO AVMC SECTIONS 6.04.380 AND 15.26.020 TO ALLOW LIVESTOCK AS PART OF AN APPROVED AGRICULTURAL USE

City Manager David Doyle introduced Community Development Director Omar Dadabhoy, who provided the staff report. Jim Wilson, Thirtieth Street Architects, provided additional information. Staff and consultant responded to questions regarding the windmill, water tower, chickens, sign program, staffing, farm operator, design standards, environmental impact, mitigation measures, parking, crosswalk, events, amplified sound, and barn addition. Mayor Harrington opened the public hearing and the following persons spoke:

1. Trina Mahgiong expressed support for preserving historical aspects and including educational component.
2. Victor Scherr expressed appreciation to all parties involved in the project.
3. Kevin Fleming requested inclusion of site specific guidelines.
4. Jane Steven expressed appreciation to all parties involved in the project and requested additional mitigation measures.
5. Don Dooley expressed appreciation to all parties involved in the project and requested additional mitigation measures.
6. Phil Fleming, California Reflections HOA, expressed appreciation and support for the project.
7. Jared Mathis, Moulton Family Foundation, expressed support for the project.
8. Bob Bunyan expressed support on behalf of the Orange County Historical Commission and commented on historical artifacts.
9. Diane Wollemberg expressed support for the project and requested additional mitigation measures.

There were no other speakers. City Manager David Doyle and Doug Grove, RHA Landscape Architects-Planners, Inc., provided additional information. Staff responded to questions regarding construction, rehabilitation of existing structures, entrance gates, and youth sports. Mayor Harrington closed the public hearing. Councilmembers commented on the matter.

MOTION: COUNCILMEMBER MUNZING MOVED AND MAYOR PRO TEM CHUN SECONDED TO:

1. **CONDUCT A PUBLIC HEARING;**
2. **ADOPT RESOLUTION NO. 2018-29 TO APPROVE AND ADOPT AN INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION PREPARED IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

(SCH # 2018061036);

3. **ADOPT RESOLUTION No. 2018-30 TO APPROVE PLANNING APPLICATION PA17-031 (SDP/CUP/EP/MSP) WHICH INCLUDES SITE DEVELOPMENT PERMITS, CONDITIONAL USE PERMITS, EXCEPTION PERMITS, AND A MASTER SIGN PERMIT TO ESTABLISH A PUBLIC PARK WITH A COMMUNITY CENTER AND SMALL-SCALE FARM AT THE ALISO VIEJO RANCH, 100 PARK AVENUE PURSUANT TO AVMC SECTIONS 15.74.020, 15.74.040, 15.74.070, AND 15.34.100(B) AND (C); AND**
4. **APPROVE FIRST READING AND INTRODUCE AN ORDINANCE ENTITLED:**

   AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, AMENDING SECTIONS 6.04.380 AND 15.26.020 OF THE ALISO VIEJO MUNICIPAL CODE RELATED TO THE ALLOWANCE OF LIVESTOCK FOR APPROVED AGRICULTURAL USES.

MOTION CARRIED UNANIMOUSLY

14. ADOPTION OF THE 2018-2022 CONSOLIDATED PLAN AND 2018-2019 ANNUAL ACTION PLAN FOR EXPENDITURES OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

City Manager David Doyle introduced Senior Planner Erica Roess. Ms. Roess introduced Mike Linares, who provided the staff report. Community Development Director Omar Dadabhoy and City Manager David Doyle provided additional information. Staff responded to questions regarding difference between consolidated plan and annual action plan and administration fees. Mayor Harrington opened the public hearing. There were no speakers. Mayor Harrington closed the public hearing.

MOTION: COUNCILMEMBER PHILLIPS MOVED AND MAYOR PRO TEM CHUN SECONDED TO:

1. **CONDUCT A PUBLIC HEARING;**
2. **DECLARE THAT THE CITY COUNCIL FINDS THE 2018-2022 CONSOLIDATED PLAN IS NOT SUBJECT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED IN SECTION 15378 (B)(5) OF THE STATE CEQA GUIDELINES;**
3. **APPROVE AND ADOPT THE 2018-2022 CONSOLIDATED PLAN, WHICH INCLUDES THE APPROVAL AND ADOPTION OF THE 2018-2019 ANNUAL ACTION PLAN, FOR USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS; AND**
4. **AUTHORIZE THE CITY MANAGER TO SUBMIT THE CONSOLIDATED PLAN AND ACTION PLAN TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD), WHICH WILL EXECUTE THE HUD CONTRACT; AND AUTHORIZE THE CITY MANAGER TO SUBMIT**

ALL RELATED DOCUMENTS WITH THE IMPLEMENTATION OF THE PLANS.

