

CITY OF ALISO VIEJO
CITY COUNCIL MINUTES
REGULAR MEETING
June 6, 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 7:18 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
JENNIFER LOWE, SENIOR PLANNER
ISAAC AZIZ, INFORMATION TECHNOLOGY MANAGER
STEPHANIE BROWN, COMMUNITY SERVICES MANAGER
LT. CHAD KAJFASZ, CHIEF OF POLICE SERVICES
BRETT GARDNER, ADMINISTRATIVE SERGEANT

PLEDGE OF ALLEGIANCE: Troop 700 led the pledge of allegiance.

SPECIAL PRESENTATION:

A. **PRESENTATION OF PLAQUE TO COMMUNITY SERVICES SUPERVISOR
GRACIE DURAN ON HER RETIREMENT**

Mayor Harrington presented Gracie Duran with a plaque in honor of her retirement. Councilmembers expressed appreciation for her years of service to the City of Aliso Viejo. Ms. Duran expressed her appreciation for the recognition.

B. PRESENTATION OF PLAQUES TO TARGET AND CHICK-FIL-A

Mayor Harrington introduced Chief of Police Services Lt. Chad Kajfasz and Administrative Sergeant Brett Gardner. Lt. Kajfasz expressed appreciation and presented Target Store Team Leader Jim Miller with a proclamation on behalf of the Orange County Sheriff's Department and Aliso Viejo Police Services. Mayor Harrington presented plaques to Target Store Team Leader Jim Miller and Chick-fil-A Owner/Operator Philip Myers for their support and generosity to first responders and the community. Mr. Miller and Mr. Myers expressed their appreciation to the first responders and for the opportunity to assist.

C. PRESENTATION TO FEATURED BUSINESS OF THE MONTH MICROVENTION

Mayor Harrington presented a Certificate of Recognition to President and CEO Rich Cappetta. Mr. Cappetta expressed his appreciation. Also in attendance were Cherie Henket, Senior Vice President, Global Human Resources; Cathy Demyanovich, Senior Director, Corporate Communications; and Chris Randby, Communications Specialist.

ADDITIONS, DELETIONS, REORDERING TO THE AGENDA

None.

COMMUNITY INPUT:

1. Juan Gonzalez, Southern California Gas Company, introduced himself as the new Public Affairs Manager.
2. David Bendall expressed concern with the City's involvement in SB 54 litigation, and gun-related deaths.

CONSENT CALENDAR ITEM NOS. 1-13:

Mayor Harrington asked if any member of the City Council, staff or the public wished to remove an item from the Consent Calendar. Councilmember Phillips requested the removal of Item No. 7, Mayor Pro Tem Chun requested the removal of Item No. 13 and Mayor Harrington requested the removal of Item No. 9. There were no additional requests to remove items from the Consent Calendar.

MOTION: COUNCILMEMBER PHILLIPS MOVED AND COUNCILMEMBER MUNZING SECONDED TO APPROVE CONSENT CALENDAR ITEMS 1-6, 8, AND 10-12 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 – MAY 16, 2018 SPECIAL MEETING AND MAY 16, 2018 REGULAR MEETING

Approved the subject Minutes as submitted.

3. ACCOUNTS PAYABLE

1. Ratified accounts payable checks issued May 3, 2018 in the amount of \$91,102.52; and
2. Ratified accounts payable checks and electronic funds transfers issued May 10, 2018 in the amount of \$814,970.28.

4. TREASURER'S STATEMENT – APRIL 2018

Approved the April 2018 Treasurer's Statement.

5. APPROPRIATIONS LIMIT – FISCAL YEAR 2018-19

Adopted Resolution No. 2018-16 setting the Proposition 4 (Gann) Appropriations Limit for Fiscal Year 2018-19 for the City of Aliso Viejo at \$42,360,292 utilizing 34.24% of this limit in FY 2018-19.

6. COMMUNITY ASSISTANCE GRANT FUNDING – FISCAL YEAR 2018-19

Authorized the award of \$25,000 in Community Assistance Grant funds as part of the City's FY 2018-19 Budget and authorize staff to notify all grant recipients that beginning in Fiscal Year 2019-20, the City may not continue with the Community Grant program.

