

CITY OF ALISO VIEJO
CITY COUNCIL MINUTES
REGULAR MEETING
May 16, 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 7:13 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
JENNIFER LOWE, SENIOR PLANNER
ISAAC AZIZ, INFORMATION TECHNOLOGY MANAGER
STEPHANIE BROWN, COMMUNITY SERVICES MANAGER
BRETT GARDNER, ADMINISTRATIVE SERGEANT

PLEDGE OF ALLEGIANCE: Mayor Harrington led the pledge of allegiance.

REPORT FROM CLOSED SESSION: City Attorney Scott C. Smith reported authorization for City Manager to execute joint defense agreement with Jones Day and several other cities and execute limited waiver of conflicts with BBK related to Orange County Catholic Worker v. Orange County, U.S.D.C., Central District of California Case No. SA CV 18-0155-DOC (JDE).

Mayor Harrington introduced OCSD Captain Jim England, who provided an update regarding the investigation of an explosion that occurred on May 15, 2018

SPECIAL PRESENTATIONS:

A. PROCLAMATION FOR DROWNING PREVENTION AWARENESS

Mayor Harrington presented a Proclamation to OCFA Division Chief Jeff Adams. Chief Adams provided additional information on drowning prevention efforts. Mayor Harrington introduced Dan Berzansky, Premier Aquatics, who provided information on swim and safety programs offered at the Aliso Viejo Aquatic Center.

ADDITIONS, DELETIONS, REORDERING TO THE AGENDA

None.

COMMUNITY INPUT:

None.

CONSENT CALENDAR ITEM NOS. 1-10:

Mayor Harrington asked if any member of the City Council, staff or the public wished to remove an item from the Consent Calendar. Mayor Pro Tem Chun requested the removal of Item Nos. 9 and 10 and Mayor Harrington requested the removal of Item No. 7. There were no additional requests to remove items from the Consent Calendar.

MOTION: COUNCILMEMBER MUNZING MOVED AND COUNCILMEMBER PHILLIPS SECONDED TO APPROVE CONSENT CALENDAR ITEMS 1-6 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 – MAY 2, 2018 SPECIAL MEETING AND MAY 2, 2018 REGULAR MEETING**

Approved the subject Minutes as submitted.

3. **SECOND READING AND ADOPTION OF ORDINANCE REGARDING PURCHASING**

Conducted second reading and adopted Ordinance No. 2018-196 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, AMENDING CHAPTER 3.02 OF TITLE 3 OF THE ALISO VIEJO MUNICIPAL CODE REGARDING PURCHASING.

4. ACCOUNTS PAYABLE

1. Ratified accounts payable checks issued April 19, 2018 in the amount of \$124,012.37; and
2. Ratified accounts payable checks and electronic funds transfers issued April 26, 2018 in the amount for \$317,610.32.

5. SECOND AMENDMENT TO AGREEMENT WITH ZUVICH CORPORATE ADVISORS FOR PROPERTY LEASING SERVICES

1. Approved a Second Amendment to Agreement with Zuvich Corporate Advisors, Inc. for property leasing services; and
2. Authorized the City Manager to execute the Second Amendment to Agreement.

6. FIRST AMENDMENT TO AGREEMENT WITH PSG PROPERTY MANAGEMENT FOR PROPERTY MANAGEMENT SERVICES AT 12 JOURNEY

1. Approved the First Amendment to Agreement with PSG Property Management for property management services at 12 Journey; and
2. Authorized the City Manager to execute the First Amendment to Agreement with PSG Property Management.

7. STREET SWEEPING SERVICES

This item was removed from the Consent Calendar.

8. TRAFFIC SIGNAL MAINTENANCE

1. Approved a First Amendment to the Agreement with Bear Electrical Solutions, Inc. to perform Traffic Signal Maintenance Services that increases the contract amount by \$200,000 for a total authorization of \$559,000 since 2016; and
2. Authorized the City Manager to execute the First Amendment to the Agreement.

9. AQUATIC CENTER EQUIPMENT MAINTENANCE

This item was removed from the Consent Calendar.

10. AMENDMENT TO AGREEMENT FOR GEOGRAPHIC INFORMATION SYSTEM SERVICE – DIGITAL MAP PRODUCTS

This item was removed from the Consent Calendar.

MOTION CARRIED UNANIMOUSLY

END OF CONSENT CALENDAR

REMOVED FROM CONSENT CALENDAR

7. **STREET SWEEPING SERVICES**

City Manager David Doyle responded to questions regarding agreement term. Mayor Harrington obtained consensus to issue request for proposals for services beginning July 1, 2019.

