

CITY OF ALISO VIEJO
CITY COUNCIL MINUTES
REGULAR MEETING
DECEMBER 2, 2015, 7:00 P.M.
Council Chambers, City Hall, 12 Journey
Aliso Viejo, California

CALL TO ORDER: Mayor Phillips called the Regular Meeting of the City Council of the City of Aliso Viejo to order at 7:19 p.m.

PRESENT: MAYOR WILLIAM A. PHILLIPS
MAYOR PRO TEM MIKE MUNZING
COUNCILMEMBER ROSS CHUN
COUNCILMEMBER DAVID C. HARRINGTON

ABSENT: COUNCILMEMBER PHILLIP B. TSUNODA

STAFF PRESENT: DAVID A. DOYLE, CITY MANAGER
CRISTINA TALLEY, ASSISTANT CITY ATTORNEY
MITZI ORTIZ, CITY CLERK
GLENN YASUI, ADMINISTRATIVE SERVICES DIRECTOR
KAREN CROCKER, COMMUNITY SERVICES DIRECTOR
SHAUN PELLETIER, PUBLIC WORKS DIRECTOR / CITY
ENGINEER
LT. JOHN MACPHERSON, CHIEF OF POLICE SERVICES

REPORT ON CLOSED SESSION: Assistant City Attorney Cristina Talley stated no reportable action was taken during the December 2, 2015 Special Meeting (Closed Session).

PLEDGE OF ALLEGIANCE: Led by Fire Chief Ed Fleming.

Councilmember Tsunoda joined the dais at 7:20 p.m. for the remainder of the meeting.

SPECIAL PRESENTATIONS:

A. **COUNCIL RECOGNITION TO OCFA DIVISION CHIEF BRYAN BRICE**

Mayor Phillips presented a Certificate of Recognition to OCFA Division Chief Bryan Brice. Councilmembers expressed their appreciation to Chief Brice for his years of service.

ADDITIONS, DELETIONS, REORDERING TO THE AGENDA

None.

CONSENT CALENDAR ITEM NOS. 1-8: Mayor Phillips asked if any member of the City Council, staff or the public wished to remove an item from the Consent Calendar. Mayor Phillips requested to remove Item No. 8. There were no additional requests to remove items from the Consent Calendar.

MOTION: MAYOR PRO TEM MUNZING MOVED AND COUNCILMEMBER HARRINGTON SECONDED TO APPROVE CONSENT CALENDAR ITEM NOS. 1-7, 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 – NOVEMBER 4, 2015 SPECIAL MEETING, NOVEMBER 4, 2015 REGULAR MEETING AND NOVEMBER 18, 2015 REGULAR MEETING**

Approved the subject Minutes as submitted.

3. **SECOND READING AND ADOPTION OF ORDINANCE PROHIBITING CANNABIS DISPENSARIES, CANNABIS MANUFACTURING, CANNABIS CULTIVATION AND CANNABIS DELIVERY**

Conducted second reading and adopted Ordinance No. 2015-172 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO PROHIBITING CANNABIS DISPENSARIES, CANNABIS MANUFACTURING, CANNABIS CULTIVATION AND CANNABIS DELIVERY.

4. **ACCOUNTS PAYABLE**

1. Ratified accounts payable checks issued November 13, 2015 in the amount of \$761,108.94; and
2. Ratified accounts payable checks issued November 19, 2015 in the amount of \$106,998.18.

5. **TREASURER'S STATEMENT – OCTOBER 2015**

Approved the October 2015 Treasurer's Statement.

6. COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR)

Received and filed the Comprehensive Annual Financial Report (CAFR) for the year ended June 30, 2015.

7. GENERAL PLAN MONITORING REPORT FY 2013-2015

Received and filed the FY 2013-2015 General Plan Monitoring Report.

8. DAIRY FORK CONSTRUCTED WETLAND PROJECT

This item was removed from the Consent Calendar.

MOTION CARRIED UNANIMOUSLY

END OF CONSENT CALENDAR

REMOVED FROM CONSENT CALENDAR

8. DAIRY FORK CONSTRUCTED WETLAND PROJECT

City Manager David Doyle introduced Public Works Director / City Engineer Shaun Pelletier who provided the staff report. Staff responded to questions regarding grant funding.

MOTION: COUNCILMEMBER CHUN MOVED AND COUNCILMEMBER HARRINGTON SECONDED TO:

1. **AWARDED A CONTRACT IN THE AMOUNT OF \$741,680.91 TO HABITAT RESTORATION SCIENCES, INC. AS THE LOWEST RESPONSIBLE BIDDER FOR THE DIARY FORK CONSTRUCTED WETLAND PROJECT;**
2. **AUTHORIZED THE CITY MANAGER TO EXECUTE A CONTRACT WITH HABITAT RESTORATION SCIENCES, INC.; AND**
3. **AUTHORIZED CITY STAFF TO MAKE TOTAL COMPENSATION TO HABITAT RESTORATION SCIENCES, INC. UP TO \$741,680.91 PLUS \$78,319.09 TO ALLOW FOR CONTINGENCIES, TOTALING \$820,000.**

MOTION APPROVED UNANIMOUSLY

DISCUSSION ITEM NOS. 9-11:

9. AQUATIC CENTER QUARTERLY SUMMARY REPORT (July 1, 2015 – September 30, 2015)

City Manager David Doyle introduced Community Services Director Karen Crocker who provided the staff report. Ryan Larson (Aliso Viejo Aquatic Center Aquatics Director) provided additional information. No further action was taken.