7. AGREEMENT FOR PROFESSIONAL COMMUNITY RELATIONS SERVICES – KT COMMUNITY RELATIONS

This item was removed from the Consent Calendar.

8. AWARD AGREEMENT TO TEAM ONE MANAGEMENT FOR JANITORIAL SERVICES

1. Approved an agreement with Team One Management for janitorial services at City Hall, Iglesia Park Community Center, Aliso Viejo Center and Aquatics Center; and
2. Authorized the City Manager to enter into a Professional Services Agreement with Team One Management for janitorial services.

9. SIXTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH URBANUS GROUP, LLC FOR PLANNING CONSULTANT SERVICES

This item was removed from the Consent Calendar.

10. AWARD CONTRACT TO ALL AMERICAN ASPHALT FOR THE ALISO CREEK ROAD REHABILITATION FROM ALISO VIEJO PARKWAY TO SR-73

1. Approved Contract Documents, Specifications and Plans for Aliso Creek Road Rehabilitation – Aliso Viejo Parkway to SR-73;
2. Awarded a Contract in the amount of \$657,770 to All American Asphalt as the lowest responsible bidder for the Aliso Creek Road Rehabilitation – Aliso Viejo Parkway to SR-73;
3. Authorized the City Manager to execute a Contract with All American Asphalt; and
4. Authorized City staff to make total compensation to All American Asphalt up to \$657,770 plus \$65,777 (10% of the contract amount) to allow for contingencies, totaling \$723,547.

11. RENEWED MEASURE M ELIGIBILITY – 7-YEAR CIP & PAVEMENT MANAGEMENT PLAN

1. Adopted a 7-Year Capital Improvements Program (CIP) for Street Projects; and
2. Adopted Resolution No. 2018-17 concerning the status of the Pavement Management Plan.

12. BIENNIAL REVIEW OF THE CITY'S CONFLICT OF INTEREST CODE

Directed staff to review the City's Conflict of Interest Code for updates and submit its findings to Council by October 1, 2018.

13. ALISO NIGUEL HIGH SCHOOL GRADUATION EXPENDITURE

This item was removed from the Consent Calendar.

MOTION CARRIED UNANIMOUSLY

END OF CONSENT CALENDAR

REMOVED FROM CONSENT CALENDAR

7. AGREEMENT FOR PROFESSIONAL COMMUNITY RELATIONS SERVICES – KT COMMUNITY RELATIONS

Councilmember Phillips commented on the high level of service provided by KT Communications and asked staff to consider options for when the consultant is unavailable.

MOTION: COUNCILMEMBER PHILLIPS MOVED AND COUNCILMEMBER MUNZING SECONDED TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE PROFESSIONAL SERVICES AGREEMENT WITH KT COMMUNICATIONS FOR COMMUNITY RELATIONS SERVICES.

MOTION CARRIED UNANIMOUSLY

9. **SIXTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH URBANUS GROUP, LLC FOR PLANNING CONSULTANT SERVICES**

City Manager David Doyle and Community Services Director Omar Dadabhoj responded to questions regarding the scope of services, the future of the Aliso Viejo Town Center project and the reason for amendments.

MOTION: MAYOR HARRINGTON MOVED AND MAYOR PRO TEM CHUN SECONDED TO APPROVE AND AUTHORIZED THE CITY MANAGER TO EXECUTE A SIXTH AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH URBANUS GROUP, LLC FOR PLANNING CONSULTANT SERVICES TO INCREASE THE TOTAL COMPENSATION BY AN AMOUNT NOT TO EXCEED \$75,000 AND EXTEND THE TERM OF THE CONTRACT TO JUNE 30, 2020.

MOTION CARRIED UNANIMOUSLY

13. **ALISO NIGUEL HIGH SCHOOL GRADUATION EXPENDITURE**

City Manager David Doyle responded to questions regarding allocation of funds, budget line items, cost estimate, timing of the item and work scheduled. Mayor Harrington opened for public comments and the following persons spoke:

1. David Bendall requested clarification regarding need for Council to approve expenditure.
2. Julie Colombero expressed concern with the timing of the item and commented on City's communications with the high school.
3. Tiffany Ackley expressed support for approval of the item.

There were no other speakers.

