

CITY OF ALISO VIEJO  
CITY COUNCIL MINUTES  
REGULAR MEETING  
SEPTEMBER 18, 2013, 7:00 P.M.  
Council Chambers, City Hall, 12 Journey  
Aliso Viejo, California

**CALL TO ORDER:** Mayor Cave called the Regular Meeting of the City Council of the City of Aliso Viejo to order at 7:05 p.m.

PRESENT: MAYOR CARMEN CAVE  
MAYOR PRO TEM PHILLIP B. TSUNODA  
COUNCILMEMBER ROSS CHUN  
COUNCILMEMBER MIKE MUNZING  
COUNCILMEMBER WILLIAM A. PHILLIPS

ABSENT: NONE

STAFF PRESENT: JOHN WHITMAN, INTERIM CITY MANAGER  
SCOTT C. SMITH, CITY ATTORNEY  
SUSAN A. RAMOS, CITY CLERK  
GLENN YASUI, ADMINISTRATIVE SERVICES DIRECTOR  
KAREN CROCKER, COMMUNITY SERVICES DIRECTOR  
SHAUN PELLETIER, PUBLIC WORKS DIRECTOR/CITY  
ENGINEER  
ALBERT ARMIJO, PLANNING DIRECTOR  
LT. JOHN MACPHERSON, POLICE CHIEF

**PLEDGE OF ALLEGIANCE TO THE FLAG:** Led by Madison Matthew.

**SPECIAL PRESENTATION**

A. COUNCIL PRESENTATION OF A PROCLAMATION DECLARING "FIRE PREVENTION WEEK" ON OCTOBER 6 – 12, 2013 TO ORANGE COUNTY FIRE AUTHORITY (OCFA) BATALLION CHIEF MIKE CONTRERAS

Mayor Cave introduced and invited Batallion Chief Mike Contreras to comment about fire prevention week. Following the presentation, Mayor Cave presented Batallion Chief Contreras with a proclamation. Batallion Chief Contreras accepted the proclamation and expressed thanks and appreciation.

**B. COUNCIL PRESENTATION AND RECOGNITION TO ORANGE COUNTY SHERIFF SERGEANT DJ HALDEMAN FOR HIS OUTSTANDING SERVICE TO THE CITY**

Mayor Cave invited Lt. MacPherson and Sgt. Haldeman to the podium. Lt. MacPherson commended Sgt. Haldeman on his contributions to the City and his good work with the community. Mayor Cave expressed thanks and appreciation to Sgt. Haldeman for his exemplary service to the City and presented him with a City Tile Plaque. Sgt. Haldeman expressed thanks and appreciation for the recognition and the opportunity to work here.

**ADDITIONS, DELETIONS, REORDERING TO THE AGENDA**

Mayor Cave removed item no. 15 from the agenda and moved item no. 8 from Consent to Discussion.

At this time, City Attorney Scott Smith announced there was no reportable action for the City Council Special Meeting Closed Sessions held previously on September 9 and September 16, 2013 regarding the City Manager recruitment.

**CONSENT CALENDAR**

Mayor Cave asked if any member of the City Council or the public wished to remove an item from the Consent Calendar. There was no request from the City Council and the public to remove any items on the consent calendar.

**MOTION: COUNCILMEMBER PHILLIPS MOVED AND COUNCILMEMBER MUNZING SECONDED TO APPROVE CONSENT CALENDAR ITEMS 1 – 7 and 9-10, 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. MINUTES

- A. August 21, 2013 regular meeting
- B. September 9, 2013 special meeting (Closed Session)

Approved the subject Minutes as submitted.

3. ACCOUNTS PAYABLE

Ratified the following Accounts Payable checks:

- A. Issued August 15, 2013 in the amount of \$206,136.51 and
- B. Issued August 22, 2013 in the amount of \$769,027.93 and
- C. Issued August 29, 2013 in the amount of \$110,810.79 and
- D. Issued September 5, 2013 in the amount of \$39,417.79.

4. TREASURER'S STATEMENT - JULY 2013

Approved the July 2013 Treasurer's Statement.

5. CITIZEN, SENIOR, AND YOUTH OF THE YEAR

Authorized the Selection Committee to select the Annual Citizens of the Year.

6. ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA) MASTER FUNDING AGREEMENT AMENDMENT NO. 3

Approved Amendment No. 3 to Master Funding Agreement No. C-1-2753 between OCTA and the City of Aliso Viejo; and, authorize the Mayor to execute said Amendment.

