

AGENDA

ALISO VIEJO CITY COUNCIL
WEDNESDAY, APRIL 17, 2024
6:00 PM 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 Max Duncan
Councilmember Richard Hurt

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.

MITZI ORTIZ
ACTING CITY MANAGER

SCOTT C. SMITH
CITY ATTORNEY

LAUREN TORRES
DEPUTY 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:

PUBLIC EMPLOYEE APPOINTMENT
Pursuant to Government Code Section 54957
Title: City Manager

CALL TO ORDER: Convene Regular Meeting

ROLL CALL

PLEDGE OF ALLEGIANCE:

REPORT FROM CLOSED SESSION:

1. SPECIAL PRESENTATIONS:

1.1 PROCLAMATION - COMMUNITY COLLEGE AWARENESS MONTH

2. ADDITIONS, DELETIONS, REORDERING TO THE AGENDA:

3. COMMUNITY INPUT:

Members of the public 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. 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. Comments are limited to three (3) minutes per speaker.

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**

Recommended Action: Approve the Minutes as submitted for the April 3, 2024 Special Meeting and the April 3, 2024 Regular Meeting.

[Draft Minutes - April 3, 2024 Special Meeting](#)

[Draft Minutes - April 3, 2024 Regular Meeting](#)

4.3 **HOUSING ELEMENT - ZONE CHANGES AND CODE AMENDMENTS**

Recommended Action: Conduct second reading and adopt Ordinances entitled:

1. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO AMENDING THE ZONING MAP TO ADD "MIXED-USE/RESIDENTIAL OVERLAY" DISTRICT TO THE EXISTING ZONING DESIGNATIONS OF THE FOLLOWING PROPERTIES: 1 COLUMBIA, A PORTION OF ALISO VIEJO TOWN CENTER, 26800-26880 ALISO VIEJO PARKWAY, 35 JOURNEY, 2A LIBERTY, AND 27231 ALISO VIEJO PARKWAY; AND FINDING THE ACTION TO BE EXEMPT FROM CEQA UNDER CEQA GUIDELINES SECTIONS 15060 AND 15061; and
2. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO AMENDING SECTION 15.26.060 (MIXED-USE/RESIDENTIAL OVERLAY DISTRICT) AND CHAPTER 15.58 (AFFORDABLE HOUSING INCENTIVES) OF THE ALISO VIEJO MUNICIPAL CODE; AND FINDING THE ACTION TO BE EXEMPT FROM CEQA UNDER CEQA GUIDELINES SECTIONS 15060 AND 15061.

[Staff Report](#)

[Attachment 1 - Ordinance \(Zone Change\)](#)

[Attachment 2 - Ordinance \(Code Amendment\)](#)

4.4 **ACCOUNTS PAYABLE**

Recommended Action:

1. Ratify accounts payable checks and electronic funds transfers issued on March 12, 2024 in the amount of \$8,226.65; and
2. Ratify accounts payable checks and electronic funds transfers issued between March 15, 2024, and April 2, 2024, in the amount of \$1,368,544.03.

[Staff Report](#)

[Attachment 1 - Accounts Payable Report](#)

4.5 RESOLUTION APPROVING THE ISSUANCE OF TAX-EXEMPT OBLIGATIONS AND DIRECTING CERTAIN ACTIONS

Recommended Action: Adopt a Resolution Approving the Issuance of Qualified 501(c)(3) Bonds for the Purpose of financing and/or refinancing the acquisition, construction, rehabilitation, improvement, and equipping of St. Mary's School located at 7 Pursuit, Aliso Viejo, CA 92656.

[Staff Report](#)

[Attachment 1 - Resolution](#)

5. **PUBLIC HEARINGS:**

5.1 ALISO VIEJO RANCH FEES

Recommended Action:

1. Conduct a Public Hearing;
2. Adopt a Resolution approving the Fee Schedule for facility rentals at Aliso Viejo Ranch; and
3. Authorize the City Manager to approve the FY 2024-25 Fee Schedule and to approve the annual fee adjustments in accordance with the Annual Consumer Price Index, All Urban Wage Earners and Clerical Workers, Los Angeles-Long Beach-Anaheim.

[Staff Report](#)

[Attachment 1 - Resolution](#)

[Attachment 2 - Fee Schedule](#)

[Attachment 3 - Presentation](#)

6. **DISCUSSION:**

6.1 ACTING CITY MANAGER EMPLOYMENT AGREEMENT

Recommended Action:

1. Award Acting City Manager Mitzi Ortiz a 6.4% merit-based performance increase to her annual base salary in the position of Director of Government Services (for an increased annual base salary of \$205,792.94), effective retroactively to her anniversary date of July 1, 2023, in accordance with City policy on merit increases; and
2. Approve the Employment Agreement between the City of Aliso Viejo and Mitzi Ortiz for working out of class with the additional duties of Acting City Manager.

[Staff Report](#)

[Attachment 1 - Agreement](#)

7. **CITY MANAGER' S REPORT:**

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

9. **ADJOURNMENT:**

The next regularly scheduled City Council meeting is May 1, 2024.

CITY OF ALISO VIEJO
CITY COUNCIL MINUTES
SPECIAL MEETING
April 3, 2024. 6:00 P.M.
Council Chambers, City Hall, 12 Journey
Aliso Viejo, California

CALL TO ORDER: Mayor Munzing called the Special Meeting of the City Council of the City of Aliso Viejo to order at 6:00 p.m.

ROLL CALL:

PRESENT: MAYOR MIKE MUNZING
MAYOR PRO TEM TIFFANY ACKLEY
COUNCILMEMBER ROSS CHUN
COUNCILMEMBER MAX DUNCAN
COUNCILMEMBER RICHARD W. HURT

ABSENT: NONE

STAFF PRESENT: SCOTT C. SMITH, CITY ATTORNEY
HONGDAO NGUYEN, ASSISTANT CITY ATTORNEY
MITZI ORTIZ, ACTING CITY MANAGER
SO KIM, COMMUNITY DEVELOPMENT DIRECTOR

PUBLIC COMMENTS:

None.

CLOSED SESSION:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code section 54956.8

Property: 868 sq. ft. affordable housing unit located at 20 Colonial Way, APN: 938-14-265

Agency Negotiators: Acting City Manager and Community Development Director

Negotiating Parties: City of Aliso Viejo, Susan Rhorer, and/or their authorized legal counsel/representatives

Under Negotiation: Price and terms of payment for potential acquisition

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2)

Number of potential cases: 1

CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code Section 54957.6
Agency Designated Representatives: Mayor and City Attorney
Unrepresented Employee: Director of Government Services

PUBLIC EMPLOYEE APPOINTMENT
Pursuant to Government Code Section 54957
Title: City Manager

REPORT FROM CLOSED SESSION:

Assistant City Attorney HongDao Nguyen stated no reportable action was taken.

ADJOURNMENT: Mayor Munzing adjourned the meeting at 7:33 p.m. to the April 3, 2024 Regular Council Meeting.

Respectfully submitted:

Approved by:

LAUREN TORRES
DEPUTY CITY CLERK

MIKE MUNZING
MAYOR

CITY OF ALISO VIEJO
CITY COUNCIL MINUTES
REGULAR MEETING
April 3, 2024, 7:00 PM
Council Chambers, City Hall, 12 Journey
Aliso Viejo, California

Teleconference Location

4340 Browns Road
Eureka, CA

CALL TO ORDER: Mayor Munzing called the Regular Meeting of the City Council of the City of Aliso Viejo to order at 7:41 p.m.

ROLL CALL

PRESENT: MAYOR MIKE MUNZING
MAYOR PRO TEM TIFFANY ACKLEY (VIA TELECONFERENCE)
COUNCILMEMBER ROSS CHUN
COUNCILMEMBER MAX DUNCAN
COUNCILMEMBER RICHARD W. HURT

ABSENT: NONE

STAFF PRESENT: MITZI ORTIZ, ACTING CITY MANAGER
HONGDAO NGUYEN, ASSISTANT CITY ATTORNEY
LAUREN TORRES, DEPUTY CITY CLERK
ANN EIFERT, FINANCIAL SERVICES DIRECTOR
SO KIM, COMMUNITY DEVELOPMENT DIRECTOR
LIZZY MENDOZA, RECREATION & COMMUNITY SERVICES MANAGER
ISAAC AZIZ, INFORMATION TECHNOLOGY MANAGER
CAPT. ALAN VILLANUEVA, CHIEF OF POLICE SERVICES

PLEDGE OF ALLEGIANCE: OneLegacy Ambassador Leslie Eskildsen led the pledge of allegiance.

REPORT FROM CLOSED SESSION:

Assistant City Attorney HongDao Nguyen stated no reportable action was taken.

1. SPECIAL PRESENTATIONS:

1.1 BUSINESS OF THE MONTH - ALISO VIEJO ICE PALACE

Mayor Munzing introduced the video and presented the certificate of recognition to General Manager Nick Silver. Mr. Silver expressed his appreciation.

1.2 PROCLAMATION - FAIR HOUSING MONTH

Mayor Munzing presented the proclamation to Fair Housing Foundation Outreach Coordinator Alicia Nguyen. Ms. Nguyen expressed her appreciation for the recognition.

1.3 PROCLAMATION - DMV / DONATE LIFE MONTH

Mayor Munzing presented the proclamation to OneLegacy Ambassador Leslie Eskildsen. Mayor Munzing commented on the importance of organ donation. Ms. Eskildsen expressed her appreciation and commented on the importance of the designation.

2. ADDITIONS, DELETIONS, REORDERING TO THE AGENDA:

None.

3. COMMUNITY INPUT:

None.

4. CONSENT CALENDAR:

Unless otherwise indicated below, the following pertains to all items on the Consent Calendar.

Motion: Councilmember Hurt moved and Councilmember Chun seconded to approve the recommended actions. Motion carried 5-0.

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

Recommended Action: Approve the Minutes as submitted for the March 13, 2024 Special Meeting and the March 20, 2024 Regular Meeting.

4.3 ACCOUNTS PAYABLE

Recommended Action: Ratify accounts payable checks and electronic funds transfers issued between March 1, 2024 and March 14, 2024, in the amount of \$1,506,739.33.

4.4 TREASURER'S STATEMENT – FEBRUARY 2024

Recommended Action: Receive and file the February 2024 Treasurer's Statement.

5. PUBLIC HEARINGS:

5.1 APPLICATION FOR THE PERMANENT LOCAL HOUSING ALLOCATION (PLHA) FUNDING FROM THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR ELIGIBLE HOUSING-RELATED PROJECTS AND PROGRAMS

Acting City Manager Mitzi Ortiz introduced Community Development Director So Kim, who provided an overview. Mayor Munzing opened the public hearing. There were no speakers.

Recommended Action: Consider and select one of the alternatives below and continue the item to May 1, 2024.

1. Direct Staff to prepare a resolution authorizing the PLHA application submittal for the Aliso Viejo Town Center Vision Plan efforts;
2. Direct Staff to prepare a resolution authorizing the PLHA application submittal for the acquisition of an affordable housing unit; and maintenance/repair, HOA dues, and property taxes for all City-owned affordable housing units; or
3. Direct Staff to compile a list of eligible projects.

Motion: Councilmember Hurt moved and Councilmember Chun seconded to direct Staff to compile a list of eligible projects and continue the public hearing to May 1, 2024. Motion carried 5-0.

5.2 ALISO VIEJO MUNICIPAL CODE AMENDMENT – DEVELOPMENT AGREEMENTS AND OTHER ACTIONS

Acting City Manager Mitzi Ortiz provided an overview. Mayor Munzing opened the public hearing. There were no speakers.

Recommended Action: Continue the item to a date uncertain.

Motion: Councilmember Hurt moved and Councilmember Duncan seconded to approve the recommended action. Motion carried 5-0.

5.3 HOUSING ELEMENT - ZONE CHANGES AND CODE AMENDMENTS

Acting City Manager Mitzi Ortiz introduced Community Development Director So Kim, who provided an overview. Mayor Munzing opened the public hearing. There were no speakers. Mayor Munzing closed the public hearing.

Recommended Action:

1. Hold a public hearing and introduce for first reading an Ordinance entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO AMENDING THE ZONING MAP TO ADD "MIXED-USE/RESIDENTIAL OVERLAY" DISTRICT TO THE EXISTING ZONING DESIGNATIONS OF THE FOLLOWING PROPERTIES: 1 COLUMBIA, A PORTION OF ALISO VIEJO TOWN CENTER, 26800-26880 ALISO VIEJO PARKWAY, 35 JOURNEY, 2A LIBERTY, and 27231 ALISO VIEJO PARKWAY; AND FINDING THE ACTION TO BE EXEMPT FROM CEQA UNDER CEQA GUIDELINES SECTIONS 15060 AND 15061; and
2. Hold a public hearing and introduce for first reading an Ordinance entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO AMENDING SECTION 15.26.060 (MIXED-USE/RESIDENTIAL OVERLAY DISTRICT) AND CHAPTER 15.58 (AFFORDABLE HOUSING INCENTIVES) OF THE ALISO VIEJO MUNICIPAL CODE; AND FINDING THE ACTION TO BE EXEMPT FROM CEQA UNDER CEQA GUIDELINES SECTIONS 15060 AND 15061.

Motion: Councilmember Hurt moved and Mayor Pro Tem Ackley seconded to approve the recommended actions. Motion carried 5-0.

6. DISCUSSION:

None.

7. CITY MANAGER' S REPORT:

Acting City Manager Mitzi Ortiz announced registration for recreation programs and Summer Camps; announced the Red Cross Blood Drive to be held from 12:00 p.m. to 6:00 p.m. on April 10, 2024 at Aliso Viejo Ranch; and JamFest and Summer Camp Expo to be held from 11:00 a.m. to 2:00 p.m. on April 27, 2024 at Aliso Viejo Ranch.

8. ANNOUNCEMENTS / COUNCIL COMMENTS / COMMITTEE UPDATES:

Councilmember Chun

- Attended Orange County Business Council Sacramento Advocacy Trip
- Attended OCFA Legislation & Public Affairs Committee Meeting
- Attended OCFA Board of Directors Meeting
- Met with Aliso Viejo Youth Council

- Commented on Canyon Vista Elementary School Carnival
- Attended Aliso Viejo Community Association Spring Celebration
- Attended OCFA Large Animal Rescue Training
- Met with Orange County Supervisor Vicente Sarmiento
- Participated in Boys & Girls Club event
- Participated in Don Juan Avila Middle School event

Councilmember Duncan:

- Wished residents a great spring break

Councilmember Hurt:

- Attended Don Juan Avila Middle School Career Day

Mayor Pro Tem Ackley: None

Mayor Munzing:

- Wished residents a happy Easter

9. **ADJOURNMENT:** Mayor Munzing adjourned the meeting at 8:24 p.m. to the regularly scheduled meeting of April 17, 2024.

