

CITY OF ALISO VIEJO
CITY COUNCIL MINUTES
REGULAR MEETING
October 21, 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 Munzing 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 MIKE MUNZING *(via teleconference)*
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: NONE

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
JENNIFER LOWE, SENIOR PLANNER
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: Public Works Director Shaun Pelletier led the pledge of allegiance.

REPORT FROM CLOSED SESSION:

City Attorney Scott Smith stated no reportable action was taken. Please refer to the October 21, 2020 Special Meeting Minutes.

1. **SPECIAL PRESENTATIONS:**

1.1. **FEATURED BUSINESS OF THE MONTH - BIG FISH LITTLE FISH**

Mayor Munzing introduced a video. General Manager Brendt Lee expressed his appreciation.

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

City Manager David Doyle requested continuance of Public Hearing Item 5.1 to the November 18, 2020 City Council Meeting.

3. **COMMUNITY INPUT:**

None.

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 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 – AUGUST 26, 2020 SPECIAL MEETING, SEPTEMBER 16, 2020 SPECIAL MEETING, AND SEPTEMBER 16, 2020 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 September 24, 2020 in the amount of \$90,393.98; and
2. Ratify accounts payable checks and electronic funds transfers issued October 1, 2020 in the amount of \$970,724.21.

4.4. COMMUNITY FACILITIES DISTRICT NO. 2005-01 (GLENWOOD AT ALISO VIEJO) ANNUAL REPORT FISCAL YEAR 2020/21

Recommended Action: Receive and file the Community Facilities District No. 2005-01 (Glenwood at Aliso Viejo) Annual Report for Fiscal Year 2020/21.

4.5. ANNUAL MEASURE M2 EXPENDITURE REPORT

Recommended Action: Approve Resolution No. 2020-38 to adopt the FY 2019-20 M2 Expenditure Report.

4.6. AGREEMENT WITH HF&H CONSULTANTS FOR SOLID WASTE CONSULTING SERVICES

City Manager David Doyle responded to questions regarding scope of service and project management. Councilmembers commented on the matter.

Recommended Action:

1. Approve an agreement with HF&H Consultants for Solid Waste Consulting Services;
2. Authorize the City Manager to execute a professional services agreement with HF&H Consultants; and
3. Authorize City staff to make total compensation to HF&H Consultants up to \$69,000 plus \$6,900 (10% of the contract amount) to allow for contingencies, totaling \$75,900.

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

4.7. ADOPTION OF THE 2019-2020 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) FOR EXPENDITURES OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS

Recommended Action:

1. Find that the 2019-2020 Consolidated Annual Performance and Evaluation Report (CAPER) 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;
2. Approve and adopt the 2019-2020 CAPER; and
3. Authorize the City Manager to submit the CAPER to the United States Department of Housing and Urban Development (HUD), and authorize the City Manager to submit all related documents.

5. PUBLIC HEARINGS:

5.1. REQUEST TO APPROVE PLANNING APPLICATION PA18-035 (CUP) FOR A CONDITIONAL USE PERMIT TO ESTABLISH A PRIVATE EDUCATION USE WITH AN

ALTERNATIVE PARKING PLAN THAT INCLUDES AN OFFSITE PARKING AGREEMENT FOR A PARKING DEFICIENCY OVER 15 PERCENT AT 145 COLUMBIA

Mayor Munzing opened the public hearing. There were no public comments.

Recommended Action:

1. 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 a Resolution approving Planning Application PA18-035 (CUP) for a conditional use permit to establish a private education use with an alternative parking plan that includes an offsite parking agreement for a parking deficiency over 15 percent at 145 Columbia.

Motion: Councilmember Harrington moved and Councilmember Chun seconded to continue the public hearing to November 18, 2020. Motion carried 5-0.

5.2. ORDINANCE AMENDING TITLE 15 OF THE CITY OF 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 ancillary uses in medical facilities. Mayor Munzing opened the public hearing. There were no public comments. Mayor Munzing closed the public hearing. Councilmembers commented on the matter.

Recommended Action:

1. 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.
2. 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: Councilmember Phillips moved and Mayor Pro Tem Ackley seconded to approve the recommended actions. Motion carried 5-0.

6. DISCUSSION:

6.1. ORDINANCE ADDING CHAPTER 7.60 REQUIRING REPLACEMENT OF TREES REMOVED IN THE CITY

City Manager David Doyle introduced Community Development Director Omar Dadabhoy, who provided an overview. Staff responded to questions regarding permit requirements. Mayor Munzing opened for public comment. City Clerk Mitzi Ortiz entered the following communication into the record:

1. Anton Leo, Pacific Ridge Homeowners Association President, expressed opposition to the matter.
2. Becky Bainer expressed opposition to the matter.
3. Dawn Froeschner expressed opposition to the matter.
4. Sharon Blain expressed opposition to the matter.

There were no other public comments. Councilmembers commented on the matter.

Recommended Action:

1. Declare that the project is exempt from the California Environmental Quality Act ("CEQA") under Section 15308 as the project relates actions related to the protection of the environment; and
2. Introduce an Ordinance entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA ADDING CHAPTER 7.60 TREE REMOVAL AND REPLACEMENT PERMIT TO THE ALISO VIEJO MUNICIPAL CODE.

Motion: Councilmember Harrington moved and Councilmember Phillips seconded to provide direction to staff and continue matter to a future date. Motion carried 5-0.

7. CITY MANAGER' S REPORT:

City Manager David Doyle announced the Drive-Thru Flu Shot Clinic to be held from 10:00 a.m. to 12:00 p.m. on Saturday, November 7, 2020 at the Aliso Viejo Aquatic Center; encouraged residents to visit The Patio at Town Center; and announced availability of financial assistance for residents through partnerships with Family Assistance Ministries and South County Outreach.

8. ANNOUNCEMENTS / COUNCIL COMMENTS / COMMITTEE UPDATES:

Mayor Pro Tem Ackley:

- Commented on anti-bullying efforts

Councilmember Harrington:

- Commented on need for renovations at Iglesia Park Community Center

Councilmember Phillips:

- Encouraged residents to obtain a flu shot

Councilmember Chun:

- Commented on West Nile Virus risk and mosquitos
- Taught class on ethnic heritage at Boys & Girls Club
- Participated in roundtable discussion regarding racism and bullying in schools
- Attended League of California Cities Annual Conference
- Attended Aliso Viejo Chamber of Commerce Networking Breakfast
- Expressed appreciation to staff for tour of the Aliso Viejo Ranch

Mayor Munzing:

- Expressed appreciation for support received during health struggles

9. **ADJOURNMENT:** Mayor Munzing adjourned the meeting at 8:31 p.m. to the regularly scheduled meeting of November 4, 2020.

Respectfully submitted:

Approved by:


MITZI ORTIZ, MMC
CITY CLERK


MIKE MUNZING
MAYOR