

CITY OF ALISO VIEJO
CITY COUNCIL MINUTES
REGULAR MEETING
NOVEMBER 4, 2015, 7:00 P.M.
Council Chambers, City Hall, 12 Journey
Aliso Viejo, California

CALL TO ORDER: Mayor Phillips called the Regular Meeting of the City Council of the City of Aliso Viejo to order at 7:10 pm.

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

ABSENT: COUNCILMEMBER PHILLIP B. TSUNODA

STAFF PRESENT: DAVID A. DOYLE, CITY MANAGER
SCOTT SMITH, CITY ATTORNEY
PAULA GARROW, DEPUTY CITY CLERK
GLENN YASUI, ADMINISTRATIVE SERVICES DIRECTOR
KAREN CROCKER, COMMUNITY SERVICES DIRECTOR
GINA THARANI, FINANCE DIRECTOR
SHAUN PELLETIER, PUBLIC WORKS DIRECTOR / CITY
ENGINEER
MOY YAHYA, ENVIRONMENTAL PROGRAMS MANAGER
LT. JOHN MACPHERSON, CHIEF OF POLICE SERVICES

REPORT ON CLOSED SESSION: City Attorney Scott Smith stated no reportable action was taken during the November 4, 2015 Special Meeting (Closed Session).

PLEDGE OF ALLEGIANCE: Led by Lt. John MacPherson.

SPECIAL PRESENTATIONS:

A. **DROUGHT UPDATE PRESENTED BY THE MOULTON NIGUEL WATER DISTRICT**

Moulton Niguel Water District Assistant General Manager Matthew Collings provided the presentation. Mr. Collings responded to questions regarding rate structure, water usage budget, funding for turf removal and synthetic turf installation.

Councilmember Tsunoda joined the dais at 7:18 p.m. for the remainder of the meeting.

ADDITIONS, DELETIONS, REORDERING TO THE AGENDA

None.

CONSENT CALENDAR ITEM NOS. 1-8: Mayor Phillips asked if any member of the City Council, staff or the public wished to remove an item from the Consent Calendar. Councilmember Harrington requested to remove Item No. 6. There were no additional requests to remove items from the Consent Calendar.

MOTION: COUNCILMEMBER CHUN MOVED AND MAYOR PRO TEM MUNZING SECONDED THE MOTION TO APPROVE CONSENT CALENDAR ITEM NOS. 1-5, 7 AND 8, 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 – OCTOBER 21, 2015 SPECIAL MEETING AND OCTOBER 21, 2015 REGULAR MEETING**

Approved the subject Minutes as submitted.

3. **ACCOUNTS PAYABLE**

1. Ratified accounts payable checks issued October 15, 2015 in the amount of \$455,291.25; and
2. Ratified accounts payable checks issued October 22, 2015 in the amount of \$228,625.51.

4. **TREASURER'S STATEMENT – SEPTEMBER 2015**

Approved the September 2015 Treasurer's Statement.

5. **COMMUNITY FACILITIES DISTRICT NO. 2005-01 (GLENWOOD AT ALISO VIEJO) ANNUAL REPORT FISCAL YEAR 2015/16**

Accepted and filed the Community Facilities District No. 2005-01 (Glenwood at Aliso Viejo) Annual Report for Fiscal Year 2015/16.

6. REQUEST FOR PROPOSALS AND EXPANDED SCOPE OF SERVICES FOR RESIDENTIAL, HOTEL, OFFICE AND RETAIL MARKET STUDIES PERTAINING TO THE ALISO VIEJO TOWN CENTER CONCEPT PLAN

This item was removed from the Consent Calendar.

7. AQUATIC CENTER FENCE IMPROVEMENTS

1. Awarded a contract in the amount of \$122,499 to NR Development, Inc. as the lowest responsible bidder for the Aquatic Center Fence Improvements;
2. Authorized the City to make total compensation to NR Development, Inc. up to \$122,499 plus contingency of \$24,500 (20% of the contract amount) totaling \$146,999; and
3. Authorized the City Manager to execute the contract.

8. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CURB RAMPS PROJECT

1. Awarded a contract in the amount of \$174,400 to HYM Engineering, Inc. as the lowest responsible bidder for the CDBG Curb Ramps Project;
2. Authorized the City Manager to execute a contract with HYM Engineering, Inc.; and
3. Authorized City staff to make total compensation to HYM Engineering, Inc. up to \$174,400 plus \$17,440 (10% of the contract amount) to allow for contingencies, totaling \$191,840.

MOTION CARRIED UNANIMOUSLY

END OF CONSENT CALENDAR

REMOVED FROM CONSENT CALENDAR

6. REQUEST FOR PROPOSALS AND EXPANDED SCOPE OF SERVICES FOR RESIDENTIAL, HOTEL, OFFICE AND RETAIL MARKET STUDIES PERTAINING TO THE ALISO VIEJO TOWN CENTER CONCEPT PLAN

City Manager Dave Doyle presented the staff report. Staff responded to questions regarding recommended action, project budget, sales tax revenue leakage, business retention, development fees and alcohol permits.

MOTION: COUNCILMEMBER CHUN MOVED AND COUNCILMEMBER HARRINGTON SECONDED THE MOTION TO:

1. APPROVE THE REQUEST FOR PROPOSAL (RFP) FOR RESIDENTIAL AND HOTEL MARKET STUDIES;

2. APPROVE THE EXPANDED SCOPE OF SERVICES RFP FOR OFFICE AND RETAIL MARKET STUDIES TO BE PREPARED BY STANLEY R. HOFFMAN ASSOCIATES AND GREG STOFFEL & ASSOCIATES; AND
3. AUTHORIZE STAFF TO SOLICIT AND RECEIVE PROPOSALS FOR RESIDENTIAL, HOTEL, OFFICE AND RETAIL MARKET STUDIES.

MOTION CARRIED UNANIMOUSLY

DISCUSSION ITEM NOS. 9-11

9. AGREEMENT WITH THIRTIETH STREET ARCHITECTS, INC. FOR ALISO VIEJO RANCH ARCHITECTURAL DESIGN SERVICES

City Manager David Doyle presented the staff report. Staff responded to questions regarding project timeline.

MOTION: MAYOR PRO TEM MUNZING MOVED AND COUNCILMEMBER HARRINGTON SECONDED THE MOTION TO:

1. APPROVE THE AGREEMENT WITH THIRTIETH STREET ARCHITECTS, INC. FOR ARCHITECTURAL DESIGN SERVICES RELATING TO ALISO VIEJO RANCH;
2. AUTHORIZE THE CITY MANAGER TO EXECUTE SAID AGREEMENT; AND
3. AUTHORIZE STAFF TO MAKE TOTAL COMPENSATION TO THIRTIETH STREET ARCHITECTS, INC. FOR AN AMOUNT NO TO EXCEED \$50,000 WHICH IS COMPRISED OF \$31,500 FOR PROFESSIONAL SERVICE FEES AND REIMBURSABLE EXPENSES PLUS \$18,500 TO ALLOW FOR CONTINGENCIES.

MOTION CARRIED UNANIMOUSLY

10. AMENDMENT TO WATER EFFICIENT LANDSCAPE ORDINANCE

City Manager David Doyle introduced Shaun Pelletier, who provided the staff report. Staff responded to questions regarding state mandate.

MOTION: COUNCILMEMBER CHUN MOVED AND COUNCILMEMBER HARRINGTON SECONDED THE MOTION TO INTRODUCE AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO AMENDING DIVISION 5 OF TITLE 4 OF THE ORANGE COUNTY CODE, AS ADOPTED BY THE CITY OF ALISO VIEJO, BY AMENDING ARTICLE 3 OF THE CITY OF ALISO VIEJO MUNICIPAL CODE REGARDING WATER EFFICIENT LANDSCAPE REGULATIONS AND GUIDELINES TO COMPLY WITH

UPDATED WATER EFFICIENT LANDSCAPE REQUIREMENTS IMPOSED BY THE CALIFORNIA DEPARTMENT OF WATER RESOURCES.

