

CITY OF ALISO VIEJO
CITY COUNCIL MINUTES
REGULAR MEETING
OCTOBER 4, 2023, 7:00 PM
Council Chambers, City Hall, 12 Journey
Aliso Viejo, California

CALL TO ORDER: Mayor Hurt called the Regular Meeting of the City Council of the City of Aliso Viejo to order at 7:12 p.m.

ROLL CALL

PRESENT: MAYOR RICHARD W. HURT
MAYOR PRO TEM MIKE MUNZING
COUNCILMEMBER TIFFANY ACKLEY
COUNCILMEMBER ROSS CHUN

ABSENT: COUNCILMEMBER MAX DUNCAN

STAFF PRESENT: DAVID A. DOYLE, CITY MANAGER
SCOTT C. SMITH, CITY ATTORNEY
MITZI ORTIZ, CITY CLERK
ANN EIFERT, FINANCIAL SERVICES DIRECTOR
SO KIM, COMMUNITY DEVELOPMENT DIRECTOR
CINDY COLLINS, INTERIM COMMUNITY SERVICES MANAGER
ISAAC AZIZ, INFORMATION TECHNOLOGY MANAGER
PATRICIA CANTONWINE, HUMAN RESOURCES ANALYST
CAPT. ALAN VILLANUEVA, CHIEF OF POLICE SERVICES

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Munzing led the pledge of allegiance.

REPORT FROM CLOSED SESSION:

City Attorney Scott Smith stated there was no reportable action taken.

1. SPECIAL PRESENTATIONS:

1.1. FEATURED BUSINESS OF THE MONTH - PEDIATRIC DENTISTRY

Mayor Hurt introduced the video and presented the certificate of recognition to Owner Dr. Joanne Suarez Martinez. Dr. Suarez Martinez introduced her staff and expressed her appreciation.

1.2. PROCLAMATION – FIRE PREVENTION WEEK

Mayor Hurt presented the proclamation to Orange County Fire Authority Chief Baryic Hunter. Chief Hunter expressed his appreciation and commented on the importance of the designation.

1.3. MOULTON NIGUEL WATER DISTRICT PRESENTATION REGARDING PROJECT & DISTRICT UPDATES

Mayor Hurt welcomed the Moulton Niguel Water District (MNWD) staff. Assistant General Manager Matt Collings, Assistant Director of Engineering Todd Dmytryshyn, Water Resources Manager Laura Rocha, and Principal Engineer Alex Thomas provided the presentation regarding project and district updates.

2. ADDITIONS, DELETIONS, REORDERING TO THE AGENDA:

None.

3. COMMUNITY INPUT:

1. Michele Saward expressed concern with the proposed apartment complex and landscaping in The Commons shopping center.

4. CONSENT CALENDAR:

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

Motion: Mayor Pro Tem Munzing moved and Councilmember Ackley seconded to approve the recommended actions. Motion carried 4-0-1, with Councilmember Duncan absent.

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 September 6, 2023 Special Meeting and September 6, 2023 Regular Meeting.

4.3. ACCOUNTS PAYABLE

Recommended Action: Ratify accounts payable checks and electronic funds transfers issued between August 18 and September 14, 2023, in the amount of \$1,341,486.05.

4.4. TREASURER'S STATEMENT – AUGUST 2023

Recommended Action: Receive and file the August 2023 Treasurer's Statement.

4.5. COMMUNITY FACILITIES DISTRICT NO. 2005-01 (GLENWOOD AT ALISO VIEJO) LOCAL AGENCY SPECIAL TAX AND BOND ACCOUNTABILITY ACT COMPLIANCE (SB 165) REPORT FOR FISCAL YEAR ENDED JUNE 30, 2023

Recommended Action: For City Council to accept and file the Community Facilities District No. 2005-01 (Glenwood at Aliso Viejo) Local Agency Special Tax and Bond Accountability Act Compliance ("SB 165") Report for Fiscal Year June 30, 2023.

4.6. AWARD CONTRACT TO NIEVES LANDSCAPE, INC. FOR THE CITY HALL LANDSCAPE AND IRRIGATION IMPROVEMENT PROJECT

Recommended Action:

1. Approve Contract Documents, Specifications, and Plans for the City Hall Landscape and Irrigation Improvement Project;
2. Award a contract in the amount of \$157,314 to Nieves Landscape, Inc. as the lowest responsible bidder for the City Hall Landscape and Irrigation Improvement Project;
3. Authorize the City Manager to execute a contract with Nieves Landscape, Inc.;
4. Authorize City staff to make total compensation to Nieves Landscape, Inc. up to \$157,314 plus \$31,462.80 (20% of the contract amount) to allow for contingencies, totaling \$188,776.80; and
5. Declare this project categorically exempt from the California Environmental Quality Act (CEQA) process Per Title 14 of the California Code of Regulations, Chapter 3, Article 19, Section 15301 (Class 1: Existing Facilities).