10. AN ORDINANCE OF THE CITY COUNCIL OF ALISO VIEJO, CALIFORNIA, AMENDING THE ALISO VIEJO MUNICIPAL CODE BY ADDING CHAPTER 8.28 REGARDING TRESPASS ON PRIVATE PROPERTY

City Manager David Doyle introduced Assistant City Attorney Cristina Talley who provided the staff report. Staff responded to questions regarding benefit of proposed ordinance and definition of private property. Mayor Phillips opened for public comment and the following person spoke:

1. Lisa Naegele (AVCA President) requested clarification on the impact to AVCA property.

There were no additional speakers.

MOTION: COUNCILMEMBER HARRINGTON MOVED AND COUNCILMEMBER CHUN SECONDED TO INTRODUCE AND APPROVE FOR FIRST READING THE ORDINANCE ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF ALISO VIEJO, CALIFORNIA AMENDING THE ALISO VIEJO MUNICIPAL CODE BY ADDING CHAPTER 8.28 REGARDING TRESPASS ON PRIVATE PROPERTY.

MOTION APPROVED UNANIMOUSLY

11. CITY COUNCIL REORGANIZATION

City Clerk Mitzi Ortiz provided the staff report and opened the floor to accept nominations for Mayor. Mayor Phillips nominated Mayor Pro Tem Munzing. There were no further nominations for Mayor and City Clerk Mitzi Ortiz closed the floor for nominations.

Roll call vote for the first nominee, Mayor Pro Tem Munzing:

COUNCILMEMBER CHUN:	NO
COUNCILMEMBER HARRINGTON:	AYE
COUNCILMEMBER TSUNODA:	AYE
MAYOR PRO TEM MUNZING:	AYE
MAYOR PHILLIPS:	AYE

THE NOMINATION PASSED 4-1 AND MAYOR PRO TEM MUNZING WAS DECLARED MAYOR FOR 2016.

City Clerk Mitzi Ortiz opened the floor to accept nominations for Mayor Pro Tem. Councilmember Tsunoda nominated Councilmember Harrington. There were no further nominations for Mayor Pro Tem and City Clerk Mitzi Ortiz closed the floor for nominations.

Roll call vote for the first nominee, Councilmember Harrington:

COUNCILMEMBER CHUN:	AYE
COUNCILMEMBER HARRINGTON:	AYE
COUNCILMEMBER TSUNODA:	AYE
MAYOR PRO TEM MUNZING:	AYE
MAYOR PHILLIPS:	AYE

THE NOMINATION PASSED 5-0 AND COUNCILMEMBER HARRINGTON WAS DECLARED MAYOR PRO TEM FOR 2016.

COMMUNITY INPUT:

1. Assemblymember William P. Brough expressed his appreciation to Mayor Phillips for his leadership and presented a Certificate of Recognition.
2. Don Dooley congratulated Mayor Pro Tem Munzing and Councilmember Harrington on their selection as Mayor and Mayor Pro Tem, respectively.
3. Phil Fleming commended the City Council and congratulated Mayor Pro Tem Munzing and Councilmember Harrington on their selection as Mayor and Mayor Pro Tem, respectively.

CITY MANAGER'S REPORT

City Manager David Doyle announced partnership AVCA Winter Holiday Event and upcoming Dairy Fork Constructed Wetland Project groundbreaking.

ANNOUNCEMENTS / COUNCIL COMMENTS / COMMITTEE UPDATES

Councilmember Chun:

- Commented on Board of Equalization business services
- Attended meeting with Goldman Sachs
- Participated in TCA conference call
- Attended Raising Cane's Chicken Fingers grand opening
- Attended Supervisor Lisa Bartlett's reception
- Commented on CUSD student services
- Attended CUSD Facilities Committee Meeting
- Provided update on Kelsey Cooper, scholarship recipient

Councilmember Harrington:

- Attended OC Pathways Showcase
- Attended Raising Cane's Chicken Fingers grand opening
- Attended Second Harvest Food Bank "No Lunch" Lunch
- Attended South Orange County Watershed Management Area Executive Committee Meeting
- Announced AVCA Winter Holiday Event

Councilmember Tsunoda:

- Congratulated incoming Mayor and Mayor Pro Tem
- Announced Boys & Girls Club Operation Holiday Homework Event

Mayor Pro Tem Munzing:

- Expressed his condolences regarding shooting in San Bernardino
- Expressed his appreciation in being voted Mayor for 2016
- Attended Jimboy's Tacos grand opening
- Attended Raising Cane's Chicken Fingers grand opening
- Attended OCCOG Meeting
- Attended OC Pathways Showcase
- Attended Orange County Gift of History Event

Mayor Phillips:


- Congratulated incoming Mayor and Mayor Pro Tem
- Announced Deputy Recognition Breakfast

ADJOURNMENT: Mayor Phillips adjourned the meeting at 8:16 p.m. to the regularly scheduled meeting of December 16, 2015.

Respectfully submitted:


MITZI ORTIZ, MMC
CITY CLERK

Approved by:


WILLIAM A. PHILLIPS
MAYOR