

CITY OF ALISO VIEJO
CITY COUNCIL MINUTES
REGULAR MEETING
August 21, 2019, 7:00 P.M.
Council Chambers, City Hall, 12 Journey
Aliso Viejo, California

CALL TO ORDER: Mayor Chun called the Regular Meeting of the City Council of the City of Aliso Viejo to order at 7:11 p.m.

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

ABSENT: NONE

STAFF PRESENT: DAVID A. DOYLE, CITY MANAGER
HONGDAO NGUYEN, ASSISTANT CITY ATTORNEY
MITZI ORTIZ, CITY CLERK
SHAUN PELLETIER, PUBLIC WORKS DIRECTOR / CITY ENGINEER
OMAR DADABHOY, COMMUNITY DEVELOPMENT DIRECTOR
JENNIFER LOWE, SENIOR PLANNER
STEPHANIE PHILLIPS, COMMUNITY SERVICES MANAGER
ISAAC AZIZ, INFORMATION TECHNOLOGY MANAGER
LT. CHAD KAJFASZ, CHIEF OF POLICE SERVICES

PLEDGE OF ALLEGIANCE: Cub Scout Elijah Hanson led the pledge of allegiance.

REPORT FROM CLOSED SESSION:

Assistant City Attorney HongDao Nguyen stated no reportable action was taken. Please refer to the August 21, 2019 Special Meeting Minutes.

SPECIAL PRESENTATIONS:

A. **RECOGNITION OF DEPUTY KENNETH RITCHIE**

Mayor Chun introduced Lt. Chad Kajfasz, who commented on Deputy Ritchie's achievements. Mayor Chun presented Deputy Ritchie with a Certificate of Recognition. Deputy Ritchie expressed his appreciation.

B. RECOGNITION OF CUB SCOUT PACK 700, DEN 9 SUPERNOVA AWARD RECIPIENTS

Mayor Chun introduced Cubmaster Gary Ibanez, who commented on the significance of the Supernova Award. Mayor Chun introduced Sergio Prince, representing Orange County Supervisor Lisa Bartlett, and invited him to participate in the award presentation. Mayor Chun presented Certificates of Recognition to Caleb White, Carter Craig, Daniel Mesic, Elijah Hanson, Isaiah Hanson, Jacob Cacioppo, and Magic Champion.

C. PARTNERSHIP AWARD RECOGNITION – ALISO VIEJO COMMUNITY FOUNDATION

Mayor Chun presented a Certificate of Recognition to Directors Bob Bunyan and Russ Parker.

ADDITIONS, DELETIONS, REORDERING TO THE AGENDA

City Manager David Doyle removed Consent Calendar Item No. 4 from consideration.

COMMUNITY INPUT:

1. Lori Trottier expressed concern with traffic near Aliso Niguel High School.
2. H. Edetsberger expressed concern with his Homeowners Association.

CONSENT CALENDAR ITEMS 1-6:

Mayor Chun asked if any member of the City Council or staff wished to remove an item from the Consent Calendar. There were no requests to remove items from the Consent Calendar.

MOTION: MAYOR PRO TEM MUNZING MOVED AND COUNCILMEMBER ACKLEY SECONDED TO APPROVE CONSENT CALENDAR ITEMS 1-3, 5 AND 6 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 – AUGUST 7, 2019 SPECIAL MEETING

Approved the subject Minutes as submitted.

3. ACCOUNTS PAYABLE

1. Ratified accounts payable checks and electronic funds transfers issued July 25, 2019 in the amount of \$1,280,715.44; and
2. Ratified accounts payable checks and electronic funds transfers issued August 1, 2019 in the amount of \$301,691.10.

4. AMICUS BRIEF IN SUPPORT OF PETITION TO THE U.S. SUPREME COURT TO GRANT REVIEW OF THE NINTH CIRCUIT'S DECISION IN *MARTIN V. CITY OF BOISE*

This item was removed from consideration.

5. AWARD CONTRACT TO R.J. NOBLE COMPANY FOR THE ALICIA PARKWAY REHABILITATION – PACIFIC PARK DRIVE TO LAGUNA COURT PROJECT

1. Approved Contract Documents, Specifications, and Plans for the Alicia Parkway Rehabilitation – Pacific Park Drive to Laguna Court Project;
2. Awarded a contract in the amount of \$1,014,587 to R.J. Noble Company as the lowest responsible bidder for the Alicia Parkway Rehabilitation – Pacific Park Drive to Laguna Court Project;
3. Authorized the City Manager to execute a contract with R.J. Noble Company;
4. Declared 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); and
5. Authorized City staff to make total compensation to R.J. Noble Company up to \$1,014,587 plus \$101,485.70 (10% of the contract amount) to allow for contingencies, totaling \$1,116,045.70.

6. RELEASE OF BONDS FOR THE TRAFFIC SIGNAL AND PRIVATE STREET IMPROVEMENTS AT 4 LIBERTY

Adopted Resolution No. 2019-21 exonerating the Grading Surety Bond Nos. 0708889 and 0564317 for 4 Liberty.