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

1. **AUTHORIZE CITY MANAGER TO PROVIDE CITY SERVICES TO CAPISTRANO UNIFIED SCHOOL DISTRICT IN THE AMOUNT OF \$7,500 FOR TRAFFIC CONTROL EQUIPMENT AND CONTRACT LABOR COSTS ASSOCIATED WITH GRADUATION CEREMONIES AT ALISO NIGUEL HIGH SCHOOL; AND**

2. AMEND THE FY 2018-19 BUDGET TO INCLUDE A SPECIFIC LINE ITEM IDENTIFYING THIS EXPENSE.

MOTION CARRIED UNANIMOUSLY

PUBLIC HEARING ITEM NOS. 14-16:

14. INTRODUCTION OF AN ORDINANCE AMENDING THE ALISO VIEJO MUNICIPAL CODE RELATED TO THE FOLLOWING CODE CHAPTERS: 15.10 RESIDENTIAL DISTRICTS; 15.18 NON-RESIDENTIAL DISTRICTS; 15.22 SUPPLEMENTAL NONRESIDENTIAL REGULATIONS, 15.26 SPECIAL PURPOSE DISTRICTS; 15.38 PARKING; 15.94 DEFINITIONS; AND ZONING CODE APPENDIX A REQUIREMENTS FOR CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

City Manager David Doyle provided the staff report. Staff responded to questions regarding timing of next hearing. Mayor Harrington opened the public hearing and there were no speakers. Mayor Harrington closed the public hearing.

MOTION: COUNCILMEMBER MUNZING MOVED AND COUNCILMEMBER PHILLIPS SECONDED TO CONTINUE THE ITEM TO A DATE UNCERTAIN.

MOTION CARRIED UNANIMOUSLY

15. PLANNING APPLICATION PA18-007 (EXT) – A REQUEST FOR A ONE-YEAR EXTENSION FOR PLANNING APPLICATION PA15-039 (SDP/CUP) FOR THE PROPERTIES LOCATED AT 400, 500, 600, AND 700 FREEDOM LANE

This item was combined with Public Hearing Item No. 16.

16. PLANNING APPLICATION PA18-008 (EXT) – A REQUEST FOR A ONE-YEAR EXTENSION FOR PLANNING APPLICATION PA15-039 (SDP/CUP) FOR THE PROPERTY LOCATED AT 800 FREEDOM LANE

City Manager David Doyle introduced Senior Planner Erica Roess, who provided the staff report. Community Development Director Omar Dadabhoy provided additional information. Staff responded to questions regarding extension and future of projects. Mayor Harrington opened both public hearings and the following persons spoke:

1. David Ball, CT Realty, requested approval of the extension.
2. Gretchen Siemers, Kaiser Permanente, requested approval of the extension.
3. David Bendall requested more information regarding proposed projects.
4. Dan Baldwin, requested clarification on whether the project will include an overnight psychiatric facility.

5. Amie Hoffman / Scarlett Treviso expressed concern regarding community impact, safety and security costs, issues with USA Properties, trespassing, and problem starting a neighborhood watch program.
6. Deborah Kelly expressed concern with the construction impacts and building height.
7. Sagyam Hota expressed concern with school district buses in the area.

City Manager David Doyle and City Attorney Scott Smith responded to additional questions regarding bus complaints, project conditions of approval and call up of future project approvals. There were no other speakers. Mayor Harrington closed the public hearing.

MOTION: MAYOR PRO TEM CHUN MOVED AND COUNCILMEMBER MUNZING SECONDED TO APPROVE ITEM NOS. 15 AND 16 AS FOLLOWS:

PUBLIC HEARING ITEM NO. 15

1. **CONDUCTED A PUBLIC HEARING;**
2. **MADE A DETERMINATION THAT THE ENVIRONMENTAL EFFECTS OF THE PROJECT HAVE BEEN PREVIOUSLY ASSESSED IN CONJUNCTION WITH THE FINAL ENVIRONMENTAL IMPACT REPORT (FEIR) FOR THE 2004 ALISO VIEJO GENERAL PLAN (STATE CLEARINGHOUSE #2003101060), AS UPDATED BY THE ADDENDUM TO THE FEIR PREPARED FOR THE 2013 HOUSING ELEMENT AND THE ADDENDUM TO THE FEIR PREPARED FOR THE 4 LIBERTY PROJECT, AND THAT UNDER PUBLIC RESOURCES CODE, SECTION 21166 AND STATE CEQA GUIDELINES, SECTION 15162, NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED FOR THE PROPOSED ONE-YEAR EXTENSION OF PLANNING APPLICATION PA15-039 (SDP/CUP); AND**
3. **ADOPTED RESOLUTION NO. 2018-18 APPROVING A ONE-YEAR EXTENSION TO PLANNING APPLICATION PA15-039 (SDP/CUP) FOR THE PROPERTIES LOCATED AT 400, 500, 600, AND 700 FREEDOM LANE.**

