

AGENDA

ALISO VIEJO CITY COUNCIL
WEDNESDAY, NOVEMBER 18, 2020
6:45 P.M. CLOSED SESSION
7:00 PM REGULAR MEETING

City Hall
Council Chambers
12 Journey
Aliso Viejo, CA



Mayor Mike Munzing
Mayor Pro Tem Tiffany Ackley
Councilmember Ross Chun
Councilmember David C. Harrington
Councilmember William A. Phillips

SPECIAL NOTICE REGARDING COVID-19

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On March 12, 2020, Governor Newsom issued Executive Order N-25-20, which allows Council Members to attend City Council meetings telephonically. Please be advised that some, or all, of the Aliso Viejo City Council Members may attend this meeting telephonically.

On March 17, 2020, Governor Newsom issued Executive Order N-29-20, which allows for the public to participate in any meeting of the City Council by electronic means. Given the health risks associated with COVID-19, the City of Aliso Viejo will not have the Council Chambers open to the public for this meeting. Members of the public may view the meeting live on Cox Communications Channel 851, AT&T U-Verse Channel 99 or on the City's website at www.avcity.org.

Public comments can be submitted via email to Community-Input@avcity.org or by calling (949) 425-2509 to leave a recorded message. Comments are limited to three minutes each. Recorded comments must be submitted by 4:00 p.m. on the day of the meeting.

WELCOME to the City of Aliso Viejo City Council meeting. Those persons wishing to address the City Council are requested to complete and submit to the City Clerk a "Request to Address City Council" form available at the entrance to the City Council Chambers. Speakers will be called at the appropriate time as their interested matter is heard. COMMENTS WILL BE LIMITED TO THREE MINUTES PER SPEAKER. Council proceedings are recorded.

It is the City's intention to comply with the Americans with Disabilities Act (ADA). If you need special assistance to participate in the meeting, the City will make reasonable arrangements to ensure accessibility and/or accommodations. [28 CFR 35.102-35.104 ADA Title II] Please contact the City Clerk's Office at (949) 425-2505 at least 48 hours prior to the meeting.

Regular meetings of the City Council are held on the first and third Wednesday of the month at the City Hall Council Chambers, 12 Journey, Aliso Viejo. Copies of the agenda are available in the lobby at City Hall on the Thursday preceding a regularly scheduled City Council meeting. All communications received by the City regarding an agenda item have been included in the agenda materials. Supplemental documents relating to specific agenda items, including communications received after agenda delivery, are presented at the dais and in the Public Copy agenda binder at the time of the meeting. Supplemental documents are also available for review in the City Clerk's office, 12 Journey, Aliso Viejo. For more information, please contact City Hall at (949) 425-2505.

This meeting will be broadcast live on Cox Communications Channel 851, AT&T U-Verse Channel 99 and the City's website. By attending the City Council Meeting, you are giving your permission to be televised. The Council Meetings are rebroadcast on Wednesday at 7:00 p.m. on Cox Communications Channel 851, AT&T U-Verse Channel 99, and can be viewed on the internet at www.avcity.org.

DAVID A. DOYLE
CITY MANAGER

SCOTT C. SMITH
CITY ATTORNEY

MITZI ORTIZ
CITY CLERK

**PLEASE SILENCE ALL CELL PHONES AND OTHER
ELECTRONIC EQUIPMENT WHILE CITY COUNCIL IS IN SESSION**

CALL TO ORDER: CONVENE SPECIAL MEETING

PUBLIC COMMENTS:

CLOSED SESSION:

CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code Section 54957.6
Agency Designated Representative: Mayor
Unrepresented Employee: City Manager

CALL TO ORDER: CONVENE REGULAR MEETING

ROLL CALL

PLEDGE OF ALLEGIANCE:

REPORT FROM CLOSED SESSION:

1. SPECIAL PRESENTATIONS:

1.1. CERTIFICATE OF RECOGNITION TO COX COMMUNICATIONS

[Certificate of Recognition](#)

1.2. FEATURED BUSINESS OF THE MONTH - AVANIR PHARMACEUTICALS

[Certificate of Recognition](#)

1.3. VIDEO PRESENTATION FROM BOYS AND GIRLS CLUB OF CAPISTRANO VALLEY

1.4. VETERANS DAY VIDEO PRESENTATION

2. ADDITIONS, DELETIONS, REORDERING TO THE AGENDA:

3. COMMUNITY INPUT:

Members of the public wishing to address the City Council can submit public comments via email to Community-Input@avcity.org or by calling (949) 425-2509 to leave a recorded message. Recorded comments must be submitted by 4:00 p.m. on the day of the meeting. Written comments will be read into the record and recorded messages will be aired during the meeting. Comments are limited to three (3) minutes each. In compliance with the Brown Act, no discussion or action may be taken on comments received at this time, except the City Council may briefly respond to statements made or questions posed.

