

CITY OF ALISO VIEJO
CITY COUNCIL MINUTES
REGULAR MEETING
SEPTEMBER 16, 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 7:03 p.m.

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

ABSENT: COUNCILMEMBER DAVID C. HARRINGTON
COUNCILMEMBER PHILLIP B. TSUNODA

STAFF PRESENT: DAVID A. DOYLE, CITY MANAGER
SCOTT SMITH, CITY ATTORNEY
MITZI ORTIZ, CITY CLERK
GLENN YASUI, ADMINISTRATIVE SERVICES DIRECTOR
KAREN CROCKER, COMMUNITY SERVICES DIRECTOR
GINA THARANI, FINANCE DIRECTOR
SHAUN PELLETIER, PUBLIC WORKS DIRECTOR / CITY
ENGINEER
ERICA ROESS, SENIOR PLANNER
LT. JOHN MACPHERSON, CHIEF OF POLICE SERVICES

Councilmember Harrington joined the dais at 7:05 p.m. for the remainder of the meeting.

PLEDGE OF ALLEGIANCE: Led by Aliso Viejo Velocity Girls Softball Team.

Councilmember Tsunoda joined the dais at 7:13 p.m. for the remainder of the meeting.

SPECIAL PRESENTATIONS

A. **COUNCIL RECOGNITION AND PRESENTATION TO FLUOR CORPORATION FOR DONATING BACKPACKS, FITS TO LOCAL YOUTH**

Mayor Phillips presented Fluor Community Relations Manager DeeDee Rosenthal and Community Relations Coordinator Tanya Aguilar with a Certificate of Recognition. Ms. Rosenthal provided additional information on Fluor Corporation's philanthropic endeavors.

ADDITIONS, DELETIONS, REORDERING TO THE AGENDA

None.

CONSENT CALENDAR ITEM NOS. 1-7: Mayor Phillips asked if any member of the City Council, staff or the public wished to remove an item from the Consent Calendar. Councilmember Chun requested to remove Item Nos. 4-7. 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. 1-3, 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 – SEPTEMBER 2, 2015 SPECIAL MEETING AND SEPTEMBER 2, 2015 REGULAR MEETING**

Approved the subject Minutes as submitted.

3. **ACCOUNTS PAYABLE**

1. Ratified accounts payable checks issued August 27, 2015 in the amount of \$228,895.72; and
2. Ratified accounts payable checks issued September 3, 2015 in the amount of \$103,772.46.

4. **AQUATIC CENTER EQUIPMENT MAINTENANCE**

This item was removed from the Consent Calendar.

5. **AUTHORIZING YGRENE ENERGY FUND CA LLC PROPERTY ASSESSED CLEAN ENERGY (PACE) FINANCING PROGRAM IN THE CITY OF ALISO VIEJO**

This item was removed from the Consent Calendar.

6. **REIMBURSEMENT AGREEMENT WITH CITY OF MISSION VIEJO FOR SOUTH COUNTY SPORTSZONE**

This item was removed from the Consent Calendar.

7. RESOLUTION REVERSING THE DIRECTOR OF PLANNING SERVICES' ACTION OF NOVEMBER 10, 2014, AND DENYING ADMINISTRATIVE USE PERMIT PA14-020 A REQUEST TO ESTABLISH A TYPE 41 ALCOHOLIC BEVERAGE CONTROL LICENSE FOR EDWARDS THEATER – ALISO VIEJO 20 AT 26701 ALISO CREEK ROAD IN ALISO VIEJO, CA

This item was removed from the Consent Calendar.

MOTION CARRIED UNANIMOUSLY

END OF CONSENT CALENDAR

REMOVED FROM CONSENT CALENDAR

4. AQUATIC CENTER EQUIPMENT MAINTENANCE

Staff responded to questions regarding minor and aesthetic repairs, maintenance funding and completed repairs.