PUBLIC HEARING ITEM NO. 16

1. **CONDUCTED A PUBLIC HEARING;**
2. **MADE A DETERMINATION THAT THE ENVIRONMENTAL EFFECTS OF THE PROJECT HAVE BEEN PREVIOUSLY ASSESSED IN CONJUNCTION WITH THE FINAL ENVIRONMENTAL IMPACT REPORT (FEIR) FOR THE 2004 ALISO VIEJO GENERAL PLAN (STATE CLEARINGHOUSE #2003101060), AS UPDATED BY THE ADDENDUM TO THE FEIR PREPARED FOR THE 2013 HOUSING ELEMENT AND THE ADDENDUM TO THE FEIR PREPARED FOR THE 4 LIBERTY PROJECT, AND THAT UNDER PUBLIC RESOURCES CODE, SECTION 21166 AND STATE CEQA GUIDELINES, SECTION 15162, NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED FOR THE PROPOSED ONE-YEAR EXTENSION OF PLANNING APPLICATION PA15-039 (SDP/CUP); AND**

3. ADOPTED RESOLUTION NO. 2018-19 APPROVING A ONE-YEAR EXTENSION TO PLANNING APPLICATION PA15-039 (SDP/CUP) FOR THE PROPERTY LOCATED AT 800 FREEDOM LANE.

MOTION CARRIED UNANIMOUSLY

DISCUSSION ITEM NOS. 17-19:

17. **REQUEST TO APPROVE PLANNING APPLICATION PA18-005 (MSP) FOR A MASTER SIGN PERMIT TO ESTABLISH A PLANNED SIGN PROGRAM CONSISTENT WITH THE REBRANDING OF AN EXISTING OFFICE CAMPUS AS "ELEMENT"**

City Manager David Doyle introduced Senior Planner Jennifer Lowe, who provided the staff report. Mayor Harrington opened for public comment and the following persons spoke:

1. James Wong, SAA, commented on the project.
2. John Drachman, Stillwater Investment Group, commented on the project.

There were no other speakers.

MOTION: COUNCILMEMBER PHILLIPS MOVED AND COUNCILMEMBER MUNZING SECONDED TO ADOPT RESOLUTION NO. 2018-20 TO APPROVE PLANNING APPLICATION PA18-005 (MSP) FOR A MASTER SIGN PERMIT TO ESTABLISH A PLANNED SIGN PROGRAM CONSISTENT WITH THE REBRANDING OF AN EXISTING OFFICE CAMPUS AS THE "ELEMENT".

MOTION CARRIED UNANIMOUSLY

18. **LAW ENFORCEMENT SERVICES AGREEMENTS FOR FY 2018-2019**

City Manager David Doyle provided the staff report. Staff responded to questions regarding law enforcement services study, crossing guard cost increase and staffing and school resource officers. Mayor Harrington opened for public comment and the following person spoke:

1. Julie Colombero commented on school resource officers and expressed appreciation for crossing guards.

There were no other speakers.

MOTION: COUNCILMEMBER PHILLIPS MOVED AND COUNCILMEMBER MUNZING SECONDED TO:

1. AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT WITH THE COUNTY OF ORANGE FOR FY 2018-2019 LAW ENFORCEMENT SERVICES; AND
2. AUTHORIZE THE CITY MANAGER TO EXECUTE THE AMENDMENT TO AGREEMENT WITH ALL CITY MANAGEMENT SERVICES, INC. FOR PROVIDING SCHOOL CROSSING GUARD SERVICES.