Respectfully submitted:

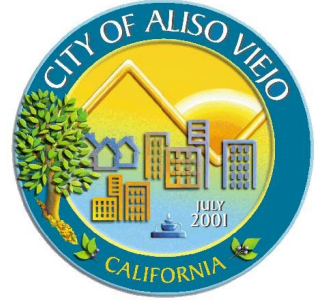
Approved by:

LAUREN TORRES
DEPUTY CITY CLERK

MIKE MUNZING
MAYOR

City of Aliso Viejo

AGENDA ITEM



DATE: April 17, 2024

TO: Mayor and City Council

FROM: So Kim, Community Development Department

SUBJECT: SECOND READING AND ADOPTION OF AN ORDINANCE RELATED TO THE HOUSING ELEMENT - ZONE CHANGES AND MUNICIPAL CODE AMENDMENTS

Recommended Actions:

Conduct second reading and adopt Ordinances entitled:

1. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO AMENDING THE ZONING MAP TO ADD "MIXED-USE/RESIDENTIAL OVERLAY" DISTRICT TO THE EXISTING ZONING DESIGNATIONS OF THE FOLLOWING PROPERTIES: 1 COLUMBIA, A PORTION OF ALISO VIEJO TOWN CENTER, 26800-26880 ALISO VIEJO PARKWAY, 35 JOURNEY, 2A LIBERTY, AND 27231 ALISO VIEJO PARKWAY; AND FINDING THE ACTION TO BE EXEMPT FROM CEQA UNDER CEQA GUIDELINES SECTIONS 15060 AND 15061; and
2. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO AMENDING SECTION 15.26.060 (MIXED-USE/RESIDENTIAL OVERLAY DISTRICT) AND CHAPTER 15.58 (AFFORDABLE HOUSING INCENTIVES) OF THE ALISO VIEJO MUNICIPAL CODE; AND FINDING THE ACTION TO BE EXEMPT FROM CEQA UNDER CEQA GUIDELINES SECTIONS 15060 AND 15061.

Fiscal Impact:

None.

Discussion:

On April 3, 2024, the City Council approved the introduction and first reading of the subject Ordinances by a 5-0 vote. The Ordinances are now being presented for their second reading and adoption. If adopted, the Ordinances will take effect 30 days after adoption.

Attachments:

1. Ordinance (Zone Changes)
2. Ordinance (Code Amendment)

ORDINANCE NO. 2024-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, AMENDING THE ZONING MAP TO ADD “MIXED USE/RESIDENTIAL OVERLAY” DISTRICT TO THE EXISTING ZONING DESIGNATIONS OF THE FOLLOWING PROPERTIES: 1 COLUMBIA, A PORTION OF ALISO VIEJO TOWN CENTER, 26800-26880 ALISO VIEJO PARKWAY, 35 JOURNEY, 2A LIBERTY, AND 27231 ALISO VIEJO PARKWAY; AND FINDING THE ACTION TO BE EXEMPT FROM CEQA UNDER CEQA GUIDELINES SECTIONS 15060 AND 15061

WHEREAS, the City of Aliso Viejo, California (“City”) is a municipal corporation, duly organized under the constitution and laws of the State of California; and

WHEREAS, in recent years, the California Legislature has approved, and the Governor has signed into law, several bills that impose new limits on local authority to regulate housing; and

WHEREAS, in 2023, the City Council adopted the 6th Cycle Housing Element (“HE”), which was forwarded to the California Department of Housing and Community Development (“HCD”) for certification; and

WHEREAS, HCD issued a letter stating that while the adopted HE meets most of the statutory requirements of State Housing Element Law, the Element cannot be found in substantial compliance until the City has completed necessary rezones to address the shortfall of sites to accommodate the Regional Housing Needs Allocation; and

WHEREAS, the HE Program 1 requires the City to process amendments to the zoning regulations to rezone eight specific sites (“HE sites”) to accommodate residential developments with densities up to 90 dwelling units per acre; and

WHEREAS, this ordinance (“Ordinance”) amends the zoning designations for HE sites by adding Mixed-Use/Residential Overlay (“MU/R”) district to the existing non-residential base zoning designations to ensure compliance with the HE; and

WHEREAS, on April 3, 2024, the City Council held a duly noticed public hearing at which time all interested persons had the opportunity to appear and be heard on the matter of amending the zoning designation of the HE sites herein. Following the public hearing, the City Council introduced (i.e., conducted a first reading of) the Ordinance; and

WHEREAS, all legal prerequisites to the adoption of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ALISO VIEJO DOES ORDAIN AS FOLLOWS:

SECTION 1. Incorporation of Recitals. The recitals above are each incorporated by reference and adopted as findings by the City Council.

SECTION 2. CEQA. Based on the entire record before it, the City Council finds that adoption of this Ordinance is exempt from the California Environmental Quality Act (“CEQA”) because it is an administrative activity that will not result in a direct or reasonably foreseeable indirect physical change to the environment and is thus not a “project” under State CEQA Guidelines section 15378. (See State CEQA Guidelines, § 15060(c)(2) and (3).) Alternatively, even if the adoption of the Ordinance did qualify as a project under CEQA, the City Council finds that the Ordinance is exempt from CEQA under Section 15061(b)(3) of the State CEQA Guidelines, which provides that a project is exempt from CEQA where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Adoption of the Ordinance will not have a significant effect on the environment as it does not authorize any construction or development; it provides clarification to the mixed-use/residential overlay district and provides additional incentives for affordable-housing development in the Aliso Viejo Municipal Code to comply with the adopted Housing Element.

SECTION 3. Zone Changes. This Ordinance applies to the following properties (new text in **bold/underline** font):

- A. 1 Columbia (APN 623-141-01) – Business Park 2 **with Mixed-Use/Residential Overlay**
- B. 26800-26880 Aliso Viejo Parkway (APN 629-451-07, 629-451-08, 629-451-09) – Professional Office **with Mixed-Use/Residential Overlay**
- C. 35 Journey (632-134-07) - Business Park 1 **with Mixed-Use/Residential Overlay**
- D. 2A Liberty (632-133-06) - Community Facilities **with Mixed-Use/Residential Overlay**
- E. 27231 Aliso Viejo Parkway (632-122-04) - Community Facilities **with Mixed-Use/Residential Overlay**
- F. Aliso Viejo Town Center (629-321-41, 629-321-42, 629-321-43, 629-321-44, 629-321-48, 629-321-20, 629-321-17, 629-321-45, 629-321-33, 629-321-34, 629-321-26, 629-321-01, 629-321-02, 629-321-03, 629-321-04, 629-321-05, 629-321-06, 629-321-07) – Town Center Commercial **with Mixed-Use/Residential Overlay**

SECTION 4. Required Findings. In accordance with Section 15.78.040(F) of the Aliso Viejo Municipal Code, the City Council hereby finds as follows:

- A. Public Welfare. Approval of the zone change will not create conditions materially detrimental to the public health, safety and general welfare as it will comply with—and is contemplated by—the City’s Sixth Cycle Housing Element, the adoption of which the City Council determined will not create conditions materially detrimental to the public health, safety, and general welfare.

- B. General Plan. The zone change is consistent with the goals, objectives, and policies of the general plan and any applicable specific plan as it effectuates rezones contemplated by (and committed to in) the City's Sixth Cycle Housing Element.
- C. Land Use Compatibility. The zone change is compatible with the zoning and land use on nearby properties. The HE sites are all strategically located in close proximity to existing residential developments. Most of these sites either abut or are situated across the public right-of-way from existing residential uses, thereby maintaining the character and harmony of the larger area.
- D. Property Suitability. The zone change is suitable for the location, access, visual character and topography of the subject property. The location of the HE sites are already developed with well-established access points ensuring ease of transportation and movement. The visual character of the property aligns with the proposed zoning designation as the HE sites are located in close proximity to existing residential developments, maintaining the character of the larger area. The topography of the properties is flat and already developed, ensuring that any development or change will be physically feasible.

SECTION 5. Effective Date. This Ordinance takes effect 30 days following its adoption.

SECTION 6. Severability. If any provision of this Ordinance or its application to any person or circumstance is held to be invalid by a court of competent jurisdiction, such invalidity has no effect on the other provisions or applications of the Ordinance that can be given effect without the invalid provision or application, and to this extent, the provisions of this Ordinance are severable. The City Council declares that it would adopt this Ordinance irrespective of the invalidity of any portion thereof.

SECTION 7. City Clerk's Certification. The City Clerk shall certify the adoption of this Ordinance and post or publish this Ordinance as required by law. The Clerk shall also file a Notice of Exemption immediately following adoption of the Ordinance.

PASSED, APPROVED AND ADOPTED this 17rd day of April 2024.

Mike Munzing
Mayor

APPROVED AS TO FORM:

ATTEST:

Scott C. Smith, City Attorney

Lauren Torres, Deputy City Clerk

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF ALISO VIEJO)

I, LAUREN TORRES, Deputy City Clerk of the City of Aliso Viejo, California, DO
HEREBY CERTIFY that foregoing Ordinance No. 2024-_____ was duly passed and
adopted by the City Council of the City of Aliso Viejo at their regular meeting held on the 17th
day of April 2024, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

LAUREN TORRES
DEPUTY CITY CLERK

(SEAL)

I hereby certify that the foregoing is the original of Ordinance No. 2024-_____ duly passed
and adopted by the Aliso Viejo City Council at its regular meeting held April 17, 2024, and
that the Summary of the Ordinance was published on _____ in the Laguna
Niguel News.

LAUREN TORRES
DEPUTY CITY CLERK

(SEAL)

ORDINANCE NO. 2024-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, AMENDING SECTION 15.26.060 (MIXED-USE/RESIDENTIAL OVERLAY DISTRICT) AND CHAPTER 15.58 (AFFORDABLE HOUSING INCENTIVES) OF THE ALISO VIEJO MUNICIPAL CODE; AND FINDING THE ACTION TO BE EXEMPT FROM CEQA UNDER CEQA GUIDELINES SECTIONS 15060 AND 15061

WHEREAS, the City of Aliso Viejo, California (“City”) is a municipal corporation, duly organized under the constitution and laws of the State of California; and

WHEREAS, in recent years, the California Legislature has approved, and the Governor has signed into law, several bills that impose new limits on local authority to regulate housing; and

WHEREAS, in 2023, the City Council adopted the 6th Cycle Housing Element (“HE”), which was forwarded to the California Department of Housing and Community Development (“HCD”) for certification; and

WHEREAS, HCD issued a letter stating that while the adopted HE meets most of the statutory requirements of State Housing Element Law, the Element cannot be found to be in substantial compliance until the City has completed necessary rezones to address the shortfall of sites to accommodate the City’s Regional Housing Needs Allocation; and

WHEREAS, the HE Program 1 requires the City to process amendments to the zoning regulations to rezone eight specific sites to accommodate residential developments with densities allowing up to 90 dwelling units per acre; and

WHEREAS, this ordinance (“Ordinance”) is intended to (1) update AVMC Section 15.26.060 to ensure that the City’s residential high density standards apply to the mixed-use/residential overlay district and (2) make the required change to AVMC Chapter 15.58 to increase the density to allow up to 90 dwelling units per acre as an incentive for developments that include certain amount of affordable housing on sites zoned Mixed-Use/Residential Very High (“MU/RVH”) for compliance with the HE; and

WHEREAS, on April 3, 2024, the City Council held a duly noticed public hearing at which time all interested persons had the opportunity to appear and be heard on the matter of adopting the Code amendments herein. Following the public hearing, the City Council introduced (i.e., conducted a first reading of) the Ordinance; and

WHEREAS, all legal prerequisites to the adoption of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ALISO VIEJO DOES ORDAIN AS FOLLOWS:

SECTION 1. Incorporation of Recitals. The recitals above are each incorporated by reference and adopted as findings by the City Council.

SECTION 2. CEQA. Based on the entire record before it, the City Council finds that adoption of this Ordinance is exempt from the California Environmental Quality Act (“CEQA”) because it is an administrative activity that will not result in a direct or reasonably foreseeable indirect physical change to the environment and is thus not a “project” under State CEQA Guidelines section 15378. (See State CEQA Guidelines, § 15060(c)(2) and (3).) Alternatively, even if the adoption of the Ordinance did qualify as a project under CEQA, the City Council finds that the Ordinance is exempt from CEQA under Section 15061(b)(3) of the State CEQA Guidelines, which provides that a project is exempt from CEQA where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Adoption of the Ordinance will not have a significant effect on the environment as it does not authorize any construction or development; it provides clarification to the mixed-use/residential overlay district and provides additional incentives for affordable-housing development in the Aliso Viejo Municipal Code to comply with the adopted Housing Element.

SECTION 3. Required Findings. In accordance with Section 15.78.050(E) of the Aliso Viejo Municipal Code, the City Council hereby finds as follows:

- A. Public Welfare. Adoption of this Ordinance will not create conditions materially detrimental to the public health, safety, and general welfare as it updates the AVMC to comply with—and contemplated by—the City’s Sixth Cycle Housing Element, the adoption of which the City Council determined will not create conditions materially detrimental to the public health, safety, and general welfare.
- B. General Plan. The Ordinance is consistent with, and in furtherance of, the City’s General Plan as it effectuates Aliso Viejo Municipal Code amendments contemplated by (and committed to in) the City’s Sixth Cycle Housing Element.

SECTION 4. Code Amendment. Section 15.26.060.B: MU/R as an Overlay District of the Viejo Municipal Code is hereby amended (deleted text shown in ~~strikethrough~~ and new text shown in **bold/underline**):

- B. MU/R as an Overlay District. The MU/R district is an overlay district which shall be used in combination with underlying base districts. ~~In the MU/R overlay district, the city may select a residential use to mix together with the underlying base district.~~ Land use and development, permitted uses, and development standards **for residential development** in the MU/R overlay district shall be subject to the regulations in the **Residential Very High Density District (RVH)** ~~underlying base districts,~~ unless specified by another special zoning symbol or by a PRD overlay established in Chapter 15.10 AVMC. ~~To indicate the combined district on the zoning map, the overlay designation shall follow that of the base districts (e.g., “BP-1:RVH/MU/R”).~~ **Land use and development, permitted uses, and**

development standards for non-residential development in the MU/R overlay district shall be subject to the regulations in the base zone.

