

CITY OF ALISO VIEJO
CITY COUNCIL MINUTES
REGULAR MEETING
July 21, 2021, 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 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 TIFFANY ACKLEY (*via teleconference*)
MAYOR PRO TEM ROSS CHUN (*via teleconference*)
COUNCILMEMBER DAVID C. HARRINGTON (ARRIVED AT 7:03
P.M.) (*via teleconference*)
COUNCILMEMBER RICHARD W. HURT (*via teleconference*)
COUNCILMEMBER MIKE MUNZING (*via teleconference*)

ABSENT: NONE

STAFF PRESENT: DAVID A. DOYLE, CITY MANAGER
HONGDAO NGUYEN, ASSISTANT CITY ATTORNEY
MITZI ORTIZ, CITY CLERK
SEA SHELTON, INTERIM FINANCIAL SERVICES DIRECTOR / HUMAN
RESOURCES MANAGER
SHAUN PELLETIER, PUBLIC WORKS DIRECTOR
OMAR DADABHOY, COMMUNITY DEVELOPMENT DIRECTOR
JENNIFER LOWE, SENIOR PLANNER
STEPHANIE PHILLIPS, RECREATION & COMMUNITY SERVICES
DIRECTOR
ISAAC AZIZ, INFORMATION TECHNOLOGY MANAGER
CAPT. CHAD KAJFASZ, CHIEF OF POLICE SERVICES

PLEDGE OF ALLEGIANCE: City Clerk Mitzi Ortiz led the pledge of allegiance.

1. SPECIAL PRESENTATIONS:

None.

2. ADDITIONS, DELETIONS, REORDERING TO THE AGENDA:

None.

3. COMMUNITY INPUT:

City Clerk Mitzi Ortiz entered the following communication into the record:

1. Marlene Lewis expressed concern regarding nuisance reporting procedures for barking dogs.

4. CONSENT CALENDAR:

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

Motion: Mayor Pro Tem Chun moved and Councilmember Hurt 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

Recommended Action: Approve the Minutes as submitted for the June 2, 2021 Special Meeting and June 2, 2021 Regular Meeting.

4.3. ACCOUNTS PAYABLE

Recommended Action:

1. Ratify accounts payable checks and electronic funds transfers issued May 20, 2021 in the amount of \$205,894.33;
2. Ratify accounts payable checks and electronic funds transfers issued May 27, 2021 in the amount of \$241,488.40;
3. Ratify accounts payable checks and electronic funds transfers issued June 10, 2021 in the amount of \$621,652.91; and
4. Ratify accounts payable checks and electronic funds transfers issued June 24, 2021 in the amount of \$611,244.55.

4.4. TREASURER'S STATEMENTS – APRIL AND MAY 2021

Recommended Action: Approve April and May 2021 Treasurer's Statements.

4.5. RESOLUTION OF COMMUNITY FACILITIES DISTRICT NO. 2005-01 (GLENWOOD AT ALISO VIEJO) AUTHORIZING THE ANNUAL LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2021-22

Recommended Action: Adopt Resolution No. 2021-20, a resolution 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 special taxes for fiscal year 2021-22.

4.6. OCTA COOPERATIVE AGREEMENT AND AGREEMENT AMENDMENT WITH CABCO YELLOW, INC. FOR SENIOR TRANSPORTATION SERVICES

Recommended Action:

1. Approve and authorize the City Manager to execute a five-year cooperative agreement with an optional five-year extension with OCTA to receive Measure M2 Senior Mobility Funds for senior transportation services; and
2. Approve and authorize the City Manager to execute a one-year agreement amendment to continue senior transportation services with Cabco Yellow, Inc.

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

4.7. APPROVE AUTHORIZED AGENTS TO SIGN FOR EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) FOR THREE YEARS

Recommended Action: Approve and adopt the California Office of Emergency Services' Governing Body Resolution No. 2021-21 designating the City Manager, Director of Financial Services, and Chief of Police Services as authorized agents to execute for and on behalf of the City of Aliso Viejo for the purposes of obtaining federal financial assistance provided by the Department of Homeland Security and subgranted through the State of California for the Emergency Management Performance Grant (EMPG) for three years.

