

CITY OF ALISO VIEJO
CITY COUNCIL MINUTES
REGULAR MEETING
April 7, 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 *(via teleconference)*
COUNCILMEMBER RICHARD W. HURT *(via teleconference)*
COUNCILMEMBER MIKE MUNZING *(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
DIRECTOR
SEA SHELTON, HUMAN RESOURCES MANAGER
ISAAC AZIZ, INFORMATION TECHNOLOGY MANAGER
LT. CHAD KAJFASZ, CHIEF OF POLICE SERVICES

PLEDGE OF ALLEGIANCE: City Manager David Doyle led the pledge of allegiance.

1. SPECIAL PRESENTATIONS:

1.1. FEATURED BUSINESS OF THE MONTH – TELLES HAIR

Mayor Ackley introduced the Featured Business of the Month video.

1.2. PROCLAMATION - FAIR HOUSING MONTH

Mayor Ackley presented the Fair Housing Month Proclamation.

1.3. PROCLAMATION - DMV / DONATE LIFE CALIFORNIA MONTH

Mayor Ackley presented the DMV / Donate Life California Month to OneLegacy Ambassador Leslie Eskildsen. Ms. Eskildsen provided additional information and expressed her appreciation. Councilmember Munzing shared additional comments on the importance of the designation.

1.4. PROCLAMATION - SEXUAL ASSAULT AWARENESS MONTH

Mayor Ackley presented the Sexual Assault Awareness Month Proclamation.

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: Councilmember Harrington moved and Mayor Pro Tem Chun 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 – MARCH 17, 2021 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 March 4, 2021 in the amount of \$1,745,115.21;
2. Ratify accounts payable checks and electronic funds transfers issued March 11, 2021 in the amount of \$366,855.40; and
3. Ratify accounts payable checks and electronic funds transfers issued March 18, 2021 in the amount of \$64,689.99.

4.4. AMENDMENT TO AGREEMENT FOR JANITORIAL SERVICES

Recommended Action:

1. Approve a Second Amendment to the Agreement with Team One Management, Inc. to perform Janitorial Maintenance services that modifies the scope of service and increases the agreement amount by \$139,740.00 for a total authorization of \$366,496.00 since 2018; and
2. Authorize the City Manager to execute the Second Amendment to the Agreement.

4.5. ALISO VIEJO RANCH HISTORICAL ELEMENTS DISPLAY AND PROFESSIONAL SERVICE AGREEMENT AMENDMENTS

City Manager David Doyle provided an overview. Staff responded to questions regarding project completion and budget. Councilmembers commented on the matter.

Recommended Action:

1. Authorize the City Manager to execute Second Amendment to the Agreement with Robert Everhart Consulting for Aliso Viejo Ranch Construction Management Services for a not-to-exceed amount of \$80,000; and
2. Authorize the City Manager to execute Second Amendment to the Agreement with Ostashay & Associates Consulting for Aliso Viejo Historical Consulting Services for a not-to-exceed amount of \$35,000; and
3. Authorize the City Manager to execute Fifth Amendment to the Agreement with Thirtieth Street Architects for a not-to-exceed amount of \$290,000; and
4. Accept \$100,000 donation from the Moulton Family Foundation; and
5. Appropriate \$355,000 from General Fund reserves.

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

5. PUBLIC HEARINGS:

- 5.1. REQUEST TO APPROVE PLANNING APPLICATION PA20-014 (CUP) FOR A CONDITIONAL USE PERMIT TO EXPAND THE CAPACITY OF THE EXISTING COMPRESSED NATURAL GAS DISPENSING FACILITY FROM TWENTY (20)

FUELING STATIONS TO FORTY (40) FUELING STATIONS AT THE CAPISTRANO UNIFIED SCHOOL DISTRICT (CUSD) TRANSPORTATION CENTER AND, AS A RESPONSIBLE AGENCY PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, REVIEW AND CONSIDER THE ADDENDUM OF A MITIGATED NEGATIVE DECLARATION PREPARED BY CUSD

Mayor Ackley opened the public hearing. There were no public comments. Mayor Ackley closed the public hearing.

Recommended Action:

1. Open and conduct a public hearing;
2. Find that the Addendum to the previously approved IS/MND, as prepared by CUSD, is appropriate pursuant to CEQA Guidelines Section 15164 since only minor changes and additions to the IS/MND are necessary to address the Project and no circumstances exist calling for the preparation of a subsequent or supplemental Mitigated Negative Declaration pursuant to CEQA Guidelines Sections 15162 and § 15163;
3. Adopt Resolution No. 2021-09 approving Planning Application PA20-014 (CUP) for a conditional use permit to expand the capacity of the existing compressed natural gas dispensing facility from twenty (20) fueling stations to forty (40) fueling stations at the Capistrano Unified School District Transportation Center at 2B Liberty.

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

6. DISCUSSION:

6.1. LOCAL HUMAN TRAFFICKING REGULATIONS – OPTIONS & RECOMMENDATIONS

City Attorney Scott Smith provided an overview. Staff responded to questions regarding enforcement procedures, initiation of proceedings, fiscal impact, City's discretion, and previous experience. Councilmembers commented on the matter.

Recommended Action:

1. Find that the ordinance is not subject to the requirements of California Environmental Quality Act ("CEQA") for the following reasons:
 - a. The ordinance is not a "project" within the meaning of Section 15378 of the State CEQA Guidelines because it has no potential for resulting in direct or indirect physical change in the environment.
 - b. The ordinance is exempt under Section 15061(b)(3), the general rule exemption, because it can be seen with certainty that there is no possibility that this code amendment will have a significant effect on the environment.
2. Introduce for first reading an Ordinance entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA AMENDING CHAPTER 1.06 OF THE ALISO VIEJO MUNICIPAL CODE AND ADDING CHAPTER 4.40 RELATING TO HUMAN TRAFFICKING.

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

7. CITY MANAGER' S REPORT:

City Manager David Doyle announced latest updates at The Row; Aliso Viejo Ranch Grand Opening to be held on May 1, 2021 at 10:00 a.m.; City & AVCA Committee Meeting that was held on March 24, 2021; registration is open for spring recreation programs and summer camps.

8. ANNOUNCEMENTS / COUNCIL COMMENTS / COMMITTEE UPDATES:

Councilmember Hurt:

- Obtained Council consensus to consider City position on SB 760 and SB 761
- Obtained Council consensus to consider Stigma Free OC pledge of support

Councilmember Munzing: None.

Councilmember Harrington:

- Requested information regarding recreation scholarship program

Mayor Pro Tem Chun:

- Attended SCAG Transportation Committee Meeting
- Attended Aliso Viejo Farmers' Market
- Attended Red Cross Blood Drive
- Participated in Women's History Month presentation
- Commented on School on Wheels Club at Aliso Niguel High School
- Attended OCFA Board of Directors Meeting
- Attended Cal Cities Membership Meeting
- Attended Cal Cities Advancing Equity Advisory Committee Meeting
- Attended Cal Cities Governance Evaluation Advisory Group Meeting
- Appointed to Cal Cities Audit Committee
- Attended City & AVCA Committee Meeting

Mayor Ackley: None.

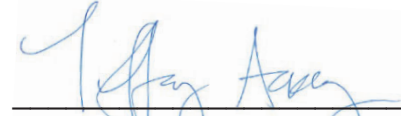
9. ADJOURNMENT: Mayor Ackley adjourned the meeting at 8:14 p.m. to the regularly scheduled meeting of April 21, 2021.

Respectfully submitted:



MITZI ORTIZ, MMC
CITY CLERK

Approved by:



TIFFANY ACKLEY
MAYOR