4. CONSENT CALENDAR:

All matters listed on the Consent Calendar will be acted upon by one vote unless members of the City Council, or staff request a matter to be discussed and/or removed from the Consent Calendar for separate action. Items removed from the Consent Calendar will be discussed and voted upon immediately following City Council action on the remainder of the Consent Calendar.

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 – OCTOBER 21, 2020 SPECIAL MEETING AND OCTOBER 21, 2020 REGULAR MEETING

Recommended Action: Approve the subject Minutes as submitted.

[Draft Minutes - October 21, 2020 Special Meeting](#)

[Draft Minutes - October 21, 2020 Regular Meeting](#)

4.3. SECOND READING AND ADOPTION OF AN ORDINANCE AMENDING TITLE 15 OF THE CITY OF ALISO VIEJO RELATING TO MEDICAL USES IN THE TOWN CENTER COMMERCIAL (CT) ZONE

Recommended Action: Conduct second reading and adopt Ordinance entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, AMENDING TABLE 15.18.020 OF SECTION 15.18.020 OF CHAPTER 15.18 OF THE ALISO VIEJO MUNICIPAL CODE, "PERMITTED USES IN NONRESIDENTIAL DISTRICTS," REGARDING OUTPATIENT MEDICAL USES IN THE TOWN CENTER COMMERCIAL (CT) ZONING DISTRICT.

[Staff Report](#)

[Attachment 1 - Ordinance](#)

4.4. ACCOUNTS PAYABLE

Recommended Action:

1. Ratify accounts payable checks and electronic funds transfers issued October 08, 2020 in the amount of \$2,546,563.18;
2. Ratify accounts payable checks and electronic funds transfers issued October 15, 2020 in the amount of \$182,966.24;
3. Ratify accounts payable checks and electronic funds transfers issued October 22, 2020 in the amount of \$165,900.45 and
4. Ratify accounts payable checks and electronic funds transfers issued October 29, 2020 in the amount of \$1,495,808.13.

[Staff Report](#)

[Attachment 1 - Accounts Payable Report](#)

4.5. TREASURER'S STATEMENT – SEPTEMBER 2020

Recommended Action: Approve September 2020 Treasurer's Statement

[Staff Report](#)

[Attachment 1 - Sep'20 Treasurer's Report](#)

4.6. COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR)

Recommended Action: Receive and file the Comprehensive Annual Financial Report (CAFR) for the year ended June 30, 2020.

[Staff Report](#)

[Attachment 1 - CAFR for FY 2019-2020](#)

4.7. SEVENTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH URBANUS GROUP, LLC FOR PLANNING CONSULTANT SERVICES

Recommended Action:

1. Approve the Seventh Amendment to the Professional Services Agreement between the City of Aliso Viejo ("City") and Urbanus Group, LLC ("Urbanus") for planning consultant services to increase the total compensation by an amount not to exceed \$70,000 and extend the term of the contract to June 30, 2022 and

2. Authorize the City Manager to execute the Seventh Amendment to the Professional Services Agreement.

[Staff Report](#)

[Attachment 1 - 7th Agreement Amendment](#)

[Attachment 2 - Professional Services Agreement and Amendments](#)

5. PUBLIC HEARINGS:

- 5.1. REQUEST TO APPROVE PLANNING APPLICATION PA18-035 (CUP) FOR A CONDITIONAL USE PERMIT TO ESTABLISH A PRIVATE EDUCATION USE WITH AN ALTERNATIVE PARKING PLAN THAT INCLUDES AN OFFSITE PARKING AGREEMENT FOR A PARKING DEFICIENCY OVER 15 PERCENT AT 145 COLUMBIA (COMPASS BIBLE CHURCH)

Recommended Action:

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 (Existing Facilities); and
3. Adopt a Resolution approving Planning Application PA18-035 (CUP) for a conditional use permit to establish a private education use with an alternative parking plan that includes an offsite parking agreement for a parking deficiency over 15 percent at 145 Columbia.

[Staff Report](#)

[Attachment 1 - Resolution](#)

[Attachment 2 - Applicant Project Description Letter](#)

[Attachment 3 - Parking Study](#)

[Attachment 4 - Draft Parking Agreement](#)

[Attachment 5 - Project Plans](#)

[Attachment 6 - Presentation](#)

6. DISCUSSION:

- 6.1. RESOLUTION DENOUNCING CHILDHOOD BULLYING (ACKLEY / HARRINGTON)

Recommended Action: Adopt a Resolution Denouncing Childhood Bullying

[Resolution](#)

- 6.2. FIRST AMENDMENT TO CITY MANAGER EMPLOYMENT AGREEMENT

Recommended Action: Approve a First Amendment to Employment Agreement between the City of Aliso Viejo and David A. Doyle.

[Staff Report](#)

[Attachment 1 - First Amendment to Employment Agreement](#)

[Attachment 2 - 2018 Employment Agreement](#)

7. CITY MANAGER' S REPORT:

8. **ANNOUNCEMENTS / COUNCIL COMMENTS / COMMITTEE UPDATES:**

9. **ADJOURNMENT:**

The next regularly scheduled City Council meeting is December 2, 2020.