AGENDA

ALISO VIEJO CITY COUNCIL
WEDNESDAY, APRIL 21, 2021
6:00 PM CLOSED SESSION
7:00 PM REGULAR MEETING

City Hall
Council Chambers
12 Journey
Aliso Viejo, CA

Mayor Tiffany Ackley
Mayor Pro Tem Ross Chun
Councilmember David C. Harrington
Councilmember Richard W. Hurt
Councilmember Mike Munzing

SPECIAL NOTICE REGARDING COVID-19

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

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

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

WELCOME to the City of Aliso Viejo City Council meeting.

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 preceding a regularly scheduled City Council meeting. Supplemental documents relating to specific agenda items, including communications received after agenda delivery, are presented to the City Council and are available for review in the City Clerk's office, 12 Journey, Aliso Viejo. For more information, please contact City Hall at (949) 425-2505.

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

DAVID A. DOYLE	SCOTT C. SMITH	MITZI ORTIZ
CITY MANAGER	CITY ATTORNEY	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:

LIABILITY CLAIMS
Claimant: Peggy Hall
Agency claimed against: City of Aliso Viejo
Claim

CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2)
Number of potential cases: 1

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code Section 54957
Title: City Attorney

CALL TO ORDER: CONVENE REGULAR MEETING

ROLL CALL

PLEDGE OF ALLEGIANCE:

REPORT FROM CLOSED SESSION:

1. SPECIAL PRESENTATIONS:

1.1. PROCLAMATION - SOKA UNIVERSITY OF AMERICA DAY
Proclamation

2. ADDITIONS, DELETIONS, REORDERING TO THE AGENDA:

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

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

4.1. WAIVE THE READING OF ALL ORDINANCES AND RESOLUTIONS
Recommended Action: Approve the reading by title only of all ordinances and resolutions wherein the titles appear on the public agenda; said titles shall be determined to have been read by title, and further reading is waived.

4.2. APPROVAL OF MINUTES – APRIL 7, 2021 REGULAR MEETING
Recommended Action: Approve the subject Minutes as submitted.
Draft Minutes - April 7, 2021 Regular Meeting

4.3. SECOND READING AND ADOPTION OF AN ORDINANCE RELATING TO HUMAN TRAFFICKING

Recommended Action: Conduct second reading and adopt Ordinance entitled:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, AMENDING CHAPTER 1.06 OF THE ALISO VIEJO MUNICIPAL CODE RELATING TO HUMAN TRAFFICKING.
Staff Report
Attachment 1 - Ordinance

4.4. ACCOUNTS PAYABLE
Recommended Action:
1. Ratify accounts payable checks and electronic funds transfers issued March 25, 2021 in the amount of $690,339.48 and
2. Ratify accounts payable checks and electronic funds transfers issued April 1, 2021 in the amount of $124,136.33.

Staff Report
Attachment 1 - Accounts Payable Report

4.5. TREASURER'S STATEMENT – FEBRUARY 2021
Recommended Action: Approve February 2021 Treasurer's Statement.
Staff Report
Attachment 1 - Feb'21 Treasurer's Report

4.6. UPDATE SALARY SCHEDULE ADDING ACCOUNTING SUPERVISOR POSITION
Recommended Action: Adopt a Resolution adding the position of Accounting Supervisor to the City's Salary Schedule and benefits program.
Staff Report
Attachment 1 - Resolution

4.7. DESIGNATION OF AUTHORIZED AGENTS TO SIGN FOR HAZARD MITIGATION GRANT PROGRAMS AND PRE-DISASTER MITIGATION PROGRAMS
Recommended Action: Approve and adopt the California Office of Emergency Services' Designation of Subrecipient's Agent Resolution (CalOES 130), designating the City Manager, Director of Financial Services, and Human Resources Manager as authorized agents when dealing with the California Office of Emergency Services (CalOES) or the Federal Emergency Management Agency (FEMA) for the purposes of obtaining federal and/or state financial assistance for hazard mitigation grant programs and pre-disaster mitigation programs.
Staff Report
Attachment 1 - Resolution

4.8. STIGMA FREE OC – CITY SUPPORT
Recommended Action: Approve City pledge of support for Stigma Free OC, a countywide movement that aims to remove the stigma associated with mental illness and substance use disorders.
Staff Report
Attachment 1 - Mental Health Training Flyer
Attachment 2 - NAMI Fact Sheet
Attachment 3 - Stigma Free OC Pledge

4.9. SUMMER CAMP SCHOLARSHIP PROGRAM
Recommended Action: Approve funding in the amount of $11,500 in Fiscal Year 2021-22 for the Summer Camp Scholarship program.
Staff Report

5. PUBLIC HEARINGS:

5.1. ADOPTION OF THE FISCAL YEAR 2021-2022 ANNUAL ACTION PLAN FOR EXPENDITURES OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS

Recommended Action:
1. Conduct a public hearing;
2. Declare the City Council finds the FY 2021-2022 Annual Action Plan is not subject to the California Environmental Quality Act ("CEQA") as the activity is not a project defined in Section 15378(b)(5) of the state CEQA Guidelines;
3. Approve and adopt the FY 2021-2022 Annual Action Plan ("Action Plan") for the use of Community Development Block Grant ("CDBG") funds; and
4. Authorize the City Manager to submit the Action Plan to the U.S. Department of Housing and Urban Development ("HUD"), which executes the HUD contract and authorize the City Manage to submit all related documents with the implementation of the Action Plan.

Staff Report
Attachment 1 - FY 2021-2022 Annual Action Plan
Attachment 2 - Presentation

6. DISCUSSION:

6.1. REVIEW CITY EXPENDITURE OF CARES ACT RELIEF FUNDS
Recommended Action: Receive and file.
Staff Report
Attachment 1 - Memorandum
Attachment 2 - Expenditure Recap

6.2. AUTHORIZE SUBMISSION OF FIRE PREVENTION GRANT APPLICATION TO CAL FIRE
Recommended Action: The City/AVCA Standing Committee and City staff recommend Council authorize submission of a CAL FIRE grant application requesting up to $2 Million including local matching funds in the amount of 25% of the grant award.
Staff Report

6.3. SB 760 (BATES) – STATE HIGHWAYS: STATE ROUTE 241: REDUCTION
SB 761 (BATES) – PUBLIC RESOURCES: CITY OF SAN CLEMENTE: ROAD CONSTRUCTION
Recommended Action:
City Council to discuss and approve one of the following actions:

1. Authorize the Mayor to send letters on behalf of the City Council expressing support for SB 760 (Bates) and SB 761 (Bates);
2. Authorize the Mayor to send letters on behalf of the City Council opposing SB 760 (Bates) and SB 761 (Bates); or
3. Take no action.

Staff Report
Attachment 1 - SB 760 (Bates)
Attachment 2 - SB 761 (Bates)
Attachment 3 - Draft Letters of Support
Attachment 4 - Draft Letters of Opposition

7. CITY MANAGER' S REPORT:

8. ANNOUNCEMENTS / COUNCIL COMMENTS / COMMITTEE UPDATES:

9. ADJOURNMENT:

The next regularly scheduled City Council meeting is May 5, 2021.

JAMES M. LLOYD, ESQ.

1 MCGWIRE ROAD, SUITE 260
LADERA RANCH CALIFORNIA
PHONE: 949-374-1275

March 17, 2021

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Mr. Scott Smith
Best Best & Krieger
18101 Von Karman Avenue, Suite 100
Irvine, CA 92612
Scott.smith@bbklaw.com

Mr. David Doyle
City of Aliso Viejo
12 Journey, Suite 100
Aliso Viejo, CA 92656
city-manager@avcity.org

NOTICE OF CLAIM
AND
DEMAND TO CEASE AND DESIST

Dear Mr. Smith and Mr. Doyle,

PLEASE BE ADVISED THAT I HAVE BEEN RETAINED BY PEGGY HALL WITH RESPECT TO THE CALLOUS DISREGARD SHOWN BY YOU, AND BY EXTENSION, PEGGY HALL'S RIGHTS UNDER THE CONSTITUION OF THE UNITED STATES AND THE STATE OF CAIFORNIA.

1. You have not rebutted Peggy Hall's previous statements alleging your unlawful discrimination against Mrs. Hall by denying her access to public facilities and services.

2. Your silence is acquiescence and tantamount to an admission of your guilt.

3. Mrs. Hall alleges that you, Mr. Smith, provided a fabricated account of her appearance at the Aquatic Center, and that your account is libelous and constitutes defamation. According to Mrs. Hall, your account is filled with inaccuracies, is baseless, false and irresponsible. Your tone to Mrs. Hall is threatening, harassing, intimidating and highly disrespectful.

   You are hereby notified to cease and desist immediately engaging in conduct or communication that is libelous and/or defamatory.

4. The letter of February 19, 2021 constitutes unlawful retaliation and coercion due to Mrs. Hall making a claim against you and Mr. Doyle for your discriminatory practices.

5. Mrs. Hall alleges that Mr. Smith threatened to make or file a claim of trespass against her. This conduct on your part, if proven, constitutes harassment and intimidation, unlawful retaliation and coercion. There is little likelihood that claims of trespass will hold when a member of the public is in the public place during open hours for lawful purpose.

   You are hereby notified to IMMEDIATELY cease and desist conduct and communication that amounts to harassment.

   PLEASE TAKE NOTICE that any attempt to file a clearly unlawful and harassing claim of trespassing against Mrs. Hall will constitute an unwarranted restraint and unlawful arrest claim, which may subject to criminal and/or civil penalties.

6. Neither Mr. Smith nor Mr. Doyle have legal authority to create and enforce City policies that violate the law; such conduct is a violation of *California Government Code* Section 37100 which prohibits municipalities from violating established law.

7. Mrs. Hall claims that your lack of response to her valid concerns that you, and others are engaging in a systemic practice and pattern of unlawful discrimination over these many months has resulted in sustained emotional and physical distress.

8. This letter serves as a FORMAL Notice of Claim against you, Mr. Smith, Mr. Doyle and the City of Aliso Viejo.

To avoid legal action against you and the City of Aliso Viejo, the following terms are set and the Parties agree as follows:

AGREEMENT

This agreement ("Agreement") dated for identification purposes only as of March 17, 2021, is entered into by, between and among the City of Aliso Viejo ("City") and Peggy Hall ("Mrs. Hall") each of whom may hereinafter be referred to individually as a "Party" or collectively as the "Parties."

I. RECITALS

A. The City of Aliso Viejo ("City") is engaged in the unlawful discrimination of Mrs. Hall by denying her equal access to public services and facilities, as required by law. This amounts to nothing less than religious persecution due to her Christian faith.

B. The City has refused to answer any of Mrs. Hall's numerous allegations of violations of her religious liberty, which is protected by the U.S. Civil Rights Act, the California Constitution, the Unruh Act, the Tom Banes Act, Cal Gov Code 12926(q) and the U.S. Constitution. As such, the City and its officers are in violation of 42 U.S. Code §1983 and §1985.

C. The City is threatening, harassing, intimidating, and retaliating against and coercing Mrs. Hall due to her accusation of unlawful discrimination by the City.

D. The City is making false claims of Mrs. Hall's conduct and threatening charges of trespass, which are baseless, unlawful, and libelous.

E. The California Department of Public Health and CDC guidelines state that an individual is exempt from face coverings while outdoors and when 6 feet

of distance can be maintained. Further, face coverings are not advised to be worn in a swimming pool.

F. The California Playbook for a Safer Economy states that no worker is to approach a member of the public with the purpose of telling them to wear a face covering. Further, the playbook states that the manager of the facility is to accommodate the patron by "arranging the area so a safe distance can be maintained."

G. The City has no legal authority to create and enforce policies that violate established law. (CA GOV CODE §37100).

H. Creating a policy requiring covering one's face as a condition to enter a public facility is a violation of CA GOV CODE §12926(q), to wit:

> "Religious creed," "religion," "religious observance," "religious belief," and "creed" include all aspects of religious belief, observance, and practice, including religious dress and grooming practices. **"Religious dress practice" shall be construed broadly to include the wearing or carrying of religious clothing, head or face coverings**, jewelry, artifacts, and any other item that is part of an individual observing a religious creed. "Religious grooming practice" shall be construed broadly to include all forms of head, facial, and body hair that are part of an individual observing a religious creed."
>
> YOURS and the CITY's actions are no different than requiring a Sikh to remove his turban as a condition of entry. Just as a Muslim's right to veil the face is protected by law, Mrs. Hall's not wearing of a face covering as part of her religious practice is protected by law. That right is not suspended in times of emergency.

I. Mrs. Hall requested and received from the City an accommodation for her religious beliefs regarding temperature taking. This is proof that the City acknowledges its duty to accommodate a sincerely held religious belief.

J. There is no evidence that Mrs. Hall presents a direct threat to the health and safety of any patron at the Aquatic Center. Deeming someone a direct threat may not be done on generalizations or stereotypes, such as all Muslims are terrorists, or all teenagers are shoplifters.

K. State and federal discrimination laws require a reasonable accommodation to be made to allow for equal access to public programs, services and facilities. Defense of an undue hardship has not been met in this situation. Mrs. Hall is not requesting that a special entrance gate be constructed for her use, nor is she requesting a special swim lane or special hours or other accommodation that could constitute more than a *di minimis* hardship. The accommodation Mrs. Hall requests is that she enter the public gate (which is wide enough to pass through without coming into contact with another person) with her bare face, as required by her religious belief.

L. U.S. District Court Federal Judge William S. Stickman IV ruled that liberties guaranteed by the U.S. Constitution cannot be subordinated even during times of an emergency. "The liberties protected by the Constitution are not fair-weather freedoms – in place when times are good but able to be cast aside in times of trouble. There is no question that this Country has faced and will face, emergencies of every sort," Judge Stickman wrote. "**But the solution to a national crisis can never be permitted to supersede the commitment to individual liberty."** Rather, Judge Stickman wrote, "The Constitution sets certain lines that may not be crossed, even in an emergency." *Butler vs Wolf (*September 14, 2020)

M. The California Department of Fair and Equal Housing ("DFEH") is the agency that handles civil rights complaints. The DFEH states that even during a pandemic, civil rights are to be upheld.

N. The Aliso Viejo City Council adopted a statement on July 8, 2020 denouncing all forms of discrimination:

City Council Statement
The strength of our diverse community, state and nation emanates from our unity as Americans; unique individuals with different backgrounds and experiences who speak for all that practice and ensure fairness, ***respect and equity for ALL***

regardless of race, creed, color, religion, *or sexual orientation; respect and uphold the United States Constitution and the ideals contained therein guaranteed to ALL citizens including the right to free speech, peaceful assembly, and to petition the Government for a redress of grievances; further* ***we denounce*** *all forms, ideas and expressions of hate, racism, intolerance, and* ***discrimination of any kind****. Aliso Viejo supports and encourages public safety and the rule of law and order administered fairly, equitably, and appropriately without fear or favor, malice, or ill will, never employing unnecessary force or violence.*

Adopted July 8, 2020

O. Mrs. Hall desires to be granted fair and equal access to the Aquatic Center and to abide by the state and local public health guidelines that allow for exemptions to face coverings while outdoors and maintaining 6 feet of distance. (NOTE: The CDPH and CDC guidelines, not regulations, and not enforceable by law.)

P. The City shall abide by federal, state and local laws and its own City Council Statement denouncing *"all forms of...discrimination of any kind,"* by making the reasonable accommodation – as required by law – for Mrs. Hall to enter the Aquatic Center with her bare face, while maintaining a 6-foot distance from other patrons.

II. TERMS

NOW THEREFORE, in consideration of the mutual covenants, agreements, representations and warranties contained in this Agreement, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

A. City of Aliso Viejo's Obligations

1. **Duty to Abide by Federal, State and Local Laws,** including the California Constitution, the United Stated Constitution, the Civil Rights Act of 1964, the Unruh Act, CA Gov Code §37100 and §12926(q) and other laws that

protect civil rights and religious liberties. The City of Aliso Viejo, its officers and staff are required by law to accommodate a member of the public to ensure free and equal access to all services, facilities, programs and privileges without discrimination.

2. **Duty to Uphold the City Council Resolution** of July 8, 2020, which denounces "discrimination of any kind."

3. **Duty to Comply with Legal Requirements** to make the simple, effective, safe and accommodation for Mrs. Hall's entry to the pool through the main gate, or through the exist gat. The Aquatic staff will direct other members of the public to step aside, as needed, to maintain the courtesy of 6-foot separation. This is no different than the City and staff accommodating access for a patron in a wheelchair. There is no proof of undue hardship. There is no proof Mrs. Hall is a direct threat to the health and safety of others.

4. **Duty to Rescind and Revoke Trespass Notice.** In consideration of the terms of the Agreement, the City shall, within seven days of the effective date of this Agreement, revoke the advisement in the City's February 18, 2021 letter that Mrs. Hall is not authorized or permitted to enter or remain in or on the Aliso Viejo Aquatic Center at any time, does not have the consent of the person in lawful possession of the land and building to enter or remain in the land and building.

5. **Duty to Cease and Desist** from intimidation, harassment, retaliation, coercion, libel and defamation against Mrs. Hall due to the expression of her religious belief.

6. **Duty to Place Visible Signs** at the entrance of the pool stating that exemptions to face coverings are honored.

7. **Duty to Provide a New Annual Pass at no cost for Mrs. Hall** for both 2021 and 2022 to compensate for the mental and emotional distress she has suffered due to the persistent and contracted religious persecution perpetrated upon her by the City.

8. **Duty to Provide a Written Apology** from Mr. David Doyle, Mr. Scott Smith and Ms. Stephanie Phillips (Recreation Supervisor) to Mrs. Hall for the unlawful discrimination practice she has suffered under their mistreatment. Mrs. Hall has been unlawfully excluded from the Aquatic Center, which has prevented her from engaging in her preferred form of exercise, which is necessary for her health and well-being.

B. Peggy Hall's Obligations

1. **Duty to Comply with the California Department of Health's** face covering guidance, which states that a face covering does not need to be worn when in public, when a 6-foot distance can be maintained. The CDC and CPDH state that no face coverings are to be worn in swimming pools.

2. **Duty Regarding Treatment of Staff, Patrons and the Public.** Mrs. Hall has and will continue to comport herself with dignity and respect and afford others the same. She has never and intends to never impede or attempt to impede the ingress or egress of other patrons. Mrs. Hall intends to use the Aquatic Center exclusively for the purpose of exercise and not for public protest, though her right to a peaceful protest remains protected. Although Mrs. Hall agrees to not film minors at the Aquatic Center without the consent of parents or legal guardians, Mrs. Hall affirms her right to film the public in a public place is protected by law. Her speech and expression of her opinions, even if contrary to others views, is protected by state and federal laws. As she has demonstrated in past interactions with the City via email and in person, Mrs. Hall will continue to be polite, cordial and informative, respectful as always of others around her. She expects the City staff, patrons and the public to do the same.

C. Limits. Except as expressly provided herein, the Agreement shall not be construed as creating any right or benefits, substantive or procedural, enforceable at law or in equity, by any third party against the City or any of its governmental agencies, departments, political subdivisions or any other public entities other than those set forth herein.