MOTION CARRIED UNANIMOUSLY

19. CLASSIFICATION AND COMPENSATION STUDY

City Manager David Doyle introduced Administrative Services Director Glenn Yasui, who provided the staff report. Staff responded to questions regarding competitiveness of salaries, increase to leave time and out-of-market positions.

MOTION: MAYOR PRO TEM CHUN MOVED AND COUNCILMEMBER MUNZING SECONDED TO ADOPT RESOLUTION NO. 2018-21 UPDATING THE CLASSIFICATION AND COMPENSATION PLAN TO INCLUDE THE FOLLOWING ELEMENTS, EFFECTIVE JULY 1, 2018:

1. IMPLEMENT UPDATED SALARY RANGES TO REFLECT THE CURRENT LABOR MARKET AND ACHIEVE INTERNAL EQUITY;
2. INCREASE SALARY RANGES AND EMPLOYEE SALARIES ON JULY 1ST OF EACH YEAR USING THE ANNUAL CONSUMER PRICE INDEX, URBAN WAGE EARNERS AND CLERICAL WORKERS, LOS ANGELES-RIVERSIDE-ORANGE COUNTIES;
3. CONTINUE TO PROVIDE MERIT BASED SALARY ADJUSTMENTS TO EMPLOYEES ON THEIR ANNIVERSARY DATES USING THE CITY'S PAY-FOR-PERFORMANCE PLAN;
4. REVISE THE COMPREHENSIVE ANNUAL LEAVE PAN TO PROVIDE ADDITIONAL LEAVE ACCRUAL BASED ON 15 OR MORE YEARS OF SERVICE; AND
5. RESCIND RESOLUTION NO. 2002-012 RELATING TO ADOPTING A CLASSIFICATION AND COMPENSATION SYSTEM.

MOTION CARRIED UNANIMOUSLY

CITY MANAGER'S REPORT

City Manager David Doyle announced registration for Summer Camps and recreation classes; encouraged residents to follow the City on Facebook, Twitter, Instagram and Nextdoor; and commented on recent wildfire.

ANNOUNCEMENTS / COUNCIL COMMENTS / COMMITTEE UPDATES

Councilmember Munzing:

- Expressed appreciation to OCFA for response to wildfire
- Submitted in writing:
 - Attended TCA Joint Operations and Finance Committee Meeting
 - Attended Annual Memorial Day Observance
 - Attended Aliso Viejo Chamber of Commerce After Hours Event

Councilmember Phillips:

- Expressed appreciation to first responders for response to wildfire
- Attended International Council of Shopping Centers Convention

Councilmember Tsunoda:

- Requested information regarding music at Aquatic Center

Mayor Pro Tem Chun:

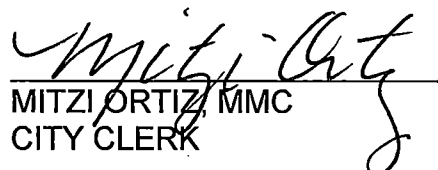
- Expressed appreciation to first responders, AVCA, Red Cross, CUSD, City staff and community partners for response to wildfire
- Congratulated Alicia Turner, Community Leader Scholarship recipient

Mayor Harrington:

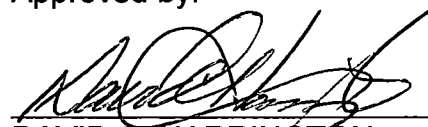
- Invited OCFA Division Chief Jeff Adams to provide overview of wildfire response
- Requested compilation of community resources for disaster response
- Submitted in writing:
 - Attended City Selection Committee Meeting
 - Attended ACC-OC Legislative and Regulatory Committee Meeting
 - Attended OCFA Board of Directors Meeting
 - Attended South Orange County Economic Coalition Meeting
 - Attended Annual Memorial Day Observance
 - Attended Orange County Fair OC Cities Breakfast
 - Attended League of California Cities Homelessness Symposium
 - Attended Orange County Peace Officers Memorial Ceremony
 - Attended Orange County Business Council Election Day Luncheon

ADJOURNMENT: Mayor Harrington adjourned the meeting in honor of the invasion of Normandy at 10:14 p.m. to the adjourned regular meeting of June 13, 2018 at 6:30 p.m.

Respectfully submitted:


MITZI ORTIZ, MMC
CITY CLERK

Approved by:


DAVID C. HARRINGTON
MAYOR