MOTION CARRIED UNANIMOUSLY

11. **LOCAL IMPLEMENTING REGULATIONS REGARDING MEDICAL CANNABIS USES AND INTERIM MORATORIUM ORDINANCE**

City Manager David Doyle provided the staff report. City Attorney Scott Smith provided additional information. Staff responded to questions regarding deadline for regulation adoption.

MOTION: COUNCILMEMBER CHUN MOVED AND COUNCILMEMBER HARRINGTON SECONDED THE MOTION TO:

1. **RECEIVE A REPORT ON NEW STATE LEGISLATION SPECIFICALLY AUTHORIZING LOCAL REGULATION OF MEDICAL CANNABIS USES;**
2. **ADOPT AN ORDINANCE ENTITLED:**

AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF ALISO VIEJO, CALIFORNIA, ENACTED PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65858 ESTABLISHING A TEMPORARY MORATORIUM ON CANNABIS DISPENSARIES, CANNABIS MANUFACTURERS, AND THE CULTIVATION AND DELIVERY OF CANNABIS PENDING THE COMPLETION OF STUDIES AND THE PREPARATION OF AN UPDATE TO THE CITY'S MUNICIPAL AND ZONING CODES; AND

3. **DIRECT THE DEVELOPMENT OF LONG-TERM REGULATION AND / OR BANS OF CANNABIS DISPENSARIES, CULTIVATION, TRANSPORTATION, AND DISTRIBUTION.**

MOTION CARRIED UNANIMOUSLY

COMMUNITY INPUT:

None.

CITY MANAGER'S REPORT

City Manager David Doyle encouraged attendance at Irvine Ranch Heritage Day to be held from 10:00 a.m. to 2:00 p.m. on Saturday, November 21, 2015 at Irvine Ranch Historic Park.

ANNOUNCEMENTS / COUNCIL COMMENTS / COMMITTEE UPDATES

Council Member Harrington:

- Attended Orange County Business Council Economic Forecast Conference
- Attended ACC-OC Legislative and Regulatory Committee Meeting
- Attended Connecting Women to Power Conference

Council Member Tsunoda: None

Council Member Chun:

- Attended South Orange County Economic Coalition Governmental Affairs Meeting
- Attended ACC-OC Meeting
- Attended SCAG Energy Policy Committee Meeting
- Participated in Canyon Vista Elementary Walk to School Event
- Attended TCA Finance and Investment Committee Meeting
- Attended TCA Toll Operations Committee Meeting
- Attended TCA / OCTA Board Leadership Meeting
- Attended two CUSD community engagement meetings
- Attended Orange County Business Council Economic Forecast Conference
- Attended tours of Irvine Ranch Historic Park and Heritage Hill Historical Park

Mayor Pro Tem Munzing:


- Attended South Orange County Economic Coalition Governmental Affairs Meeting
- Attended SCAG Energy and Environment Meeting
- Attended Orange County Taxpayers Association Luncheon
- Attended tours of Irvine Ranch Historic Park and Heritage Hill Historical Park
- Attended Aliso Viejo Chamber of Commerce Breakfast
- Attended Connecting Women to Power Conference

Mayor Phillips:

- Attended Quarterly Library Advisory Board Meeting


ADJOURNMENT: Mayor Phillips adjourned the meeting at 8:10 p.m. to the next regularly scheduled meeting of November 18, 2015.

Respectfully submitted:



PAULA GARROW
DEPUTY CITY CLERK

Approved by:



WILLIAM A. PHILLIPS
MAYOR