

CITY OF ALISO VIEJO
CITY COUNCIL MINUTES
REGULAR MEETING
SEPTEMBER 6, 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 7:05 p.m.

ROLL CALL

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

ABSENT: NONE

STAFF PRESENT: DAVID A. DOYLE, CITY MANAGER
HONGDAO NGUYEN, ASSISTANT CITY ATTORNEY
MITZI ORTIZ, CITY CLERK
ANN EIFERT, FINANCIAL SERVICES DIRECTOR
SHAUN PELLETIER, PUBLIC WORKS DIRECTOR
SO KIM, COMMUNITY DEVELOPMENT DIRECTOR
ROSE RIVERA, SENIOR PLANNER
CINDY COLLINS, INTERIM COMMUNITY SERVICES MANAGER
ISAAC AZIZ, INFORMATION TECHNOLOGY MANAGER
CAPT. ALAN VILLANUEVA, CHIEF OF POLICE SERVICES

PLEDGE OF ALLEGIANCE: Chief of Police Services Captain Alan Villanueva led the pledge of allegiance.

REPORT FROM CLOSED SESSION:

Assistant City Attorney HongDao Nguyen stated there was no reportable action taken.

1. **SPECIAL PRESENTATIONS:**

1.1. PROCLAMATION – 2023 HUNGER ACTION MONTH

Mayor Hurt presented the proclamation to Second Harvest Food Bank Board Member Dr. John Ralls. Dr. Ralls expressed his appreciation and commented on the importance of the designation.

1.2. PROCLAMATION – NATIONAL PREPAREDNESS MONTH

Mayor Hurt presented the proclamation to Senior Emergency Management Program Coordinator Sarah Limones. Ms. Limones expressed her appreciation and commented on the importance of the designation.

2. ADDITIONS, DELETIONS, REORDERING TO THE AGENDA:

None.

3. COMMUNITY INPUT:

1. Soodabeh Ehtesham provided information on financial education opportunities.

4. CONSENT CALENDAR:

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

Motion: Councilmember Ackley moved and Mayor Pro Tem Munzing 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

Recommended Action: Approve the Minutes as submitted for the August 16, 2023 Special Meeting and August 16, 2023 Regular Meeting.

4.3. ACCOUNTS PAYABLE

Recommended Action: Ratify accounts payable checks and electronic funds transfers issued between August 4 and August 17, 2023, in the amount of \$1,361,964.06.

4.4. TREASURER'S STATEMENT – JULY 2023

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

4.5. AGREEMENT WITH NV5, INC. FOR ON-CALL CIVIL ENGINEERING SERVICES

Recommended Action:

1. Approve a 3-year agreement with NV5, Inc. to perform on-call civil engineering services; and
2. Authorize the City Manager to execute a professional services agreement with NV5, Inc. for an amount of \$50,000.

4.6. SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH RDA, LLC TO PROVIDE PLANNING CONSULTANT SERVICES

Councilmembers commented on the matter.

Recommended Action: Approve and authorize the City Manager to execute a second amendment to the Professional Services Agreement with RDA, LLA to increase the total compensation by \$65,000.

Motion: Councilmember Ackley moved and Councilmember Chun seconded to approve the recommended action. Motion carried 5-0.

5. PUBLIC HEARINGS:

5.1. PUBLIC HEARING REGARDING CONSIDERATION OF THE OPERATING COVENANT AGREEMENT WITH HUNT AND SONS, LLC, AND THE RELATED ECONOMIC SUBSIDY REPORT

City Manager David Doyle provided an overview. Staff responded to questions regarding agreement term. Councilmembers commented on the matter. Mayor Hurt opened the public hearing. There were no comments. Mayor Hurt closed the public hearing.