MOTION: COUNCILMEMBER PHILLIPS MOVED AND COUNCILMEMBER MUNZING SECONDED TO:

1. **APPROVE A FIRST AMENDMENT TO THE AGREEMENT WITH SUNSET PROPERTY SERVICES TO PERFORM STREET SWEEPING SERVICES THAT EXTENDS THE TERM ONE YEAR AND INCREASES THE CONTRACT AMOUNT BY \$60,000 FOR A TOTAL AUTHORIZATION OF \$300,000 SINCE 2015; AND**
2. **AUTHORIZE THE CITY MANAGER TO EXECUTE THE FIRST AMENDMENT TO THE AGREEMENT.**

MOTION CARRIED UNANIMOUSLY

9. **AQUATIC CENTER EQUIPMENT MAINTENANCE**

Aquatic Center Manager Dan Berzansky responded to questions regarding feasibility of saline system.

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

1. **AUTHORIZE CITY MANAGER TO EXECUTE TWO-YEAR EXTENSION OF AQUATICS EQUIPMENT MAINTENANCE SERVICE AGREEMENT WITH KNORR SYSTEMS, INC. (\$20,000 ANNUALLY);**
2. **AUTHORIZE ANNUAL CONTRACT CONTINGENCY FUNDS (\$40,000);**
AND
3. **APPROVE A ONE-TIME CAPITAL EXPENDITURE OF \$220,000 TO REPLACE POOL HEATER EQUIPMENT.**

MOTION CARRIED UNANIMOUSLY

10. **AMENDMENT TO AGREEMENT FOR GEOGRAPHIC INFORMATION SYSTEM SERVICE – DIGITAL MAP PRODUCTS**

Mayor Pro Tem Chun disclosed a potential conflict of interest.

MOTION: COUNCILMEMBER MUNZING MOVED AND COUNCILMEMBER PHILLIPS SECONDED TO:

- 1. APPROVE AN AMENDMENT TO THE AGREEMENT WITH DIGITAL MAP PRODUCTS FOR ACCESS TO A GEOGRAPHIC INFORMATION SYSTEM (GIS) WEB APPLICATION; AND**
- 2. AUTHORIZE THE CITY MANAGER TO EXECUTE THE AMENDMENT TO THE AGREEMENT TO EXTEND THE CONTRACT TERM BY ONE YEAR TO JUNE 30, 2019.**

MOTION CARRIED 4-0-1, WITH MAYOR PRO TEM CHUN ABSTAINING

PUBLIC HEARING ITEM NOS. 11-12:

11. **REQUEST FOR A CONDITIONAL USE PERMIT TO ESTABLISH A RESTAURANT WITH 17 SEATS OR MORE AT 26921 ALISO CREEK ROAD, SUITE C, WITHIN THE ALISO PACIFIC PLAZA PORTION OF ALISO VIEJO TOWN CENTER**

City Manager David Doyle introduced Senior Planner Jennifer Lowe, who provided the staff report. Community Development Director Omar Dadabhoj provided additional information. Staff responded to questions regarding zoning code, outdoor seating, parking and conditional use permits. Mayor Harrington opened the public hearing and there were no speakers. Mayor Harrington closed the public hearing.

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

- 1. DETERMINE THE PROJECT IS CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA") PURSUANT TO CATEGORICAL EXEMPTION CLASS 1 FOR EXISTING FACILITIES (STATE CEQA GUIDELINES, 15301); AND**
- 2. ADOPT RESOLUTION NO. 2018-12 TO APPROVE PLANNING APPLICATION PA18-003 (CUP) FOR A CONDITIONAL USE PERMIT TO ESTABLISH A RESTAURANT USE WITH 17 SEATS OR MORE AT 26921 ALISO CREEK ROAD, SUITE C.**

MOTION CARRIED UNANIMOUSLY

12. **AN INTERIM URGENCY ORDINANCE EXTENDING THE TEMPORARY MORATORIUM ON THE ESTABLISHMENT AND PERMITTING OF COUNSELING USES IN NON-RESIDENTIAL ZONES TO ALLOW FOR ADDITIONAL TIME FOR CONSIDERATION OF APPROPRIATE AMENDMENTS TO THE CITY MUNICIPAL CODE PURSUANT TO GOVERNMENT CODE SECTIONS 65858 AND 36937**

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

MOTION: COUNCILMEMBER MUNZING MOVED AND MAYOR PRO TEM CHUN SECONDED TO ADOPT ORDINANCE NO. 2018-197 ENTITLED:

INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, EXTENDING THE TEMPORARY MORATORIUM ON THE ESTABLISHMENT AND PERMITTING OF COUNSELING USES IN NON-RESIDENTIAL ZONES TO ALLOW ADDITIONAL TIME FOR CONSIDERATION OF APPROPRIATE AMENDMENTS TO THE CITY MUNICIPAL CODE PURSUANT TO GOVERNMENT CODE SECTIONS 65858 AND 36937.