SECTION 5. Code Amendments. Chapter 15.58: Affordable Housing Incentives of the Aliso Viejo Municipal Code is hereby amended by adding a new subsection 15.58.010.I (new text in **bold/underline** font):

- I. **Mixed-Use/Residential Overlay District. The maximum density of 50 units per gross acre may be increased to 90 units per gross acre if the residential development component is eligible pursuant to Section 15.58.010.C.**

SECTION 6. Effective Date. This Ordinance takes effect 30 days following its adoption.

SECTION 7. Severability. If any provision of this Ordinance or its application to any person or circumstance is held to be invalid by a court of competent jurisdiction, such invalidity has no effect on the other provisions or applications of the Ordinance that can be given effect without the invalid provision or application, and to this extent, the provisions of this Ordinance are severable. The City Council declares that it would adopt this Ordinance irrespective of the invalidity of any portion thereof.

SECTION 8. City Clerk's Certification. The City Clerk shall certify the adoption of this Ordinance and post or publish this Ordinance as required by law. The Clerk shall also file a Notice of Exemption immediately following adoption of the Ordinance.

PASSED, APPROVED AND ADOPTED this 17th day of April 2024.

Mike Munzing
Mayor

APPROVED AS TO FORM:

ATTEST:

Scott C. Smith, City Attorney

Lauren Torres, Deputy City Clerk

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF ALISO VIEJO)

I, LAUREN TORRES, Deputy City Clerk of the City of Aliso Viejo, California, DO
HEREBY CERTIFY that foregoing Ordinance No. 2024-_____ was duly passed and
adopted by the City Council of the City of Aliso Viejo at their regular meeting held on the 17th
day of April 2024, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

LAUREN TORRES
DEPUTY CITY CLERK

(SEAL)

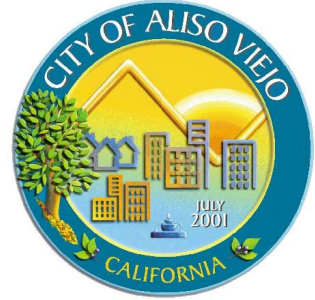
I hereby certify that the foregoing is the original of Ordinance No. 2024-_____ duly passed
and adopted by the Aliso Viejo City Council at its regular meeting held April 17, 2024, and
that the Summary of the Ordinance was published on _____ in the Laguna
Niguel News.

LAUREN TORRES
DEPUTY CITY CLERK

(SEAL)

City of Aliso Viejo

AGENDA ITEM



DATE: April 17, 2024
TO: Mayor and City Council
FROM: Ann Eifert, Director of Financial Services
SUBJECT: ACCOUNTS PAYABLE

Recommended Actions:

1. Ratify accounts payable checks and electronic funds transfers issued on March 12, 2024, in the amount of \$8,226.65; and
2. Ratify accounts payable checks and electronic funds transfers issued between March 15, 2024, and April 2, 2024, in the amount of \$1,368,544.03.

Fiscal Impact:

Expenditures in the amount of \$1,376,770.68.

Background:

The City issues accounts payable checks on a bi-weekly basis and presents it to City Council for ratification at its next regularly scheduled City Council meeting.

Discussion:

The attached registers containing checks and electronic funds transfers issued on March 12, 2024, and between March 15, 2024, and April 2, 2024, in the total amount of \$1,376,770.68, is being presented for ratification. All payments have been made in compliance with the City's purchasing policy and procedures. Payments have been reviewed and approved by the appropriate departmental staff. The issued accounts payable checks and electronic funds transfers have been reviewed and deemed in accordance with the fiscal year budget by the Director of Financial Services.

Attachment:

1. Accounts Payable Report



Accounts Payable

Vendor Name	Description (Item)	Amount
103 - GF-AV RECREATION SERVICES		
RECREATION SERVICES		
CSG FORTE PAYMENTS, INC	FEB'24 CREDIT CARD SERVICE FEES	1,058.20
CSG FORTE PAYMENTS, INC	FEB'24 CREDIT CARD SERVICE FEES	7,168.45
	RECREATION SERVICES TOTAL:	8,226.65
	GF-AV RECREATION SERVICES TOTAL:	8,226.65
	GRAND TOTAL:	8,226.65

Fund Summary		
Fund	Expense Amount	Payment Amount
103 - GF-AV RECREATION SERVICES	8,226.65	8,226.65
Grand Total:	8,226.65	8,226.65

Report Summary

Fund Summary

Fund	Payment Amount
103 - GF-AV RECREATION SERVICES	8,226.65
Grand Total:	8,226.65

Account Summary

Account Number	Account Name	Payment Amount
103-4-4105-4561-000	TAXES/FEES/PERMITS	8,226.65
Grand Total:		8,226.65

Project Account Summary

Project Account Key	Payment Amount
None	8,226.65
Grand Total:	8,226.65



Accounts Payable

Vendor Name	Description (Item)	Amount
101 - GENERAL FUND		
UNITED OF OMAHA LIFE INSURANCE CO.	APR'24 LIFE INSURANCE	1,548.98
CHOICE BUILDER	APR'24 DENTAL - RC	145.88
CHOICE BUILDER	APR'24 DENTAL INSURANCE	1,873.29
CHOICE BUILDER	APR'24 DENTAL - RH	96.90
CHOICE BUILDER	APR'24 VISION - RC	24.19
CHOICE BUILDER	APR'24 VISION - RH	15.03
CHOICE BUILDER	APR'24 VISION INSURANCE	292.52
CALIFORNIA NEWSPAPERS PARTNERSHIP	REF0011648861 - 2/22 PET EVOLUTION CUP	379.64
CALPERS HEALTH	APR'24 CALPERS HEALTH PREMIUM	24,812.11
CALPERS HEALTH	APR'24 HEALTH PREMIUM - RC	2,195.87
CALPERS HEALTH	APR'24 HEALTH PREMIUM PEMHCA MINIMUM - RC	157.00
RJM DESIGN GROUP INC	JAN'24 ENG2252/LANDSCAPE PLAN CHECK - COMMONS	340.00
CHARLES ABBOTT ASSOC INC	JAN'24 COMMONS GRADING - S. WILSON	285.00
CHARLES ABBOTT ASSOC INC	FEB'24 COMMSON GRADING - R. BRUNELL	472.50
CHARLES ABBOTT ASSOC INC	FEB'24 SCE - R. BRUNELL	577.50
CHARLES ABBOTT ASSOC INC	FEB'24 FERREIRA - R. BRUNELL	1,785.00
CHARLES ABBOTT ASSOC INC	FEB'24 CITY LIGHTS GRADING - R. BRUNELL	315.00
CHARLES ABBOTT ASSOC INC	FEB'24 MNWD - R. BRUNELL	288.75
CHARLES ABBOTT ASSOC INC	FEB'24 COX - R. BRUNELL	105.00
CHARLES ABBOTT ASSOC INC	FEB'24 COMMONS GRADING - S WILSON	190.00
CHARLES ABBOTT ASSOC INC	FEB'24 ST. MARY'S GRADING - R. BEIMER	1,160.00
		37,060.16
CITY COUNCIL		
AT&T	2/17/24-3/16/24 AT&T FIRSTNET CITY COUNCIL PHONE	237.31
	CITY COUNCIL TOTAL:	237.31
CITY MANAGER		
CALPERS HEALTH	APR'24-PG-HEALTH PREMIUM	157.00
AT&T	2/17/24-3/16/24 AT&T FIRSTNET CITY MANAGER PHONE	152.90
AT&T	2/17/24-3/16/24 AT&T FIRSTNET HR PHONE	50.48
US BANK PURCHASING CARD PROGRAM	DL 2/15 SGT PEPPERONI'S-OCFA&CM MTG DINNER RESCHED	103.73
US BANK PURCHASING CARD PROGRAM	DL 2/21 SGT PEPPERONI'S-OCFA&CM MTG LUNCHEON (CANCELLED)	(201.00)
US BANK PURCHASING CARD PROGRAM	DL 1/29 SGT PEPPERONI'S - OCFA&CM MTG DINNER	81.02
US BANK PURCHASING CARD PROGRAM	DL 1/31 SGT PEPPERONI'S-OCFA&CM MTG DINNER (CANCELLED)	(81.02)
US BANK PURCHASING CARD PROGRAM	DL 2/15 SGT PEPPERONI'S - STAFF MEETING LUNCHEON	201.00
US BANK PURCHASING CARD PROGRAM	DL 1/25 STAPLES - OFFICE SUPPLY - GOLD SHARPIE	5.92
	CITY MANAGER TOTAL:	470.03
ECONOMIC DEVELOPMENT		
ERIC WINTER	FEB'24-BUS OF MONTH_TACOS DE BIRRIA	772.19
	ECONOMIC DEVELOPMENT TOTAL:	772.19
HUMAN RESOURCES		
CHARLES C STILL	MAR'24-HJ SECURE LIVE SCAN FEES	67.00
LIEBERT CASSIDY WHITMORE	PC-OC EMPLOYMENT RELATIONS CONSORTIUM MBRSHIP 2024	4,730.00
US BANK PURCHASING CARD PROGRAM	DL 1/23 CITY TUSTIN-OC HR 2024 CONSORTIUM MBRSHIP	254.18
	HUMAN RESOURCES TOTAL:	5,051.18
CITY CLERK		
CALIFORNIA NEWSPAPERS PARTNERSHIP	FEB'24 LEGAL NOTICES	1,097.08
STAPLES ADVANTAGE	FEB'24 CC OFFICE SUPPLIES	58.71
STAPLES ADVANTAGE	FEB'24 CC AWARDS & RECOGNITION	(20.85)
STAPLES ADVANTAGE	FEB'24 CC AWARDS & RECOGNITION	208.50
	CITY CLERK TOTAL:	1,343.44
FINANCE		
CHOICE BUILDER	APR'24 ADMIN FEE	30.00
CALPERS HEALTH	APR'24 CALPERS ADMIN FEE	85.62
CALPERS HEALTH	APR'24 CALPERS ADMIN FEE	7.53

Vendor Name	Description (Item)	Amount
A-7 AUSTIN LTD	QTY 2000 BLUE LASER CHECKS	300.90
PARS	JAN'24 PARS REP FEES	300.00
STAPLES ADVANTAGE	FEB'24 FIN OFFICE SUPPLIES	32.31
HDL COREN & CONE	JAN-MAR'24 PROPERTY TAX CONTRACT SERVICES	3,852.80
HDL COREN & CONE	JAN-MAR'24 PROPERTY TAX CONTRACT SERVICES	1,830.32
FINANCE TOTAL:		6,439.48
INFORMATION TECHNOLOGY		
AT&T	2/06/24-3/05/24 CH AT&T CALNET ALARM/POTS LINE	2,909.11
COX COMMUNICATIONS, INC	MAR'24 ACCT #0202 CH CABLE TV	184.96
COX COMMUNICATIONS, INC	MAR'24 ACCT #8802 CH INTERNET-FIBER 600MB	1,500.00
AT&T	2/17/24-3/16/24 AT&T FIRSTNET CITY HALL MIFI	163.96
AT&T	2/17/24-3/16/24 AT&T FIRSTNET EOC MIFI	160.96
AT&T	2/17/24-3/16/24 AT&T FIRSTNET EOC PHONES LINES	109.70
AT&T	2/17/24-3/16/24 AT&T FIRSTNET FLEET COMPLETE GPS	201.92
AT&T	MAR'24 CH AT&T FIBER INTERNET SERVICET	1,695.39
CORELOGIC, INC	GIS SPATIAL RECORD UTILITIES	1,344.76
JOSE RUEL FABELLA DIRA	FEB'24 ENERGOV & GIS	3,100.00
SHI INTERNATIONAL CORP	4/24-4/25 VERKADA CAMERA QTY.120 SENSOR QTY.2 LIC	20,912.20
HCI SYSTEMS, INC	FIRE SUPPRESSION INSPECTION TESTING CH	440.00
US BANK PURCHASING CARD PROGRAM	IA 1/28 GOOGLE YOUTUBE TV EOC	72.99
US BANK PURCHASING CARD PROGRAM	IA 1/29 AMAZON -IPHONE SCREEN PROTECTOR	6.44
US BANK PURCHASING CARD PROGRAM	IA 2/16 WAITWHILE SUBSCRIPTION FEB-MAR'24	196.00
TANGENT COMPUTERS INC	03/23/24-04/22/24 CH O365 LICENSING AND SUPPORT	2,999.86
PAGEFREEZER SOFTWARE INC	FY23-24 PAGEFREEZER-SOCIAL MEDIA ARCHIVER	5,138.88
INFORMATION TECHNOLOGY TOTAL:		41,137.13
NON-DEPARTMENTAL		
CERTIFIED RECORDS MANAGEMENT	FY23-24 OFFSITE STORAGE RECORDS	509.08
IPROMOTEU.COM INC	BUS CARDS-M. MARTINEZ	47.36
AARON FLORA	3/07/24 RENEWABLE FARMS-REIMB REPAIR OF VW BUS	1,275.24
RICOH USA	MAR'24 RICOH 2504 BACK OFFICE PRINTS (4542)	75.62
CINTAS CORPORATION NO. 2	MAR'24 CH & STE 200 FIRST AID SUPPLIES	328.94
STAPLES ADVANTAGE	FEB'24 COPY&BREAKROOM SUPPLIES NON DEPARTMENTAL	243.01
MOULTON NIGUEL WATER DIST	01/25/24-03/11/24 METER#1675 89 PLAYA CIR WATER SV	101.07
THE GAS COMPANY	02/01/24-03/04/24 MTR#13016735 89 PLAYA CIR GAS	8.46
ALISO VIEJO COMMUNITY ASSOCIATION	APR-JUN'24 35 PLAYA CIR MASTER HOA FEES	134.39
ALISO VIEJO COMMUNITY ASSOCIATION	APR-JUN'24 38 COLONIAL WAY HOA FEES	148.62
VIGICABI INC	MAR'24 BANNERS INSTALLATION - SPRING	1,400.00
ALISO VIEJO COMMUNITY ASSOCIATION	JAN-JUN'24 89 PLAYA CIR MASTER HOA FEES	268.78
HARBOR STATION MAINTENANCE	NOV'23-APR'24 35 PLAYA CIR HARBOR STATION HOA FEES	1,091.75
NON-DEPARTMENTAL TOTAL:		5,632.32
C. S. ADMINISTRATION		
GEORGE MOORE	04/27 VENGEANCE BAND FOR JAMFEST 2024 EVENT	2,500.00
OC SHERIFF'S ADVISORY	2024 OC SHERIFF'S MEDAL OF VALOR EVENT CITY SPONSR	1,250.00
M&J PAUL ENTERPRISES INC	04/27/24 JAMFEST EVENT DEPOSIT	2,432.50
CALPERS HEALTH	APR'24-DP-HEALTH PREMIUM	157.00
CALPERS HEALTH	APR'24-HW-HEALTH PREMIUM	157.00
ADVANTAGE MAILING, LLC	SPRING 2024 BROCHURE 32 PAGES SELF COVER	12,939.83
ALLIANT INSURANCE SERVICES INC	4/27JAMFEST EVENT INSURANCE	395.00
MICHAEL R JUE	GRAPHIC DESIGN-23VET-24WINTER-24SUMMER-24SPRING	10,368.75
ASSISTANCE LEAGUE OF CAPISTRANO VALLEY	FY23-24 COMMUNITY ASSISTANCE GRANT-ASSIST LEAGUE	1,000.00
C. S. ADMINISTRATION TOTAL:		31,200.08
IGLESIA PARK		
EL TORO WATER DISTRICT	FEB'24 MTR#4114 IGLESIA PARK WATER	247.20
EL TORO WATER DISTRICT	ACCT#10044 SVC#2453358 02/08/24-03/11/24	247.20
SO CAL EDISON	FEB'24 ACCT#7997 IGLESIA PARK	389.60
IGLESIA PARK TOTAL:		884.00
IGLESIA BUILDING		
TEAM ONE MANAGEMENT SERVICES	MAR'24 IGLESIA JANITORIAL MAINTENANCE	950.00
SONITROL ORANGE COUNTY LLC	APR'24 IGLESIA ACCESS CONTROL	109.39
THE ADT SECURITY CORPORATION	11/17/23-05/16/24 IGLESIA ALARM MONITORING	300.00
EL TORO WATER DISTRICT	FEB'24 MTR#5016 IGLESIA PARK BLDG WATER	236.04
SO CAL EDISON	FEB'24 ACCT#7997 IGLESIA BLDG	1,167.36
IGLESIA BUILDING TOTAL:		2,762.79