D. Notices. Any notice or request required to be given to a Party under this Agreement shall be given in writing and shall be personally delivered or mailed by prepaid registered or certified mail to the addresses below:

Dated:_____ **City of Aliso Viejo**

_____

Attn: Scott C. Smith
Best Best & Krieger LLP
City of Aliso Viejo City Attorney
18101 Von Karman Ave., Suite 1000
Irvine, CA 92612

Dated:_____ **Peggy Hall**

_____

Fuchsia
Aliso Viejo, Ca 92656

Please sign where indicated above and return a copy to my attention.

I urge you to contact me at your earliest convenience.

Regards,

James M. Lloyd, Esq.

Proclamation

Soka University of America Day
May 3, 2021

WHEREAS, Soka University of America offers a non-sectarian curriculum founded on the Buddhist principles of peace, human rights, and the sanctity of life; and

WHEREAS, Soka University's 103-acre Aliso Viejo campus was dedicated on May 3, 2001; and

WHEREAS, SUA is currently ranked in the Top 30 National Liberal Arts College by U.S. News & World Report's Best Colleges 2021; and

WHEREAS, Soka University is also ranked #1 for Most International Students (percentage), #1 for Ethnic Diversity, and Top 10 Best Value among National Liberal Arts Colleges; and

WHEREAS, SUA hosts a renowned International Festival and is home to the world-class Soka Performing Arts Center; and

WHEREAS, SUA is opening a new 90,000 square foot Marie and Pierre Curie Hall in 2021 for its new life sciences concentration; and

WHEREAS, Soka University of America is committed to advancing its mission to foster a steady stream of global citizens committed to living a contributive life;

NOW, THEREFORE, BE IT RESOLVED, that the Aliso Viejo City Council hereby proclaims May 3, 2021 as "Soka University of America Day" in the City of Aliso Viejo.

Dated this 21st day of April, 2021

Tiffany Ackley, Mayor

CITY OF ALISO VIEJO
CITY COUNCIL MINUTES
REGULAR MEETING
April 7, 2021, 7:00 P.M.
Council Chambers, City Hall, 12 Journey
Aliso Viejo, California

City Council conducted this meeting in accordance with California Governor Newsom's Executive Orders N-25-20 and N-29-20 and COVID-19 pandemic protocols.

CALL TO ORDER: Mayor Ackley called the Regular Meeting of the City Council of the City of Aliso Viejo to order at 7:00 p.m.

ROLL CALL:

PRESENT: MAYOR TIFFANY ACKLEY *(via teleconference)*
MAYOR PRO TEM ROSS CHUN *(via teleconference)*
COUNCILMEMBER DAVID C. HARRINGTON *(via teleconference)*
COUNCILMEMBER RICHARD W. HURT *(via teleconference)*
COUNCILMEMBER MIKE MUNZING *(via teleconference)*

ABSENT: NONE

STAFF PRESENT: DAVID A. DOYLE, CITY MANAGER
SCOTT C. SMITH, CITY ATTORNEY
MITZI ORTIZ, CITY CLERK
GINA THARANI, FINANCIAL SERVICES DIRECTOR
SHAUN PELLETIER, PUBLIC WORKS DIRECTOR
OMAR DADABHOY, COMMUNITY DEVELOPMENT DIRECTOR
JENNIFER LOWE, SENIOR PLANNER
STEPHANIE PHILLIPS, RECREATION & COMMUNITY SERVICES DIRECTOR
SEA SHELTON, HUMAN RESOURCES MANAGER
ISAAC AZIZ, INFORMATION TECHNOLOGY MANAGER
LT. CHAD KAJFASZ, CHIEF OF POLICE SERVICES

PLEDGE OF ALLEGIANCE: City Manager David Doyle led the pledge of allegiance.

1. SPECIAL PRESENTATIONS:

1.1. FEATURED BUSINESS OF THE MONTH – TELLES HAIR

Mayor Ackley introduced the Featured Business of the Month video.

1.2. PROCLAMATION - FAIR HOUSING MONTH

Mayor Ackley presented the Fair Housing Month Proclamation.

1.3. PROCLAMATION - DMV / DONATE LIFE CALIFORNIA MONTH

Mayor Ackley presented the DMV / Donate Life California Month to OneLegacy Ambassador Leslie Eskildsen. Ms. Eskildsen provided additional information and expressed her appreciation. Councilmember Munzing shared additional comments on the importance of the designation.

1.4. PROCLAMATION - SEXUAL ASSAULT AWARENESS MONTH

Mayor Ackley presented the Sexual Assault Awareness Month Proclamation.

2. ADDITIONS, DELETIONS, REORDERING TO THE AGENDA:

None.

3. COMMUNITY INPUT:

City Clerk Mitzi Ortiz entered the following communication into the record:

1. Marlene Lewis expressed concern regarding nuisance reporting procedures for barking dogs.

4. CONSENT CALENDAR:

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

Motion: Councilmember Harrington moved and Mayor Pro Tem 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 – MARCH 17, 2021 REGULAR MEETING

Recommended Action: Approve the subject Minutes as submitted.

4.3. ACCOUNTS PAYABLE

Recommended Action:

1. Ratify accounts payable checks and electronic funds transfers issued March 4, 2021 in the amount of $1,745,115.21;
2. Ratify accounts payable checks and electronic funds transfers issued March 11, 2021 in the amount of $366,855.40; and
3. Ratify accounts payable checks and electronic funds transfers issued March 18, 2021 in the amount of $64,689.99.

4.4. AMENDMENT TO AGREEMENT FOR JANITORIAL SERVICES

Recommended Action:

1. Approve a Second Amendment to the Agreement with Team One Management, Inc. to perform Janitorial Maintenance services that modifies the scope of service and increases the agreement amount by $139,740.00 for a total authorization of $366,496.00 since 2018; and
2. Authorize the City Manager to execute the Second Amendment to the Agreement.

4.5. ALISO VIEJO RANCH HISTORICAL ELEMENTS DISPLAY AND PROFESSIONAL SERVICE AGREEMENT AMENDMENTS

City Manager David Doyle provided an overview. Staff responded to questions regarding project completion and budget. Councilmembers commented on the matter.

Recommended Action:

1. Authorize the City Manager to execute Second Amendment to the Agreement with Robert Everhart Consulting for Aliso Viejo Ranch Construction Management Services for a not-to-exceed amount of $80,000; and
2. Authorize the City Manager to execute Second Amendment to the Agreement with Ostashay & Associates Consulting for Aliso Viejo Historical Consulting Services for a not-to-exceed amount of $35,000; and
3. Authorize the City Manager to execute Fifth Amendment to the Agreement with Thirtieth Street Architects for a not-to-exceed amount of $290,000; and
4. Accept $100,000 donation from the Moulton Family Foundation; and
5. Appropriate $355,000 from General Fund reserves.

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

5. PUBLIC HEARINGS:

5.1. REQUEST TO APPROVE PLANNING APPLICATION PA20-014 (CUP) FOR A CONDITIONAL USE PERMIT TO EXPAND THE CAPACITY OF THE EXISTING COMPRESSED NATURAL GAS DISPENSING FACILITY FROM TWENTY (20)

FUELING STATIONS TO FORTY (40) FUELING STATIONS AT THE CAPISTRANO UNIFIED SCHOOL DISTRICT (CUSD) TRANSPORTATION CENTER AND, AS A RESPONSIBLE AGENCY PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, REVIEW AND CONSIDER THE ADDENDUM OF A MITIGATED NEGATIVE DECLARATION PREPARED BY CUSD

Mayor Ackley opened the public hearing. There were no public comments. Mayor Ackley closed the public hearing.

Recommended Action:

1. Open and conduct a public hearing;
2. Find that the Addendum to the previously approved IS/MND, as prepared by CUSD, is appropriate pursuant to CEQA Guidelines Section 15164 since only minor changes and additions to the IS/MND are necessary to address the Project and no circumstances exist calling for the preparation of a subsequent or supplemental Mitigated Negative Declaration pursuant to CEQA Guidelines Sections 15162 and § 15163;
3. Adopt Resolution No. 2021-09 approving Planning Application PA20-014 (CUP) for a conditional use permit to expand the capacity of the existing compressed natural gas dispensing facility from twenty (20) fueling stations to forty (40) fueling stations at the Capistrano Unified School District Transportation Center at 2B Liberty.

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

6. DISCUSSION:

6.1. LOCAL HUMAN TRAFFICKING REGULATIONS – OPTIONS & RECOMMENDATIONS

City Attorney Scott Smith provided an overview. Staff responded to questions regarding enforcement procedures, initiation of proceedings, fiscal impact, City's discretion, and previous experience. Councilmembers commented on the matter.

Recommended Action:

1. Find that the ordinance is not subject to the requirements of California Environmental Quality Act ("CEQA") for the following reasons:
   a. The ordinance is not a "project" within the meaning of Section 15378 of the State CEQA Guidelines because it has no potential for resulting in direct or indirect physical change in the environment.
   b. The ordinance is exempt under Section 15061(b)(3), the general rule exemption, because it can be seen with certainty that there is no possibility that this code amendment will have a significant effect on the environment.
2. Introduce for first reading an Ordinance entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA AMENDING CHAPTER 1.06 OF THE ALISO VIEJO MUNICIPAL CODE AND ADDING CHAPTER 4.40 RELATING TO HUMAN TRAFFICKING.

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

7. CITY MANAGER' S REPORT:

City Manager David Doyle announced latest updates at The Row; Aliso Viejo Ranch Grand Opening to be held on May 1, 2021 at 10:00 a.m.; City & AVCA Committee Meeting that was held on March 24, 2021; registration is open for spring recreation programs and summer camps.

8. ANNOUNCEMENTS / COUNCIL COMMENTS / COMMITTEE UPDATES:

Councilmember Hurt:
- Obtained Council consensus to consider City position on SB 760 and SB 761
- Obtained Council consensus to consider Stigma Free OC pledge of support

Councilmember Munzing: None.

Councilmember Harrington:
- Requested information regarding recreation scholarship program

Mayor Pro Tem Chun:
- Attended SCAG Transportation Committee Meeting
- Attended Aliso Viejo Farmers' Market
- Attended Red Cross Blook Drive
- Participated in Women's History Month presentation
- Commented on School on Wheels Club at Aliso Niguel High School
- Attended OCFA Board of Directors Meeting
- Attended Cal Cities Membership Meeting
- Attended Cal Cities Advancing Equity Advisory Committee Meeting
- Attended Cal Cities Governance Evaluation Advisory Group Meeting
- Appointed to Cal Cities Audit Committee
- Attended City & AVCA Committee Meeting

Mayor Ackley: None.

9. ADJOURNMENT: Mayor Ackley adjourned the meeting at 8:14 p.m. to the regularly scheduled meeting of April 21, 2021.

Respectfully submitted:

_____
MITZI ORTIZ, MMC
CITY CLERK

Approved by:

_____
TIFFANY ACKLEY
MAYOR

DRAFT

City of Aliso Viejo
AGENDA ITEM

DATE: April 21, 2021

TO: Mayor and City Council

FROM: Mitzi Ortiz, Director of Government Services

SUBJECT: SECOND READING AND ADOPTION OF AN ORDINANCE RELATING TO HUMAN TRAFFICKING

Recommended Action:

Conduct second reading and adopt Ordinance entitled:

> AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, AMENDING CHAPTER 1.06 OF THE ALISO VIEJO MUNICIPAL CODE RELATING TO HUMAN TRAFFICKING.

Discussion:

On April 7, 2021, the City Council approved the introduction and first reading of the subject Ordinance by a 5-0 vote. If adopted, the Ordinance will take effect 30 days after adoption.

Attachment:

1. Ordinance

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA AMENDING CHAPTER 1.06 OF THE ALISO VIEJO MUNICIPAL CODE RELATING TO HUMAN TRAFFICKING

WHEREAS, human trafficking and similar crimes on minors take an unimaginable toll on victims, their families, and society in general; and

WHEREAS, the victims of human trafficking are often underage minors lacking the knowledge and resources to seek help; and

WHEREAS, law enforcement and other public resources are committing increasing resources to enforce anti-trafficking laws; and

WHEREAS, state law, specifically California's Red Light Abatement Act, expressly authorizes the City to file actions to abate and enjoin certain nuisances occurring in building or places in the City, including activities involving illegal gambling, lewdness, prostitution, and human trafficking, and to allow the City to recover the costs of such enforcement and other related recompense; and

WHEREAS, the City Council desires to make full use of this statutory platform in cases where building or premises are used for such illicit purposes, to recover City costs, fees, and penalties in connection with such abatement, and to use such revenues for victim's assistance; and

WHEREAS, the City Council desires, in connection with this abatement tool, to use concurrent revocation proceedings to nullify all City permits, entitlements, and licenses in cases where business operators or property owners knew or should have known that human trafficking or related crimes were occurring at their businesses or on their property.

NOW, THEREFORE, BE IT ORDAINED 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 herein by this reference.

SECTION 2. Section 1.06.190 of the Aliso Viejo Municipal Code is hereby amended to read as follows:

"**1.06.190 Authority and procedure for recovery of costs.**

A. Any violation of this code is hereby determined to constitute a public nuisance. The procedures set forth in this article for abatement of nuisances and the making of the cost of abatement of a public nuisance which exists on a parcel of land a special assessment or lien against that parcel are adopted pursuant to California Government

Code Sections 38773 et seq. and 54988, California Penal Code Sections 11226-11230, and Article XI, Section 7 of the California Constitution.

B. In addition to any other remedy available to the city, in any civil, criminal or administrative action, proceeding or matter commenced by the city to abate a public nuisance, to enjoin a violation of any provision of this code, or to collect a civil or criminal penalty or other amount due to the city as the result of any such public nuisance, the city shall, if it is the prevailing party, be entitled to recover from the defendant in any such action costs incurred by the city in such action, proceeding or other matter.

C. As used in this section, "costs" shall have the meaning set forth in California Code of Civil Procedure Section 1033.5, including, without limitation, attorneys' fees as provided in subsection (E) of this section. In addition to such items, all of the following shall be included within the definition of "costs":

1. Personnel costs actually incurred by the city (for contractors and consultants) or based on established rates of employee costs as adopted by resolution of the city council from time to time. Such personnel costs shall include, but not be limited to, the costs incurred by the city to pay any contractor to abate a public nuisance.
2. Costs of administrative hearings, including hearing officer costs and reporter costs.
3. Any administrative fines or penalties.
4. Accrued interest at the maximum rate established by law.

D. The procedure set forth in this chapter is not exclusive and is in addition to the procedure for abatement which is conferred upon the city by California Civil Code Section 3494, California Code of Civil Procedure Section 731, California Penal Code Sections 11226-11230, and any other applicable provision of law.

E. The prevailing party in any action, proceeding, or special proceeding to abate a nuisance, including but not limited to those taken pursuant to this chapter, and specifically including pursuant to this article ("Abatement of Nuisances"), in which the city has initiated the action, proceeding or special proceeding and in which city elects at the initiation of the action, proceeding or special proceeding to seek recovery of its own attorneys' fees, all as provided by California Government Code Section 38773.5(b), may recover reasonable attorneys' fees relating thereto.

F. In any civil or criminal action, the city may seek recovery of costs (including any costs incurred in any related administrative matter) as set forth in California Code of Civil Procedure Sections 1033.5(c)(5) and 3496.

In addition to the remedies set forth above, in nuisance abatement actions brought pursuant to Section 1.06.0200(B), the city shall also seek a court order for:

1. One-year closure of any buildings or premises utilized in connection with the nuisance,

2. Payment of one year's fair market rent to the City,

3. Sale of all fixtures in the building relating to the nuisance,

4. A civil fine of $25,000, and

5. Reimbursement of the city's attorney's fees.

G. These amounts and costs incurred by the city in connection with the enforcement of this article may be collected as a lien against the subject property as authorized by California Government Code Sections 38773.1 and 54988 and this chapter, through the special assessment procedure authorized by California Government Code Section 38773.5 and this article, or through any other legal means available to the city. The city may redirect amounts recovered pursuant to subsections F(2) through F(4) to victim's assistance programs."

SECTION 3. Section 1.06.200 of the Aliso Viejo Municipal Code is hereby amended to read as follows:

"1.06.200 Determination of nuisance.

A. The city manager or his or her designee may determine that any premises within the city may constitute a public nuisance pursuant to any provision of law and may initiate proceedings pursuant to this article. The determination of the city manager or his or her designee shall be set forth in a letter which shall identify the premises and state the conditions which constitute a nuisance and shall request that such conditions be corrected within a stated period of time. The letter of determination shall be served on the record owner of the premises. If the conditions are not remedied within the time stated in the letter, the city manager or his or her designee shall schedule a hearing to determine whether or not a nuisance exists.

B. The city attorney is hereby authorized and directed to present to the city council for consideration the initiation of a nuisance abatement action whenever the city attorney or city staff becomes aware of facts or circumstances suggesting that a building or property is being used for the purpose of illegal gambling, lewdness, prostitution, or human trafficking. Such initiation shall also include revocation proceedings to nullify any entitlement, permits, or licenses that a business operator or property owner knew or had reason to know were used in connection with said nuisance."

SECTION 4. This ordinance shall take effect 30 days following its adoption.

SECTION 5. The City Clerk shall certify as to the adoption of this Ordinance and shall cause a summary thereof to be published within fifteen (15) days of the adoption and shall post a Certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

SECTION 6. If any provision of this ordinance or its application to any person or circumstance is held to be invalid, 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 resolution are severable. The City Council declares that it would have adopted this resolution irrespective of the invalidity of any portion thereof.

SECTION 7. The documents and materials associated with this ordinance 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.

PASSED, APPROVED AND ADOPTED this ____ day of _____ 2021.

_____
Tiffany Ackley
Mayor

ATTEST:

_____
Mitzi Ortiz, MMC
City Clerk

APPROVED AS TO FORM:

_____
Scott C. Smith
City Attorney

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

I, MITZI ORTIZ, City Clerk of the City of Aliso Viejo, California, DO HEREBY CERTIFY that foregoing Ordinance No. 2021-___ was duly passed and adopted by the City Council of the City of Aliso Viejo at its regular meeting held on the _____, 2021, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

_____
MITZI ORTIZ, MMC
CITY CLERK

(SEAL)

I hereby certify that the foregoing is the original of Ordinance No. 2021-___ duly passed and adopted by the Aliso Viejo City Council at its regular meeting held _____, 2021.

(SEAL)

City of Aliso Viejo
AGENDA ITEM

DATE: April 21, 2021

TO: Mayor and City Council

FROM: Gina M. Tharani, Director of Financial Services

SUBJECT: ACCOUNTS PAYABLE

Recommended Action(s):

1. Ratify accounts payable checks and electronic funds transfers issued March 25, 2021 in the amount of $690,339.48 and
2. Ratify accounts payable checks and electronic funds transfers issued April 1, 2021 in the amount of $124,136.33

Fiscal Impact:

Expenditures in the amount of $814,475.81

Background:

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

Discussion:

The attached register containing checks and electronic funds transfers dated March 25, 2021 through April 1,2021 for $814,475.81 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 audited and deemed accurate by the Director of Financial Services.