MOTION CARRIED UNANIMOUSLY

15. REQUEST TO APPROVE AND ADOPT LOT LINE ADJUSTMENT FOR LOT MERGER LLA18-01 TO MERGE TWO PARCELS INTO ONE; APPROVE PLANNING APPLICATION PA18-012 (SDP/CUP/EP/TUP) TO CONSTRUCT A 171,528 SQUARE FOOT STORAGE FACILITY LOCATED AT 4 ORION, AND APPROVE A DEVELOPMENT AGREEMENT WITH JSF ORION EX, LLC

City Manager David Doyle introduced Senior Planner Erica Roess, who provided the staff report. Community Development Director Omar Dadabhoy and Public Works Director Shaun Pelletier provided additional information. Staff responded to questions regarding vesting rights, agreement amount, agreement terms, slope drainage and traffic impacts. Mayor Harrington opened the public hearing. There were no speakers. Mayor Harrington closed the public hearing.

MOTION: COUNCILMEMBER MUNZING MOVED AND COUNCILMEMBER PHILLIPS SECONDED TO:

1. **CONDUCT A PUBLIC HEARING;**
2. **DECLARE THAT THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO A CLASS 32 EXEMPTION FOR PROJECTS CHARACTERIZED AS IN-FILL DEVELOPMENT (STATE CEQA GUIDELINES, SECTION 15332);**
3. **ADOPT RESOLUTION NO. 2018-31 TO APPROVE LOT LINE ADJUSTMENT FOR LOT MERGER LLA18-01 PURSUANT TO ALISO VIEJO MUNICIPAL CODE (AVMC) 14.24;**
4. **ADOPT RESOLUTION NO. 2018-32 TO APPROVE PLANNING APPLICATION PA18-012 (SDP/CUP/EP/TUP) WHICH INCLUDES A SITE DEVELOPMENT PERMIT, CONDITIONAL USE PERMIT, EXCEPTION PERMIT AND TEMPORARY USE PERMIT TO CONSTRUCT A 171,528-SQUARE FOOT STORAGE FACILITY LOCATED AT 4 ORION PURSUANT TO AVMC SECTIONS 15.74.020, 15.74.040, 15.74.050, 15.74.070, AND 15.82.010; AND**
5. **APPROVE FIRST READING AND INTRODUCE AN ORDINANCE ENTITLED:**

   AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, APPROVING A DEVELOPMENT AGREEMENT PA18-012 (DA) BETWEEN THE CITY OF ALISO VIEJO AND JSF ORION EX, LLC FOR CERTAIN REAL PROPERTY LOCATED WITHIN THE CITY OF ALISO VIEJO PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65864 EQ SEQ. AND MAKING CEQA FINDINGS IN CONNECTION THEREWITH.

MOTION CARRIED UNANIMOUSLY

16. AN INTERIM URGENCY ORDINANCE EXPANDING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT AND PERMITTING OF COUNSELING USES IN NON-RESIDENTIAL ZONES TO INCLUDE ALL HOSPITAL, NURSING HOME, MEDICAL OFFICE, AND OTHER MEDICAL USES TO ALLOW FOR CONSIDERATION OF APPROPRIATE AMENDMENTS TO THE CITY MUNICIPAL CODE

City Manager David Doyle introduced City Attorney Scott Smith, who provided the staff report. Mayor Harrington opened the public hearing. There were no speakers. Mayor Harrington closed the public hearing.

MOTION: COUNCILMEMBER PHILLIPS MOVED AND MAYOR PRO TEM CHUN SECONDED TO ADOPT ORDINANCE NO. 2018-198 ENTITLED:

INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO CALIFORNIA EXPANDING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT AND PERMITTING OF COUNSELING USES IN NON-RESIDENTIAL ZONES TO INCLUDE ALL HOSPITAL, NURSING HOME, MEDICAL OFFICE, AND OTHER MEDICAL USES TO ALLOW FOR CONSIDERATION OF APPROPRIATE AMENDMENTS TO THE CITY MUNICIPAL CODE IN ACCORDANCE WITH GOVERNMENT CODE SECTIONS 65858 AND 36937

MOTION CARRIED UNANIMOUSLY

DISCUSSION ITEM NO. 17:

17. AUTHORIZATION FOR THE CITY MANAGER TO SEND THE "SECTION 106 COMPLIANCE ASSESSMENT," TO THE STATE HISTORIC PRESERVATION OFFICER, AND TO SEND THE "SECTION 106 COMPLIANCE ASSESSMENT," THE "ENVIRONMENTAL ASSESSMENT DETERMINATION," AND THE "ENVIRONMENTAL CERTIFICATION AND REQUEST FOR RELEASE OF FUNDS" TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE PURPOSE OF USING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR AMERICAN WITH DISABILITIES ACT CONSTRUCTION IMPROVEMENTS AT THE ALISO VIEJO RANCH

City Manager David Doyle provided the staff report. Staff responded to questions regarding requirement for action.