Vendor Name	Description (Item)	Amount
PLANNING		
CALIFORNIA NEWSPAPERS PARTNERSHIP	REF0011650710 - 2/29 PLHA FUNDING	332.16
CALPERS HEALTH	APR'24-MF-HEALTH PREMIUM	157.00
CIVIC SOLUTIONS INC	FEB'24 GB AVTC CONSULTING SERVICES	602.00
CIVIC SOLUTIONS INC	FEB'24 GB AVTC CONSULTING SERVICES	172.00
BRIAN JAMES CORNELIUS	FEB'24 AVTC PLANNING CONSULTING SERVICES	10,125.00
US BANK PURCHASING CARD PROGRAM	IA 1/30 CONSTANTCONTACT.COM SUBSCR	45.00
	PLANNING TOTAL:	11,433.16
BUILDING		
CHARLES ABBOTT ASSOC INC	FEB'24 CAA CONTRACT SERVICES - BUILDING SERVICES	30,897.95
	BUILDING TOTAL:	30,897.95
CODE ENFORCEMENT		
CHARLES ABBOTT ASSOC INC	FEB'24 CAA CONTRACT SERVICES - CODE ENFORCEMENT	7,310.00
	CODE ENFORCEMENT TOTAL:	7,310.00
ENGINEERING (GENERAL)		
AT&T	2/17/24-3/16/24 AT&T FIRSTNET PUBLIC WORKS TABLETS	120.72
QUANG LE	MAR'24 SOUTH OC ENG MEETING REIMB - QL	24.00
RICHARD FISHER ASSOCIATES	FEB'24 LANDSCAPE INSPECTION SERVICES	3,725.71
CHARLES ABBOTT ASSOC INC	JAN'24 NPDES	14,010.00
CHARLES ABBOTT ASSOC INC	JAN'24 SOLID WASTE	3,445.00
CHARLES ABBOTT ASSOC INC	FEB'24 NPDES	15,465.00
CHARLES ABBOTT ASSOC INC	FEB'24 SOLID WASTE SERVICES	4,025.00
	ENGINEERING (GENERAL) TOTAL:	40,815.43
STREET MAINTENANCE		
CHARLES ABBOTT ASSOC INC	FEB'24 STREET INVESTIGATION	4,278.75
	STREET MAINTENANCE TOTAL:	4,278.75
LAW ENFORCEMENT-OTHER		
AT&T	2/17/24-3/16/24 AT&T FIRSTNET PALS PHONE LINE	45.45
STAPLES ADVANTAGE	FEB'24 POLICE SERVICES OFFICE SUPPLIES	73.00
ALL CITY MANAGEMENT SERVICES	02/18-03/02/24 414 HRS - CROSSING GUARD SERVICES	12,813.30
ALL CITY MANAGEMENT SERVICES	03/03-03/16/24 459.84 HRS- CROSSING GUARD SERVICES	14,232.05
	LAW ENFORCEMENT-OTHER TOTAL:	27,163.80
EOC		
ZOLL MEDICAL CORPORATION	CH - 5 YR LICENSES AND MGMT AED 'S (2)	1,038.00
STAPLES ADVANTAGE	FEB'24 EOC OFFICE SUPPLIES	202.86
US BANK PURCHASING CARD PROGRAM	DL 2/15 LIFE STORAGE-EM	290.00
	EOC TOTAL:	1,530.86
	GENERAL FUND TOTAL:	256,420.06

102 - GEN. FD-CITY HALL

NON-DEPARTMENTAL		
TEAM ONE MANAGEMENT SERVICES	MAR'24 CH JANITORIAL MAINTENANCE	2,700.00
SONITROL ORANGE COUNTY LLC	APR'24 CITY HALL ACCESS CONTROL	609.40
SONITROL ORANGE COUNTY LLC	APR'24 CITY HALL INTRUSION DETECTION	383.54
FOSTERS' GARDENS INC	MAR'24 CH INTERIOR PLANT MAINTENANCE	115.00
ALISO VIEJO COMMUNITY ASSOCIATION	APR-JUN'24 CH MASTER HOA FEES	2,035.92
	NON-DEPARTMENTAL TOTAL:	5,843.86
	GEN. FD-CITY HALL TOTAL:	5,843.86

103 - GF-AV RECREATION SERVICES

RECREATION SERVICES		
AT&T	2/06/24-3/05/24 AVR AT&T CALNET ALARM/POTS LINE	969.70
JENNIFER BALES	WINTER2024-WAV015 DANCE-4 PARTICIPANTS	60.00
KIMBERLY DOWNEY ESMOND	WIN24-WAV29/30/17/18/23/93/94DANCE-27 PARTICIPANTS	1,705.20
JENNIFER BALES	WINTER2024-WAV083 THEATER-6 PARTICIPANTS	468.00
ERNA VAN DYK	WINTER2024-WAV271 ART-14 PARTICIPANTS	840.00
ROUND STAR WEST, LLC	WINTER2024-WAV056/WAV061 SOCCER-10 PARTICIPANTS	699.60
READWRITE EDUCATIONAL SOLUTIONS INC	WINTER2024-WAV004 PRE-K READINESS-8 PARTICIPANTS	648.00
KIMBERLY KRANTZ	WINTER2024-WAV127 POETRY-4 PARTICIPANTS	132.00
SONITROL ORANGE COUNTY LLC	APR'24 AVCENTER AND AVQUATICS ACCESS CONTROL	125.20
SONITROL ORANGE COUNTY LLC	APR'24 AVRANCH ACCESS CONTROL	535.57
DS SERVICES OF AMERICA, INC	3/13 AVR BOTTLED WATER SERVICE	54.75

Vendor Name	Description (Item)	Amount
AT&T	2/17/24-3/16/24 AT&T FIRSTNET REC PHONE LINES	181.80
AT&T	2/17/24-3/16/24 AT&T FIRSTNET REC TABLET	40.44
AT&T	MAR'24 AVR AT&T INTERNET SERVICE	1,009.89
JOHN DAVID ALLEN JR	WINTER2024-WAV115/112/109/053 TENNIS-13 PARTICIP	409.20
ERNA VAN DYK	WINTER2024-WAV277/WAV286 ART-6 PARTICIPANTS	132.00
ERNA VAN DYK	WINTER2024-WAV287 ART-9 PARTICIPANTS	189.00
TEAM ONE MANAGEMENT SERVICES	FEB'24 AVR JANITORIAL SERVICES	5,000.00
FOSTERS' GARDENS INC	MAR'24 AVR INTERIOR PLANT MAINTENANCE	110.00
STAPLES ADVANTAGE	FEB'24 RCS OFFICE SUPPLIES	201.46
HASA INC	JAN'24 QUARTERLY AQUAPONICS MAINT. FARM	440.00
HCI SYSTEMS, INC	FIRE SUPPRESSION INSPECTION TESTING AVR	440.00
TANGENT COMPUTERS INC	03/23/24-04/22/24 AVR O365 LICENSING AND SUPPORT	529.39
RECREATION SERVICES TOTAL:		14,921.20
GF-AV RECREATION SERVICES TOTAL:		14,921.20

203 - GAS TAX

TRAFFIC ENGINEERING

WOOD RODGERS, INC	FEB'24 STORM DRAIN CONDITION ASSESSMENT	9,852.36
HARTZOG & CRABILL INC	FEB'24 TRAFFIC SIGNAL MONITORING	1,390.41
TRAFFIC ENGINEERING TOTAL:		11,242.77

STREET MAINTENANCE

BEAR ELECTRICAL SOLUTIONS INC	FEB'24 TRAFFIC SIGNAL MAINTENANCE ROUTINE	3,162.60
BEAR ELECTRICAL SOLUTIONS INC	FEB'24 TRAFFIC SIGNAL MAINTENANCE RESPONSE	5,464.70
EL TORO WATER DISTRICT	FEB'24 MTR#5675 CALLE CORTEZ MEDIAN WATER	99.03
SO CAL EDISON	FEB'24 ACCT#2125 MEDIANS GS1	69.75
STREET MAINTENANCE TOTAL:		8,796.08

GAS TAX TOTAL: 20,038.85

225 - INTEGRATED WASTE MGMT FD

GEN-TECHNOLOGY GRANTS

CHARLES ABBOTT ASSOC INC	FEB'24 CAA CONTRACT SERVICES - SB1383	1,150.00
GEN-TECHNOLOGY GRANTS TOTAL:		1,150.00

INTEGRATED WASTE MGMT FD TOTAL: 1,150.00

241 - TECHNOLOGY FUND

GEN-TECHNOLOGY GRANTS

THOMAS E BYSTRY	DEC'23-FEB'24 AV VIDEO ENGINEERING SERVICES	556.54
THOMAS E BYSTRY	DEC'23-FEB'24 CC CHAMBER VIDEO ENGINEERING SERVICE	2,000.00
ERIC WINTER	JAN'24-CC MTG12/20 SPRTSZONE14-17 SV1/8 & ADMIN	892.38
ERIC WINTER	FEB'24-CC MTG2/7&2/21_SPRTSZN18-21_4SITEVST&ADMIN	1,307.76
GEN-TECHNOLOGY GRANTS TOTAL:		4,756.68

TECHNOLOGY FUND TOTAL: 4,756.68

261 - CITY FAC.-AQUATIC CENTER

GEN-AQUATIC CENTER

KNORR SYSTEMS INC	NOV'23 AQC - KNORRS SMALL PARTS BOX	2,623.79
KNORR SYSTEMS INC	NOV'23 AQC KNORR SMALL PARTS BOX	1,886.56
KNORR SYSTEMS INC	JAN'24 AQC - KNORR SMALL PARTS BOX	4,944.75
KNORR SYSTEMS INC	FEB'24 AQC MONTHLY MAINTENANCE SERVICES	1,983.25
CONSOLIDATED ELECTRICAL DISTRIBUTORS, INC	MAR'24 AQC WOMENS LOCKER ROOM LED'S AND SUPPLIES	134.30
TEAM ONE MANAGEMENT SERVICES	MAR'24 AQC JANITORIAL SERVICES	2,454.37
HASA INC	FEB'24 AQC POOL CHEMICALS - ACID	270.34
HASA INC	MAR'24 AQC POOL CHEMICALS CHLORINE & ACID	1,942.44
GEN-AQUATIC CENTER TOTAL:		16,239.80

CITY FAC.-AQUATIC CENTER TOTAL: 16,239.80

311 - STREET IMPROVEMENTS

HARDY & HARPER INC	ENTERPRISE REHAB - RENTENTION PROGRESS PAYMENT #1	(53,691.80)
		-53,691.80

STREETS & HIGHWAYS

CIVIL SOURCE, AN NV5 COMPANY	FEB'24 ENTERPRISE REHAB INSPECTION SERVICES	13,113.60
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Vendor Name	Description (Item)	Amount
HARDY & HARPER INC	ENTERPRISE REHAB - PROGRESS PAYMENT #1	1,073,835.95
ENGINEERING RESOURCES OF SOUTHERN CALIFORNIA	FEB'24 GLENWOOD REHAB DESIGN	13,987.10
	STREETS & HIGHWAYS TOTAL:	1,100,936.65
	STREET IMPROVEMENTS TOTAL:	1,047,244.85

331 - CAPITAL IMPROVEMENTS

CAPITAL IMPROVEMENTS

CONSOLIDATED ELECTRICAL DISTRIBUTORS, INC	MAR'24 AQC BOLLARD LED'S	1,928.73
	CAPITAL IMPROVEMENTS TOTAL:	1,928.73
	CAPITAL IMPROVEMENTS TOTAL:	1,928.73

GRAND TOTAL: 1,368,544.03

Fund Summary

Fund	Expense Amount	Payment Amount
101 - GENERAL FUND	256,420.06	256,420.06
102 - GEN. FD-CITY HALL	5,843.86	5,843.86
103 - GF-AV RECREATION SERVICES	14,921.20	14,921.20
203 - GAS TAX	20,038.85	20,038.85
225 - INTEGRATED WASTE MGMT FD	1,150.00	1,150.00
241 - TECHNOLOGY FUND	4,756.68	4,756.68
261 - CITY FAC.-AQUATIC CENTER	16,239.80	16,239.80
311 - STREET IMPROVEMENTS	1,047,244.85	1,047,244.85
331 - CAPITAL IMPROVEMENTS	1,928.73	1,928.73
Grand Total:	1,368,544.03	1,368,544.03

Report Summary

Fund Summary

Fund	Payment Amount
101 - GENERAL FUND	256,420.06
102 - GEN. FD-CITY HALL	5,843.86
103 - GF-AV RECREATION SERVICES	14,921.20
203 - GAS TAX	20,038.85
225 - INTEGRATED WASTE MGMT FD	1,150.00
241 - TECHNOLOGY FUND	4,756.68
261 - CITY FAC.-AQUATIC CENTER	16,239.80
311 - STREET IMPROVEMENTS	1,047,244.85
331 - CAPITAL IMPROVEMENTS	1,928.73
Grand Total:	1,368,544.03