MOTION CARRIED UNANIMOUSLY

DISCUSSION ITEM NOS. 13 - 14:

13. **COUNCIL POLICY – TRAVEL AND EXPENSE**

City Manager David Doyle introduced Administrative Services Director Glenn Yasui, who provided the staff report. Staff responded to questions regarding relevant expenses, budget line items, budget increase, allowable expenses, ensuring representation. Councilmembers commented on the matter.

MOTION: COUNCILMEMBER PHILLIPS MOVED AND COUNCILMEMBER MUNZING SECONDED TO ADOPT RESOLUTION NO. 2018-13 APPROVING REVISED COUNCIL POLICY 300-4 RELATING TO TRAVEL AND EXPENSES, AS AMENDED TO INCLUDE WRITTEN REPORTING REQUIREMENTS AND INCLUSION AS LINE ITEM IN BUDGET, AND RESCINDING COUNCIL POLICY 100-4 RELATING TO ATTENDANCE AND TRAVEL FOR CITY BUSINESS.

MOTION CARRIED UNANIMOUSLY

14. **ADOPT ANNUAL BUDGET FOR FY2018-19**

City Manager David Doyle introduced Finance Director Gina Tharani, who provided the staff report. Public Works Director Shaun Pelletier provided additional information. Staff responded to questions regarding association memberships, wayfinding signs, Aliso Viejo Exchange, home improvement fee "holiday". Councilmembers commented on the matter.

MOTION: COUNCILMEMBER PHILLIPS MOVED AND COUNCILMEMBER MUNZING SECONDED TO:

1. **ADOPT RESOLUTION NO. 2018-14 ADOPTING THE ANNUAL OPERATING BUDGET FOR FY 2018-19; AND**
2. **ADOPT RESOLUTION NO. 2018-15 ESTABLISHING A PETTY CASH FUND AND RESCINDING RESOLUTION NO. 2001-021 IN ITS ENTIRETY.**

MOTION CARRIED UNANIMOUSLY

CITY MANAGER'S REPORT

City Manager David Doyle announced registration for Summer Camps; extended hours at the Aliso Viejo Aquatic Center; and encouraged residents to follow the City on Facebook, Twitter and Instagram.

ANNOUNCEMENTS / COUNCIL COMMENTS / COMMITTEE UPDATES

Councilmember Munzing:

- Expressed appreciation to IT Manager Isaac Aziz
- Submitted in writing:
 - Attended Soka International Festival
 - Attended Aliso Viejo Chamber of Commerce Networking Breakfast
 - Attended TCA Joint Finance & Investment Committee Meeting
 - Attended TCA Joint Board of Directors Meeting
 - Attended South Orange County Economic Coalition Econ PAC Event

Councilmember Phillips:

- Commented on availability of OC Parks Strategic Plan
- Submitted in writing:
 - Attended South Orange County Watershed Management Area Meeting
 - Attended Coastal Greenbelt Authority Meeting
 - Attended Memorial Bend Dedication for Ray DeLeon

Councilmember Tsunoda: None

Mayor Pro Tem Chun:

- Commented on Memorial Bench Dedication for Ray DeLeon
- Met with Washington D.C. Interagency Council on Homelessness
- Attended tour of Families Forward facility
- Attended SCAG 2018 Regional Conference & General Assembly
- Attended CUSD Legislative Committee Meeting
- Attended Medal of Valor luncheon
- Attended South Orange County Economic Coalition General Membership Meeting
- Attended League of California Cities Strategic Planning Meeting
- Attended League of California Cities Legislative Action Day

Mayor Harrington:

- Requested information regarding Charter City option
- Submitted in writing:
 - Attended National Day of Prayer Event
 - Delivered baby shower gifts to 1st Maintenance Marine Battalion – Camp Pendleton
 - Attended South Orange County Association of Mayors Meeting
 - Attended Women’s Council of Realtors Casino Night
 - Attended Boys & Girls Club of Laguna Beach Art of Giving Gala

ADJOURNMENT: Mayor Harrington adjourned the meeting at 8:33 p.m. to the regularly scheduled meeting of June 6, 2018.

Respectfully submitted:

Approved by:


MITZI ORTIZ MMC
CITY CLERK


DAVID C. HARRINGTON
MAYOR