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

Recommended Action: Designate Mayor Pro Tem Ross Chun as voting delegate for the League of California Cities Annual Business Meeting to be held on September 24, 2021.

4.9. ADOPTION OF THE REVISED FISCAL YEAR 2021-2022 ANNUAL ACTION PLAN FOR EXPENDITURES OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS

Recommended Action:

1. Approve and adopt the Revised FY 2021-2022 Annual Action Plan for the use of Community Development Block Grant funds; and
2. Authorize the City Manager to submit the Revised Action Plan to the U.S. Department of Housing and Urban Development ("HUD"), which executes the HUD contract and authorize the City Manager to submit all related documents with the implementation of the Action Plan.

5. **PUBLIC HEARINGS:**

5.1. **APPROVE THE SECOND AMENDMENT TO THE FY 2020-2021 ANNUAL ACTION PLAN SUBSTANTIAL AMENDMENT FOR THE PROPOSED USE OF COMMUNITY DEVELOPMENT BLOCK GRANT - CORONAVIRUS (CDBG-CV) FUNDS**

City Manager David Doyle introduced Senior Planner Jennifer Lowe, who provided an overview. Mayor Ackley opened the public hearing and there were no speakers. Mayor Ackley closed the public hearing. Councilmembers commented on the matter.

Recommended Action:

1. Conduct a public hearing;
2. Declare the City Council finds the Second Amendment to the FY 2020-2021 Annual Action Plan Substantial Amendment is not subject to the California Environmental Quality Act ("CEQA") as the activity is not a project defined in Section 15378(b)(5) of the state CEQA Guidelines;
3. Approve and adopt the Second Amendment to the FY 2020-2021 Annual Action Plan Substantial Amendment for the use of Community Development Block Grant-Coronavirus ("CDBG-CV") funds; and
4. Authorize the City Manager to submit the Second Amendment to the FY 2020-2021 Annual Action Plan Substantial Amendment to the U.S. Department of Housing and Urban Development ("HUD") and to execute the HUD contract and authorize the City Manager to submit all related documents with the implementation of the Action Plan Substantial Amendment.

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

6. **DISCUSSION:**

6.1. **BALLOT MEASURE FOR NOVEMBER 8, 2022 GENERAL MUNICIPAL ELECTION FOR THE ADOPTION OF AN ORDINANCE ESTABLISHING TERM LIMITS FOR MEMBERS OF THE CITY COUNCIL**

Assistant City Attorney HongDao Nguyen provided an overview.

Recommended Action: Consider a resolution for a ballot measure for the November 8, 2022 General Municipal Election adopting an ordinance establishing term limits for members of the City Council.

Motion: Council consensus directed staff to combine Discussion Items 6.1 and 6.2 for consideration. *See Discussion Item 6.2 for action taken.*

6.2. **BALLOT MEASURE FOR NOVEMBER 8, 2022 GENERAL MUNICIPAL ELECTION FOR THE ADOPTION OF A CHARTER ESTABLISHING TERM LIMITS FOR MEMBERS OF THE CITY COUNCIL**

Assistant City Attorney HongDao Nguyen provided an overview. City Clerk Mitzi Ortiz provided additional information. Staff responded to questions regarding term limits for incumbents, filling of City Council vacancies, applying term limits retroactively, rescinding of term limits, single-item charter, and upcoming election deadlines. City Council discussion ensued.

Recommended Action:

1. Consider placing a single-subject term limit charter on the ballot for the 2022 general election, and if Council wishes to proceed;
2. Instruct staff to set and notice a first and second hearing on a resolution placing on the November 8, 2022 ballot an Aliso Viejo charter establishing term limits for members of the City Council.