Account Summary

Account Number	Account Name	Payment Amount
101-1203-000	ACCOUNTS RECEIVABLE	2,195.87
101-2505-000	DENTAL INSURANCE PA...	2,116.07
101-2506-000	MEDICAL INSURANCE P...	24,969.11
101-2507-000	LIFE INSURANCE PAYABLE	1,548.98
101-2508-000	VISION INSURANCE PAY...	331.74
101-2602-000	PLANNING DEPOSIT	379.64
101-2603-000	ENGINEERING DEPOSIT	5,518.75
101-4-1101-4511-000	COMMUNICATION	237.31
101-4-1501-4206-000	MEDICAL INSURANCE	157.00
101-4-1501-4511-000	COMMUNICATION	203.38
101-4-1501-4520-000	MTGS/CONF./TRNG & D...	103.73
101-4-1501-4601-000	SUPPLIES	5.92
101-4-1502-4302-000	ECONOMIC DEVELOPM...	772.19
101-4-1503-4309-000	OTHER CONTRACTUAL S...	67.00
101-4-1503-4520-000	MTGS/CONF./TRNG & D...	4,730.00
101-4-1503-4521-000	MEMBERSHIP & DUES	254.18
101-4-1601-4303-000	LEGAL NOTICES	1,097.08
101-4-1601-4502-000	AWARDS & RECOGNITI...	187.65
101-4-1601-4601-000	SUPPLIES	58.71
101-4-2501-4301-000	PROFESSIONAL SERVICES	5,683.12
101-4-2501-4309-000	OTHER CONTRACTUAL S...	423.15
101-4-2501-4513-000	PRINTING	300.90
101-4-2501-4601-000	SUPPLIES	32.31
101-4-3101-4301-000	PROFESSIONAL SERVICES	3,100.00
101-4-3101-4305-000	TECHNOLOGY SERVICES	6,998.99
101-4-3101-4481-000	COMPUTER EXPENSE	31,038.14
101-4-3501-4301-000	PROFESSIONAL SERVICES	1,275.24
101-4-3501-4431-000	BUILDING & GROUND M...	1,753.07
101-4-3501-4471-000	RENT	509.08
101-4-3501-4513-000	PRINTING	122.98
101-4-3501-4553-000	COMMUNITY BRANDING	1,400.00
101-4-3501-4601-000	SUPPLIES	571.95
101-4-4101-4206-000	MEDICAL INSURANCE	314.00
101-4-4101-4501-000	ADVERTISING & PROMO...	23,308.58
101-4-4101-4522-000	INSURANCE EXPENSES	395.00
101-4-4101-4527-000	REC-CITY SPECIAL EVENTS	4,932.50
101-4-4101-4530-000	COMMUNITY GRANTS	1,250.00
101-4-4101-4533-000	COMMUNITY ASSISTAN...	1,000.00
101-4-4102-4411-000	UTILITIES	884.00
101-4-4103-4309-000	OTHER CONTRACTUAL S...	300.00
101-4-4103-4411-000	UTILITIES	1,403.40
101-4-4103-4431-000	BUILDING & GROUND M...	1,059.39
101-4-4401-4206-000	MEDICAL INSURANCE	157.00
101-4-4401-4309-000	OTHER CONTRACTUAL S...	774.00

Account Summary

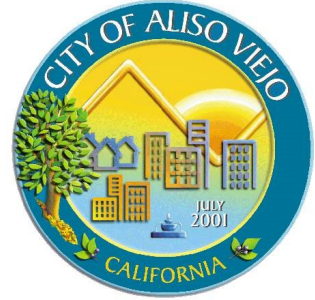
Account Number	Account Name	Payment Amount
101-4-4401-4513-000	PRINTING	332.16
101-4-4401-4532-000	SPECIAL PROJECTS	10,170.00
101-4-4402-4751-000	C.S-BUILDING	30,897.95
101-4-4403-4761-000	C.S-CODE ENFORCEMENT	7,310.00
101-4-4501-4520-000	MTGS/CONF/TRNG & D...	24.00
101-4-4501-4612-000	OPERATING SUPPLIES	120.72
101-4-4501-4701-000	NPDES	29,475.00
101-4-4501-4702-000	AB939-SOLID WASTE	7,470.00
101-4-4501-4741-000	C.S-CITY ENGINEERING	3,725.71
101-4-4503-4771-000	C.S-STREET MAINTENAN...	4,278.75
101-4-5102-4511-000	COMMUNICATION	45.45
101-4-5102-4612-000	OPERATING SUPPLIES	73.00
101-4-5102-4721-000	C.S-CROSSING GUARDS	27,045.35
101-4-5401-4471-000	RENT	290.00
101-4-5401-4601-000	SUPPLIES	202.86
101-4-5401-4612-000	OPERATING SUPPLIES	1,038.00
102-4-3501-4431-000	BUILDING & GROUND M...	5,843.86
103-4-4105-4305-000	TECHNOLOGY SERVICES	3,609.75
103-4-4105-4309-000	OTHER CONTRACTUAL S...	5,283.00
103-4-4105-4431-000	BUILDING & GROUND M...	5,110.00
103-4-4105-4451-000	FARM OPERATING EXPE...	440.00
103-4-4105-4511-000	COMMUNICATION	222.24
103-4-4105-4601-000	SUPPLIES	256.21
203-4-4502-4301-000	PROFESSIONAL SERVICES	11,242.77
203-4-4503-4411-000	UTILITIES	168.78
203-4-4503-4771-000	C.S-STREET MAINTENAN...	8,627.30
225-4-6141-4309-000	OTHER CONTRACTUAL S...	1,150.00
241-4-6141-4309-000	OTHER CONTRACTUAL S...	2,756.68
241-4-6141-4481-000	IT/COMPUTER EQUIPM...	2,000.00
261-4-6161-7401-000	EQUIPMENT MAINTENA...	11,438.35
261-4-6161-7421-000	BUILDING & GROUND M...	2,588.67
261-4-6161-7425-000	POOL MAINTENANCE	2,212.78
311-2103-000	RETENTIONS PAYABLE	-53,691.80
311-4-8301-5501-000	DESIGN	13,987.10
311-4-8301-5601-000	CONSTRUCTION MANA...	13,113.60
311-4-8301-5701-000	CONSTRUCTION	1,073,835.95
331-4-8701-5910-000	IMPROVEMENTS	1,928.73
Grand Total:		1,368,544.03

Project Account Summary

Project Account Key	Payment Amount
None	258,585.26
1185910	1,928.73
1255501	13,987.10
1285601	13,113.60
1285701	1,073,835.95
8014532	45.00
ENG 2250	315.00
ENG 2252	1,287.50
ENG 2254	1,160.00
ENG 5003	105.00
ENG 5004	288.75
ENG 5005	577.50
ENG 5057	1,785.00
SB13834309	1,150.00
USE-2023-00029	379.64
Grand Total:	1,368,544.03

City of Aliso Viejo

AGENDA ITEM



DATE: April 17, 2024

TO: Mayor and City Council

FROM: Ann Eifert, Director of Financial Services

SUBJECT: RESOLUTION APPROVING THE ISSUANCE OF TAX-EXEMPT OBLIGATIONS AND DIRECTING CERTAIN ACTIONS

Recommended Action:

Adopt a Resolution Approving the Issuance of Qualified 501(c)(3) Bonds for the Purpose of financing and/or refinancing the acquisition, construction, rehabilitation, improvement, and equipping of St. Mary's School located at 7 Pursuit, Aliso Viejo, CA 92656 (the "Project").

Fiscal Impact:

The City's membership in California Municipal Finance Authority (CMFA) bears with it no cost or other financing obligations but serves as a public acknowledgement by the City of the project financing.

The Bonds to be issued by the CMFA for the Project will be the sole responsibility of the Borrower, and the City will have no financial, legal, moral obligation, liability or responsibility for the Project or the repayment of the Bonds for the financing of the Project. All financing documents with respect to the issuance of the Bonds will contain clear disclaimers that the Bonds are not obligations of the City or the State of California but are to be paid for solely from funds provided by the Borrower.

Costs by the City will include staff and attorney costs to review any documents related to the resolution and will be reimbursed.

Background:

St. Mary's existing campus comprises 91,168 square feet of finished classroom and office area and 15,837 square feet of gymnasium and library located on 6.27 acres in Aliso Viejo. Initial construction of the school occurred in 1996 with renovations in 2000, 2001, 2002, 2006, and 2017.

The new project is anticipated to be the final phase of construction of the master plan for the school campus. The project scope includes removing existing modular buildings on the site, and constructing a two-story, 28,400 square foot building. Additional site improvements will include approximately 40,000 square feet of outdoor space for community gatherings and play areas.

Discussion:

St. Mary and All Angels Christian Church (the “Borrower”) which is an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986 (the “Code”) has requested that the California Municipal Finance Authority (the “Authority”) adopt a plan of financing providing for the issuance of qualified 501(c)(3) bonds as defined in Section 145 of the Code in one or more series issued from time to time, including bonds issued to refund such qualified 501(c)(3) bonds in one or more series from time to time, and at no time to exceed \$35,000,000 in aggregate principal amount (the “Bonds”), to: (1) finance and/or refinance the acquisition, construction, rehabilitation, improvement, and equipping of St. Mary’s School located at 7 Pursuit, Aliso Viejo, CA 92656 (the “Project”); (2) fund a debt service reserve fund; and (3) pay certain expenses incurred in connection with the issuance of the Bonds.

Solely for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), and Section 4 of the Joint Exercise of Powers Agreement Relating to the California Municipal Finance Authority, dated as of January 1, 2004 (the “Agreement”), among certain local agencies, including the City, and for no other purpose, the City Council has been requested by the Authority to approve the issuance of the Bonds by the Authority because the project is within the territorial limits of the City.

Adoption of the attached resolution by the City Council would satisfy the requirements of Section 147(f) of the Code and Section 4 of the Agreement. The City shall have no obligation whatsoever to pay any principal, interest, fees or any other costs associated with the Authority’s issuance of the Bonds for the financing of the St. Mary’s School Project or for any other purpose.

Furthermore, the adoption of this Resolution shall not obligate the City or any department thereof to (1) provide any financing for the St. Mary’s School Project; (2) approve any application or request for or take any other action in connection with any planning approval, permit or other action necessary for the acquisition, construction, rehabilitation, improvement, and equipping of the St. Mary’s School Project; or (3) make any contribution or advance any funds whatsoever to the Authority.

A telephonic public hearing was held on April 11, 2024, by the CMFA, at 10:00 a.m. in regard to the financing. There were no comments from the public to report.

Public Notice:

A public notice was published in the Orange County Register on April 3, 2024, providing notice of the date and time of the public hearing for the proposed issuance held by CMFA.

City Attorney:

The City Attorney's Office has reviewed the Resolution.

Attachment:

1. Resolution

RESOLUTION NO. 2024-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, APPROVING THE ISSUANCE OF THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY QUALIFIED 501(C)(3) BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$35,000,000 FOR THE PURPOSE OF FINANCING AND/OR REFINANCING THE ACQUISITION, CONSTRUCTION, REHABILITATION, IMPROVEMENT, AND EQUIPPING OF ST. MARY'S SCHOOL AND CERTAIN OTHER MATTERS RELATING THERETO

WHEREAS, St. Mary and All Angels Christian Church (the "Borrower") which is an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986 (the "Code") has requested that the California Municipal Finance Authority (the "Authority") adopt a plan of financing providing for the issuance of qualified 501(c)(3) bonds as defined in Section 145 of the Code in one or more series issued from time to time, including bonds issued to refund such qualified 501(c)(3) bonds in one or more series from time to time, and at no time to exceed \$35,000,000 in aggregate principal amount (the "Bonds"), to: (1) finance and/or refinance the acquisition, construction, rehabilitation, improvement, and equipping of St. Mary's School located at 7 Pursuit, Aliso Viejo, CA 92656 (the "Project"); (2) fund a debt service reserve fund; and (3) pay certain expenses incurred in connection with the issuance of the Bonds; and

WHEREAS, pursuant to Section 147(f) of the Code, the issuance of the Bonds by the Authority must be approved by the City of Aliso Viejo (the "City") because the Project is located within the territorial limits of the City; and

WHEREAS, the City Council of the City (the "City Council") is the elected legislative body of the City and is one of the "applicable elected representatives" required to approve the issuance of the Bonds under Section 147(f) of the Code; and

WHEREAS, the Authority has requested that the City Council approve the issuance of the Bonds by the Authority in order to satisfy the public approval requirement of Section 147(f) of the Code and the requirements of Section 4 of the Joint Exercise of Powers Agreement Relating to the California Municipal Finance Authority, dated as of January 1, 2004 (the "Agreement"), among certain local agencies, including the City; and

WHEREAS, pursuant to Section 147(f) of the Code, following notice duly given, the Authority held a public hearing regarding the issuance of the Bonds, the proceedings of which were summarized and provided to the City Council, and now the City Council desires to approve the issuance of the Bonds by the Authority;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Aliso Viejo as follows:

Section 1: The foregoing resolutions are true and correct.

Section 2: The City Council hereby approves the issuance of the Bonds by the Authority. It is the purpose and intent of the City Council that this resolution constitutes approval of the issuance of the Bonds by the Authority, for the purposes of (a) Section 147(f) of the Code by the applicable elected representative of the governmental unit having jurisdiction over the area in which the Project is located, in accordance with said Section 147(f) and (b) Section 4 of the Agreement.

Section 3: The issuance of the Bonds shall be subject to the approval of the Authority of all financing documents relating thereto to which the Authority is a party. The City shall have no responsibility or liability whatsoever with respect to the Bonds.

Section 4: The adoption of this Resolution shall not obligate the City or any department thereof to (i) provide any financing to acquire or construct the Project or any refinancing of the Project; (ii) approve any application or request for or take any other action in connection with any planning approval, permit or other action necessary for the acquisition, construction, rehabilitation, installation or operation of the Project; (iii) make any contribution or advance any funds whatsoever to the Authority; or (iv) take any further action with respect to the Authority or its membership therein.

Section 5: The officers of the City are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this resolution and the financing transaction approved hereby.

Section 6: This resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 17th day of April 2024.

