

CITY OF ALISO VIEJO
CITY COUNCIL MINUTES
REGULAR MEETING
AUGUST 17, 2016, 7:00 P.M.
Council Chambers, City Hall, 12 Journey
Aliso Viejo, California

CALL TO ORDER: Mayor Munzing called the Regular Meeting of the City Council of the City of Aliso Viejo to order at 7:07 p.m.

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

ABSENT: NONE

STAFF PRESENT: DAVID A. DOYLE, CITY MANAGER
SCOTT C. SMITH, CITY ATTORNEY
MITZI ORTIZ, CITY CLERK
GLENN YASUI, ADMINISTRATIVE SERVICES DIRECTOR
GINA THARANI, FINANCE DIRECTOR
SHAUN PELLETIER, PUBLIC WORKS DIRECTOR / CITY
ENGINEER
OMAR DADABHOY, PLANNING DIRECTOR
ISAAC AZIZ, INFORMATION TECHNOLOGY MANAGER
SGT. RAY ULMER, ADMINISTRATIVE SERGEANT

REPORT ON CLOSED SESSION: City Attorney Scott Smith stated no reportable action was taken during the August 17, 2016 Special Meeting (Closed Session).

PLEDGE OF ALLEGIANCE: Eagle Scout Jacob Weiser led the pledge of allegiance.

SPECIAL PRESENTATIONS:

A. **COUNCIL RECOGNITION AND PRESENTATION TO JACOB WEISER FOR EARNING THE RANK OF EAGLE SCOUT**

Mayor Munzing presented the Certificate of Recognition to Jacob Weiser. Mr. Weiser provided information related to his Eagle Scout project.

ADDITIONS, DELETIONS, REORDERING TO THE AGENDA

None.

CONSENT CALENDAR ITEM NOS. 1-4:

Mayor Munzing asked if any member of the City Council, staff or the public wished to remove an item from the Consent Calendar. Councilmember Chun requested the removal of Item No. 4. There were no additional requests to remove items from the Consent Calendar.

MOTION: COUNCILMEMBER PHILLIPS MOVED AND MAYOR PRO TEM HARRINGTON SECONDED TO APPROVE CONSENT CALENDAR ITEMS 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 – AUGUST 3, 2016 REGULAR MEETING**

Approved the subject Minutes as submitted.

3. **ACCOUNTS PAYABLE**

1. Ratified accounts payable checks issued July 28, 2016 in the amount of \$833,246.31; and
2. Ratified accounts payable checks issued August 4, 2016 in the amount of \$168,809.87.

4. **ALISO & WOOD CANYONS WILDERNESS PARK INVASIVE SPECIES REMOVAL PROJECT**

This item was removed from the Consent Calendar.

MOTION CARRIED UNANIMOUSLY

END OF CONSENT CALENDAR

REMOVED FROM CONSENT CALENDAR

4. **ALISO & WOOD CANYONS WILDERNESS PARK INVASIVE SPECIES REMOVAL PROJECT**

Staff responded to questions regarding grant funding and project phases.

MOTION: COUNCILMEMBER CHUN MOVED AND COUNCILMEMBER PHILLIPS SECONDED TO:

- 1. AWARDED CONTRACT IN THE AMOUNT OF \$158,000 TO LAGUNA CANYON FOUNDATION AS THE SOLE SOURCE BIDDER FOR THE INVASIVE SPECIES REMOVAL PROJECT;**
- 2. AUTHORIZED THE CITY MANAGER TO EXECUTE A CONTRACT WITH LAGUNA CANYON FOUNDATION; AND**
- 3. AUTHORIZED CITY STAFF TO MAKE TOTAL COMPENSATION TO LAGUNA CANYON FOUNDATION UP TO \$158,000 PLUS \$7,900 TO ALLOW FOR CONTINGENCIES, TOTALING \$166,000.**

MOTION CARRIED UNANIMOUSLY

PUBLIC HEARING ITEM NOS. 5-6:

5. **PUBLIC HEARING REGARDING CONSIDERATION OF THE OPERATING COVENANT AGREEMENT WITH EFUEL, LLC, AND THE RELATED ECONOMIC DEVELOPMENT SUBSIDY REPORT**

City Manager David Doyle provided the staff report. Staff responded to questions regarding operations, sales tax revenue and industry competition. Mayor Munzing opened the public hearing. There were no speakers. Mayor Munzing closed the public hearing.