MOTION: COUNCILMEMBER MUNZING MOVED AND COUNCILMEMBER PHILLIPS SECONDED TO:

1. **DECLARE THAT THE CITY COUNCIL FINDS THE ACTIONS, I.E., SUBMITTING THE "SECTION 106 COMPLIANCE ASSESSMENT: HISTORIC PROPERTY SURVEY REPORT AND FINDING OF EFFECT" DOCUMENT TO STATE HISTORIC PRESERVATION OFFICER (SHPO) AND SUBMITTING THE "SECTION 106 COMPLIANCE ASSESSMENT:**

HISTORIC PROPERTY SURVEY REPORT AND FINDING OF EFFECT" DOCUMENT, THE "ENVIRONMENTAL ASSESSMENT DETERMINATIONS AND COMPLIANCE FINDINGS FOR HUD-ASSISTED PROJECTS 24 CFR PART 58," AND "ENVIRONMENTAL CERTIFICATION AND REQUEST FOR RELEASE OF FUNDS" (RROF) TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) ARE NOT SUBJECT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AS THE ACTIONS ARE NOT A PROJECT AS DEFINED IN SECTION 15378 (B)(5) OF THE STATE CEQA GUIDELINES; AND

2. **AUTHORIZE THE CITY MANAGER TO SUBMIT THE DOCUMENT "SECTION 106 COMPLIANCE ASSESSMENT: HISTORIC PROPERTY SURVEY REPORT AND FINDING OF EFFECT" TO SHPO AND FOLLOWING THE SHPO REVIEW, TO SEND THE "SECTION 106 COMPLIANCE ASSESSMENT: HISTORIC PROPERTY SURVEY REPORT AND FINDING OF EFFECT," THE "ENVIRONMENTAL ASSESSMENT DETERMINATIONS AND COMPLIANCE FINDINGS FOR HUD-ASSISTED PROJECT 24 CFR PART 58" AND THE "RROF", TO HUD.**

MOTION CARRIED UNANIMOUSLY

CITY MANAGER'S REPORT

City Manager David Doyle announced the Furry Friends Pet Fair to be held from 9:00 a.m. to 12:00 p.m. on August 4, 2018 at Vista Park; registration for Summer Camps; the Veterans' Recognition Program; and encouraged residents to follow the City on Facebook, Twitter, Instagram and Nextdoor.

ANNOUNCEMENTS / COUNCIL COMMENTS / COMMITTEE UPDATES

Councilmember Munzing:

- Submitted in writing:
  - Attended the Aliso Viejo Chamber of Commerce Networking Breakfast
  - Attended TCA Joint Board of Directors Meeting
  - Attended Aliso Viejo Document Shredding and e-Waste Collection Event
  - Attended Coast Hills Church First Responders Barbecue
  - Attended RJM Design Group Fish Fry
  - Attended Aliso Viejo Chamber of Commerce Networking Breakfast
  - Attended ACC-OC Summer Reception
  - Attended Renaissance ClubSport 10th Anniversary Celebration

Councilmember Phillips:

- Expressed his appreciation to staff for wayfinding sign project
- Expressed his appreciation to AVCA and volunteers for July 4th Celebration
- Participated in tour of burn area with Coastal Greenbelt Authority
- Commented on Renaissance ClubSport new General Manager

Councilmember Tsunoda: None.

Mayor Pro Tem Chun:

- Expressed his appreciation to AVCA for July 4th Celebration
- Expressed his congratulations to Renaissance ClubSport 10th Anniversary Celebration
- Expressed his appreciation to organizations offering assistance during Aliso Viejo Fire

Mayor Harrington:

- Hosted BBQ for 1st Maintenance Marine Battalion command staff
- Expressed his appreciation to AVCA for July 4th Celebration
- Commented on Ferguson Fire and fire prevention
- Submitted in writing:
  - Attended Aliso Niguel High School Graduation Ceremony
  - Attended Aliso Viejo Chamber of Commerce Networking Breakfast
  - Accepted $900 donation from BurgerIM to 1st Maintenance Marine Battalion
  - Attended interview by CBS News
  - Attended OCFA Board of Directors Special Meeting
  - Attended Aliso Viejo Chamber of Commerce President's Circle Member Reception
  - Attended ACC-OC Legislative & Regulatory Committee Meeting
  - Attended South Marina Pharmacy Grand Opening
  - Attended OCFA Board of Director Meeting
  - Hosted BBQ for 1st Maintenance Marine Battalion command staff
  - Attended AVCA July 4th Celebration
  - Attended interview by USC student

ADJOURNMENT: Mayor Harrington adjourned the meeting at 9:38 p.m. to the regularly scheduled meeting of August 1, 2018, in memory of CalFire Heavy Fire Equipment Operator Braden Varney.

Respectfully submitted:

MITZI ORTIZ, MMC
CITY CLERK

Approved by:

DAVID C. HARRINGTON
MAYOR