Mike Munzing
Mayor

APPROVED AS TO FORM:

ATTEST:

Scott C. Smith, City Attorney

Lauren Torres, Deputy City Clerk

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF ALISO VIEJO)

I, LAUREN TORRES, Deputy City Clerk of the City of Aliso Viejo, California, DO
HEREBY CERTIFY that the foregoing is the original of Resolution No. 2024-__ duly passed
and adopted by the City Council of the City of Aliso Viejo at their regular meeting held on
the 17th day of April, 2024, by the following roll call vote, to wit:

AYES:

NOES:

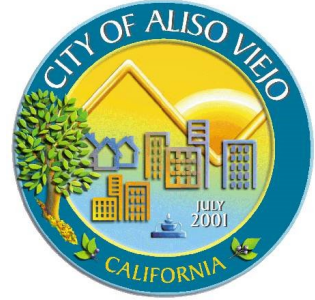
ABSENT:

LAUREN TORRES
DEPUTY CITY CLERK

(SEAL)

City of Aliso Viejo

AGENDA ITEM



DATE: April 17, 2024

TO: Mayor and City Council

FROM: Lizzy Mendoza, Recreation & Community Services Manager

SUBJECT: ALISO VIEJO RANCH FEES

Recommended Actions:

1. Conduct a Public Hearing;
2. Adopt a Resolution approving the Fee Schedule for facility rentals at Aliso Viejo Ranch; and
3. Authorize the City Manager to approve the FY 2024-25 Fee Schedule and to approve the annual fee adjustments in accordance with the Annual Consumer Price Index, All Urban Wage Earners and Clerical Workers, Los Angeles-Long Beach-Anaheim.

Fiscal Impact:

The total annual budget for the Recreation & Community Services Department includes salaries and benefits for all recreation staff, administration, maintenance, and program costs for Aliso Viejo Ranch. Programs currently provided at Aliso Viejo Ranch include contract classes, day camps, and facility rentals.

Staff analyzed annual costs specifically related to operations for the Aliso Viejo Ranch Facility Rental Program, which provides indoor and outdoor space for private events. These costs include a percentage of full-time and part-time staff salaries and benefits, a percentage of the utilities, technology services, grounds and building maintenance, and debt service, as well as other direct operating costs. Total costs attributed to the Facility Rental Program are estimated at \$1,031,869 annually.

The total projected revenue for FY 2023-24 is \$450,000 for the facility rental program, resulting in a current cost recovery of approximately 44%.

The projected revenues, should the Council adopt the proposed fee schedule, would increase revenue for the facility rental program to \$579,600. This would increase the cost recovery to 56%, while keeping Aliso Viejo Ranch rental fees competitive among comparable venues.

The proposed fee schedule would be implemented July 1, 2024, and staff will evaluate the City's fee structure compared to other facilities in the marketplace every few years. The fee schedule includes authorization for the City Manager to adjust the fee schedule annually, in accordance with the Annual Consumer Price Index, All Urban Wage Earners and Clerical Workers, Los Angeles-Long Beach- Anaheim. (CPI-W). Any adjustments beyond CPI will be presented to Council for consideration.

Background:

The Aliso Viejo Ranch (AV Ranch) Facility Rental Program fees were approved by the City Council in May of 2020 and the actual rental program was implemented in 2021 when the facility opened. Aliso Viejo Ranch allows the general public, non-profit organizations, and public agencies to use The Barn and surrounding patio spaces for private rental occasions and events. The program has been in operation for three years and has gained popularity and a reputation as a unique wedding and special occasion venue.

Discussion:

In FY 2023-24, the facility is projected to host 112 private rentals producing facility rental revenues of \$450,000. Best operating practices recommend that every three years an evaluation of costs and fees should be conducted to ensure the business model is updated and is competitive in the marketplace. Staff conducted a thorough cost analysis, determined fee adjustments, and conducted a market study to ensure the fee adjustments would place the fees appropriately in the marketplace among comparable venues. The facility comparison criteria included a reception hall, ceremony space, a kitchen, 200 guests, and located within a 25-mile radius of AV Ranch.

Staff began the comparison study by reviewing surrounding Cities' community centers. It was determined that the unique characteristics of AV Ranch and the market that was attracted to AV Ranch were typically not the same as multi-purpose community centers. The surrounding Cities' community center rental rates are less costly compared to AV Ranch; however, the volume of wedding and special occasion rentals at AV Ranch is drastically higher. The market seeking AV Ranch is typically shopping for a unique atmosphere and more private space. Staff refocused the comparison to include facilities that were in our market arena and shared more specific criteria. Five sites were identified, which included public and private facilities, all of which had similar characteristics to Aliso Viejo Ranch. Two of the five required mandatory use of in-house catering, which inflates the cost but were included because the facilities met the criteria of all the other comparisons. Excluding the two facilities, the other three venues' comparison fee range was between \$7,000 and \$8,950. The AV Ranch proposed fee schedule would increase the current average rental rate from \$5,717 to \$7,830. The current cost recovery is 44% and the proposed increases would elevate the cost recovery to 56%. (Note: the cost recovery percentage includes \$278,571 toward annual debt service of approximately \$650,000). The fee adjustments that are proposed include flat rate adjustments for outdoor patio venues and an approximate 10% increase for the Barn.

The proposed fee schedule continues to bifurcate resident and non-resident rates. The proposed fee schedule includes an option package to encourage The Barn and Western Patio rental combinations. A discounted rate of 50% for the Western Patio is provided with the rental of Half Barn, $\frac{3}{4}$ Barn, or the Full Barn.

The historical rental pattern is that non-residents encompass 80% of the rentals and 20% of the rentals are residents. Resident rates are proposed to remain the same. Non-profit organizations, commercial, and public agency rentals are less than 5% of the rentals. Non-profit, school district, commercial, and public agency rates are also proposed to remain the same. In FY 2023-24, AV Ranch is projected to host 112 private rental occasions and events and 5 non-profit/public agency events.

The proposed fee schedule, if adopted by the City Council, would be implemented July 1, 2024, and the City Manager would be authorized to approve annual adjustments in accordance with the Annual Consumer Price Index, All Urban Wage Earners and Clerical Workers, Los Angeles-Long Beach-Anaheim (CPI-W). The adjustment to the fees based upon the CPI-W annually will provide balancing of costs, cost recovery and staying current in the marketplace.

Public Notice:

A public hearing notice was published in the Laguna Niguel News and posted on the City's website.

City Attorney:

Reviewed by the City Attorney's office.

Attachments:

1. Resolution
2. Fee Schedule
3. PowerPoint Presentation

RESOLUTION NO. 2024-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, ADOPTING FEES FOR FACILITY RENTALS AT ALISO VIEJO RANCH

WHEREAS, the City has established Aliso Viejo Ranch, which includes grounds for private parties to reserve for events and other activities; and

WHEREAS, the City has determined that there are costs associated with booking, hosting, and maintenance of the grounds for such use and the City intends to increase the fees charged to recover such costs; and

WHEREAS, pursuant to Government Code section 66016, two notices of the public hearing were published in a newspaper at least 10 days before the hearing, and the public notice noted that at least 10 days before this Council meeting, the City made publicly available the data indicating the proposed fee amount; and

WHEREAS, it is the intention of the City Council that the permit fee set forth herein shall cover, but not exceed, the estimated reasonable cost of providing the service for which the fee is charged.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALISO VIEJO AS FOLLOWS:

SECTION 1. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

SECTION 2. The City Council finds that this Resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to Section 15378(b)(4) as the project relates to the creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

SECTION 3. No Fees shall be charged for use of the facilities by groups deemed to be City departments, City committees, City commissions, City boards, City officials, and otherwise City sponsored carrying out official business and groups conducting activities under the provisions of any lease or agreement separately approved by the City Council. The hourly fees for all other activities at Aliso Viejo Ranch are shown in Exhibit A to this Resolution. In order to maintain City facilities in good condition and provide fair access to potential renters there is no waiving of fees. Fees will automatically be adjusted annually in accordance with the Annual Consumer Price Index, All Urban Wage Earners and Clerical Workers, Los Angeles-Long Beach-Anaheim.

SECTION 4. The City Manager or his designee shall be responsible for administering facility rental program and shall develop appropriate rental forms, scheduling procedures, and general facility use rules and regulations necessary to administer it. Additional fees may be required for City personnel and/or equipment used in conjunction with the rental of these facilities and shall be established by the City Manager. The City Manager or his designee shall review said fees on an annual basis and revise as deemed necessary to reflect changing operational costs. The City has first right of refusal for any rental and the power to cancel rental agreement if the facility is needed for an official function.

SECTION 5. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The City Council declares that the City Council would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

SECTION 6. The documents and materials associated with this Resolution that constitute the record of proceedings on which these findings are based are located at Aliso Viejo City Hall, 12 Journey, Aliso Viejo, California 92656. The City Clerk is the custodian of the record of proceedings.

SECTION 7. Within five (5) working days after the passage and adoption of this Resolution, the City Council hereby authorizes and directs staff to prepare, execute and file with the Orange County Clerk a Notice of Exemption for the proposed project.

SECTION 8. This Resolution shall take effect July 1, 2024.

PASSED, APPROVED AND ADOPTED this 17th day of April 2024.

Mike Munzing
Mayor

APPROVED AS TO FORM:

ATTEST:

Scott C. Smith
City Attorney

Lauren Torres
Deputy City Clerk

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF ALISO VIEJO)

I, LAUREN TORRES, Deputy City Clerk of the City of Aliso Viejo, California, DO
HEREBY CERTIFY that foregoing Resolution No. 2024-__ was duly passed and adopted
by the City Council of the City of Aliso Viejo at their regular meeting held on the 17th day
of April 2024, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

LAUREN TORRES
DEPUTY CITY CLERK

NEW BARN			
A- Quarter (672 sf)	2 Hour Minimum Rental for Resident Business Hour Rental - 4 Hour Minimum for all other rentals		
	RESIDENT (M-TH, 7:30am-5:30pm)	RESIDENT (M-TH after 5:30pm; Fri-Sun)	NON-RESIDENT
City Sponsored	\$0	\$0	N/A
School District	N/A	\$43	\$87
501 © 3 Non-Profit	N/A	\$74	\$146
Private	\$69	\$88	\$175
Commercial	\$98	\$123	\$247
B- Half (1344 sf)	2 Hour Minimum Rental for Resident Business Hour Rental - 4 Hour Minimum for all other rentals		
	RESIDENT (M-TH, 7:30am-5:30pm)	RESIDENT (M-TH after 5:30pm; Fri-Sun)	NON-RESIDENT
City Sponsored	\$0	\$0	N/A
School District	N/A	\$64	\$121
501 © 3 Non-Profit	N/A	\$101	\$158
Private - Current Rates	\$121	\$150	\$208
Private - Proposed Rates	\$121	\$150	\$230
1/2 Barn + Western Patio	N/A	\$207	\$380
Commercial	\$168	\$210	\$267
C- 3/4 Barn (2136 sf)	2 Hour Minimum Rental for Resident Business Hour Rental - 4 Hour Minimum for all other rentals		
	RESIDENT (M-TH, 7:30am-5:30pm)	RESIDENT (M-TH after 5:30pm; Fri-Sun)	NON-RESIDENT
City Sponsored	\$0	\$0	N/A
School District	N/A	\$86	\$171
501 © 3 Non-Profit	N/A	\$128	\$213
Private - Current Rates	\$171	\$213	\$299
Private - Proposed Rates	\$171	\$213	\$330
3/4 Barn + Western Patio	N/A	\$270	\$480
Commercial	\$237	\$297	\$382
D- Full (3480)	2 Hour Minimum Rental for Resident Business Hour Rental - 4 Hour Minimum for all other rentals		
	RESIDENT (M-TH, 7:30am-5:30pm)	RESIDENT (M-TH after 5:30pm; Fri-Sun)	NON-RESIDENT
City Sponsored	\$0	\$0	N/A
School District	N/A	\$114	\$228
501 © 3 Non-Profit	N/A	\$171	\$286
Private - Current Rates	\$228	\$286	\$399
Private - Proposed Rates	\$228	\$286	\$440
Full Barn + Western Patio	N/A	\$343	\$590
Commercial	\$319	\$399	\$513
COURTYARD	4 Hour Minimum Rental		
	RESIDENT (M-TH, 7:30am-5:30pm)	RESIDENT (M-TH after 5:30pm; Fri-Sun)	NON-RESIDENT
City Sponsored	\$0	\$0	N/A
School District	N/A	\$86	\$171
501 © 3 Non-Profit	N/A	\$114	\$228
Private - Current Rates	N/A	\$86	\$257
Private - Proposed Rates	N/A	\$143	\$280
Commercial	N/A	\$286	\$399
WESTERN PATIO	2 Hour Minimum Rental for Resident Business Hour Rental - 4 Hour Minimum for all other rentals		
	RESIDENT (M-TH, 7:30am-5:30pm)	RESIDENT (M-TH after 5:30pm; Fri-Sun)	NON-RESIDENT
City Sponsored	\$0	\$0	N/A
School District	N/A	\$28	\$57
501 © 3 Non-Profit	N/A	\$45	\$91
Private - Current Rates	N/A	\$57	\$114
Private - Proposed Rates	N/A	\$57	\$295
Commercial	N/A	\$137	\$274
CATERING KITCHEN	4 Hour Minimum Rental		
	RESIDENT (M-TH, 7:30am-5:30pm)	RESIDENT (M-TH after 5:30pm; Fri-Sun)	NON-RESIDENT
City Sponsored	\$0	\$0	N/A
School District	N/A	\$23	\$45
501 © 3 Non-Profit	N/A	\$28	\$57
Private - Current Rates	N/A	\$57	\$114
Private - Proposed Rates	N/A	\$57	\$195
Commercial	N/A	\$114	\$228
GREENROOMS	Flat Rate		
	RESIDENT (M-TH, 7:30am-5:30pm)	RESIDENT (M-TH after 5:30pm; Fri-Sun)	NON-RESIDENT
City Sponsored	\$0	\$0	N/A
School District	N/A	\$28	\$57
501 © 3 Non-Profit	N/A	\$57	\$114
Private - Current Rates	N/A	\$86	\$171
Private - Proposed Rates	N/A	\$86	\$425
Commercial	N/A	\$114	\$228
FRONT PATIO	4 Hour Minimum Rental		
	RESIDENT (M-TH, 7:30am-5:30pm)	RESIDENT (M-TH after 5:30pm; Fri-Sun)	NON-RESIDENT
City Sponsored	\$0	\$0	N/A
School District	N/A	\$28	\$57
501 © 3 Non-Profit	N/A	\$45	\$91
Private - Current Rates	N/A	\$57	\$114
Private - Proposed Rates	N/A	\$57	\$195
Commercial	N/A	\$137	\$274
CORRAL PATIO	4 Hour Minimum Rental		
	RESIDENT (M-TH, 7:30am-5:30pm)	RESIDENT (M-TH after 5:30pm; Fri-Sun)	NON-RESIDENT
City Sponsored	\$0	\$0	N/A
School District	N/A	\$28	\$57
501 © 3 Non-Profit	N/A	\$45	\$91
Private - Current Rates	N/A	\$57	\$114
Private - Proposed Rates	N/A	\$57	\$195
Commercial	N/A	\$137	\$274