Motion: Mayor Ackley moved and Councilmember Harrington seconded to combine and continue Discussion Items 6.1 and 6.2, and directing staff to revise the charter to apply retroactively to terms beginning in 2018 and requiring filling of City Council vacancies by special election. Motion carried 5-0.

6.3. SCOPE OF CITY COUNCIL MEMBER AUTHORITY (CHUN)

Councilmember Chun provided an overview. City Council discussion ensued.

Recommended Action: City Council Members discuss and define the scope of authority of City Council Members and update the Municipal Code if necessary.

No further action was taken.

6.4. FACILITY USE POLICY (CHUN)

Councilmember Chun provided an overview. City Manager David Doyle responded to questions regarding tours and facility use of Aliso Viejo Ranch. City Council discussion ensued.

Recommended Action: The City Council reviews the current Facility Use Policy for the Aliso Viejo Ranch and clarifies any restrictions by providing additional language or removing any ambiguous statements about the use of the site, rental costs and scheduling requirements.

No further action was taken.

6.5. RESULTS OF PUBLIC RECORDS REQUESTS (CHUN)

Councilmember Chun provided an overview. City Manager David Doyle and City Clerk Mitzi Ortiz responded to questions regarding records requests received and fulfilled, receipt of public comments, and processing of records requests. City Council discussion ensued.

Recommended Action:

1. Confirm that all public records requests have been fulfilled.
2. Provide the City Council with an update on any pending requests.
3. Provide the City Council with an explanation of the manner in which requestors were notified and a description of the process that was followed in providing the data requested by the public.

No further action was taken.

7. CITY MANAGER' S REPORT:

City Manager David Doyle expressed appreciation to staff.

8. ANNOUNCEMENTS / COUNCIL COMMENTS / COMMITTEE UPDATES:

Councilmember Munzing:

- Expressed appreciation to staff for the 4th of July Community Parade and Celebration

Councilmember Hurt:

- Attended Orange County Mosquito Vector Control District Workshop
- Attended Southern California Edison workshops

Councilmember Harrington:

- Obtained Council consensus for study of bike lane and sidewalk barriers on certain streets
- Expressed appreciation to staff

Mayor Pro Tem Chun:

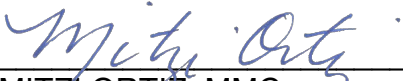
- Commented on importance of Orange County Mosquito and Vector Control District
- Commented on naming of Aliso Niguel High School STEM building
- Attended League of California Cities Board of Directors Meeting
- Presented at Belmont Village on ethnic heritage and cultural music
- Attended Southern California Edison Government Advisory Panel Meeting
- Submitted in writing:
 - Attended Aliso Viejo Chamber of Commerce Networking Breakfast
 - Met with Belmont Village and Aliso Ridge Behavioral Health on mental health support services for schools
 - Met with OCFA on wildfire mitigation, community engagement and equity
 - Attended SCAG Transportation Committee Meeting
 - Participated in Aliso Niguel High School Dance Team Car Wash
 - Attended League of California Cities Audit Committee Meeting
 - Attended ACC-OC Soirée Social Mixer
 - Attended Aliso Viejo Chamber of Commerce Networking Mixer
 - Attended League of California Cities Governance Advisory Committee Meeting
 - Requested e-bike safety report from City Manager

Mayor Ackley: None

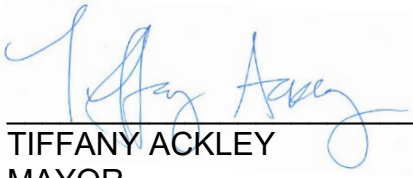
9. **ADJOURNMENT:** Mayor Ackley adjourned the meeting at 8:54 p.m. to the regularly scheduled meeting of August 4, 2021.

Respectfully submitted:

Approved by:



MITZI ORTIZ, MMC
CITY CLERK



TIFFANY ACKLEY
MAYOR