Attachment(s):

1. Accounts Payable Report

Accounts Payable

03/25/2021

Vendor Name	Description (Item)	Amount
101 - GENERAL FUND		
CALPERS HEALTH	APR'21 CALPERS HEALTH PREMIUM	24,579.88
CALPERS HEALTH	APR'21-COUNCIL-CALPERS HEALTH PREMIUM	3,080.94
		27,660.82
CITY MANAGER		
CALPERS HEALTH	APR'21-PG-HEALTH PREMIUM	143.00
STAPLES ADVANTAGE	CM-POST-ITS	53.13
	CITY MANAGER TOTAL:	**196.13**
ECONOMIC DEVELOPMENT		
ALISO VIEJO CHAMBER OF COMMERCE	FY20-21 AV CHAMBER OF COMMERCE MEMBERSHIP DUES	4,800.00
	ECONOMIC DEVELOPMENT TOTAL:	**4,800.00**
CITY CLERK		
MITZI ORTIZ	MO-3/12 MILEAGE REIMB	29.11
	CITY CLERK TOTAL:	**29.11**
CITY ATTORNEY		
BEST BEST & KRIEGER	FEB'21 BBK LEGAL SERVICES	21,056.41
BEST BEST & KRIEGER	FEB'21 BBK CODE ENFORCEMENT	645.59
BEST BEST & KRIEGER	FEB'21 BBK - AGENDA REPORTS	10,373.60
BEST BEST & KRIEGER	FEB'21 BBK - LABOR/BENEFITS	716.80
BEST BEST & KRIEGER	FEB'21 BBK - NPDES	1,612.00
BEST BEST & KRIEGER	FEB'21 BBK - GENERAL LITIGATION	2,336.00
BEST BEST & KRIEGER	FEB'21 BBK - #801 TOWN CTR SPECIFIC PLAN	936.00
BEST BEST & KRIEGER	FEB'21 BBK - LABOR & EMPLOYMENT	788.40
	CITY ATTORNEY TOTAL:	**38,464.80**
FINANCE		
CALPERS HEALTH	APR'21 CALPERS ADMIN FEE	63.01
CALPERS HEALTH	APR'21 CALPERS ADMIN FEE	7.39
	FINANCE TOTAL:	**70.40**
INFORMATION TECHNOLOGY		
JIVE COMMUNICATIONS INC	FEB'21-CH-JIVE VOIP PHONE SERVICE	1,840.44
JIVE COMMUNICATIONS INC	MAR'21-CH-JIVE VOIP PHONE SERVICE	1,840.44
	INFORMATION TECHNOLOGY TOTAL:	**3,680.88**
NON-DEPARTMENTAL		
NESTLE WATERS NORTH AMERICA	FEB'21-CH-COFFEE/WATER FILTRATION	45.23
IPROMOTEU.COM INC	K.PHAM-BUSINESS CARDS	42.56
NIEVES LANDSCAPE INC	FEB'21 AQ/VISTA TREE TRIMMING/REMOVAL	5,934.00
FEDERAL EXPRESS	3/4-COUNCIL-TA/RC/DH/RH/MM-MAIL-FEDEX CHARGES	137.40
STAPLES ADVANTAGE	CEN-PAPER/LETTER- LEGAL & LEDGER SIZE	284.39
ALISO VIEJO SELF STORAGE	APR'21 RENTAL STORAGE UNIT#519	315.00
ALISO VIEJO SELF STORAGE	APR'21 RENTAL STORAGE UNIT#535	415.00
	NON-DEPARTMENTAL TOTAL:	**7,173.58**
C. S. ADMINISTRATION		
US BANK PURCHASING CARD PROGRAM	JB-4/29-IN-N-OUT DEPOSIT-CA REFLECTIONS EVENT	500.00
CALPERS HEALTH	APR'21-DP-HEALTH PREMIUM	143.00
CALPERS HEALTH	APR'21-HW-HEALTH PREMIUM	143.00
SPECIAL EVENT CONTRACTORS LLC	AVTC-HOLIDAY TREE PLATFORM-REMOVAL SRV	2,400.00
	C. S. ADMINISTRATION TOTAL:	**3,186.00**
IGLESIA PARK		
EL TORO WATER DISTRICT	2/8-3/8/21 MTR#3499 IGLESIA PARK WATER SRV	538.62
EL TORO WATER DISTRICT	2/8-3/8/21 MTR#4114 IGLESIA PARK WATER SRV	474.78
SO CAL EDISON	FEB'21 MTR#3041 IGLESIA PARK ELECTRICITY	185.85
	IGLESIA PARK TOTAL:	**1,199.25**
IGLESIA BUILDING		
TEAM ONE MANAGEMENT SERVICES	MAR'21-IPCC-JANITORIAL SERVICE	820.00

Vendor Name	Description (Item)	Amount
CTJAMJT CORP.	MAR'21-IPCC-PEST CONTROL SERVICE	95.00
EL TORO WATER DISTRICT	2/8-3/8/21 #MTR1850 IGLESIA BLDG WATER SERVICE	225.63
SO CAL EDISON	FEB'21 MTR#3041 IGLESIA BLDG ELECTRICITY	677.12
	IGLESIA BUILDING TOTAL:	**1,817.75**
IGLESIA PARK COMMUNITY CENTER		
BOYS & GIRLS CLUB OF CAPISTRANO VALLEY	FEB'21 B&G CAPO-ELEMENTARY & TEEN KEYSTONE PROG	13,125.00
	IGLESIA PARK COMMUNITY CENTER TOTAL:	**13,125.00**
PLANNING		
CALPERS HEALTH	APR'21-MF-HEALTH PREMIUM	143.00
	PLANNING TOTAL:	**143.00**
ENGINEERING (GENERAL)		
FEDERAL EXPRESS	3/9-PW-M.REICHERT/BUREAU OF RECLAMATION-FEDEX	45.28
	ENGINEERING (GENERAL) TOTAL:	**45.28**
LAW ENFORCEMENT-OTHER		
IPROMOTEU.COM INC	LE-SGT C.BERRYMAN-BUSINESS CARDS	42.56
ALL CITY MANAGEMENT SERVICES	2/21-3/6/21-166HRS-C-19-ADD'L SCHOOL CROSSING GUAR	3,919.26
ALL CITY MANAGEMENT SERVICES	2/21-3/6/21-454HRS SCHOOL CROSSING GUARD SRV	10,718.94
	LAW ENFORCEMENT-OTHER TOTAL:	**14,680.76**
CRIME PREVENTION		
STAPLES ADVANTAGE	CP-BATTERY & TONER/BLACK & COLOR	263.25
	CRIME PREVENTION TOTAL:	**263.25**
	GENERAL FUND TOTAL:	**116,536.01**
102 - GEN. FD-CITY HALL		
NON-DEPARTMENTAL		
JMG SECURITY SYSTEMS INC	APR-JUN'21-CH-FIRE ALARM MONITORING	322.95
JMG SECURITY SYSTEMS INC	APR-JUN'21-CH-ELEVATOR MONITORING	168.48
TEAM ONE MANAGEMENT SERVICES	MAR'21-CH-JANITORIAL SERVICE	2,720.00
CTJAMJT CORP.	MAR'21-CH-PEST CONTROL SERVICE	100.00
FOSTERS' GARDENS INC	MAR'21-CH-PLANT MAINTENANCE	165.00
PACIFIC PARK II ASSOCIATION	APR'21 CITY HALL HOA ASSESSMENT	347.27
ALISO VIEJO COMMUNITY ASSOCIATION	FY20-21-AVCA-4TH QTR-CITY HALL HOA FEES	1,524.29
SO CAL EDISON	FEB'21 ACCT#3161 CITY HALL ELECTRICITY	3,931.57
	NON-DEPARTMENTAL TOTAL:	**9,279.56**
	GEN. FD-CITY HALL TOTAL:	**9,279.56**
103 - GF-AV RECREATION SERVICES		
RECREATION SERVICES		
CTJAMJT CORP.	MAR'21 AV RANCH-PEST CONTROL SERVICE	395.00
WAXIE'S ENTERPRISES, INC	MAR'21 AV RANCH JANITORIAL SUPPLIES	159.59
SO CAL EDISON	FEB'21 MTR #3176 AV RANCH ELECTRICITY	1,470.70
SO CAL EDISON	FEB'21 ACCT#3234 AV RANCH-FARM ELECTRICITY	290.13
JIVE COMMUNICATIONS INC	FEB'21-AV RANCH-JIVE VOIP PHONE SERVICE	624.70
JIVE COMMUNICATIONS INC	MAR'21-AV RANCH-JIVE VOIP PHONE SERVICE	624.70
	RECREATION SERVICES TOTAL:	**3,564.82**
	GF-AV RECREATION SERVICES TOTAL:	**3,564.82**
203 - GAS TAX		
STREET MAINTENANCE		
EL TORO WATER DISTRICT	2/8-3/2/21 MTR #3335 CALLE CORTEZ WATER SERVICE	81.47
SO CAL EDISON	FEB'21 LS2 STREET LIGHTS ELECTRICITY	1,058.85
SO CAL EDISON	FEB'21 TC1 STREET LIGHTS ELECTRICITY	2,857.29
SO CAL EDISON	FEB'21 GS1 MEDIANS ELECTRICITY	59.27
	STREET MAINTENANCE TOTAL:	**4,056.88**
	GAS TAX TOTAL:	**4,056.88**
261 - CITY FAC.-AQUATIC CENTER		
GEN-AQUATIC CENTER		
KNORR SYSTEMS INC	2/24-AQ CTR-TRIPPED BREAKER TROUBLESHOOTING	290.00
SAREEN INC	MAR'21-AQ CTR-MELODEE ICE CREAM-FOOD & BEV	186.00
CTJAMJT CORP.	MAR'21-AQ CTR-PEST CONTROL SRV PO#5254	185.00

Vendor Name	Description (Item)	Amount
PREMIER AQUATIC SERVICES	AQ CTR-3/2 CONCESSIONS-SMART & FINAL REIMB	38.49
PREMIER AQUATIC SERVICES	AQ CTR-3/5 CIFF Z BAR PACK-AMAZON-REIMB	25.02
PREMIER AQUATIC SERVICES	AQ CTR-MAR'21JACKRABBIT TECH-REIMB	220.50
PREMIER AQUATIC SERVICES	AQ CTR-2/16-WATERPROOF OUTDOOR LOCK-REIMB	26.93
PREMIER AQUATIC SERVICES	AQ CTR-2/25-SWIM PROG EQUIP FOR INSTRUCTORS-REIMB	18.79
PREMIER AQUATIC SERVICES	AQ CTR-FEB'21GOOGLE ADVERTISING SWIM PROG	550.00
PREMIER AQUATIC SERVICES	AQ CTR-2/27 AVAC SWIM PROG CAMPAIGN-FACEBOOK	349.24
PREMIER AQUATIC SERVICES	AQ CTR-JAN'21 GOOGLE ADVERTISING SWIM PROG	329.00
PREMIER AQUATIC SERVICES	AQ CTR-2/26-MARCH DECORATIONS-DOLLAR TREE-REIMB	12.93
THE GAS COMPANY	2/3-3/5/21-MTR# 2349-AQ CTR GAS SERVICE	2,881.50
TEAM ONE MANAGEMENT SERVICES	MAR'21-AQ CTR-JANITORIAL SERVICE	1,180.00
TROY ALARM INC	4/1-6/30/21-AQ CTR- FIRE ALARM MONITORING	147.00
STAPLES ADVANTAGE	AQ CTR-BATTERIES/TAPE/THERMOMETER	188.75
KNORR SYSTEMS INC	2/15-AQ CTR-BUTTERFLY VALVE REPLACEMENT	2,250.80
KNORR SYSTEMS INC	JAN'21 AQ CTR-POOL MONTHLY MAINTENANCE	1,811.01
STGSD, INC	MAR'21-AQ CTR-SWIM MERCHANDISE	586.25
	GEN-AQUATIC CENTER TOTAL:	**11,277.21**
	CITY FAC.-AQUATIC CENTER TOTAL:	**11,277.21**

340 - COP-CERTIFICATE OF PARTICIPATION

TOVEY/SCHULTZ CONSTRUCTION, INC	FEB'21 #049 AV RANCH CONSTRUCTION-RETENTION	(27,133.33)
CALIFORNIA BANK & TRUST	FEB'21 #049 AV RANCH RETENTION A/C#579660819	27,133.33
		0.00
CAPITAL IMPROVEMENTS		
TOVEY/SCHULTZ CONSTRUCTION, INC	FEB'21#049 AV RANCH CONSTRUCTION-FARM	107,972.21
TOVEY/SCHULTZ CONSTRUCTION, INC	FEB'21#049 AV RANCH CONSTRUCTION-GF	434,694.39
	CAPITAL IMPROVEMENTS TOTAL:	**542,666.60**
	COP-CERTIFICATE OF PARTICIPATION TOTAL:	**542,666.60**

711 - DEPOSIT ACCOUNTS FUND

RJM DESIGN GROUP INC	FEB'21-ENG2237/THE HEIGHTS-2ND PLANCHECK	1,331.90
RJM DESIGN GROUP INC	FEB'21-ENG2238/THE HEIGHTS COURTYARD-2ND PLANCHECK	1,126.50
HOYT ROOFS	P#21-0035-C&D REFUND-HOYT ROOFS-2 WINDFLOWER	500.00
		2,958.40
	DEPOSIT ACCOUNTS FUND TOTAL:	**2,958.40**
	GRAND TOTAL:	**690,339.48**

Accounts Payable

04/01/2021

Vendor Name	Description (Item)	Amount
101 - GENERAL FUND		
UNITED OF OMAHA LIFE INSURANCE CO.	APR'21 LIFE INSURANCE	1,234.63
US BANK PURCHASING CARD PROGRAM	PC-3/15 STARBUCKS -CITY CREDIT CARD CHRG IN ERROR	25.00
US BANK PURCHASING CARD PROGRAM	SS-JUN'21-MAY'22 SHRM MEMBERSHIP DUES	219.00
CHARLES ABBOTT ASSOC INC	JAN'21 CAA-7 COMPUTER STATIONS LEASE CREDIT	(350.00)
		1,128.63
CITY COUNCIL		
US BANK PURCHASING CARD PROGRAM	PC-TA 3/18/21 ASCE AWARDS-RANCH-REGIS	40.00
US BANK PURCHASING CARD PROGRAM	PC-RC 3/18/21 ASCE AWARDS-RANCH-REGIS	40.00
US BANK PURCHASING CARD PROGRAM	PC-MM 3/18/21 ASCE AWARDS-RANCH-REGIS	40.00
US BANK PURCHASING CARD PROGRAM	PC-RH 3/18/21 ASCE AWARDS-RANCH-REGIS	40.00
	CITY COUNCIL TOTAL:	**160.00**
CITY MANAGER		
US BANK PURCHASING CARD PROGRAM	PC-DD 3/18/21 ASCE AWARDS-RANCH- REGIS	40.00
	CITY MANAGER TOTAL:	**40.00**
ECONOMIC DEVELOPMENT		
US BANK PURCHASING CARD PROGRAM	OD-35 PLAYA AF HSG-APPRAISAL-MONTGOMERY&ASSOCIATE	450.00
US BANK PURCHASING CARD PROGRAM	OD-35 PLAYA AF HSG-INSPECTION-AMERISPEC	328.00
	ECONOMIC DEVELOPMENT TOTAL:	**778.00**
HUMAN RESOURCES		
MAGELLAN BEHAVIORAL HEALTH	APR-JUN'21-EAP	165.00
	HUMAN RESOURCES TOTAL:	**165.00**
CITY CLERK		
US BANK PURCHASING CARD PROGRAM	MO-3/12 PARKING AT ANAHEIM CITY CENTER	2.00
US BANK PURCHASING CARD PROGRAM	MO-ICMA WC REGIONAL CONF REGIS	129.00
US BANK PURCHASING CARD PROGRAM	MO-3/12 OC CLERK-RECORDER NOTARY OATH& REG-BOND	35.00
	CITY CLERK TOTAL:	**166.00**
FINANCE		
US BANK PURCHASING CARD PROGRAM	GT-NJ 3/25-GFOA WEBINAR REGIS	85.00
US BANK PURCHASING CARD PROGRAM	GT-WSJ SUBSCRIPTION	142.29
US BANK PURCHASING CARD PROGRAM	GT-MAR'21-THE SACRAMENTO BEE-DIGITAL SUBS	7.99
PARS	JAN'21 PARS REP FEES	300.00
	FINANCE TOTAL:	**535.28**
INFORMATION TECHNOLOGY		
COX COMMUNICATIONS, INC	3/6-4/5/21-ACCT#8802-CH INTERNET	1,500.00
AT&T	2/22-3/21/21-CH-ELEVATOR LINE	764.58
US BANK PURCHASING CARD PROGRAM	IA-EOC NEWS SUBS-YOUTUBETV	64.99
US BANK PURCHASING CARD PROGRAM	IA-GOTOWEBINAR	267.00
US BANK PURCHASING CARD PROGRAM	IA-IT SUPPLIES-SURGE PROTECTOR/COAX CABLE/UPS	223.96
US BANK PURCHASING CARD PROGRAM	IA-IT SUPPLIES-DISPLAY PORT CABLES	176.48
US BANK PURCHASING CARD PROGRAM	IA-WAITWHILE SUB-FRONT COUNTER	159.00
US BANK PURCHASING CARD PROGRAM	IA-IT SUPPLIES - MOUNTING BRACKETS	155.04
US BANK PURCHASING CARD PROGRAM	IA-GODADDY-IMAGINETOWNCENTER.COM RENEWAL	18.17
	INFORMATION TECHNOLOGY TOTAL:	**3,329.22**
NON-DEPARTMENTAL		
MOULTON NIGUEL WATER DIST	2/16-3/15/21 MTR#2206 VISTA PARK WATER SERVICE	408.14
US BANK PURCHASING CARD PROGRAM	BG-2/26 TRAILER HITCH LOCK-CITY FLATBED TRAILER	32.31
US BANK PURCHASING CARD PROGRAM	PC-REC SPECIALIST NAMEPLATE & BADGE	39.54
US BANK PURCHASING CARD PROGRAM	PC-3/3 COUNCIL MTG DINNER	51.72
US BANK PURCHASING CARD PROGRAM	PC-3/17 COUNCIL MTG DINNER	51.72
	NON-DEPARTMENTAL TOTAL:	**583.43**
C. S. ADMINISTRATION		
MICHAEL R JUE	GRAPHIC DESIGN-SUMMER BROCHURE/ADS/EVT INVITES	1,950.00
US BANK PURCHASING CARD PROGRAM	LM-AV RANCH-RENTALS FOR STYLED SHOOT-ABOVE THE TOP	627.80