COST RECOVERY RENTAL PROGRAM BUDGET & EXPENSES								
SALARIES/BENEFITS	MANAGER	SUPERVISOR	COORDINATOR	RENTAL SPECIALIST	CONTRACT CLASS SPECIALIST	PART TIME SALARIES	PART TIME BENEFITS	TOTAL
20% TOTAL SALARY	\$54,139.00	N/A	N/A	N/A	\$28,441.00	N/A	N/A	
25% TOTAL SALARY	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
50% TOTAL SALARY	N/A	\$93,261.00	N/A	N/A	N/A	N/A	N/A	
60% TOTAL SALARY	N/A	N/A	\$97,317.00	N/A	N/A	N/A	N/A	
75% TOTAL SALARY	N/A	N/A	N/A	\$85,323.00	N/A	N/A	N/A	
FRIDAY (7AM-2PM X 2 STAFF) (10AM-7PM X 1 STAFF) (2PM-12AM X 2 STAFF) x 48 WEEKENDS	N/A	N/A	N/A	N/A	N/A	\$51,600.00	N/A	
SATURDAY (7AM-2PM X 2 STAFF) (10AM-7PM X 1 STAFF) (2PM-12AM X 2 STAFF) x 48 WEEKENDS	N/A	N/A	N/A	N/A	N/A	\$51,600.00	N/A	
SUNDAY (7AM-2PM X 2 STAFF) (10AM-7PM X 1 STAFF) (2PM-12AM X 2 STAFF) x 48 WEEKENDS	N/A	N/A	N/A	N/A	N/A	\$51,600.00	N/A	
FULL COST	\$54,139.00	\$93,261.00	\$97,317.00	\$85,323.00	\$28,441.00	\$154,800.00	\$10,836.00	\$524,117.00
BUILDING & GROUND MAINTENANCE (FULL)	PROJECTED TOTAL FY23/24	3/7 DAYS UNLESS OTHERWISE NOTED						
CABINETS	\$3,643.00							
HVAC	\$6,429.00							
JANITORIAL	\$28,286.00							
LANDSCAPE- NIEVES	\$15,000.00							
LIGHTING- PEAK	\$1,286.00							
LOCKSMITH	\$429.00							
MISC. REPAIRS	\$5,529.00							
PARTITION DOORS	\$4,286.00							
PLANT MAINTENANCE	\$600.00							
PLUMBING	\$857.00							
PVM	\$4,286.00							
RANCH- TREE TRIMMING	\$4,071.00							
WAXIE SUPPLIES	\$2,571.00							
BUILDING & GROUND MAINTENANCE COST								\$77,273.00
TECH SERVICES (FULL)	PROJECTED TOTAL FY23/24	3/7 DAYS UNLESS OTHERWISE NOTED						
ACCESS POINTS & LICENSING	\$5,846.00							
ADOBE PRO	\$1,395.00	50%						
AMAZON BUSINESS	\$77.00							
AMERICOMP (PRINTERS)	\$257.00							
AMERICOMP TONER	\$514.00							
APPLE TV	\$43.00							
CANVA	\$200.00	50%						
CIVICREC	\$2,250.00	50%						
DOCUSIGN	\$4,435.00	100%						
DROPBOX	\$43.00							
GRAMMARLY	\$64.00							
RICOH COPIES & SUPPLIES	\$1,286.00							
SOCIAL TABLES	\$3,205.00	100%						
SOUNDTRACK YOUR BUSINESS	\$163.00							
WEDDING PRO	\$7,500.00	100%						
WHENTOWORK	\$129.00							
YOUTUBE TV	\$729.00							
MISC. MAINTENANCE	\$2,143.00							
TECH SERVICES COST								\$30,279.00
RENTAL SPECIFIC EXPENSES	PROJECTED TOTAL 23/24							
NOISE ASSESSMENT/PREVENTION	\$6,300.00							
LINEN DRY CLEANING/REPLACEMENT	\$28,000.00							
BROCHURE	\$4,500.00							
SECURITY	\$40,557.00							
TOTAL								\$79,357.00
RENTAL FACILITY EXPENSES	PROJECTED TOTAL 23/24							
FURNITURE REPLACEMENT	\$12,000.00							
UTILITIES	\$28,000.00							
DEBT SERVICES	\$278,571.00	TOTAL DEBT SERVICES IS \$650,000						
GARDA	\$2,272.00							
TOTAL								\$320,843.00
OPERATIONS TOTAL								\$1,031,869.00
RENTAL EQUIPMENT REVENUE (ACCESSORY REVENUE)	PROJECTED TOTAL 23/24							
LINENS	-\$37,065.00							
SECURITY	-\$48,669.00							
PODIUM & A/V EQUIPMENT	-\$2,200.00							
CLEANING FEE	-\$43,200.00							
								-\$131,134.00
PROJECTED RENTAL REVENUE WITH PROPOSED INCREASE	PROJECTED TOTAL 23/24							
PROJECTED RENTAL REVENUE	\$579,600.00							
PROJECTED REVENUE TOTAL								\$579,600.00
COST RECOVERY PROJECTION	PROJECTED TOTAL 23/24	EXPENSES	REVENUES					
PERCENT COST RECOVERY (PROPOSAL)		\$1,031,869.00	\$579,600.00					56.17%
PERCENT COST RECOVERY (CURRENT)		\$1,031,869.00	\$450,000.00					43.61%

Comparable Venues

Cost	The Casino San Clemente	Dove Canyon Courtyard	Lake Forest Community Center	Newport Dunes	The Tea House on Los Rios	Laguna Hills Community Center	Crown Valley Community Center	AV RANCH PROJECTED (Res)	AV RANCH PROJECTED (Non-Res)
Venue Fee	\$8,500.00	\$7,000.00	\$480+\$150+\$35 per hour for Courtyard, Full Reception and Kitchen	\$4,000.00	\$7,000.00	\$3,420.00	\$2,720.00	\$3,688.00	\$7,100.00
Security	\$30 Per Hour/75 Guests	Not Disclosed	Not disclosed (required but vary by vendor)	Not Disclosed	Not Disclosed	N/A	\$35/hr	\$480 (\$40 x 2 guards)	\$480 (\$40 x 2 guards)
Additional Costs	Price of food per person from their preferred list	\$500 Day of Coordinator/\$500 Bartender	\$25/hr per staff member, Alcohol 10% for events with alcohol	\$70 Per Person food and alcohol	\$199 Per Person food and alcohol	\$59/hr Event Staff Fee	\$175 Janitorial	\$250 (cleaning fee)	\$250 (cleaning fee)
Total for 200 Person Wedding	\$8,950.00	\$8,000.00	\$7,483 (not including security)	\$18,000.00	\$39,800.00	\$3,950.00	\$3,210.00	\$4,418.00	\$7,830.00
Other Information									
Event Timeframe Included	5 Hour Event Time	5 Hour Event Time	5 hour event time	5 Hour Event Time	5 Hour Event Time	5 Hour Event Time	5 Hour Event Time	5 Hour Event Time	5 Hour Event Time
1-200 Guests	Up to 375	Up to 250	Reception space up to 330, Ceremony Space up to 200	Up to 400	Up to 200	Ceremony up to 100	Up to 200	Up to 200	Up to 200
200+ Guests	Up to 375	Up to 250	Reception space up to 330, Ceremony Space up to 200	Up to 400	Up to 200	Reception up to 250	Up to 200	Up to 200	Up to 200
Outside Food Permitted	No	Yes	Yes	No	No	Yes	YES	YES	YES
Wedding Coordinator Required	Yes	Yes	Not Disclosed	Yes	Yes (\$1,200 additional for in house)	No	No	YES	YES
Venue Type	Indoor/Outdoor	Outdoor Only	Indoor Reception (MPR Style Room), Outdoor Ceremony	Outdoor Only	Outdoor Only	Indoor/Outdoor	Indoor/Outdoor	INDOOR/OUTDOOR	INDOOR/OUTDOOR

Events Booked

FISCAL YEAR		Resident	Non-Resident	TOTAL	
FY20-21	Wedding	12	49	61	Wedding
	Parties/Celebrations	6	4	10	Parties/Celebrations
	Meetings/Community Events	1	3	4	Meetings/Community Events
	Meetings	0	0	0	Meetings
	Non-Profit Events	0	2	2	Non-Profit Events
	Community Events	1	1	2	Community Events
	TOTAL	20	59	79	
FY21-22	Wedding	21	86	107	Wedding
	Parties/Celebrations	21	7	28	Parties/Celebrations
	Meetings	0	1	1	Meetings
	Non-Profit Events	0	2	2	Non-Profit Events
	Community Events	2	2	4	Community Events
	TOTAL	44	98	142	
FY22-23	Wedding	16	71	87	Wedding
	Parties/Celebrations	13	6	19	Parties/Celebrations
	Meetings	3	1	4	Meetings
	Non-Profit Events	2	5	7	Non-Profit Events
	Community Events	3	0	3	Community Events
	TOTAL	37	83	120	
FY23-24	Wedding	8	33	41	Wedding
	Parties/Celebrations	1	2	3	Parties/Celebrations
	Meetings	2	0	2	Meetings
	Non-Profit Events	2	2	4	Non-Profit Events
	Community Events	0	0	0	Community Events
	YTD TOTAL	13	37	50	

14.25	59.75	74	Wedding
10.25	4.75	15	Parties/Celebrations
1.5	1.25	2.75	Meetings
1	2.25	3.25	Non-Profit Events
1.25	1	2.25	Community Events

Events Hosted

FISCAL YEAR		Resident	Non-Resident	TOTAL	
FY20-21	Wedding	0	6	6	Wedding
	Parties/Celebrations	2	1	3	Parties/Celebrations
	Meetings	1	2	3	Meetings
	Non-Profit Events	0	0	0	Non-Profit Events
	Community Events	0	0	0	Community Events
	City Sponsored	2	0	2	City Sponsored
	Recreation Events	1	0	1	Recreation Events
FY21-22	Wedding	21	46	67	Wedding
	Parties/Celebrations	13	9	22	Parties/Celebrations
	Meetings	4	1	5	Meetings
	Non-Profit Events	1	1	2	Non-Profit Events
	Community Events	1	1	2	Community Events
	City Sponsored	11	0	11	City Sponsored
	Recreation Events	8	0	8	Recreation Events
FY22-23	Wedding	16	63	79	Wedding
	Parties/Celebrations	13	10	23	Parties/Celebrations
	Meetings	1	2	3	Meetings
	Non-Profit Events	0	5	5	Non-Profit Events
	Community Events	4	2	6	Community Events
	City Sponsored	3	0	3	City Sponsored
	Recreation Events	6	0	6	Recreation Events
FY23-24	Wedding	11	38	49	Wedding
	Parties/Celebrations	3	3	6	Parties/Celebrations
	Meetings	8	0	8	Meetings
	Non-Profit Events	0	1	1	Non-Profit Events
	Community Events	0	0	0	Community Events
	City Sponsored	3	0	3	City Sponsored
	Recreation Events	3	0	3	Recreation Events

12	38.25	50.25	Wedding
7.75	5.75	13.5	Parties/Celebrations
3.5	1.25	4.75	Meetings
0.25	1.75	2	Non-Profit Events
1.25	0.75	2	Community Events
4.75	0	4.75	City Sponsored
4.5	0	4.5	Recreation Events



ALISO VIEJO RANCH FEE ASSESSMENT

ALISO VIEJO RANCH RENTAL OPERATING COST

- Annual operating cost for the Aliso Viejo Ranch Facility Rental Program is **\$1,031,869**.
 - Includes a percentage of the debt service amount, allocated FT and PT salaries/benefits, Building & Ground Maintenance, Utilities, Tech Services, and Rental Specific Expenses (Security, Dry Cleaning, Rental Brochure, etc.)
- Current projected revenues based on the FY 2023-24 is **\$450,000**.
 - The current cost recovery amounts to 44%.
- Projected revenues, should Council approve the proposed fee schedule, would increase projected revenue for the facility rental to **\$579,600**.
 - This would increase cost recovery amounts to 56%.

ALISO VIEJO RANCH COMPARABLE VENUES

- Comparable styled venues found in a
 - 25 square mile radius
 - 5 hours of event time
 - 200 guest count accommodations
 - Rented spaces for a full on-site wedding
- Current Rental Costs
 - \$5,717 average cost for full Non-Resident Occasions and Events
- Proposed Rental Costs
 - \$7,830 average cost for full Non-Resident Occasions and Events after proposed changes
- 80% of all rentals are for Non-Resident Occasions and Events

ALISO VIEJO RANCH COMPARABLE VENUES

Cost	The Casino San Clemente	Dove Canyon Courtyard	Lake Forest Community Center	Crown Valley Community Center (Non-Res)**	Laguna Hills Community Center (Non-Res)**	Newport Dunes*	The Tea House on Los Rios*	AV RANCH CURRENT (Res)	AV RANCH CURRENT (Non-Res)	AV RANCH PROJECTED (Non-Res)
Total Venue Cost	\$8,950.00	\$8,000.00	\$7,483.00	\$3,210.00	\$3,950.00	\$18,000.00	\$39,800.00	\$4,418.00	\$5,717.00	\$7,830.00

*Cost includes mandatory in-house catering services required through venue (calculated at 200 attendees)

- \$8,145 average rental cost for local comparable venues without in-house catering services required.
- **\$3,580 average rental cost for local public multi-purpose community centers. The City of Laguna Niguel and the City of Laguna Hills are both currently conducting a fee study to determine their market viability. The rental type and volume of these two facilities are not comparable to Aliso Viejo Ranch.

PROPOSED PROGRAM CHANGE

- Special rate for Western Patio when booked in combination with the indoor barn space.