MOTION: COUNCILMEMBER CHUN MOVED AND COUNCILMEMBER HARRINGTON SECONDED TO:

1. **AUTHORIZE THE CITY MANAGER TO APPROPRIATE FUNDS IN THE FY 15-16 BUDGET IN THE AMOUNT OF \$31,210 FOR EQUIPMENT MAINTENANCE; AND**
2. **AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT WITH KNORR SYSTEMS, INC. FOR AQUATIC CENTER EQUIPMENT MAINTENANCE IN AN AMOUNT NOT TO EXCEED \$31,210.**

MOTION APPROVED UNANIMOUSLY

5. AUTHORIZING YGRENE ENERGY FUND CA LLC PROPERTY ASSESSED CLEAN ENERGY (PACE) FINANCING PROGRAM IN THE CITY OF ALISO VIEJO

Staff responded to questions regarding vetting of vendor, City's role, prepayment penalty, and property sales. Crystal Crawford (Ygrene Energy Fund) provided additional information.

MOTION: MAYOR PRO TEM MUNZING MOVED AND COUNCILMEMBER TSUNODA SECONDED TO CONTINUE THIS MATTER FOR ADDITIONAL VETTING.

MOTION APPROVED 3-2 WITH COUNCILMEMBERS CHUN AND HARRINGTON DISSENTING

6. REIMBURSEMENT AGREEMENT WITH CITY OF MISSION VIEJO FOR SOUTH COUNTY SPORTSZONE

Staff responded to questions regarding the City's commitment and availability of programming.

MOTION: COUNCILMEMBER CHUN MOVED AND COUNCILMEMBER HARRINGTON SECONDED TO:

1. **APPROVE THE REIMBURSEMENT AGREEMENT WITH THE CITY OF MISSION VIEJO RELATING TO "SOUTH COUNTY SPORTSZONE"; AND**
2. **AUTHORIZE THE CITY MANAGER TO EXECUTE THE REIMBURSEMENT AGREEMENT WITH THE CITY OF MISSION VIEJO.**

MOTION APPROVED UNANIMOUSLY

7. RESOLUTION REVERSING THE DIRECTOR OF PLANNING SERVICES' ACTION OF NOVEMBER 10, 2014, AND DENYING ADMINISTRATIVE USE PERMIT PA14-020 A REQUEST TO ESTABLISH A TYPE 41 ALCOHOLIC BEVERAGE CONTROL LICENSE FOR EDWARDS THEATER – ALISO VIEJO 20 AT 26701 ALISO CREEK ROAD IN ALISO VIEJO, CA

City Manager David Doyle provided the staff report. Staff responded to questions regarding public noticing, purpose of continuance, current representative of applicant, communications between Regal Cinemas and members of the public. Mayor Phillips opened for public comment and the following persons spoke:

1. Dean Ossola expressed concern with the process in considering the matter.
2. Bill Perkins commented on noticing of upcoming public hearing and communications from Regal Cinemas.
3. Shawn Hansen commented on communications from Regal Cinemas.
4. Audrey McKeon expressed opposition to administrative use permit.
5. Ravi Singh commented on community support of administrative use permit.

There were no other speakers. Jennifer Oden (representing Regal Cinemas) provided additional information.

MAYOR PHILLIPS RECESSED THE MEETING AT 8:50 P.M. AND RECONVENED AT 9:01 P.M.

MOTION: TSUNODA MOVED TO ADOPT A RESOLUTION REVERSING THE DIRECTOR OF PLANNING SERVICES' DECISION AND DENYING APPROVAL OF ADMINISTRATIVE USE PERMIT PA14-020, A REQUEST TO ESTABLISH A TYPE 41 ALCOHOLIC BEVERAGE CONTROL LICENSE FOR EDWARDS THEATER – ALISO VIEJO 20 AT 26701 ALISO CREEK ROAD