Vendor Name	Description (Item)	Amount
US BANK PURCHASING CARD PROGRAM	NL-LINENS/NAPKINS DRY CLEANING	330.01
WESTAMERICA COMMUNICATIONS INC	25,000-SUMMER 2021CAMP BROCHURE PRINTING	13,297.00
	C. S. ADMINISTRATION TOTAL:	**16,204.81**
PLANNING		
US BANK PURCHASING CARD PROGRAM	OD-APR'21-AVTC CONSTANT CONTACT	45.00
	PLANNING TOTAL:	**45.00**
BUILDING		
CHARLES ABBOTT ASSOC INC	JAN'21 CAA BUILDING SERVICES	32,981.74
	BUILDING TOTAL:	**32,981.74**
CODE ENFORCEMENT		
CHARLES ABBOTT ASSOC INC	JAN'21 CAA CODE ENFORCEMENT	7,728.45
	CODE ENFORCEMENT TOTAL:	**7,728.45**
ENGINEERING (GENERAL)		
US BANK PURCHASING CARD PROGRAM	SP-2021 APWA MEMBERSHIP DUES	268.75
CHARLES ABBOTT ASSOC INC	JAN'21 CAA NPDES COSTS	22,559.55
CHARLES ABBOTT ASSOC INC	JAN'21 CAA SOLID WASTE	3,050.95
CHARLES ABBOTT ASSOC INC	JAN'21 CAA PW ENGINEERING-ADMIN	932.50
	ENGINEERING (GENERAL) TOTAL:	**26,811.75**
STREET MAINTENANCE		
CHARLES ABBOTT ASSOC INC	JAN'21 CAA STREET MAINTENANCE	19,828.50
	STREET MAINTENANCE TOTAL:	**19,828.50**
LAW ENFORCEMENT-OTHER		
US BANK PURCHASING CARD PROGRAM	SL-2/24 GAS FOR RAV4	30.00
US BANK PURCHASING CARD PROGRAM	BG-DEP S.ORELLANA-SRO ONLINE BASIC TRAINING CLASS	495.00
US BANK PURCHASING CARD PROGRAM	CK-3/15 PAINT SUPPLIES FOR EMERG MANAGER OFFICE	60.06
US BANK PURCHASING CARD PROGRAM	BG-3/2-3 DRIVERS LICENSE CHECKING GUIDE BOOKS	74.08
US BANK PURCHASING CARD PROGRAM	BG-ACTIVE SHOOTER RESPONSE BACKPACK-PATROL	64.64
US BANK PURCHASING CARD PROGRAM	BG-TOURNIQUETS/HALO SEALS/GUAZE/BANDAGES	532.95
	LAW ENFORCEMENT-OTHER TOTAL:	**1,256.73**
EOC		
GLOBALSTAR USA LLC	3/17/21-3/16/22-EOC SATELITE PHONES-1800 MIN/PH	2,696.37
US BANK PURCHASING CARD PROGRAM	SL-2/25 BATTERIES FOR RAV4 KEYS	12.92
LIFE STORAGE #961	4/14-5/14/21-RENTAL OFFSITE STORAGE#A1554	230.00
	EOC TOTAL:	**2,939.29**
	GENERAL FUND TOTAL:	**114,681.83**
102 - GEN. FD-CITY HALL		
NON-DEPARTMENTAL		
MOULTON NIGUEL WATER DIST	2/16-3/15/21 MTR#8510 CITY HALL WATER SRV	148.91
MOULTON NIGUEL WATER DIST	2/16-3/15/21 MTR#6010 CITY HALL WATER SRV	127.34
MOULTON NIGUEL WATER DIST	2/16-3/15/21 MTR#7051 CITY HALL WATER SRV	281.54
	NON-DEPARTMENTAL TOTAL:	**557.79**
	GEN. FD-CITY HALL TOTAL:	**557.79**
203 - GAS TAX		
STREET MAINTENANCE		
SAN DIEGO GAS & ELECTRIC	FEB'21 ACCT#6953 ST LIGHTS & TRAFFIC CONTROLLERS	2,189.55
SO CAL EDISON	MAR'21 STREET LIGHTS LS1 ELECTRICITY	124.58
	STREET MAINTENANCE TOTAL:	**2,314.13**
	GAS TAX TOTAL:	**2,314.13**
261 - CITY FAC.-AQUATIC CENTER		
GEN-AQUATIC CENTER		
MOULTON NIGUEL WATER DIST	2/16-3/15/21 MTR #6054 AQ CTR WATER SERVICE	415.89
MOULTON NIGUEL WATER DIST	2/16-3/15/21 MTR #2996 AQ CTR WATER SERVICE	195.51
US BANK PURCHASING CARD PROGRAM	DG-3/3 AQ CTR-POOL DECK REPAIR SUPPLIES-HOME DEPO	559.04
US BANK PURCHASING CARD PROGRAM	DG-3/3 AQ CTR-SIDEWALK REPAIR SUPPLIES-HD SUPPLY/	139.93

Vendor Name	Description (Item)	Amount
US BANK PURCHASING CARD PROGRAM	DG-3/5 AQ CTR-POOL DECK REPAIR SUPPLIES-HOME DEPO	22.58
	GEN-AQUATIC CENTER TOTAL:	**1,332.95**
	CITY FAC.-AQUATIC CENTER TOTAL:	**1,332.95**

340 - COP-CERTIFICATE OF PARTICIPATION

CAPITAL IMPROVEMENTS

ZOLL MEDICAL CORPORATION	AV RANCH-5 YRS-3 AED LICENSES	1,497.00
CHARLES ABBOTT ASSOC INC	JAN'21 CAA #049 AV RANCH	546.28
	CAPITAL IMPROVEMENTS TOTAL:	**2,043.28**
	COP-CERTIFICATE OF PARTICIPATION TOTAL:	**2,043.28**

711 - DEPOSIT ACCOUNTS FUND

CHARLES ABBOTT ASSOC INC	JAN'21 CAA ENG 5002 AT&T	188.50
CHARLES ABBOTT ASSOC INC	JAN'21 CAA ENG 5039/200 FREEDOM WAY	235.40
CHARLES ABBOTT ASSOC INC	JAN'21 CAA ENG 2239 THE HEIGHTS LAWN GRADING	294.25
CHARLES ABBOTT ASSOC INC	JAN'21 CAA ENG 5057 FERREIRA CONST	301.60
CHARLES ABBOTT ASSOC INC	JAN'21 CAA ENG 5005 SCE - SADDLEBACK	377.00
CHARLES ABBOTT ASSOC INC	JAN'21 CAA ENG 5003 COX	377.00
CHARLES ABBOTT ASSOC INC	JAN'21 CAA ENG 5004 MNWD	414.70
CHARLES ABBOTT ASSOC INC	JAN'21 CAA ENG 5049 COX UTILITY	791.70
CHARLES ABBOTT ASSOC INC	JAN'21 CAA ENG 5050 INSITE TELECOM	226.20
		3,206.35
	DEPOSIT ACCOUNTS FUND TOTAL:	**3,206.35**

GRAND TOTAL: 124,136.33

City of Aliso Viejo
AGENDA ITEM

DATE: April 21, 2021

TO: Mayor and City Council

FROM: Gina M. Tharani, City Treasurer

SUBJECT: TREASURER'S STATEMENT – FEBRUARY 2021

Recommended Action:

Approve February 2021 Treasurer's Statement.

Fiscal Impact:

No Fiscal Impact

Background:

Per City policy, the Finance Department presents the monthly Treasurer's Statement for the City Council's review and approval. This statement shows the cash balances for the various funds, with a breakdown of bank account balances, investment account balances and the effective yield earned from investments.

Discussion:

The City's portfolio consists of investments in Certificates of Deposits (CD), Medium Term Notes, US Treasury bonds, Federal Agency bonds, Corporate Notes (CN), and Local Agency Investment Fund (LAIF). All funds invested with LAIF are available for withdrawal within 24 hours.

With Proposition 1A, the State does not have the ability to borrow from funds invested in LAIF. CD's are insured by Federal Deposit Insurance Corporation (FDIC). FDIC is an independent agency created by Congress in 1933 to supervise banks, insure deposits, and help maintain a stable and sound banking system. Investments in agencies are backed by the full faith and credit of the U.S. government. Full faith and credit denotes that the U.S. government is committed to pay interest and principal back to the investor at maturity. All CN's purchased are rated "AA" or better by a nationally recognized rating agency.

As a secondary investment option, the City continues to maintain its Money Market account with J.P Morgan Chase & Co. Excess funds are invested into an investment pool of US Treasury Notes. Interest is credited to the City's bank account on a monthly basis. All public funds invested outside of LAIF are fully collateralized by the financial institution in accordance with government codes.

Fund transfers for capital projects and reimbursement of fiscal charges for the CFD 2005-01 are completed on a quarterly basis. Street improvements include payments for the Pacific Park Rehabilitation & Slurry Seal projects and are funded with Measure M and SB 1 funds. COP Capital provides funding for the AV Ranch project and is funded by Bond proceeds, General fund and Development Impact funds.

Attachments:

1. Feb'21 Treasurer's Statement

CITY OF ALISO VIEJO
TREASURER'S MONTHLY CASH STATEMENT

February 28, 2021

	BEGINNING BALANCE	RECEIPTS	DISBURSEMENTS	TRANSFERS IN (OUT)	ENDING BALANCE	
GENERAL FUND	$ 13,635,973.81	$ 615,289.59	$ 1,735,352.98	$ -	$ 12,515,910.42	
TCRF	$ 121,954.75	-	-	-	121,954.75	
GAS TAX FUND	$ 905,443.05	79,914.11	80,029.24	-	905,327.92	
MEASURE M	$ 773,560.78	-	-	-	773,560.78	
SB1-RMRA	$ 506,229.20	68,491.40	-	-	574,720.60	
PUBLIC SAFETY GRANTS	$ 175,516.98	242.63	15,774.00	-	159,985.61	(1)
AIR QUALITY IMPRVMNT FD	$ 893,545.20	-	-	-	893,545.20	
INTEGRATED WASTE MGMT FD	$ 5,025.86	-	250.00	-	4,775.86	
OTHER GRANTS	$ 44,085.33	-	-	-	44,085.33	
TECHNOLOGY GRANT	$ 211,622.24	31,686.31	4,900.09	-	238,408.46	
DEVELOPMENT IMPACT	$ 1,565,272.33	-	-	-	1,565,272.33	
FEDERAL GRANTS	$ (116,885.66)	-	103,605.96	-	(220,491.62)	
CITY FACILITY - AV CTR	$ -	-	-	-	-	
CITY FACILITY - AQUATIC CTR	$ (72,567.56)	63,422.93	49,661.89	-	(58,806.52)	
STREET IMPROVEMENTS	$ (675,725.74)	-	42,749.87	-	(718,475.61)	(2)
CAPITAL IMPROVEMENTS	$ 0.00	-	22,416.26	-	(22,416.26)	(2)
STORM WATER	$ 11,042.62	-	-	-	11,042.62	(2)
COP CAPITAL	$ (146,137.64)	576,415.17	686,077.54	-	(255,800.01)	(2)
COP	$ (1,300.00)	-	-	-	(1,300.00)	
CFD 2005-01	$ (4,203.79)	6,519.24	9,694.24	-	(7,378.79)	
REFUNDABLE DEPOSIT	$ 631,080.13	7,174.83	4,180.00	-	634,074.96	
COMMUNITY TRUST	$ 10,609.68	-	-	-	10,609.68	
TOTALS	**$ 18,474,141.57**	**$ 1,449,156.21**	**$ 2,754,692.07**	**$ -**	**$ 17,168,605.71**	

SUMMARY OF CASH:

DEMAND DEPOSITS:	GENERAL ACCOUNT	$ 9,151,842.90		
	TOTAL DEMAND DEPOSITS		$ 9,151,842.90	
INVESTMENTS:	LOCAL AGENCY INVESTMENT FD	$ 8,016,762.81		
	TOTAL INVESTMENTS		$ 8,016,762.81	
	TOTAL CASH			**$ 17,168,605.71**

L.A.I.F. - Effective Yield for February 2021		0.407%
Investment Portfolio - Weighted Average Yield for February 2021		1.540%
Total Investments - Bank CDs and Agency Bonds	$ 14,101,458	
See attached chart of investments for additional detail		

All investments are placed in accordance with the City of Aliso Viejo's Investment Policy.

The above summary provides sufficient cash flow liquidity to meet the next six month's estimated expenditures.

Other monies held include Cash with Fiscal Agent, Investments, Payroll and AV Center. $ 19,295,200.46

Cash With Fiscal Agent	COPS/CFD 2005-01	4,321,555.93
Cash With Fiscal Agent	City Investments	14,101,458.48
AV Center & PR Account		872,186.05

(1) Public Safety Grant includes the MDC and PVS Program Costs budgeted with SLESF funds.

(2) Transfers in and out are done on a quarterly basis.
Street Improvements include the Slurry Seal, Traffic Management and Street Improvement Projects.
Capital Improvements include park and AV Ranch improvement projects.
Storm Water includes the Dairy Fork and Wood Canyon Emergent Wetland Project.

Gina Tharani

Gina M. Tharani, City Treasurer

City of Aliso Viejo

Investments

As of 02/28/2021

CUSIP	Issuer	Term	Coupon Rate	Original Cost	Par Value	Market Value*	Settlment Date	Maturity Date	Days to Maturity	YTM	% of Portfolio
Federal Agency Coupon Securities											
3133ELCP7	Federal Farm Credit Bank	1821	1.625	233,926	235,000	245,245	12/09/2019	12/03/2024	1,373	1.721	1.67
3133ELNE0	Federal Farm Credit Bank	1461	1.430	499,245	500,000	515,664	02/14/2020	02/14/2024	1,080	1.469	3.54
3133ELDU5	Federal Farm Credit Bank	664	1.580	500,745	500,000	505,931	02/18/2020	12/13/2021	287	1.496	3.54
3130A3VC5	Federal Home Loan Bank	1387	2.250	514,900	500,000	526,664	02/20/2020	12/08/2023	1,012	1.441	3.54
3130AJ7E3	Federal Home Loan Bank	1092	1.375	499,080	500,000	511,412	02/21/2020	02/17/2023	718	1.438	3.54
3135G0Q89	Federal National Mtg Assn	594	1.375	499,275	500,000	503,938	02/21/2020	10/07/2021	220	1.465	3.54
3133ELZF4	Federal Farm Credit Bank	914	0.270	499,745	500,000	500,806	05/14/2020	11/14/2022	623	0.290	3.54
3133ELG99	Federal Farm Credit Bank	1461	0.375	498,220	500,000	499,610	06/10/2020	06/10/2024	1,197	0.464	3.54
3137EAEX3	Federal Home Loan Mtg Corp	1799	0.375	497,505	500,000	491,139	10/20/2020	09/23/2025	1,667	0.477	3.54
Medium Term Notes											
037833DM9	Apple Inc	1741	1.800	497,165	500,000	521,304	12/06/2019	09/11/2024	1,290	1.924	3.54
594918BQ6	Microsoft Corp	1341	2.000	503,635	500,000	519,258	12/06/2019	08/08/2023	890	1.794	3.54
30231GBC5	Exxon Mobil Corp	1709	2.019	501,615	500,000	522,203	12/12/2019	08/16/2024	1,264	1.945	3.54
64952WDL4	New York Life Global	1827	2.000	498,205	500,000	518,235	01/22/2020	01/22/2025	1,423	2.076	3.54
Negotiable CDs											
254673XL5	Discover Bank	1096	3.250	245,000	245,000	245,000	11/29/2018	11/29/2021	273	3.250	1.74
87270LBZ5	TIAA FSB	915	2.500	245,000	245,000	245,000	04/17/2019	10/18/2021	231	2.500	1.74
14042TAN7	Capital One USA Bank	1097	2.450	245,000	245,000	245,000	05/22/2019	05/23/2022	448	2.450	1.74
02007GJX2	Ally Bank	1096	2.450	245,000	245,000	245,000	05/23/2019	05/23/2022	448	2.450	1.74
87164WYW2	Synchrony Bank	1096	2.450	245,000	245,000	245,000	05/24/2019	05/24/2022	449	2.450	1.74
29278TKG4	Enerbank USA	1097	2.050	245,000	245,000	245,000	08/07/2019	08/08/2022	525	2.050	1.74
05580ASU9	BMW Bank	1096	1.850	245,000	245,000	245,000	10/11/2019	10/11/2022	589	1.850	1.74
856285RU7	State Bank of India	1818	2.000	245,000	245,000	245,000	12/06/2019	11/27/2024	1,367	1.999	1.74
61760A4F3	Morgan Stanley Pvt Bank	1826	1.950	244,417	245,000	245,000	12/13/2019	12/12/2024	1,382	2.000	1.74
7954505W1	Sallie Mae Bank	1095	1.850	244,642	245,000	245,000	12/13/2019	12/12/2022	651	1.900	1.74
949495AA3	Wells Fargo Bank West	1096	1.800	245,000	245,000	245,000	12/13/2019	12/13/2022	652	1.800	1.74
538036JN5	Live Oak Banking Company	1643	1.650	244,530	245,000	245,000	02/28/2020	08/28/2024	1,276	1.694	1.74
61690UUJ7	Morgan Stanley Bank, NA	1826	1.800	244,417	245,000	245,000	02/28/2020	02/27/2025	1,459	1.850	1.74
27002YEX0	Eagle Bank	1461	1.550	244,510	245,000	245,000	03/20/2020	03/20/2024	1,115	1.602	1.74
05465DAK4	AXOS Bank	1461	1.650	245,000	245,000	245,000	03/26/2020	03/26/2024	1,121	1.650	1.74
14042RPG0	Capital One NA	1825	1.600	244,412	245,000	245,000	04/09/2020	04/08/2025	1,499	1.650	1.74
15118RUV7	Celtic Bank	1461	1.400	245,000	245,000	245,000	04/17/2020	04/17/2024	1,143	1.400	1.74
87164DRQ5	Synovus Bank	731	1.200	245,000	245,000	245,000	04/17/2020	04/18/2022	413	1.200	1.74
32110YPS8	First National Bank	1460	1.250	244,522	245,000	245,000	04/23/2020	04/22/2024	1,148	1.300	1.74
89214PCQ0	Townbank	730	1.150	245,000	245,000	245,000	04/29/2020	04/29/2022	424	1.150	1.74
15201QDF1	Centerstate Bank	1461	1.200	244,522	245,000	245,000	04/30/2020	04/30/2024	1,156	1.250	1.74
58404DGU9	Medallion Bank	1461	1.200	244,522	245,000	245,000	04/30/2020	04/30/2024	1,156	1.250	1.74
33847E3J4	Flagstar Bank FSB	1826	0.900	245,000	245,000	245,000	05/15/2020	05/15/2025	1,536	0.900	1.74
866264DP6	Summit State Bank	1823	0.850	244,402	245,000	245,000	05/18/2020	05/15/2025	1,536	0.900	1.74
89235MJS1	TOYOTA FINANCIAL BK	1825	0.800	245,000	245,000	245,000	07/01/2020	06/30/2025	1,582	0.800	1.74
59013KLQ7	Merrick Bank	1826	0.550	245,000	245,000	245,000	12/30/2020	12/30/2025	1,765	0.550	1.74
Treasury Coupon Securities											
912828T91	U.S. Treasury	1422	1.625	500,176	500,000	518,183	12/09/2019	10/31/2023	974	1.615	3.54
912828YF1	U.S. Treasury	1008	1.500	497,949	500,000	510,312	12/12/2019	09/15/2022	563	1.652	3.54

CUSIP	Issuer	Term	Coupon Rate	Original Cost	Par Value	Market Value*	Settlment Date	Maturity Date	Days to Maturity	YTM	% of Portfolio
9128282F6	U.S. Treasury	628	1.125	495,176	500,000	502,636	12/12/2019	08/31/2021	183	1.697	3.54
Portfolio:				$ 14,101,458	$ 14,105,000	$ 14,282,544					100.00%

Weighted Average Maturity (years) 2.56

Weighted Average Yield 1.54%

*Market Values obtained from US Bank Treasury Division.