Recommended Action:

1. Open and conduct a public hearing;
2. Declare that this project is exempt from the California Environmental Quality Act (CEQA) under Section 15378(b)(4) because the Covenant Agreement involves the creation of a government funding mechanism, or other fiscal activity, that does not involve any commitment to any specific project which may result in a direct or indirect physical change in the environment;
3. Adopt Resolution No. 2023-26 approving the acceptance of the Economic Development Subsidy Report prepared pursuant to Government Code Section 53083 regarding an operating covenant agreement by and between the City of Aliso Viejo and Hunt and Sons, LLC, and approving the operating covenant agreement between the City of Aliso Viejo and Hunt and Sons, LLC and making related findings;

4. Authorize the Director of Financial Services to appropriate \$880,000 to the fiscal year 2023-24 budget for subsidy payments to Hunt and Sons, LLC; and
5. Authorize the City Manager to execute all related documents.

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

5.2. TIME EXTENSION REQUEST FOR A SITE DEVELOPMENT PERMIT AND EXTENSION PERMIT AT 6 POLARIS WAY

City Manager David Doyle introduced Community Development Director So Kim, who provided an overview. Staff responded to questions regarding limit on permit extensions. Mayor Hurt opened the public hearing. There were no comments. Mayor Hurt closed the public hearing.

Recommended Action: Approve, via Minute Order, a time extension request to extend the validity of a Site Development Permit and Extension Permit for the construction of a 42,400 square foot, two-story general office building and a 423 space, 4½ level parking structure with a 7.6% parking reduction at 6 Polaris Way (PA15-030).

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

5.3. A REQUEST TO INCREASE THE NUMBER OF DINING ROOM SEATS IN AN EXISTING RESTAURANT LOCATED AT 22912 PACIFIC PARK DRIVE, SUITE B (TACOS DE BIRRIA ESTILO GUADALAJARA)

City Manager David Doyle introduced Senior Planner Rose Rivera, who provided an overview. Applicant Jesus Serratos provided additional information. Staff responded to questions regarding floor plan. Councilmembers commented on the matter. Mayor Hurt opened the public hearing. There were no comments. Mayor Hurt closed the public hearing.

Recommended Action: Adopt Resolution No. 2023-27 approving a Conditional Use Permit to increase the number of seats to 40 in an existing restaurant located at 22912 Pacific Park Drive, Suite B (CUP-2023-00012).

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

6. DISCUSSION:

None.

7. CITY MANAGER' S REPORT:

City Manager David Doyle announced Furry Friends Pet Fair to be held from 9:00 a.m. to 12:00 p.m. on September 9, 2023, at Aliso Viejo Ranch; Red Cross Blood Drive to be held from 12:00 p.m. to 6:00 p.m. on September 13, 2023, at Aliso Viejo Ranch; and registration for recreation programs.

8. ANNOUNCEMENTS / COUNCIL COMMENTS / COMMITTEE UPDATES:

Councilmember Chun:

- Commented on Furry Friends Pet Fair
- Attended Soka University Tour Our Town
- Attended Aliso Niguel High School Dance Team Car Wash
- Attended Aliso Viejo Chamber of Commerce After Hours Event
- Attended meeting with OCFA, AVCA, and Moulton Niguel Water District
- Announced Aliso Viejo Youth Council Music for Maui fundraising event

Councilmember Duncan:

- Commented on OCSD bicycle and pedestrian safety enforcement operation

Councilmember Ackley:

- Wished students well in the new school year
- Requested adjournment with moment of silence in remembrance of 9/11

Mayor Pro Tem Munzing:

- Attended Aliso Viejo Chamber of Commerce After Hours event

Mayor Hurt:

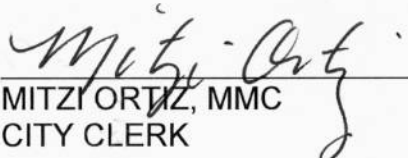
- Expressed appreciation to staff

9. ADJOURNMENT:

Mayor Hurt adjourned the meeting at 7:47 to the regularly scheduled meeting of October 4, 2023.

Respectfully submitted:

Approved by:


MITZI ORTIZ, MMC
CITY CLERK


RICHARD HURT
MAYOR