MOTION CARRIED UNANIMOUSLY

END OF CONSENT CALENDAR

PUBLIC HEARING ITEM 7:

7. REQUEST TO APPROVE PLANNING APPLICATION PA18-040 (CUP/SDP/EP) FOR A CONDITIONAL USE PERMIT, SITE DEVELOPMENT PERMIT, AND EXCEPTION PERMIT TO EXPAND THE EXISTING CONVENIENCE MART BY CONVERTING ONE OF TWO EXISTING SMOG BAYS INTO ADDITIONAL

RETAIL AREA, RECONFIGURE THE REMAINING AUTOMOBILE SMOG BAY WHICH INCLUDES AN INCREASE IN THE BUILDING FOOTPRINT BY 367 SQUARE FEET, UPDATE THE BUILDING EXTERIOR AND PROJECT SITE, ALLOW FOR A PARKING DEFICIENCY OF LESS THAN 15 PERCENT, AND CONSTRUCT EQUIPMENT ENCLOSURE WALLS OVER 6 FEET IN HEIGHT AT THE ALISO VIEJO MOBIL STATION AT 26996 LA PAZ ROAD

City Manager David Doyle introduced Senior Planner Jennifer Lowe, who provided the staff report. Applicant Shawn Damesh provided additional information. Staff and applicant responded to questions regarding deliveries, convenience store limits and propane tank. Mayor Chun opened the public hearing. There were no speakers. Mayor Chun closed the public hearing. Councilmembers commented on the matter.

MOTION: COUNCILMEMBER HARRINGTON MOVED AND COUNCILMEMBER PHILLIPS SECONDED TO:

- 1. CONDUCT A PUBLIC HEARING;**
- 2. FIND THAT THE REQUEST IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO STATE CEQA GUIDELINES SECTIONS 15301 AND 15303; AND**
- 3. ADOPT RESOLUTION NO. 2019-22 TO APPROVE PLANNING APPLICATION PA18-040 FOR A CONDITIONAL USE PERMIT, SITE DEVELOPMENT PERMIT, AND EXCEPTION PERMIT TO EXPAND THE CONVENIENCE MART BY CONVERTING ONE OF TWO EXISTING SMOG BAYS INTO ADDITIONAL RETAIL AREA, RECONFIGURE THE REMAINING SMOG BAY WHICH INCLUDES AN INCREASE IN THE BUILDING FOOTPRINT BY 367 SQUARE FEET, UPDATE THE BUILDING EXTERIOR AND PROJECT SITE, ALLOW FOR A PARKING DEFICIENCY OF LESS THAN 15 PERCENT, AND CONSTRUCT EQUIPMENT ENCLOSURE WALLS OVER 6 FEET IN HEIGHT AT THE ALISO VIEJO MOBIL STATION AT 26996 LA PAZ ROAD, AS AMENDED TO REMOVE "FUEL" FROM CONDITION 17.**

MOTION CARRIED UNANIMOUSLY

DISCUSSION ITEMS:

None.

CITY MANAGER'S REPORT

City Manager David Doyle expressed appreciation to City staff for E-Waste Collection Event held on August 17, 2019; announced registration for Fall Recreation Classes; Healthy Way to Manage Stress and Anxiety for Teens program to be held from 4:00 p.m. to 5:30 p.m. on September 9, 2019 at Aliso Viejo City Hall; Aliso Viejo Trails and Creek

Clean-up Event to be held from 8:00 a.m. to 11:00 a.m. on September 21, 2019 at the Aliso Viejo Ranch; and encouraged residents to follow the City on Facebook, Twitter, Instagram and Nextdoor.

ANNOUNCEMENTS / COUNCIL COMMENTS / COMMITTEE UPDATES

Councilmember Harrington: None.

Councilmember Ackley:

- Attended roundtable hosted by U.S. Congressman Harley Rouda
- Submitted in writing:
 - Attended South Orange County Watershed Management Area Committee Meeting

Councilmember Phillips: None.

Mayor Pro Tem Munzing:

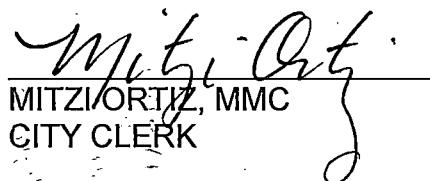
- Submitted in writing:
 - Attended TCA Joint Board of Directors Meeting
 - Attended Aliso Viejo Chamber of Commerce Networking Breakfast
 - Attended City of Laguna Niguel 30th Anniversary Carnival

Mayor Chun:

- Attended City of Laguna Niguel 30th Anniversary Carnival
- Commented on Orange County Mosquito and Vector Control District Meeting
- Commented on jazz performance by Kenny Barron to be held at Soka University

ADJOURNMENT: Mayor Chun adjourned the meeting at 8:04 p.m. to the regularly scheduled meeting of September 4, 2019.

Respectfully submitted:


MITZI ORTIZ, MMC
CITY CLERK

Approved by:


ROSS CHUN
MAYOR