Local Agency Investment Fund
P.O. Box 942809
Sacramento, CA 94209-0001
(916) 653-3001

CITY OF ALISO VIEJO

FINANCE DIRECTOR
12 JOURNEY, #100
ALISO VIEJO, CA 92656

Account Number: 98-30-007

February 2021 Statement

Account Summary

Total Deposit:	0.00	Beginning Balance:	8,016,762.81
Total Withdrawal:	0.00	Ending Balance:	8,016,762.81

PMIA/LAIF Performance Report as of 03/03/21

PMIA Average Monthly Effective Yields[1]

Feb	**0.407**
Jan	0.458
Dec	0.540

Quarterly Performance Quarter Ended 12/31/20

LAIF Apportionment Rate[2]:	0.63
LAIF Earnings Ratio[2]:	0.00001719170547343
LAIF Fair Value Factor[1]:	1.002271318
PMIA Daily[1]:	0.49%
PMIA Quarter to Date[1]:	0.58%
PMIA Average Life[1]:	165

Pooled Money Investment Account Monthly Portfolio Composition [1] 01/31/21 $124.0 billion

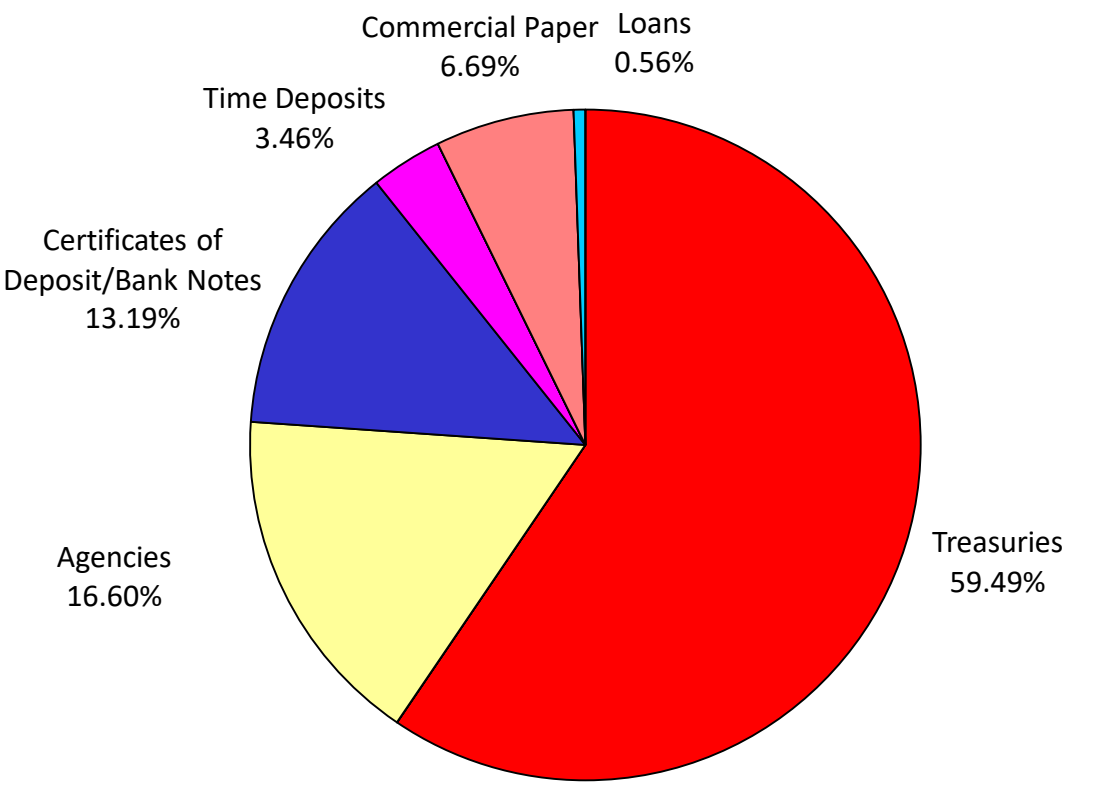


Chart does not include 0.01% of mortgages. Percentages may not total 100% due to rounding.

Daily rates are now available here. **View PMIA Daily Rates**

Notes: The apportionment rate includes interest earned on the CalPERS Supplemental Pension Payment pursuant to Government Code 20825 (c)(1) and interest earned on the Wildfire Fund loan pursuant to Public Utility Code 3288 (a).

Source:
[1] State of California, Office of the Treasurer
[2] State of Calfiornia, Office of the Controller

City of Aliso Viejo Transaction Activity Report
February 1, 2021 - February 28, 2021
Sorted by Fund - Transaction Date
All Funds

Investment #	Fund	CUSIP	Inv Descrip	Transaction Type	Transaction Date	Issuer	New Principal	Principal Paydowns	Interest	Total Cash
10084	999	538036JN5	LIVOAK 1.65% MAT	Interest	02/01/2021	Live Oak Banking			343.34	**343.34**
10104	999	59013KLQ7	MERRIC 0.55% MAT	Interest	02/01/2021	Merrick Bank			114.45	**114.45**
10065	999	29278TKG4	ENERBK 2.05% MAT	Interest	02/08/2021	Enerbank USA			2,531.89	**2,531.89**
10069	999	594918BQ6	MSFT 2.% MAT	Interest	02/08/2021	Microsoft			5000.00	**5000.00**
10071	999	949495AA3	WFC 1.8% MAT	Interest	02/16/2021	Wells Fargo Bank			374.55	**374.55**
10076	999	30231GBC5	XOM 2.019% MAT	Interest	02/16/2021	Exxon			5047.50	**5047.50**
10080	999	3133ELNE0	FFCB 1.43% MAT	Interest	02/16/2021	Federal Farm Credit			3575.00	**3575.00**
10085	999	3130AJ7E3	FHLB 1.375% MAT	Interest	02/17/2021	Federal Home Loan			3437.50	**3437.50**
10091	999	15118RUV7	CELTIC 1.4% MAT	Interest	02/17/2021	Celtic Bank			291.32	**291.32**
10087	999	27002YEX0	EGBN 1.55% MAT	Interest	02/22/2021	Eagle Bank			322.53	**322.53**
10094	999	32110YPS8	FNAMER 1.25% MAT	Interest	02/22/2021	First National Bank			260.10	**260.10**
10088	999	05465DAK4	BOFI 1.65% MAT	Interest	02/26/2021	Axos Bank			343.34	**343.34**
10086	999	61690UUJ7	MRGSTN 1.8% MAT	Interest	02/27/2021	Morgan Stanley Bank,			2223.12	**2223.12**
10075	999	9128282F6	USTR 1.125% MAT	Interest	02/28/2021	U.S. Treasury			2,812.50	**2,812.50**
10104	999	59013KLQ7	MERRIC 0.55% MAT	Interest	02/28/2021	Merrick Bank			107.06	**107.06**
		Totals for Pooled Cash							**26,784.20**	**26,784.20**
		Grand Total					**14,472.41**		**26,784.20**	**26,784.20**

City of Aliso Viejo
AGENDA ITEM

DATE: April 21, 2021

TO: Mayor and City Council

FROM: Sea Shelton, Human Resources Manager

SUBJECT: UPDATE SALARY SCHEDULE ADDING ACCOUNTING SUPERVISOR POSITION

Recommended Action:

Adopt a Resolution adding the position of Accounting Supervisor to the City's Salary Schedule and benefits program.

Fiscal Impact:

There is no fiscal impact for Fiscal Year 2020-2021 since the selected candidate will likely start early July 2021. The estimated fully burdened cost of salary and benefits for the Accounting Supervisor position for Fiscal Year 2021-2022 is $139,700. Filling the vacancy with an Accounting Supervisor as opposed to a Financial Services Manager will result in a savings of $18,700 for Fiscal Year 2021-2022.

Background:

The Financial Services Department currently has four budgeted positions including the Financial Services Director, Financial Services Manager, Accountant/Payroll, and Junior Accountant. The Financial Services Manager position became vacant in January 2021 when the incumbent accepted a promotional opportunity at another organization. After the manager's departure, an independent third-party review of Financial Services Department staffing, along with financial-related policies, processes and procedures was completed to determine how best to fill the vacancy. In addition to the internal review of the Department's operations, financial services department staffing structures of comparable agencies were also examined. The review concluded that an Accounting Supervisor position would best fit the current needs of the department rather than filling the higher-level Financial Services Manager position.

Discussion:

The Accounting Supervisor position would be a new City position that has not existed previously. Under general direction of the Financial Services Director, the Accounting

Supervisor will perform a wide variety of professional accounting work, including auditing, analyzing, and verifying fiscal records and reports, preparing financial and statistical reports, providing information to City staff regarding accounting practices and procedures, and reconciling general ledger accounts. The position will also assist in preparation of the City's annual budgets and year-end audit reports and schedules. The Accounting Supervisor is a mid-management level position requiring a college degree and a minimum of three years of experience performing similar work and a minimum of one year in a lead or supervisory role.

The proposed salary range was determined by evaluating salary ranges of similar positions at comparable agencies and evaluation of the City's existing pay structure. The proposed salary range for the Accounting Supervisor is as follows:

Classification	Annual Range Minimum	Annual Control Point	Annual Range Maximum
Accounting Supervisor	$88,335	$101,220	$121,460

In addition, it is being recommended that a cell phone allowance be approved for the Accounting Supervisor position. The City provides a cell phone allowance in the amount of $75.00 per month for certain positions where there is a business need to be able to reach an employee on their personal cell phones outside of normal business hours. The Accounting Supervisor position will supervise other Financial Services staff and provide backup support to the Financial Services Director and may be needed after normal working hours. All other benefits shall be comparable to existing non-executive management staff.

Attachment:

1. Resolution

RESOLUTION NO. 2021 - XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALISO VIEJO, CALIFORNIA, APPROVING A SALARY SCHEDULE AND BENEFITS FOR CITY OF ALISO VIEJO EMPLOYEES

WHEREAS, on January 20. 2021, the City Council approved an updated Salary Schedule which outlined approved positions and pay ranges for all positions in compliance with the City's Classification and Compensation Plan; and

WHEREAS, a review of the Financial Services Department was conducted which concluded that addition of an Accounting Supervisor position would best meet the department staffing needs in lieu of the Financial Service Manager position; and

WHEREAS, the City Council is authorizing the addition of a new classification, Accounting Supervisor, requiring the establishment of a corresponding salary range, and

WHEREAS, the Accounting Supervisor shall also receive a monthly cell phone allowance in the amount of $75 per month.

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

Section 1. Effective April 21, 2021, the classification of Accounting Supervisor is established, and the salary range is identified in Exhibit A, Salary Schedule, and the position shall also be eligible to receive a cell phone allowance in the amount of $75 per month.

PASSED, APPROVED AND ADOPTED this 21st day of April 2021.

Tiffany Ackley
Mayor

APPROVED AS TO FORM:

Scott C. Smith
City Attorney

ATTEST:

Mitzi Ortiz, MMC
City Clerk

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

I, MITZI ORTIZ, City Clerk of the City of Aliso Viejo, California, DO HEREBY CERTIFY that the foregoing is the original of Resolution No. 2021-__ duly passed and adopted by the City Council of the City of Aliso Viejo at their regular meeting held on the 21st day of April, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

_____
MITZI ORTIZ, MMC
CITY CLERK

(SEAL)

EXHIBIT A

City of Aliso Viejo
Salary Schedule
Effective April 21, 2021

Full-Time Classifications	Annual Range Minimum	Annual Control Point	Annual Range Maximum
Accountant	$64,244	$73,616	$88,339
Accountant/Payroll	$61,186	$70,111	$84,133
Accounting Technician	$45,970	$52,675	$63,211
Accounting Supervisor	$88,335	$101,220	$121,460
Administrative Secretary	$49,537	$61,485	$73,781
Assistant Planner	$60,380	$69,188	$83,025
Associate Engineer	$82,580	$94,626	$113,551
Associate Planner	$70,847	$81,181	$97,418
City Clerk	$108,104	$123,869	$148,642
City Manager (Contract)			$282,231
Director of Administrative Services	$141,198	$165,926	$199,112
Director of Community Development	$141,198	$165,926	$199,112
Director of Financial Services/City Treasurer	$141,198	$165,926	$199,112
Director of Government Services	$141,198	$165,926	$199,112
Director of Public Works	$141,198	$165,926	$199,112
Director of Recreation and Community Services	$141,198	$165,926	$199,112
Executive Assistant	$61,097	$70,010	$84,011
Facilities Supervisor	$72,478	$83,047	$99,657
Financial Analyst	$64,244	$73,616	$88,339
Financial Services Manager	$102,783	$117,776	$141,331
Human Resources Manager	$102,627	$117,594	$141,113
IT Analyst	$56,189	$64,393	$77,271
IT Manager	$105,500	$124,842	$149,810
Junior Accountant	$55,623	$63,737	$76,485
Management Analyst	$66,300	$75,972	$91,166
Office Assistant	$37,786	$43,298	$51,958
Office Specialist	$41,565	$50,831	$60,997
Permit Technician	$55,009	$63,206	$75,847
Planning Technician	$50,901	$58,325	$69,990
Recreation Coordinator	$58,642	$67,196	$80,636
Recreation and Community Services Manager	$97,871	$112,148	$134,576
Recreation and Community Services Supervisor	$67,438	$77,276	$92,731
Recreation Specialist	$41,132	$47,132	$56,558
Secretary to the City Manager	$61,097	$74,394	$89,273
Senior Accountant	$73,881	$84,659	$101,590
Senior Planner	$82,440	$94,466	$113,359
Senior Planner I	$82,440	$103,589	$124,307

EXHIBIT A

City of Aliso Viejo
Salary Schedule
Effective April 21, 2021

Elected Officials	Monthly Compensation
Council Members (Municipal Code)	$520
Mayor (Municipal Code)	$520

Part-Time Classifications	Hourly Range Minimum	Hourly Control Point	Hourly Range Maximum
Accountant	$30.89	$35.39	$42.47
Crime Prevention Specialist	$28.60	$32.77	$39.32
IT Analyst	$27.01	$30.96	$37.15
Office Assistant	$18.17	$20.82	$24.98
Planning Aide	$15.00	$17.19	$20.63
Recreation Coordinator (PT)	$28.20	$32.30	$38.77
Recreation Leader*	$14.00	$15.55	$18.67
Senior Recreation Leader*	$16.10	$17.88	$21.47

*Recreation Leader and Senior Recreation Leader to be adjusted effective January 1, 2022 to meet State of California Minimum Wage requirements and prevent compaction.

EFFECTIVE JANUARY 1, 2022

Part-Time Classifications	Hourly Range Minimum	Hourly Control Point	Hourly Range Maximum
Recreation Leader	$15.00	$16.66	$20.00
Senior Recreation Leader	$17.25	$19.16	$23.00

City of Aliso Viejo
AGENDA ITEM

DATE: April 21, 2021

TO: Mayor and City Council

FROM: Lt. Chad Kajfasz, Chief of Police Services
Sarah Limones, Emergency Manager

SUBJECT: DESIGNATION OF AUTHORIZED AGENTS TO SIGN FOR HAZARD MITIGATION GRANT PROGRAMS AND PRE-DISASTER MITIGATION PROGRAMS

Recommended Action:

Approve and adopt the California Office of Emergency Services' Designation of Subrecipient's Agent Resolution (CalOES 130), designating the City Manager, Director of Financial Services, and Human Resources Manager as authorized agents when dealing with the California Office of Emergency Services (CalOES) or the Federal Emergency Management Agency (FEMA) for the purposes of obtaining federal and/or state financial assistance for hazard mitigation grant programs and pre-disaster mitigation programs.

Fiscal Impact:

Designating authorized agents allows the City to be eligible for Federal and State funding for hazard mitigation grant programs and pre-disaster mitigation programs.

Background:

In any application that is submitted to CalOES or FEMA for a Hazard Mitigation Grant Program and/or Pre-Disaster Mitigation Program, the City must include a copy of a current California Office of Emergency Services' Designation of Subrecipient's Agent Resolution Form (CalOES 130) designating agents authorized to act on behalf of the City for funding per Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988 and/or state financial assistance under the California Disaster Assistance Act.

This is a universal resolution and will be effective for all open and future disasters/grants up to 3 years following the date of approval by City Council.

Discussion:

After major disasters, FEMA and CalOES release grant funding opportunities that can be utilized for hazard mitigation projects and planning. If CalOES and/or FEMA authorize funding for those costs, the City must designate an agent authorized to sign for those funds.

By approving and adopting the attached California Office of Emergency Services' Designation of Subrecipient's Agent Resolution Form (CalOES 130), City Council will provide current authorization for the City Manager, Director of Financial Services, and Human Resources Manager to execute all required documentation for the purpose of obtaining funding for hazard mitigation planning and projects.

Environmental:

There is no environmental impact related to this item.

Attachment:

1. California Office of Emergency Services' Designation of Subrecipient's Agent Resolution Form (CalOES 130)

Cal OES ID No: _____

DESIGNATION OF SUBRECIPIENT'S AGENT RESOLUTION
Hazard Mitigation Grant Program and Pre-Disaster Mitigation Program

BE IT RESOLVED BY THE City Council (Governing Body) OF THE City of Aliso Viejo (Name of Applicant)

THAT City Manager (Title of Authorized Agent), OR

Director of Financial Services (Title of Authorized Agent), OR

Human Resources Manager (Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the City of Aliso Viejo (Name of Subrecipient), a public entity established under the laws of the State of California, this application and to file it with the California Governor's Office of Emergency Service. for the purpose of obtaining certain federal financial assistance under Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.

THAT the City of Aliso Viejo (Name of Subrecipient), a public entity established under the laws of the State of California, hereby authorizes its agent(s) to provide to the California Governor's Office of Emergency Service for all matters pertaining to such state disaster assistance the assurances and agreements required.

Please check the appropriate box below:

☒ This is a universal resolution and is effective for all open and futures Disasters/Grants up to three (3) years following the date of approval below.

☐ This is a Disaster/Grant specific resolution and is effective for only Disaster/Grant name/number(s) _____

Passed and approved this _____day of _____, 20_____

_____
(Name and Title of Governing Body Representative)

_____
(Name and Title of Governing Body Representative)

_____
(Name and Title of Governing Body Representative)

CERTIFICATION

I, _____, duly appointed and _____of
(Name) (Title)

_____, do hereby certify that the above is a true and correct copy of a
(Name of Applicant)

Resolution passed and approved by the _____of the _____
(Governing Body) (Name of Applicant)

on the _____day of _____, 20___.

_____ _____
(Signature) (Title)

Cal OES Form 130
Instructions

A new Designation of Applicant's Agent Resolution is required if the previously submitted document is older than three (3) years from the last date of Board/Council approval.