MOTION FAILED FOR LACK OF A SECOND

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

1. **CONTINUE CONSIDERATION OF THE FOLLOWING RESOLUTION TO OCTOBER 21, 2015:**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA REVERSING THE DIRECTOR OF PLANNING SERVICES' DECISION AND DENYING APPROVAL OF ADMINISTRATIVE USE PERMIT PA14-020, A REQUEST TO ESTABLISH A TYPE 41 ALCOHOLIC BEVERAGE CONTROL LICENSE FOR EDWARDS THEATER – ALISO VIEJO 20 AT 26701 ALISO CREEK ROAD IN ALISO VIEJO, CA; AND

2. **AUTHORIZE REOPENING THE PUBLIC HEARING ON OCTOBER 21, 2015, IN ORDER TO CONSIDER MODIFICATIONS FROM REGAL ENTERTAINMENT GROUP REGARDING ADMINISTRATIVE USE PERMIT PA14-020 FOR ALCOHOL SERVICE AT THE EDWARDS THEATER – ALISO VIEJO 20 AT 26701 ALISO CREEK ROAD AND ACCEPT ADDITIONAL PUBLIC TESTIMONY ACCORDINGLY.**

MOTION APPROVED 4-1 WITH COUNCILMEMBER TSUNODA DISSENTING

DISCUSSION ITEM NO. 8

8. **ALISO NIGUEL HIGH SCHOOL TRAFFIC FINDINGS & RECOMMENDATIONS**

Public Works Director / City Engineer Shaun Pelletier introduced Ryan Calad (KOA Corporation) who provided the staff report. Staff responded to questions regarding staggered schedules, proposed time restrictions, drop off zones and additional streets. Mayor Phillips opened for public comment and the following persons spoke:

1. Marianne Harrington expressed concern with high school traffic traveling through private streets.
2. Jane Griffin expressed concern with high school traffic traveling through private street.

There were no other speakers.

MOTION: COUNCILMEMBER CHUN MOVED AND COUNCILMEMBER HARRINGTON SECONDED TO:

1. RECEIVE PRESENTATION OF ALISO NIGUEL HIGH SCHOOL TRAFFIC FINDINGS AND RECOMMENDATIONS; AND
2. DIRECT STAFF WHETHER OR NOT TO IMPLEMENT RECOMMENDATIONS.

MOTION APPROVED UNANIMOUSLY

COMMUNITY INPUT:

1. Vicky Higginson commented on Aliso Niguel High School traffic study and controlled crosswalks.

CITY MANAGER'S REPORT

None.

ANNOUNCEMENTS / COUNCIL COMMENTS / COMMITTEE UPDATES

Councilmember Chun:

- Attended SCAG Meetings
- Attended Laguna Niguel Chamber of Commerce Meeting
- Attended ACC-OC Event
- Attended September 11th Ceremony
- Attended Capistrano Unified School District Board Meeting
- Attended Dessert with Deni event at Aliso Niguel High School
- Attended Laguna Niguel City Council Meeting
- Attended ACC-OC Board Meeting
- Requested compilation of Conflict of Interest documentation

Councilmember Harrington:

- Participated in Duchenne Muscular Dystrophy Golf Tournament
- Announced fundraiser at Jimboy's Tacos to benefit Aliso Viejo resident on October 10, 2015
- Expressed condolences to Councilmember Chun regarding loss of sister-in-law

Councilmember Tsunoda:

- Encouraged attendance at Aliso Niguel High School football game on September 18, 2015 at 7:00 p.m.

Mayor Pro Tem Munzing:

- Attended event hosted by Congressman Rohrabacher

Mayor Phillips:

- Announced meeting regarding access and parking at Wood Canyon Wilderness Park
- Announced Aliso Viejo Trails and Creek Clean-Up event on September 18, 2015
- Announced Founder's Day Fair on October 3, 2015

ADJOURNMENT: Mayor Phillips adjourned the meeting at 10:29 p.m. to the regularly scheduled meeting of October 7, 2015.

Respectfully submitted:


MITZI ORTIZ, MMC
CITY CLERK

Approved by:


WILLIAM A. PHILLIPS
MAYOR