7. COOPERATIVE AGREEMENT WITH THE CITY OF LAGUNA BEACH FOR EL TORO ROAD SLURRY SEAL

Authorized the Interim City Manager to execute a cost sharing cooperative agreement with the City of Laguna Beach.

9. WOODFIELD PARK AND OTHER ACTIVE PARKS

Received and filed.

10. ALISO VIEJO RANCH CONTRACT FOR ENVIRONMENTAL DOCUMENTATION

Approved said Agreement with Environmental and Regulatory Specialists, Inc. (EARS) for environmental consultant services pertaining to the Aliso Viejo Ranch Site Plan.

**MOTION UNANIMOUSLY CARRIED.**

**END OF CONSENT CALENDAR**

**PUBLIC HEARING ITEM NO. 11**

11. **PA13-025: A CITY-INITIATED AMENDMENT TO THE CITY'S MUNICIPAL CODE AND CORRECTIONS TO THE OFFICIAL ZONING MAP**

Larry Lawrence, Planning Consultant, presented the staff report noting that with respect to Kindercare in particular, the use was a preexisting valid nonconforming use, and would remain as such after the adoption of the proposed amendment. He responded to Council questions regarding wireless along the corridor and the date for the second reading of the ordinance.

Mayor Cave opened the public hearing and the following person spoke:

- 1) Ben Rubin (Nossaman LLP), expressed support for the KinderCare amendment.

There was no further public testimony and the public hearing was closed.

**MOTION: COUNCILMEMBER PHILLIPS MOVED AND COUNCILMEMBER CHUN SECONDED TO CONDUCT FIRST READING AND INTRODUCE AN ORDINANCE ENTITLED:**

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, AMENDING SECTION 8.12.050 OF THE ALISO VIEJO MUNICIPAL CODE AND AMENDING TITLE 15 OF THE ALISO VIEJO MUNICIPAL CODE TO MAKE CHANGES TO NONRESIDENTIAL PERMITTED LAND USES, CHANGES IN STANDARDS FOR WIRELESS COMMUNICATION FACILITIES, CORRECTIONS TO THE ZONING OF CERTAIN PARCELS AND VARIOUS OTHER CHANGES**

**MOTION UNANIMOUSLY CARRIED.**

**DISCUSSION ITEMS NO. 12 - 15**

12. **ON-CALL CIVIL ENGINEERING SERVICES**

City Engineer Shaun Pelletier presented the staff report and responded to Council questions.

Mayor Cave opened public comment and there was none.

**MOTION: COUNCILMEMBER PHILLIPS MOVED AND COUNCILMEMBER MUNZING SECONDED TO AWARD CONTRACT TO APA ENGINEERING, INC. TO PERFORM ON CALL CIVIL ENGINEERING SERVICES AND AUTHORIZE THE INTERIM CITY MANAGER TO EXECUTE SAID CONTRACT FOR AN AMOUNT NOT TO EXCEED**

**\$400,000.00 AS NEEDED FOR A PERIOD OF UP TO THREE (3) YEARS. MOTION UNANIMOUSLY CARRIED.**

13. SHOP AND DINE IN ALISO VIEJO

Director of Administrative Services Glenn Yasui presented the staff report and noted Dick Fisher with the Aliso Viejo Chamber of Commerce is present this evening.

Mr. Fisher provided comments in support of the program.

Discussion ensued regarding the implementation schedule in 2014 and the criteria for participation.

Mayor Cave opened public comments.

- 1) David Russell Ohrn (DRO) with AV Printing, commented about a similar program in Laguna Niguel of which he helped develop when he was on their Chamber of Commerce board, noting it is a good program and will benefit the community and businesses.

THERE WAS COUNCIL DIRECTION TO STAFF TO MOVE FORWARD WITH THE DEVELOPMENT OF THE PROGRAM FOR IMPLEMENTATION IN 2014 TO BE ADMINISTERED BY THE ALISO VIEJO CHAMBER OF COMMERCE, AND TO BRING IT BACK TO COUNCIL WHEN THE PROGRAM DEVELOPMENT IS COMPLETED.

14. PRESENTATION OF CITY'S PROPOSED BRANDING PLAN

Director of Community Services Karen Crocker presented the staff report.