When completing the Cal OES Form 130, Subrecipients should fill in the blanks on page 1. The blanks are to be filled in as follows:

Resolution Section:

Governing Body: This is the individual or group responsible for appointing and approving the Authorized Agents. Examples include: Board of Directors, City Council, Board of Supervisors, etc.

Name of Subrecipient: This is the official name of the non-profit, agency, city, county or special district that has applied for the grant. Examples include: City of Sacramento; Sacramento County; or Los Angeles Unified School District.

Authorized Agent: These are the individuals that are authorized by the Governing Body to engage with the Federal Emergency Management Agency and the California Governor's Office of Emergency Service regarding grants applied for by the subrecipient. There are two ways of completing this section:

1. Titles Only: If the Governing Body so chooses, the titles of the Authorized Agents should be entered here, not their names. This allows the document to remain valid if an Authorized Agent leaves the position and is replaced by another individual. If "Titles Only" is the chosen method, this document must be accompanied by a cover letter naming the Authorized Agents by name and title. This cover letter can be completed by any authorized person within the agency (e.g.; City Clerk, the Authorized Agent, Secretary to the Director) and does not require the Governing Body's signature.

2. Names and Titles: If the Governing Body so chooses, the names and titles of the Authorized Agents should be listed. A new Cal OES Form 130 will be required if any of the Authorized Agents are replaced, leave the position listed on the document or their title changes.

Governing Body Representative: These are the names and titles of the approving board members. Examples include: Chairman of the Board, Superintendent, etc. The names and titles cannot be one of the designated Authorized Agents.

Certification Section:

Name and Title: This is the individual that was in attendance and recorded the Resolution creation and approval. Examples include: City Clerk, Secretary to the Board of Directors, County Clerk, etc. This person cannot be one of the designated Authorized Agents to eliminate "Self Certification."

City of Aliso Viejo
AGENDA ITEM

DATE: April 21, 2021

TO: Mayor and City Council

FROM: Charlene Cheng, Management Analyst

SUBJECT: STIGMA FREE OC – CITY SUPPORT

Recommended Action:

Approve City pledge of support for Stigma Free OC, a countywide movement that aims to remove the stigma associated with mental illness and substance use disorders.

Fiscal Impact:

No fiscal impact.

Background:

On March 17, 2021, the City Council directed staff to bring forth consideration of joining Stigma Free OC, a movement to remove stigma associated with mental illness and addiction. The organization aims to increase public support and encourage people to pursue no-cost mental health training resources, hotlines, support services, etc. available at StigmaFreeOC.com.

Discussion:

Orange County Health Care Agency (HCA) started the Stigma Free OC movement with two goals: (1) reducing stigma associated with mental illness and substance abuse disorders; and (2) sharing resources with those needing treatment. Research indicates that when people are labeled by their condition, they begin to have feelings of shame, embarrassment, and hopelessness, and become reluctant to seek or accept help. As a result, people of all ages suffer in silence with untreated conditions. Ending stigma supports and helps people get the help that they need, without blame, judgement, or stereotyping.

In Orange County, there is a great need for mental health resources, which has only increased with the impacts of the COVID-19 pandemic. A COVID Stress Survey conducted by HCA in November/December 2020 indicates 28% of respondents ages 18 and older reported they were experiencing serious psychological distress, and about half

of parents of a child between the ages of 4-17 years reported their child was experiencing symptoms related to anxiety and depression. In the past year, HCA has increased its outreach efforts to share resources available via StigmaFreeOC.com, including 24/7 crisis hotlines and mental health services, information, and support groups.

Many cities have already taken the Stigma Free OC Pledge, including Cypress, Fountain Valley, Garden Grove, Laguna Beach, Laguna Hills, Newport Beach, Stanton, Villa Park and Yorba Linda. As of April 12, 2021, there have been more than 1,600 pledges, including cities, organizations, and individuals.

By becoming a partner, the City of Aliso Viejo would join the campaign to increase awareness of StigmaFreeOC.com, share information on available resources, and encourage others to learn more about the movement and take the pledge.

Attachments:

1. Mental Health Training Flyer

2. NAMI Fact Sheet

3. Stigma Free OC Pledge Certificate



BEHAVIORAL HEALTH TRAINING COLLABORATIVE

working together to provide mental wellness training to the Orange County, CA community

WYS Western Youth Services · MECCA Multi-Ethnic Collaborative of Community Agencies · OMID Multicultural Institute for Development · SENECA Family of Agencies | Unconditional Care · NAMI Orange County · Child Guidance Center clínica del niño Since 1967

Trainings for Families, Groups & Professionals

Western Youth Services along with five local area partners formed the Behavioral Health Training Collaborative (aka BHTC) in December 2019 to work together to provide mental health and wellness trainings at no cost to the Orange County, California community. We started providing live trainings at various facilities throughout Orange County. Due to COVID-19, we converted many of our trainings into an online format which makes it even easier for families, agencies, schools, and community groups to attend our trainings. One of the many benefits of working as a collaborative is the ability to provide a wide range of topics. Some topics are:

- Suicide Prevention
- Mental Health First Aid
- Understanding Adverse Childhood Experiences (ACEs)
- Social-Emotional Learning
- Coping with COVID-19
- Improving Family Communications
- Multi-Cultural Mental Health Training
- Building Trauma-Informed School Communities
- Supporting Children of Incarcerated Parents
- Multi-Part Trainings Supporting Families and Individuals Living with Mental Illness

Whether you are an individual, family, or community group looking to learn how to address emotional health challenges, a school or agency that needs group training, or a professional seeking to continue your education, license, or degree… we have trainings to meet you where you are.

To schedule a training or for more information contact:
training@westernyouthservices.org
949.900.5380
www.ocbhtc.org

All trainings are offered at no cost to all residents of Orange County, California.
Some of our trainings are offered in other languages!

EachMind MATTERS California's Mental Health Movement · StigmaFreeOC · OC health CARE AGENCY

Services are funded by the OC Health Care Agency (OCHCA), Behavioral Health Services, Prevention & Intervention, Mental Health Services Act/Prop. 63



BHTC COLLABORATIVE PARTNERS

Western Youth Services (WYS) is the lead or backbone agency of the Behavioral Health Training Collaborative (BTHC). We coordinate the collaborative efforts of the partners to bring you industry experts who conduct quality trainings in your community and virtually. We approach mental health and wellness in the context of Adverse Childhood Experiences (ACEs), and offer solutions that not only treat the predictable negative impact of ACEs, but that look upstream to prevent them from happening in the first place.

The Multi-Ethnic Collaborative of Community Agencies (MECCA) specialize in accessing and serving underserved or hard-to-reach individuals and communities and, as a collaborative, MECCA relies on the credibility and strength of its member agencies who have been serving communities across the Orange County, California for decades.

OMID is a full-service family enrichment center dedicated to enhancing the quality of life for individuals and families in Orange County, California. The goals of our therapeutic services are individualized to best serve each individual and family who seek our professional expertise, however, we believe in promoting these common goals: well-being, resiliency and reaching one's potential while strengthening families and support networks.

Seneca provides services in Orange County and throughout Southern California that creates and sustains permanent families for children who need them. Seneca is an innovative leader in the provision of unconditional care through a comprehensive continuum of school, community-based and family-focused treatment services for children and families who have experienced high levels of trauma and are at risk for family disruption.

NAMI Orange County conducts free educational programs, meetings and support groups throughout Orange County, California. We address every aspect of mental health. In addition, the NAMI OC WarmLine is a free and confidential telephone service providing emotional support and resources to callers.

Good mental health during childhood and adolescence is just as important as good physical health. Child Guidance Center (CGC) is dedicated to providing excellent behavioral and mental health services for the youth of Orange County. The families we support come in all shapes and sizes – we work with foster parents, grandparents and same-sex parents to provide the support and services they need to raise healthy children.

To schedule a training or for more information
Email: training@westernyouthservices.org | Phone: 949.900.5380 | Website: www.ocbhtc.org

Services are funded by the OC Health Care Agency (OCHCA), Behavioral Health Services, Prevention & Intervention, Mental Health Services Act/Prop. 63

You are NOT ALONE

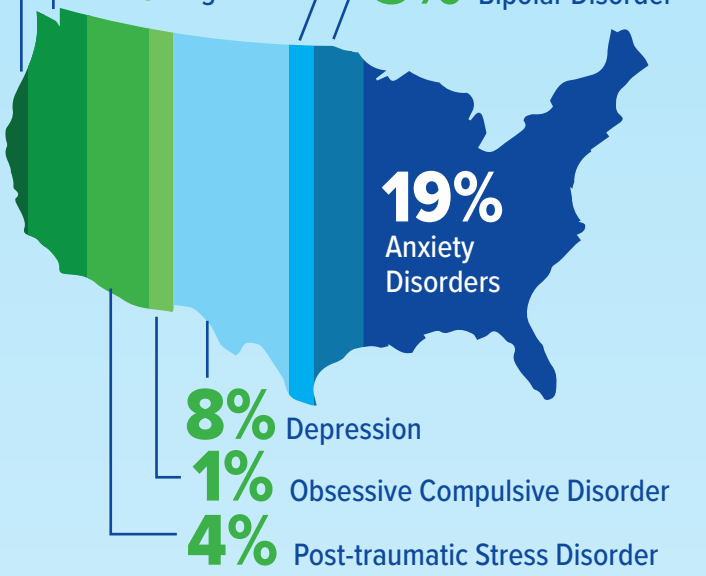
Millions of people are affected by mental illness each year. Across the country, many people just like you work, perform, create, compete, laugh, love and inspire every day.

1 in 5 U.S. adults experience mental illness

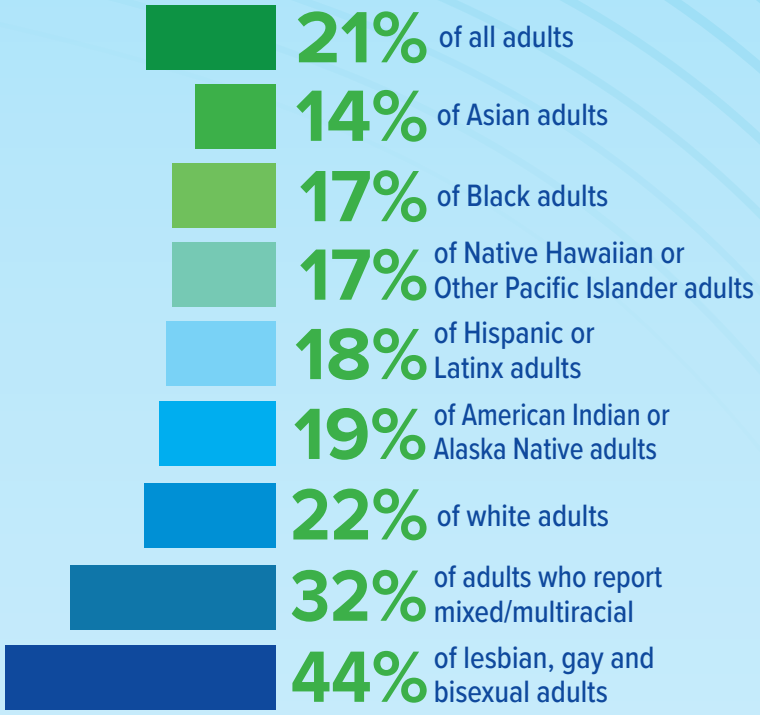
1 in 20 U.S. adults experience serious mental illness

17% of youth (6-17 years) experience a mental health disorder

12 MONTH PREVALENCE OF COMMON MENTAL ILLNESSES (ALL U.S. ADULTS)



12 MONTH PREVALENCE OF ANY MENTAL ILLNESS (ALL U.S. ADULTS)



WAYS TO REACH OUT AND GET HELP

- Talk with a health care professional
- Call the NAMI HelpLine at 800-950-NAMI (6264)
- Connect with friends and family
- Join a support group

Data from CDC, NIMH and other select sources. Find citations for this resource at nami.org/mhstats

Stigma FreeOC

WE PLEDGE TO BE STIGMA FREE

See the person, not the condition

We will do our part to remove stigma around mental illness and addiction by always seeing the person not the condition, helping raise awareness of these illnesses, and encouraging individuals in their efforts to achieve wellness and recovery.

Name

ARE YOU READY TO TAKE THE PLEDGE? VISIT **STIGMAFREEOC.COM**

OC health CARE AGENCY

Orange County Mental Health and Alcohol and Drug Advisory Boards

City of Aliso Viejo
AGENDA ITEM

DATE: April 21, 2020

TO: Mayor and City Council

FROM: Stephanie Phillips, Recreation & Community Services Manager

SUBJECT: SUMMER CAMP SCHOLARSHIP PROGRAM

Recommended Action:

Approve funding in the amount of $11,500 in Fiscal Year 2021-22 for the Summer Camp Scholarship program.

Fiscal Impact:

The total fiscal impact to administer the Summer Camp Scholarship program in the current fiscal year is $6,000. Approval of this item would increase funding to $11,500 in Fiscal Year 2021-22.

Background:

Since inception of the summer camp program in 2018, the City has received several requests for scholarship opportunities to provide funding for camp registration. On February 5, 2020, City Council approved the Summer Camp Scholarship program and funding in the amount of $6,000 annually.

Discussion:

The Summer Camp Scholarship program was developed with the intent to provide partial funding for City summer camps to Aliso Viejo residents in financial need through an application process. Currently, the scholarship program provides funding for two camp scholarships per week. All applications are reviewed and processed on a first-come, first-served basis and awarded based on financial eligibility. Scholarships are limited to two weeks per participant and a maximum of $1,000 per family. Staff intends to amend the policy to permit use of funds for any City camp throughout the year or City child care program with extended hours, removing the summer camp only clause. Additionally, City Council approved scholarship funds must be applied by the end of the fiscal year, do not rollover, and cannot be redeemed for cash or credit.

At the current funding level, approximately 26 scholarships are available for the fiscal year. When combined with the additional donated funds in the scholarship trust account, staff is confident this amount will be sufficient for scholarship needs in the current fiscal year. Staff recommends increasing funds for Fiscal Year 2021-22 to $11,500 which will provide 50 scholarships for those in need during the months of July-August 2021 and March-June 2022.

City of Aliso Viejo
AGENDA ITEM

DATE: April 21, 2021

TO: Mayor and City Council

FROM: Omar Dadabhoy, Community Development Director
Jennifer Lowe, Senior Planner

SUBJECT: ADOPTION OF THE FISCAL YEAR 2021-2022 ANNUAL ACTION PLAN FOR EXPENDITURES OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS

Recommended Actions:

1. Conduct a public hearing;

2. Declare the City Council finds the FY 2021-2022 Annual Action Plan is not subject to the California Environmental Quality Act ("CEQA") as the activity is not a project defined in Section 15378(b)(5) of the state CEQA Guidelines;

3. Approve and adopt the FY 2021-2022 Annual Action Plan ("Action Plan") for the use of Community Development Block Grant ("CDBG") funds (Attachment 1); and

4. Authorize the City Manager to submit the Action Plan to the U.S. Department of Housing and Urban Development ("HUD"), which executes the HUD contract and authorize the City Manage to submit all related documents with the implementation of the Action Plan.

Fiscal Impact:

The City of Aliso Viejo will receive $213,835 in CDBG funds for Fiscal Year 2021-22 from HUD. In addition to the next year's allocation, the City has an additional $49,582 to allocate toward activities identified in the Action Plan. This additional funding source consists of unspent administration monies from prior year's CDBG allocation and unused 2017 funds from when the City was under contract with the County of Orange. The proposed Action Plan allocates $3,500 for fair housing services, $2,500 for homeless prevention services for the recent purchase of a supportive housing unit, $212,017 for American with Disabilities Act ("ADA") improvements at public facilities, and $42,700 for CDBG program administration. Program administration is comprised of $25,000 for CDBG consultant services and $17,700 to reimburse City staff's time for administration and inspections of the construction-related ADA improvements.

Background:

The 2018-2022 Consolidated Plan, as approved by the City Council on July 18, 2018, established a multi-year strategy for the use of CDBG funds in the community. CDBG funding supports development of viable urban communities by supporting projects and activities that create or enhance the availability of decent housing, suitable living environments, and expansion of economic opportunities, principally for low- and moderate-income persons. The Annual Action Plan identifies specific projects and activities to be funded through CDBG for each year of the Consolidated Plan. The 2021-2022 Annual Action Plan is an expenditure plan using the upcoming year's CDBG allocation for the specific activities outlined in the Consolidated Plan.

Discussion:

2021-2022 Annual Action Plan

The 2021-2022 Annual Action Plan proposes to use CDBG funding toward three priorities: public facilities and improvements, public services, and program administration. The following activities are identified in the Action Plan:

- **Public Facilities and Improvements: $212,017**

  Funding is proposed for upgrades to bring City Hall, Aliso Viejo Center, Aquatic Center, Aliso Viejo Community Center, and Iglesia Park into compliance with various accessibility laws. Improvements include upgrading slopes and markings in parking lots, installation of necessary ramps and landings, removal of obstacles and hindrances that limit access, new safety features (e.g., grab bars, railings, and markings), installation/relocation of accessible controls and dispensers, and modifications/adjustments to doors.

- **Public Services:**
  - **Fair Housing Services: $3,500**

    As a public service, fair housing service costs can be reimbursed through CDBG funds. Services include fair housing outreach, education, and enforcement services to reduce and eliminate impediments to the fair access of housing opportunities.

  - **Supportive Housing Unit: $2,500**

    The City exercised its first right of refusal option to purchase a low-income housing unit. The City has leased this unit to Family Assistance Ministries ("FAM"), which will manage the unit as supportive housing for a homeless family with children. FAM will use CDBG funds to provide case management and support services for the resident family.

- **Administration: $42,700**

  Administration costs related to the implementation of approved CDBG projects are a permitted reimbursable expense. The City's allocation of administration funding

will reimburse staff costs associated with program oversight and coordination as well as the cost of inspections related to the ADA improvements at various public facilities.

Environmental:

Staff recommends the City Council find the proposed action is not a project as defined by the California Environmental Quality Act ("CEQA") pursuant to state CEQA Guidelines Section 15378(b)(5). The action is an administrative activity of the City that involves a report to a federal agency on the potential use of CDBG funds. For the actual implementation of the development project identified in the 2021-2022 Action Plan, "The Ranch", appropriate CEQA and NEPA documentation was previously approved. The report itself does not authorize any development or changes to land use; thus, the project would not result in any direct or indirect changes to the environment, and, consequently, this action is not classified as a project under CEQA.

Public Notice:

As required by HUD and local requirements to provide 30-day public review period, a 1/8-page public hearing notice was published in the Aliso Viejo News on March 18, 2021. The City's draft Action Plan with the AI Executive Summary and the full copy of the County's AI were posted on the City website.

City Attorney:

The City Attorney reviewed and had no comments for this report.

Attachments:

1. FY 2021-2022 Annual Action Plan

2. Presentation

CITY OF ALISO VIEJO

2021-2022 ANNUAL ACTION PLAN

Draft April 7, 2021

Contents

Executive Summary

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b) 1

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Executive Summary

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

The 2021-2022 Annual Action Plan for the City of Aliso Viejo satisfies the requirements to receive Community Development Block Grant (CDBG) funds from the U.S. Department of Housing and Urban Development (HUD). The Housing and Community Development Act (HCDA) of 1974 created the CDBG program. The primary objective of the CDBG program is to develop viable urban communities by providing decent housing, a suitable living environment, and economic opportunities, principally for persons of low- and moderate-income.