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

- 1. 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. 2016-35 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 EFUEL, LLC, AND APPROVING THE OPERATING COVENANT AGREEMENT BETWEEN THE CITY OF ALISO VIEJO AND EFUEL, LLC AND MAKING RELATED FINDINGS; AND**
- 4. AUTHORIZE THE CITY MANAGER TO EXECUTE ALL RELATED DOCUMENTS.**

MOTION CARRIED UNANIMOUSLY

6. AN ORDINANCE AMENDING TITLE 15 OF THE ALISO VIEJO MUNICIPAL CODE TO CLARIFY THE INTENT OF EXISTING REGULATION OF SHORT-TERM RENTALS AND RELATED USES

City Manager David Doyle introduced City Attorney Scott Smith who provided the staff report. Mayor Munzing opened the public hearing. There were no speakers. Mayor Munzing closed the public hearing.

MOTION: COUNCILMEMBER PHILLIPS MOVED AND COUNCILMEMBER CHUN SECONDED TO INTRODUCE FOR FIRST READING AN ORDINANCE OF THE CITY COUNCIL OF ALISO VIEJO, CALIFORNIA AMENDING TITLE 15 OF THE ALISO VIEJO MUNICIPAL CODE TO CLARIFY THE INTENT OF EXISTING REGULATION OF SHORT-TERM RENTALS AND RELATED USES.

MOTION CARRIED UNANIMOUSLY

DISCUSSION ITEM NO. 7:

7. COUNCIL INITIATED ACTION ITEM: CUSD BOND MEASURE ON NOVEMBER 8TH, 2016 GENERAL ELECTION BALLOT

Mayor Munzing provided an overview. Staff responded to questions regarding protocol of Councilmember initiated agenda items and request to Capistrano Unified School District for presentation. Mayor Munzing opened for public comment and the following persons spoke:

1. Sharon Campbell expressed opposition to the bond measure.
2. Wayne Tate expressed opposition to the bond measure.
3. Frank Ury expressed opposition to the bond measure.
4. Michelle Fleming expressed support of the bond measure.

There were no other speakers. The City Council provided direction on subject matter of requested presentation. No further action was taken.

COMMUNITY INPUT:

None.

CITY MANAGER'S REPORT

None.

ANNOUNCEMENTS / COUNCIL COMMENTS / COMMITTEE UPDATES

Councilmember Chun:

- Attended TCA Joint Board Meeting
- Attended TCA Executive Ad Hoc Committee Meeting
- Attended La Pata Road Extension Ribbon Cutting
- Expressed appreciation to Staff for traffic signal timing correction
- Attended Orange County Business Council Economic Forum
- Participated League of California Cities Orange County Division Board Meeting

Councilmember Phillips:

- Attended Cymbeline performance at Soka University

Councilmember Tsunoda:

- Attended La Pata Road Extension Ribbon Cutting

Mayor Pro Tem Harrington:

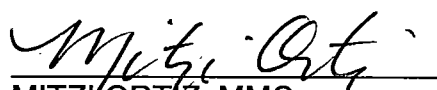
- Attended La Pata Road Extension Ribbon Cutting
- Submitted in writing:
 - Attended Orange County Business Council Economic Forum
 - Represented City at Orange County Fair
 - Attended California Women's Leadership Association Legislative Reception
 - Attended Laguna Niguel Chamber of Commerce Government Affairs Meeting
 - Attended Aliso Viejo Chamber of Commerce Networking Breakfast
 - Attended Laguna Audubon HOA Town Hall Meeting
 - Attended Citizen of the Year Selection Committee Meeting

Mayor Munzing:

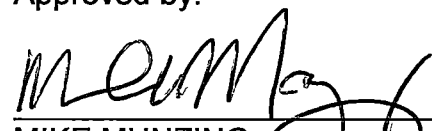
- Attended La Pata Road Extension Ribbon Cutting
- Attended Orange County Taxpayers Association Luncheon
- Attended Laguna Niguel Chamber of Commerce Government Affairs Meeting
- Attended Aliso Viejo Chamber of Commerce Networking Breakfast
- Attended CUSD Board Meeting

ADJOURNMENT: Mayor Munzing adjourned the meeting at 8:35 p.m. to the regularly scheduled meeting of September 7, 2016.

Respectfully submitted:


MITZI ORTIZ, MMC
CITY CLERK

Approved by:


MIKE MUNZING
MAYOR