4.7. RELEASE OF BONDS FOR THE GRADING AND LANDSCAPING IMPROVEMENTS FOR THE 15-25 ENTERPRISE GRADING AND LANDSCAPING CONSTRUCTION PROJECT

Recommended Action: Adopt Resolution No. 2023-28 exonerating Grading Surety Bond No. SU1190293 and Landscaping Surety Bond No. SU1190294 for the 15-25 Enterprise Grading and Landscaping Construction Project.

4.8. CALRECYCLE RESOLUTION FOR GRANT FUNDING

Recommended Action: Adopt Resolution No. 2023-29 authorizing submittal of applications for all CalRecycle grants and payment programs for which the City of Aliso Viejo is eligible.

4.9. ADOPTION OF THE 2022-2023 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) FOR EXPENDITURES OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS

Recommended Action:

1. Find that the 2022-2023 Consolidated Annual Performance and Evaluation Report (CAPER) is not subject to the California Environmental Quality Act (CEQA) because the activity is not a project as defined in Section 15378 (b)(5) of the State CEQA Guidelines;
2. Approve and adopt the 2022-2023 CAPER; and
3. Authorize the City Manager to submit the CAPER to the United States Department of Housing and Urban Development (HUD) and authorize the City Manager to submit all related documents.

5. PUBLIC HEARINGS:

None.

6. DISCUSSION:

6.1. COMMUNITIES FACILITIES DISTRICT NO. 2005-01 (GLENWOOD AT ALISO VIEJO) – 2023 SPECIAL TAX REFUNDING BONDS

City Manager David Doyle introduced Financial Services Director Ann Eifert, who provided an overview. Consultant Renee Vancho (Piper Sandler Senior Vice President) provided additional information. Staff responded to questions regarding interest rates.

Recommended Action:

1. Adopt Resolution No. 2023-30 authorizing the 2023 special tax refunding bonds of the Community Facilities District 2005-01 (Glenwood at Aliso Viejo), approving the form Fiscal Agent Agreement, authorizing negotiation of terms of the sale of bonds, approving a Preliminary Official Statement, authorizing preparation of a Final Official Statement; and approving other related documents and actions; and
2. Authorize the City Manager to execute necessary documents for the refinancing of the bonds.

Motion: Mayor Pro Tem Munzing moved and Councilmember Chun seconded to approve the recommended actions. Motion carried 4-0-1, with Councilmember Duncan absent.

6.2. EMPLOYEE HEALTH BENEFIT ALLOWANCE

City Manager David Doyle introduced Human Resources Analyst Patricia Cantonwine, who provided an overview.

Recommended Action: Adopt Resolution No. 2023-31 approving an increase to the employee health benefit allowance based on a tiered system determined by number of dependents, effective January 1, 2024.

Motion: Councilmember Ackley moved and Councilmember Chun seconded to approve the recommended actions. Motion carried 4-0-1, with Councilmember Duncan absent.

7. CITY MANAGER' S REPORT:

City Manager David Doyle expressed appreciation to staff.

8. ANNOUNCEMENTS / COUNCIL COMMENTS / COMMITTEE UPDATES:

Councilmember Chun:

- Attended OCFA Board of Directors Meeting
- Attended OCFA Legislation & Public Affairs Committee Meeting
- Attended OCFA Human Resources Committee Meeting
- Attended OCFA 9/11 Remembrance Ceremony
- Attended OCFA Budget & Finance Committee Meeting
- Attended SCAG Joint Policy Committee Meeting
- Attended Boy Scouts of America Orange County Council Scout-O-Rama
- Attended Capistrano Unified School District Scavenger Hunt
- Attended League of California Cities Annual Conference
- Attended Chamber of Commerce After Hours Event
- Attending LeAnn Rimes Concert at Soka Performing Arts Center
- Attended Webb's Grainworks Grand Opening events
- Attended Orange County Business Council First Responders Dinner
- Attended Family Assistance Ministries Hunger Walk
- Attended Furry Friends Pet Fair
- Attended Belmont Blooms at Belmont Village

Councilmember Ackley:

- Attended Capistrano Unified School District Scavenger Hunt
- Obtained consensus to receive update on by-district election communications

Mayor Pro Tem Munzing:

- Attended Aliso Niguel High School 30th Anniversary Celebration
- Attended Aliso Viejo Chamber of Commerce Networking Breakfast
- Attended Webb's Grainworks Grand Opening
- Attended Laguna Hills Heritage Day

Mayor Hurt:

- Attended League of California Cities Annual Conference
- Attended Capistrano Unified School District Scavenger Hunt

9. **ADJOURNMENT:**

Mayor Hurt adjourned the meeting at 8:17 p.m. to the regularly scheduled meeting of October 18, 2023.

Respectfully submitted:

Approved by:


MITZI ORTIZ MMC
CITY CLERK


RICHARD HURT
MAYOR