Regulations governing the CDBG program require that each activity undertaken with CDBG funds must meet one of the three national objectives:

- Benefit low- and moderate-income persons,
- Aid in the prevention or elimination of slums and blight, or
- Meet a community development need having a particular urgency (i.e., federally declared disaster)

As a recipient of CDBG funds, the City must prepare a five-year strategic plan that identifies housing and community needs, prioritizes these needs, and develops a strategic plan to address priority needs. This document is called the Consolidated Plan. The City's current Consolidated Plan covers the fiscal years of 2018-19 to 2022-23. On an annual basis, the City prepares an expenditure plan that identifies the specific activities the City will undertake with its annual CDBG allocation to meet the priority needs identified in the Consolidated Plan. Fiscal Year (FY) 2021-2022 is the fourth year of the current Consolidated Plan cycle.

The City will receive $213,835 in CDBG funds for FY 2021-2022. A grant balance of $49,582 in prior year funds is also available for programming.

2. Summarize the objectives and outcomes identified in the Plan

The City's Consolidated Plan identifies activities to be carried out with CDBG funding over five years and identifies five-year goals and outcomes. A summary of these five-year goals and outcomes is listed below:

- Public Infrastructure Improvements: 12,000 City residents will benefit from the installation or rehabilitation of CDBG-funded public infrastructure improvements
- Public Facility Improvements: 6,000 City residents will benefit from the installation or rehabilitation of CDBG-funded public facilities such as community centers, parks, and other public and private facilities

- Single-Family Housing Rehabilitation: rehabilitate 15 owner-occupied units with CDBG-funded program resources
- Homeless Services: Presently, the City uses general fund resources to assist agencies that provide housing and services to homeless individuals and individuals at risk of homelessness. In future years, CDBG funds could be used to assist up to 75 individuals
- Public Services: Presently, the City supports various social service programs that serve seniors, youths, victims of domestic violence, and other lower-income persons with City general funds. In future years, CDBG funds could be used to serve up to 750 lower-income individuals
- Fair Housing Services: HUD requires the City to eliminate impediments to fair housing choice. The City will use CDBG funding to support fair housing outreach, education, and enforcement services. An estimated 300 households will benefit from this CDBG-funded activity
- Program Administration: The City will provide resources to ensure oversight and coordination of the CDBG program

3. Evaluation of past performance

Fiscal Year 2020-2021 (FY 2020-2021) is the third year of the City's current Consolidated Plan cycle and is not yet complete. **Attachment 1** summarizes accomplishments through FY 2019-20 – the first two years of the current Consolidated Plan cycle.

4. Summary of Citizen Participation Process and consultation process

Consistent with the City's Citizen Participation Plan, residents, local and regional organizations, and other stakeholders were encouraged to participate in preparing the City's 2021-2022 Annual Action Plan. It is important to note that COVID-19 public health concerns limited opportunities to meet with residents and local service providers; nonetheless, the City implemented the following measures to obtain public input:

- A draft of the 2021-2022 Action Plan was available for a 30-day public comment period from March 22 to April 20, 2021.
- The City Council adopted the Annual Action Plan after considering public comments received during a hearing on April 21, 2021.

5. Summary of public comments

See **Attachment 2**.

6. Summary of comments or views not accepted and the reasons for not accepting them

See **Attachment 2**.

7. Summary

The Consolidated Plan is a strategic plan that utilized data and public input to determine priority housing and community needs. The Action Plan is a component of the Consolidated Plan that acts as the annual expenditure plan for using CDBG funds to address identified priority needs. To address priority needs, the City of Aliso Viejo will utilize $263,417 in CDBG funds during FY 2021-2022 to carry out several CDBG-eligible activities including, public facility improvements, public services, and program administration.

PR-05 Lead & Responsible Agencies – 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
City of Aliso Viejo	City of Aliso Viejo	Planning Services

Table 1 – Responsible Agencies

Narrative (optional)

The City's Planning Services Department is primarily responsible for preparing the Consolidated Plan, Annual Action Plan, performance reports, and the general administration of CDBG funds.

Consolidated Plan Public Contact Information

Mr. Omar Dadabhoy, Community Development Director
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AP-10 Consultation – 91.100, 91.200(b), 91.215(l)

1. Introduction

The consolidated planning process (i.e., Annual Action Plan process) requires that the City contact and consult with other public and private agencies when developing the plan. The plan itself must include a summary of the consultation process, including identifying the agencies that participated in the process. Below is a summary of the City's efforts to coordinate interaction with other public and private agencies.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l))

The City of Aliso Viejo works closely with the County of Orange Housing Authority (OCHA), which assists renter households with HUD-funded housing assistance vouchers and certificates. As housing development opportunities evolve, City staff works closely with developers to explore and create housing opportunities for lower-income residents. It is important to note that Aliso Viejo is a master-planned community and is built out. Limited opportunities exist to develop new housing units; however, the City will encourage the development of new affordable housing opportunities when possible. For example, during the current Consolidated Plan cycle, a 200-unit senior housing development was completed. This project provides affordable housing opportunities to 148 low-income and 50 very low-income senior households. There is no plan to develop additional affordable housing units during FY 2021-2022; however, the City has recently completed negotiations to lease an affordable housing unit to a local nonprofit. This unit will be used as permanent supportive housing for a homeless family with children.

Through the annual City-funded Community Service grants allocation process, City staff can ascertain the types of services Aliso Viejo residents need (e.g., senior services, youth services) and can develop partnerships with local agencies for the delivery of quality services.

Describe coordination with the Continuum of Care and efforts to address homeless persons' needs (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

The Orange County Continuum of Care (OC-CoC) is the regional coordinator of the homeless housing and support services delivery system. The OC-CoC is responsible for conducting the biennial Point In Time Survey of the County's homeless. The OC-CoC conducted the 2019 Point-In-Time Survey (PITS) in January 2019. The 2019 PITS identified one unsheltered homeless individual in the City.

The City will continue its relationships with local service providers to address the needs of the City's homeless and residents who are at risk of becoming homeless. The City will also continue to support OC-CoC efforts to address regional homeless issues. During FY 2021-2022, the City will allocate CDBG

funds to support housing and services for homeless families. Additionally, the City will allocate general fund resources to regional homeless service providers to address local homeless issues.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

Aliso Viejo is not a recipient of Emergency Solutions Grant (ESG) funds; therefore, it does not help the OC-CoC determine ESG allocations, evaluate grant outcomes, or develop policies and procedures for the regional administration Homeless Management Information System (HMIS).

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities (see Table 2)

Table 2 – Agencies, groups, organizations who participated

1	**Agency/Group/Organization**	**Fair Housing Foundation**
	Agency/Group/Organization Type	Service-Fair Housing
	What section of the Plan was addressed by Consultation?	Impediments to Fair Housing Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Agency provided data and information that helped identify the needs of households requiring fair housing services - also provided input regarding the City's strategy to address impediments to fair housing
2	**Agency/Group/Organization**	**211 Orange County**
	Agency/Group/Organization Type	Services-homeless Regional organization
	What section of the Plan was addressed by Consultation?	Homelessness Strategy Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homeless Management Information System (HMIS)
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Regional Continuum of Care coordinator and HMIS administrator – also provided information regarding regional and City homeless populations and shelter resources
3	**Agency/Group/Organization**	**Orange County Housing Authority**
	Agency/Group/Organization Type	Public Housing Authority
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Strategy

	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Provided information regarding the number and type of households receiving rental assistance, and the number of households requesting housing assistance
4	**Agency/Group/Organization**	**Aliso Viejo**
	Agency/Group/Organization Type	Other government - Local
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Strategy Non-Homeless Special Needs Economic Development Market Analysis
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Various City departments and City Council provided community-based data and information - also played a crucial role in identifying priorities and the allocation of CDBG funds
5	**Agency/Group/Organization**	**Family Assistance Ministries**
	Agency/Group/Organization Type	Services-homeless
	What section of the Plan was addressed by Consultation?	Homelessness Strategy Homeless Needs - Families with children Homelessness Needs – Veterans
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Helped identify the housing and service needs of persons at risk of becoming homeless and those already homeless

6	**Agency/Group/Organization**	**Laura's House**
	Agency/Group/Organization Type	Services-Victims of Domestic Violence
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Agency helped identify the needs of victims of domestic violence
7	**Agency/Group/Organization**	**Camino Health Center**
	Agency/Group/Organization Type	Services-Health
	What section of the Plan was addressed by Consultation?	Anti-poverty Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Agency helped identify the medical and dental needs of lower-income persons and households
8	**Agency/Group/Organization**	**Age Well Senior Services**
	Agency/Group/Organization Type	Services-Elderly Persons
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Agency helped identify the needs of senior and frail elderly persons and households

9	**Agency/Group/Organization**	**South County Outreach**
	Agency/Group/Organization Type	Services-homeless
	What section of the Plan was addressed by Consultation?	Homelessness Strategy Homeless Needs - Families with children Anti-poverty Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Helped identify the housing and service needs of persons at risk of becoming homeless and those already homeless

Identify any Agency Types not consulted and provide rationale for not consulting

The City had an open consultation process; no agency was prevented or excluded from participating.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Orange County 211	Helped the City analyze the needs of Aliso Viejo homeless. Includes regional 2019 Point-In-Time Survey and 10-Year Plan to End Homelessness (including Discharge Plan)
City of Aliso Viejo Housing Element	City of Aliso Viejo	Provided housing priorities and program goals
City of Aliso Viejo 5 Year Strategic Plan Fiscal Years 2015-2020	City of Aliso Viejo	Multi-year capital improvement plan helped identify priority capital projects that may be CDBG-eligible
5-Yr. & 1-Yr. PHA Plan	Orange County Housing Authority	Identified OCHA resources to address the housing needs of lower-income renter householders in the City
Orange County Analysis of Impediments to Fair Housing	Orange County and Orange County cities	Countywide document identifies impediments to fair housing within participating cities and outlines a plan to address impediments

Table 3 – Other local / regional / federal planning efforts

Narrative (optional)

AP-12 Participation – 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation
Summarize citizen participation process and how it impacted goal-setting

COVID-19 public health protocols limited some traditional means of obtaining public input; nonetheless, the City implemented the following efforts to obtain public input during the preparation of the Action Plan:

Notices/Website: The City published notices in a local newspaper of general circulation (*Aliso Viejo News*). The City also posted the draft Action Plan and OC-AI on its website for public review and comment. A copy for public review was also available at City Hall during the required 30-day public comment period (see **Attachment 2**).

Public Hearings: Consistent with HUD's regulations, the City Council held a public hearing at a regularly noticed and scheduled meeting (April 21, 2021) to obtain public input regarding the draft Annual Action Plan and authorize staff to submit the document to HUD. **Attachment 2** includes a summary of public comments.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
3	Newspaper Ad	Non-targeted/broad community	30-day public comment period and public hearing notice	TBD	TBD	Not Applicable
4	Public Hearing	Non-targeted/broad community	4/21/21: Public hearing to approve the 2021-2022 Action Plan and to authorize submission of the Action Plan to HUD	TBD	TBD	Not Applicable

Table 4 – Citizen Participation Outreach

Expected Resources

AP-15 Expected Resources – 91.220(c)(1,2)

Introduction

HUD has notified the City it will receive $213,835 in CDBG funds for FY 2021-2022. An additional $49,582 in prior year funds is also available. The City will use CDBG funds for public facility improvements, public services, and program administration costs. The table below provides a summary of anticipated resources that will be available during FY 2021-2022.

In addition to CDBG funding, housing voucher/certificate resources (via OCHA) and "Community Grants" (i.e., social service grants from the City's General Fund) will be available to carry out activities that support the goals of the City's Consolidated Plan. Due to past housing development activity, the City has collected significant In-lieu Affordable Housing Fee resources; however, these resources are committed to projects.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 3				Expected Amount Available Remainder of ConPlan $	Narrative Description
			Annual Allocation: $	Program Income: $	Prior Year Resources: $	Total: $		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	$213,835	$0	$49,582	$263,417	200,000	Annual CDBG allocation

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

The City has identified other resources that will be available to carry out activities that address the goals of the Consolidated Plan:

- OCHA reports that as of January 2021, 135 Aliso Viejo households received rental assistance. The City anticipates that a similar number of households will be assisted annually during FY 2021-2022.
- On an annual basis, the City allocates General Fund resources to support various community social service programs. Funded services include homelessness prevention and interim housing for homeless families with children, services for victims of domestic violence, and the disabled. The City allocates approximately $20,000 per year for these social services.
- Prior condo conversions and new housing development activities have generated affordable housing resources. These activities have generated approximately $2.5 million in Affordable Housing In-lieu fees; however, all funds are committed to developing affordable housing units or preserving existing housing affordability.

CDBG does not require matching funds.

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

Aliso Viejo is a nearly built-out city with limited remaining vacant land. The City's Housing Element identifies vacant and underutilized sites suitable for housing development - one of the sites is developed (i.e., Vantis Apartments). The Housing Element also identifies two parcels zoned for business park development but suitable for high-density Mixed-Use residential. With the City's Housing Element's adoption, these two sites were rezoned and subsequently developed (i.e., Vintage Aliso and Liberty at Aliso). An additional location (The Commons) is zoned currently zoned for housing. This project is in the early predevelopment stages; however, no development is contemplated for at least two years.

During the current fiscal year, the City exercised its first-right of refusal option to purchase a condominium that was subject to first-time homebuyer resale restrictions. The City will lease this unit to Family Assistance Ministries (FAM). FAM will operate the unit as permanent supportive housing for a homeless family with children. FAM will provide case management and support services for the resident family – the City will help offset some of these costs with CDBG funds.

Discussion

The City will receive $213,835 in CDBG funds from HUD for FY 2021-2022. The City will also carry forward $49,582 in prior year funds to undertake activities in FY 2021-2022. With respect to other resources, the City will continue to support OCHA's efforts to secure new rental assistance resources. For the foreseeable future, the City will continue to support social service programs serving City residents with Community Grants. As outlined above, an inventory of vacant and underutilized land suitable for housing development has been prepared, but no projects are slated for construction during FY 2021-2022.

Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Public Facility Improvements	2021	2022	Non-Housing Community Development	Citywide	Public Improvements	CDBG: $212,017	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 1,327 Persons Assisted
2	Fair Housing Services	2021	2022	Public Services	Citywide	Public Services	CDBG: $3,500	Other: 62 Other
3	Homeless Services	2021	2022	Public Services	Citywide	Public Services	CDBG: $2,500	Public service activities other than Low/Moderate Income Housing Benefit: 5 Persons Assisted
4	Program Administration	2021	2022	Administration	Citywide	Administration	CDBG: $42,700	Other: 1 Other

Table 6 – Goals Summary

Goal Descriptions

1	**Goal Name**	Public Facility Improvements
	Goal Description	ADA improvements
2	**Goal Name**	Fair Housing Services
	Goal Description	Fair housing outreach, education, and enforcement services

3	**Goal Name**	Homeless Services
	Goal Description	Homeless housing and support services, including homelessness prevention services
4	**Goal Name**	Program Administration
	Goal Description	CDBG program oversight and coordination

Table 7 – Goal Descriptions

Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.215(b)

The City is not a HOME program participating jurisdiction.

Projects

AP-35 Projects – 91.220(d)

Introduction

For FY 2021-2022, the City is allocating CDBG funding for the activities listed in Table 8.

Projects

#	Project Name
1	ADA Improvements – Various Locations
2	Fair Housing Foundation
3	Family Assistance Ministries
4	CDBG Program Administration

Table 8 - Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The City recognizes that households with extremely low-income and special needs populations are more likely to become homeless because they have limited incomes and issues that may require housing and supportive services. The City considers supportive services for these populations as a high priority. Supportive services are also considered a top priority in the OC-CoC.

The City anticipates that the greatest obstacle to meeting the underserved needs of extremely low-income and special needs populations will be a lack of financial resources for supportive services and housing. A common need reported by service providers is affordable housing. To this end, the City will support OCHA's efforts to obtain additional Housing Choice Vouchers and Certificates, encourage the development of affordable housing, and fund support services for at-risk and homeless families.

AP-38 Project Summary

Project Summary Information

Table 9 – Project Summary

1	Project Name	**ADA Improvements – Various Locations**
	Target Area	Citywide
	Goals Supported	Public Facility Improvements
	Needs Addressed	Public Improvements
	Funding	CDBG: $212,017
	Description	ADA improvements at various parks and public facilities
	Target Date	06/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	According to the U.S. Census (ACS 5-Yr. Estimate – Table S1810), an estimated 3,197 Aliso Viejo residents have disabilities, including 1,327 with "ambulatory difficulties
	Location Description	City Hall, Aliso Viejo Center, Aliso Viejo Aquatic Center, Aliso Viejo Community Center, and Iglesias Park
	Planned Activities	Replace or upgrade buildings or facilities to comply with ADA regulations – improvements include adjusting slops and markings in parking lots, adjusting ramps, installing accessible controls and dispensers, eliminating mobility obstacles, and installing grab bars and rails
2	Project Name	**Fair Housing Foundation**
	Target Area	Citywide
	Goals Supported	Fair Housing Services

	Needs Addressed	Public Services
	Funding	CDBG: $3,500
	Description	Fair housing outreach, education, and enforcement services to reduce and eliminate impediments to the fair access of housing opportunities
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	60 households (80 individuals)
	Location Description	Citywide
	Planned Activities	Fair housing outreach, education, and enforcement services, including landlord, tenant, and property management fair housing training
3	Project Name	**Family Assistance Ministries**
	Target Area	Citywide
	Goals Supported	Homeless Services
	Needs Addressed	Public Services
	Funding	CDBG: $2,500
	Description	Interim housing (6 to 12 months) and support services for families with children experiencing homelessness
	Target Date	06/30/22
	Estimate the number and type of families that will benefit from the proposed activities	5 individuals
	Location Description	Citywide

	Planned Activities	Case management and support services such as financial counseling, linkages to healthcare, and food assistance for families that are experiencing homelessness
4	Project Name	**CDBG Program Administration**
	Target Area	Citywide
	Goals Supported	Program Administration
	Needs Addressed	Administration
	Funding	CDBG: $42,700
	Description	CDBG program oversight and coordination
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	Not applicable
	Location Description	City Hall: 12 Journey, Suite 100 Aliso Viejo, CA
	Planned Activities	CDBG program administration, including preparation of required applications and reports

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

All activities slated for CDBG-funding during FY 2021-2022 are available on a citywide basis. These activities include ADA-related improvements, public services, and program administration. Future activities may be limited to specific areas of the City (i.e., Block Groups) where a significant percentage of residents meet HUD's program income limits. **Attachment 3** is a map of the City's current CDBG-Eligible Areas.

Geographic Distribution

Target Area	Percentage of Funds
CDBG census tracts	0
Citywide	100

Table 10 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

The City's primary intent is to serve lower-income households regardless of where they live in the City; therefore, CDBG funding is primarily distributed on a citywide basis.