ALISO VIEJO RANCH SITE MAP



PROPOSED RATE CHANGES NEW BARN

B- Half (1344 sf)			
2 Hour Minimum Rental for Resident Business Hour Rental - 4 Hour Minimum for all other rentals			
	RESIDENT (M-TH, 7:30am-5:30pm)	RESIDENT (M-TH after 5:30pm; Fri-Sun)	NON-RESIDENT
City Sponsored	\$0	\$0	N/A
School District	N/A	\$64	\$121
501 © 3 Non-Profit	N/A	\$101	\$158
Private - Current Rates	\$121	\$150	\$208
Proposed Private Rates	\$121	\$150	\$230
1/2 Barn + Western Patio	N/A	\$207	\$380
Commercial	\$168	\$210	\$267
C- 3/4 Barn (2136 sf)			
2 Hour Minimum Rental for Resident Business Hour Rental - 4 Hour Minimum for all other rentals			
	RESIDENT (M-TH, 7:30am-5:30pm)	RESIDENT (M-TH after 5:30pm; Fri-Sun)	NON-RESIDENT
City Sponsored	\$0	\$0	N/A
School District	N/A	\$86	\$171
501 © 3 Non-Profit	N/A	\$128	\$213
Private - Current Rates	\$171	\$213	\$299
Proposed Private Rates	\$171	\$213	\$330
3/4 Barn + Western Patio	N/A	\$270	\$480
Commercial	\$237	\$297	\$382
D- Full (3480)			
2 Hour Minimum Rental for Resident Business Hour Rental - 4 Hour Minimum for all other rentals			
	RESIDENT (M-TH, 7:30am-5:30pm)	RESIDENT (M-TH after 5:30pm; Fri-Sun)	NON-RESIDENT
City Sponsored	\$0	\$0	N/A
School District	N/A	\$114	\$228
501 © 3 Non-Profit	N/A	\$171	\$286
Private - Current Rates	\$228	\$286	\$399
Proposed Private Rates	\$228	\$286	\$440
Full Barn + Western Patio	N/A	\$343	\$590
Commercial	\$319	\$399	\$513
CATERING KITCHEN			
4 Hour Minimum Rental			
	RESIDENT (M-TH, 7:30am-5:30pm)	RESIDENT (M-TH after 5:30pm; Fri-Sun)	NON-RESIDENT
City Sponsored	\$0	\$0	N/A
School District	N/A	\$23	\$45
501 © 3 Non-Profit	N/A	\$28	\$57
Private - Current Rates	N/A	\$57	\$114
Proposed Private Rates	N/A	\$57	\$195
Commercial	N/A	\$114	\$228
GREENROOMS			
Flat Rate			
	RESIDENT (M-TH, 7:30am-5:30pm)	RESIDENT (M-TH after 5:30pm; Fri-Sun)	NON-RESIDENT
City Sponsored	\$0	\$0	N/A
School District	N/A	\$28	\$57
501 © 3 Non-Profit	N/A	\$57	\$114
Private - Current Rates	N/A	\$86	\$171
Proposed Private Rates	N/A	\$86	\$425
Commercial	N/A	\$114	\$228

PROPOSED RATE CHANGES FLAT RATE ADJUSTMENTS

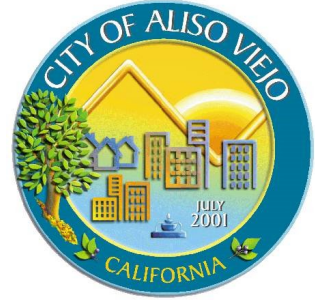
COURTYARD			
	<i>4 Hour Minimum Rental</i>		
	RESIDENT (M-TH, 7:30am-5:30pm)	RESIDENT (M-TH after 5:30pm; Fri-Sun)	NON-RESIDENT
City Sponsored	\$0	\$0	N/A
School District	N/A	\$86	\$171
501 © 3 Non-Profit	N/A	\$114	\$228
Private - Current Rates	N/A	\$143	\$257
Proposed Private Rates	N/A	\$143	\$280
Commercial	N/A	\$286	\$399
WESTERN PATIO			
	<i>2 Hour Minimum Rental for Resident Business Hour Rental - 4 Hour Minimum for all other rentals</i>		
	RESIDENT (M-TH, 7:30am-5:30pm)	RESIDENT (M-TH after 5:30pm; Fri-Sun)	NON-RESIDENT
City Sponsored	\$0	\$0	N/A
School District	N/A	\$28	\$57
501 © 3 Non-Profit	N/A	\$45	\$91
Private - Current Rates	N/A	\$57	\$114
Proposed Private Rates	N/A	\$57	\$295
Commercial	N/A	\$137	\$274
FRONT PATIO			
	<i>4 Hour Minimum Rental</i>		
	RESIDENT (M-TH, 7:30am-5:30pm)	RESIDENT (M-TH after 5:30pm; Fri-Sun)	NON-RESIDENT
City Sponsored	\$0	\$0	N/A
School District	N/A	\$28	\$57
501 © 3 Non-Profit	N/A	\$45	\$91
Private - Current Rates	N/A	\$57	\$114
Proposed Private Rates	N/A	\$57	\$195
Commercial	N/A	\$137	\$274
CORRAL PATIO			
	<i>4 Hour Minimum Rental</i>		
	RESIDENT (M-TH, 7:30am-5:30pm)	RESIDENT (M-TH after 5:30pm; Fri-Sun)	NON-RESIDENT
City Sponsored	\$0	\$0	N/A
School District	N/A	\$28	\$57
501 © 3 Non-Profit	N/A	\$45	\$91
Private - Current Rates	N/A	\$57	\$114
Proposed Private Rates	N/A	\$57	\$195
Commercial	N/A	\$137	\$274

Recommended Actions:

1. Conduct a Public Hearing;
2. Adopt a Resolution approving the Fee Schedule for facility rentals at Aliso Viejo Ranch; and
3. Authorize the City Manager to approve the FY 2024-25 Fee Schedule and to approve the annual fee adjustments in accordance with the Annual Consumer Price Index, All Urban Wage Earners and Clerical Workers, Los Angeles-Long Beach-Anaheim.

City of Aliso Viejo

AGENDA ITEM



DATE: April 17, 2024

TO: Mayor and City Council

FROM: Scott C. Smith, City Attorney

SUBJECT: ACTING CITY MANAGER EMPLOYMENT AGREEMENT

Recommended Actions:

1. Award Acting City Manager Mitzi Ortiz a 6.4% merit-based performance increase to her annual base salary in the position of Director of Government Services (for an increased annual base salary of \$205,793.60), effective retroactively to her anniversary date of July 1, 2023, in accordance with City policy on merit increases.
2. Approve the Employment Agreement between the City of Aliso Viejo and Mitzi Ortiz for working out of class with the additional duties of Acting City Manager.

Fiscal Impact:

The salary increase in base compensation would amount to \$12,378.56 annually. The out-of-class services Agreement provides for an additional \$3,800 lump sum, plus a \$3,684 monthly base augment for the time Ms. Ortiz continues in the additional duties of Acting City Manager. All amounts are within the City's 2023-24 Fiscal Year budget parameters.

Background:

Mitzi Ortiz has served the City of Aliso Viejo as City Clerk since 2014 and as Director of Government Services since 2020. Since the recent separation of the City Manager, Ms. Ortiz has been appointed as Acting City Manager, in addition to her regular duties, and it is anticipated she will continue to serve in that capacity for the period of time necessary to allow the Council to recruit and select an individual to serve as permanent City Manager or as Interim City Manager for an extended term. Ms. Ortiz has accepted the terms of this position as presented by the Council.

The City Council directed the City Attorney's office to prepare an employment agreement setting forth the terms for Ms. Ortiz' temporary employment in the position of Acting City Manager as provided in the attached Acting City Manager Employment Agreement.

Discussion:

The Aliso Viejo Municipal Code authorizes the Council to appoint an Acting City Manager, and State open meeting laws allow the City Council to propose terms of employment to unrepresented employees like the Director of Government Services. If those terms are accepted by the employee, the terms must be presented orally in a City Council meeting prior to final action. This agenda item presents that opportunity.

This agenda item provides Ms. Ortiz a merit-based pay increase for her current duties effective on her anniversary date of July 1, 2023, bringing her base compensation to \$205,793.60. Additionally, pursuant to Council's direction on April 3, 2024, upon approval of the proposed Acting City Manager Employment Agreement, Ms. Ortiz would receive a temporary augment to this base salary in the amount of \$44,206.40 (for a total \$250,000, pro-rated and paid at an hourly rate of \$120.19 per hour up to a maximum of 40 hours per week, while serving out of class). This increased compensation would remain in effect for the duration of her assignment as Acting City Manager. The Agreement also provides for a one-time cash payment in the amount of \$3,800 in recognition of her ongoing commitment to the City and her willingness to accept this appointment as Acting City Manager.

Attachment:

1. Proposed Acting City Manager Employment Agreement

**ACTING CITY MANAGER EMPLOYMENT AGREEMENT
BETWEEN CITY OF ALISO VIEJO AND MITZI ORTIZ**

This Employment Agreement for the position of Acting City Manager (“Agreement”) is made and entered into this 17th day of April, 2024 (the “Effective Date”), by and between Mitzi Ortiz (“Ortiz”), an individual, and the City of Aliso Viejo, a California municipal organization (“City”), collectively the “Parties.”

RECITALS

A. On March 20, 2024, City provided notice to its City Manager, of its intent to separate his employment effective April 19, 2024, resulting in the immediate need for a temporary successor to maintain the continuity and conduct of City business.

B. On March 20, 2024, the City Council appointed Ortiz to serve in the position of Acting City Manager on a temporary basis in order to meet these needs.

C. The City has commenced efforts to recruit for a permanent City Manager.

D. Ortiz is currently employed as the Director of Government Services at the City as a full-time employee.

E. Ortiz is entitled to receive additional compensation and benefits as consideration for assuming additional duties as the Acting City Manager in addition to her Director of Government Services duties.

F. Ortiz’s role as the Acting City Manager and her performance of the additional duties shall cease upon employment of a new City Manager, and at such time Ortiz shall return to performing the duties of her position as the Director of Government Services exclusively.

G. The Parties now desire to enter into the Agreement in order to set forth and approve the terms for Ortiz’s temporary employment in the position of Acting City Manager as set forth herein.

NOW, THEREFORE, in consideration of the foregoing mutual covenants and conditions, the Parties agree as follows:

1. Scope and Duties as Acting City Manager

A. Appointment and Employment: Subject to the terms and conditions of this Agreement, Ortiz formally accepts the City Council’s appointment and the City agrees to employ Ortiz as the City’s Acting City Manager.

B. Duties: As Acting City Manager, Ortiz shall report to the City Council and shall perform the duties of the City Manager as set forth in Chapter 2.06 of the Aliso Viejo Municipal Code. Ortiz, as Acting City Manager, shall have the authority provided in the Municipal Code and

as otherwise directed by the City Council, including to oversee and appoint subordinate City employees.

2. Term and Termination

A. Term: This Agreement shall take effect as of April 19, 2024, and shall remain in effect until such time as a new City Manager commences employment with the City or this Agreement is otherwise terminated as provided for herein.

B. At-Will Nature of Appointment: Ortiz understands that she has no constitutionally protected property or other interest in her employment as Acting City Manager and has no due process rights associated with this temporary appointment. Ortiz understands and expressly agrees that she serves in the Acting City Manager position on a temporary basis at the will and pleasure of the City Council and her temporary appointment may be rescinded and this Agreement terminated at any time by the City Council, without cause. Ortiz is not eligible for any severance benefits upon termination of this Agreement, regardless of the manner in which the appointment ends. The parties specifically agree that no advance notice is required to end her Acting appointment and specifically acknowledge that Section 2.06.130 of the Municipal Code does not apply to this Agreement or to any decision to end her Acting appointment.

C. Return to Former Position: Upon expiration or termination of this Agreement, Ortiz shall automatically return to her position as Director of Government Services at the corresponding rates of compensation and with all benefits then applicable to that position, without loss of longevity, benefits, or rights.

D. Ability to Resign: Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of Ortiz to resign at any time from the position of Acting City Manager, upon providing ten (10) days written notice to the City Council, at which time Ortiz shall return to her position as Director of Government Services.

3. Salary and Compensation.

A. Salary: Ortiz's current annual base salary is \$205,793.60 In recognition of Ortiz's continued service and additional services under this Agreement, Ortiz shall receive:

1. A one-time cash payment of \$3,800.00 in recognition of Ortiz's ongoing commitment to her increased responsibilities and duties with her appointment as Acting City Manager; and

2. Compensation equal to an annual base salary of \$250,000.00 per year (an hourly rate of \$120.192 for up to 40 hours per week), for the duration of her acting assignment, and subject to applicable deductions and other withholdings while this Agreement remains in effect. As an exempt employee, Ortiz is not entitled to overtime compensation.

Thereafter, Ortiz will resume earning the compensation applicable to her position as Director of Government Services with her current annual salary of \$205,793.60. If Ortiz remains in the

Acting position beyond July 1, 2024, her performance will be evaluated and she may receive an increase to her Director of Government Services salary in accordance with City policy.

B. Additional Benefits: The City shall pay to Ortiz the sum of Five Hundred Dollars (\$550) per month as an automobile allowance and shall provide Ortiz a City cell phone at City expense. Ortiz will also be provided a City paid FasTrak transponder for toll road travel for City-related business.

4. General Provisions.

A. The terms of this Agreement are intended by the Parties as the final expression of their agreement regarding the Acting City Manager appointment and may not be contradicted by evidence of any prior agreement or contemporaneous oral agreement. The Parties further intend that this Agreement constitutes the complete and exclusive statement of its terms and that no extrinsic evidence whatsoever may be introduced in any judicial or arbitration proceeding, if any, involving this Agreement. Any amendments to this Agreement must be in writing and executed by both Parties.

B. If any term, covenant, condition, or provision of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions shall remain in full force and effect and shall in no way be affected, impaired or invalidated thereby.

C. This Agreement shall be governed by the laws of the State of California. Ortiz and the City agree that venue for any dispute shall be in Orange County, California.

D. The Parties acknowledge that they understand the significance and consequences of this Agreement. The Parties also acknowledge that they have been given full opportunity to review and negotiate this Agreement and execute it only after full reflection and analysis, and that they have had an opportunity to review this document and its application and meaning with their respective attorneys and advisors. This Agreement shall not be interpreted against the party who prepared the initial draft because all Parties participated in the drafting of this Agreement by having ample opportunity to review and submit suggested changes or corrections for incorporation into the final version of this Agreement.

E. Ortiz may not assign this Agreement in whole or in part.

F. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the Effective Date first written above.

CITY OF ALISO VIEJO

ORTIZ

By: _____
Mike Munzing
Mayor

By: _____
Mitzi Ortiz

ATTEST:

Lauren Torres
Deputy City Clerk

APPROVED AS TO FORM:

By: _____
Scott C. Smith
Best Best & Krieger LLP
City Attorney

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