Discussion ensued regarding color palettes, formal use of the City's official seal and the informal use of the City's branding seal for special events, website, communication, etc. and developing a trademark for the branding seal.

THERE WAS COUNCIL DIRECTION TO STAFF TO MOVE FORWARD WITH THE DEVELOPMENT OF THE CITY'S BRANDING SEAL. AND BRING BACK A DEFINED WORK PLAN INCLUDING TIMELINE AND CORRESPONDING COST ESTIMATES.

15. 2035 GENERAL PLAN STATUS REPORT

This item was removed from the Agenda.

8. VANTIS AND OTHER HOUSING OPPORTUNITIES AD HOC COMMITTEE UPDATE

This item was moved from the Consent Calendar to Discussion.

Director of Planning Services Albert Armijo reported on the following Ad Hoc meetings:

- On September 12, 2013 the Ad Hoc met with staff and Mr. Marra, a representative from Keyser-Marsten, who presented draft and preliminary information on the financial analysis of the proposed Vantis project, and indicated he plans to complete his analysis within one week. The Ad Hoc also discussed opportunities for affordable housing on 2C Liberty and 4 Liberty.
- On September 13, 2013 the Ad Hoc met with staff and representatives from Shea Properties and Shea was advised more information would need to be received from Keyser-Marston before an informed discussion could begin on the their proposed Vantis application and before the item can be scheduled on the Council agenda. The Ad Hoc deliberated over the potential Shea participation in providing affordable low income and very low income housing as part of its proposal to add 335 apartment units on the Vantis property. Additionally, the Ad Hoc expressed concern about the portion of the Vantis project application that sought to eliminate square footage of professional office use and that impact to future jobs in the City.

Mayor Cave opened public comments and one person spoke.

- 1) Bryan Streelman, expressed concern about difficulty as a homeowner to provide input for Shea's proposed development.

Interim City Manager John Whitman responded he will ask staff to meet with him to describe the process for providing input.

Mayor Cave noted the City is not hiding anything and if following the process in accordance with law and the public will have an opportunity to provide their input.

There was no further public comment.

### **COMMUNITY INPUT**

- 1) Steven Spiegel expressed concern about the admission fee to attend the State of the City event scheduled at Soka Performing Arts Center, noting it should be free to the residents. He also expressed concern and requested information about the proposed Boys and Girls Club operations in the proposed community center at the Ranch site with respect to how many Aliso Viejo children will be served at this facility noting it is not logical nor fiscally prudent to go into debt for \$19M for this facility.

### **CITY MANAGER'S REPORT**

Interim City Manager John Whitman clarified the proposed Boys and Girls Club operations at the proposed community center at the Ranch site would be a branch site

from their main site located in San Juan Capistrano.

Mayor Cave clarified the Aliso Viejo Chamber of Commerce invited her to speak at their event on September 21, 2013 at Soka. The subject event is not a City sponsored event.

### **ANNOUNCEMENTS/COUNCIL COMMENTS/COMMITTEE UPDATES**

Councilmember Munzing

- Attended the SCAG meeting last week with several issues on the table
- Attended the ACC-OC Realities of Realignment session re policing, sheriff and prison issues.

Councilmember Chun

- Attended the TCA Board meeting with discussion on the formation of an environmental ad hoc committee of which he would be a member representing Aliso Viejo.

Councilmember Phillips

- None at this time.

Mayor Pro Tem Tsunoda

- None at this time.

Mayor Cave:

- Attended the Mayor's Roundtable meeting last week co-hosted by the Cal State Fullerton (CSF) Philanthropic Foundation Board of Governors Advocacy Committee, at their Irvine branch.
- Attended the Vantis Ad Hoc Committee meetings at City Hall.
- Reported she would not be attending the League Conference in Sacramento and Councilmember Chun will be attending and voting as the City's alternate.
- Announced the Aliso Viejo Chamber of Commerce's Second Annual Gala event at Soka Performing Arts Center on Saturday, September 21, 2013.
- Announced the Interim City Manager John Whitman will be on vacation the next couple of weeks and will not be attending the October 2 Council meeting. She asked Council to defer any questions or issues to his designee, Glenn Yasui.

**ADJOURNMENT:** The meeting was adjourned at 8:00 p.m. to the regularly scheduled City Council meeting on October 2, 2013.

Respectfully submitted:

Approved by:

---

SUSAN A. RAMOS, CITY CLERK

---

CARMEN L. CAVE, MAYOR