Discussion

As indicated above, CDBG funds are focused on programs that serve lower-income residents regardless of where they live in the City.

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

The City's only HUD funding resource is CDBG. HUD regulations limit the use of CDBG funding to specific types of housing activities (i.e., acquisition and rehabilitation). As outlined in the Consolidated Plan, the City may consider implementing a home improvement program in the future; however, for FY 2021-2022, no housing activities will be funded with CDBG.

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	0
Special-Needs	0
Total	**0**

Table 11 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	0
Rehab of Existing Units	0
Acquisition of Existing Units	0
Total	**0**

Table 12 - One Year Goals for Affordable Housing by Support Type

Discussion

For FY 2021-2022, the City will not use CDBG funds for housing activities; however, it will continue to support local service providers that provide interim housing and supportive services for homeless or at-risk families. The City will also support OCHA's implementation of the federal rental assistance voucher and certificate program in Aliso Viejo. An estimated 130 Aliso Viejo households may benefit from this program.

AP-60 Public Housing – 91.220(h)

Introduction

The City does not own or manage public housing.

Actions planned during the next year to address the needs to public housing

Not applicable.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

Not applicable.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

Not applicable.

Discussion

The City does not own or manage public housing.

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

As outlined in the Consolidated Plan, the City's homeless strategy emphasizes preventing homelessness. According to HUD's *Strategies for Preventing Homelessness*, "Homelessness prevention is an essential element of any effort to end homelessness either locally or nationwide." This HUD report indicates it is less expensive and disruptive to keep a household housed in place.

The City will use CDBG funds to support safety-net and homeless services. The City will also support local agencies with General Fund resources that provide various services for lower-income households. These services include food banks, parent-student empowerment programs, and housing and services for victims of domestic violence. These programs may help households maintain their current housing situation and prevent homelessness.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The City of Aliso Viejo does not directly fund homeless outreach services; however, the City does support agencies that work directly with sheltered and unsheltered homeless populations. Agencies such as Family Assistance Ministries conduct extensive outreach and vulnerability assessments throughout Aliso Viejo and neighboring communities. Other agencies conduct similar outreach and assessment services for specific homeless populations, such as domestic violence victims. If funding is available, the City will fund these activities with General Fund resources during FY 2021-2022.

Addressing the emergency shelter and transitional housing needs of homeless persons

The City will not allocate FY 2021-2022 CDBG funding to support emergency housing services; however, the City will partner with Family Assistance Ministries (FAM) to support its interim housing program. In addition to leasing a housing unit to FAM to provide interim/bridge housing (housing for six to 12 months), the City will also provide CDBG funds to assist with the cost of case management.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

The City will use a portion of CDBG resources during FY 2021-2022 for homeless services. If available, Community Grants (funded with City General Funds) may be available to local nonprofits that provide

rapid rehousing and permanent supportive housing programs. The City will also continue to provide referrals to public assistance programs offered by other agencies to prevent homelessness. The City will continue to support OCHA and its efforts to secure additional Veterans Affairs Supportive Housing (VASH) vouchers, Shelter Plus Care (homeless) housing vouchers, and rental assistance vouchers and certificates for lower-income special need populations.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

It is the City's strategy to help a household at risk of becoming homeless to stay housed. The City will participate in regional homeless planning efforts, including the OC-CoC's Discharge Plan, which aims to prevent individuals from leaving institutions, hospitals, etc., from becoming homeless. OCHA reports that as of January 2021, five households that receive federal rental assistance were homeless when they entered the program. Additionally, as previously outlined, the City will partner with FAM to provide permanent supportive housing for homeless families with children.

Discussion

The City's homeless strategy is to prevent homelessness and support local service providers' efforts to assist regional and local homeless populations. For FY 2021-2022, the City will allocate CDBG resources for homeless services. City General Funds will also support local agencies that provide homelessness prevention, housing, and supportive services.

AP-75 Barriers to affordable housing – 91.220(j)

Introduction:

Barriers to affordable housing and actions to overcome the obstacles are listed in the City's Housing Element and are reflected in the City's Consolidated Plan.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

Notwithstanding the limitation of available land for development, *Chapter 15.58* of the City's Zoning Code, entitled "Affordable Housing Incentives," establishes the City's plan to address barriers to affordable housing development. The purpose of the chapter is to "… provide incentives for the production of housing for very low, lower, and moderate-income, or senior households in accordance with California Government Code." Provisions outlined in the Zoning Code are intended to facilitate the development of affordable housing and to implement the goals, objectives, and policies of the City's Housing Element. Incentives for the production of housing delineated in the Housing Element include the following:

- A density bonus with the possibility of additional waivers or modifications to development standards provided the waiver/modification does not adversely impact health, safety, or the physical environment.
- An additional density bonus is possible for a residential development project that includes affordable housing.
- A reduction in development standards (e.g., coverage, setback, zero lot line and/or reduced parcel sizes, and/or parking requirements).
- Approval of mixed-use zoning for housing projects if the nonresidential land uses will reduce the housing project cost.
- Other regulatory incentives or concessions that are proposed by the applicant or the City that will result in identifiable cost reductions.
- Direct financial incentives include providing publicly owned land, fee waivers, or the waiver of dedication requirements.

There is no local tax that may act as a barrier to affordable housing.

Discussion:

The City's Housing Element outlines a comprehensive plan to address affordable housing barriers - the Consolidated Plan mirrors this plan. While incentives are available to developers, there are no housing projects slated for construction during FY 2021-2022 that will take advantage of these incentives.

AP-85 Other Actions – 91.220(k)

Introduction:

Outlined below are the actions the City will implement during FY 2021-2022 to address the sub-strategies of the Consolidated Plan.

Actions planned to address obstacles to meeting underserved needs

During FY 2021-2022, the City will encourage and support OCHA's efforts to obtain additional rental assistance funding, especially for senior and very low-income households. CDBG-funded public facility improvements to be undertaken during the year will provide barrier-free access to public facilities for individuals with disabilities and mobility limitations. Fair housing services will ensure households have access to safe and decent housing that they can afford, without regard to race, color, religion, gender, sexual orientation, disability, age, source of income, or other characteristics protected by laws.

Actions planned to foster and maintain affordable housing

As previously outlined, the City will use CDBG funds to support families transitioning from homelessness to self-sufficiency. The City will also continue to support OCHA's administration of HUD's voucher and certificate rental assistance program. Additionally, the City will monitor properties and housing units that are subject to covenants to preserve affordability.

Actions planned to reduce lead-based paint hazards

Most of the City's housing stock was constructed after 1980; nonetheless, the City will continue to make information available to community residents regarding the health impacts of lead-based hazards, especially for young children.

Actions planned to reduce the number of poverty-level families

According to the U.S. Census Bureau, approximately 4.7% of the City's population live below the poverty level, including 3.5% of children under 18 and 6.1% of seniors (age 65 and older). The City will support several activities that aim to reduce the number of households living in poverty:

- Fair housing services will help ensure lower-income residents and "protected class" households have access to housing in a fair, non-discriminatory manner.
- OCHA's administration of rental assistance programs for very low-income renters.
- Social service programs that provide free or reduced-cost services to lower-income households.
- Social service programs that assist households at risk of becoming homeless and those that are homeless.

Actions planned to develop institutional structure

The City has initiated efforts to build an institutional structure to help identify and access resources to improve and serve the community. Through the League of Orange County Cities and the City Managers'

Association, the City participates in finding long-term solutions for the region's homeless issues. The City will continue to assist OCHA in implementing its Five-year Public Housing Authority (PHA) Plan to provide rental assistance vouchers and certificates. The City will also join other CDBG grantee communities to explore and participate in regional planning and program initiatives. The City will also seek to build stronger working relationships with community-based organizations that address lower-income Aliso Viejo residents' needs.

Actions planned to enhance coordination between public and private housing and social service agencies

The City of Aliso Viejo does not operate public housing. OCHA provides rental assistance in the community. Federal legislation requires that the Housing Authority prepare five-year and one-year plans highlighting its mission, goals, and objectives related to public and assisted housing programs. The City will review the Authority's plans and will provide OCHA the opportunity to review and consult with the City regarding its Consolidated Plan and Annual Action Plan. The goal of this cross-consultation is to provide consistent and coordinated housing services for City residents.

Aliso Viejo has developed positive working relationships with local nonprofits and will continue expanding its CDBG program to provide public service grant funding to support the efficient and effective use of limited public resources.

Discussion:

HUD-funded grant recipients are required under various laws not to discriminate in housing or services directly or indirectly based on race, color, religion, sex, national origin, age, familial status, or disability. Grant recipients such as Aliso Viejo are required to: (1) examine and attempt to alleviate housing discrimination within their jurisdiction; (2) promote fair housing choices for all persons; (3) provide opportunities for all persons to reside in any given housing development, regardless of race, color, religion, sex, disability, familial status, national origin, and other personal or familial attributes; (4) promote housing that is accessible to and usable by persons with disabilities; (5) and comply with the non-discrimination requirements of the Fair Housing Act. HUD encourages jurisdictions to consult with one another and initiate region-wide area fair housing planning. The **Analysis of Impediments (AI) to Fair Housing Choice** is the primary document utilized for this purpose. In addition to identifying impediments, a strategy to overcome barriers must be developed and implemented - accomplishments are reported annually. The City participated in developing a county-wide AI, which the City Council adopted in May 2020. A summary of impediments to fair housing and the action steps the City will take during FY 2021-2022 are found in **Attachment 4**.

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(l)(1,2,4)

Introduction:

Each HUD program that is covered by the Consolidated Plan regulations must address certain program-specific requirements. Below are the requirements for the CDBG program as prescribed by the Annual Action Plan template.

Community Development Block Grant Program (CDBG)
Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan.	0
5. The amount of income from float-funded activities	0
Total Program Income	**0**

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	100.00%

Discussion:

The City will meet the overall 70% benefit low- and moderate-income requirement of the CDBG program during the three years of Program Years 2020, 2021, and 2023.

SUMMARY OF 2018-2022 CONSOLIDATED PLAN PAST PERFORMANCE
2-YEAR TOTAL (FY 18-19 TO FY 19-20)

ConPlan Goal	Unit of Measure	Expected 5 Yr. ConPlan Goal	2-Year Actual	2-Year Percent Complete	Expected FY 19-20 Program Year	Actual FY 19-20 Program Year	1 Yr. Percent Complete
Fair Housing Services	Persons Assisted	300	93	31.00%	60	44	73.33%
Homeless Services	Households Assisted	75	0	0.00%	0	0	0.00%
Program Administration	Other	5	2	40.00%	1	1	100.00%
Public Facility Improvements	Persons Assisted	6,000	0	0.00%	3,392 *	0	0.00%
Public Infrastructure Improvements	Persons Assisted	12,000	0	0.00%	0	0	0.00%
Public Services	Persons Assisted	500	0	0.00%	0	0	0.00%
Single-Family Housing Rehabilitation	Household Housing Unit	15	0	0.00%	0	0	0.00%

* Figure represents completion of Aliso Viejo Ranch ADA Improvements. The project received 3 years of funding – slated to be completed in FY 20-21.

SUMMARY OF PUBLIC COMMENTS

30-DAY PUBLIC COMMENT PERIOD

TBD

APRIL 21, 2021, PUBLIC HEARING

TBD

Laguna Niguel News
2190 S. Towne Centre Place Suite 100
Anaheim, CA 92806
714-796-2209

PROOF OF PUBLICATION

Legal No. **0011448496**

5191432

ALISO VIEJO, CITY OF
12 JOURNEY STE 100
CITY CLERK
ALISO VIEJO, CA 92656-5335

FILE NO. 2021 AAP Public Notice

AFFIDAVIT OF PUBLICATION

STATE OF CALIFORNIA, } **SS.**

County of Orange

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the Laguna Niguel News, a newspaper that has been adjudged to be a newspaper of general circulation by the Superior Court of the County of Orange, State of California, on February 17, 1998, Case No. A-190535 in and for the City of Laguna Niguel, County of Orange, State of California; that the notice, of which the annexed is a true printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

03/18/2021

I certify (or declare) under the penalty of perjury under the laws of the State of California that the foregoing is true and correct:

Executed at Anaheim, Orange County, California, on Date: March 18, 2021.

Signature

CITY OF ALISO VIEJO
NOTICE OF CITY COUNCIL
PUBLIC HEARING
AND PUBLIC REVIEW PERIOD

NOTICE IS HEREBY GIVEN that on Wednesday, April 21, 2021, at 7:00 pm (or as soon thereafter as possible) the City Council of the City of Aliso Viejo will conduct a public hearing to consider the following:

CONSIDERATION OF THE CITY OF ALISO VIEJO'S ADOPTION OF THE 2021-2022 ANNUAL ACTION PLAN FOR EXPENDITURES OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

Hearing Location : City Hall Council Chambers, 12 Journey, Suite 150, Aliso Viejo, CA 92656 (Unless otherwise noted in the advisory below.)

Novel Coronavirus, COVID-19 Advisory: In the event the Governor's Executive Order N-33-20, issued on March 19, 2020, remains in effect on the date of this public hearing, members of the City Council, city staff, and applicants, will be participating by teleconference. Furthermore, the meeting will be conducted in compliance with the applicable executive order Governor's Executive Order N-25-20 issued March 12, 2020, and supplemental Executive Order N-29-20 issued March 17, 2020. The meeting will be available on Cox Communications Channel 851, AT&T U-Verse Channel 99, and online at www.avcity.org.

INVITATION TO BE HEARD: All interested persons will be given an opportunity to comment on these items during the public hearing. Additionally, the draft 2021-2022 Annual Action Plan will be available for public review. The review period will begin March 22, 2021, and will end on April 20, 2021. Due to the current statewide stay-at-home order, the draft documents will be available on the City of Aliso Viejo website at www.avcity.org. Comments may be submitted to the City Council via email to community-input@avcity.org before the hearing, to the attention of Omar Dadabhoy, Community Development Director. Comments will continue to be accepted during the public hearing, through the close of the public comment period. Please reference the hearing title and date of hearing in any correspondence.

2021-2022 Action Plan
The City will receive an allocation of $213,835 in CDBG funds for Fiscal Year 2021-2022 from the U.S. Department of Housing and Urban Development. The City will also use $49,582.71 in prior year funds to carry out planned activities. The proposed use of CDBG funds includes the following:

Proposed Activity	CDBG Allocation
▪ Public services for lower-income persons	$5,700.00
▪ Capital improvements	$215,017.71
▪ CDBG program administration	$42,700.00

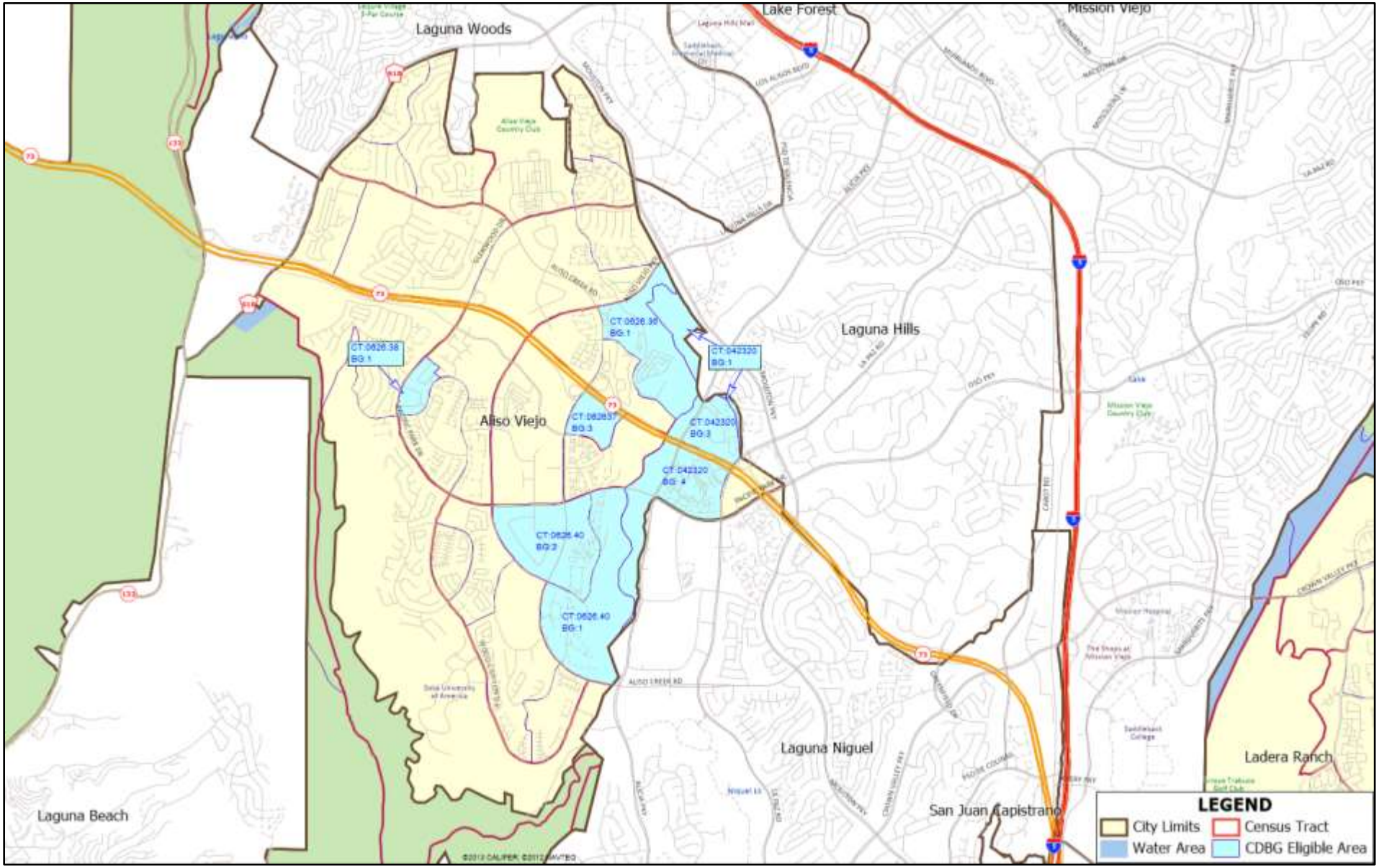
If you wish to challenge the above projects in court, the challenge will be limited only to those issues you or someone else raised at the public hearing or in written correspondence delivered to the City at or before the public hearing as described in this notice. The agenda materials pertaining to this item will be made available for public review at the City and on the City's website at www.avcity.org by approximately 4:30 pm on April 16, 2021. Please contact Mitzi Ortiz, MMC, City Clerk at (949) 425-2505 if you have any questions regarding the agenda materials.

It is the intention of the City of Aliso Viejo to comply with the Americans with Disabilities Act (ADA). If you require special assistance beyond what is normally provided, the City will attempt to accommodate you in every reasonable manner. Please contact the City Clerk's Office at (949) 425-2505 at least 48 hours before the meeting to inform us of your particular needs.

/s/
Mitzi Ortiz, MMC
City Clerk

Over a 1/8-page display ad published in the Laguna Niguel News March 18, 2021 11448496

CITY OF ALISO VIEJO - MAP OF CDBG ELIGIBLE AREAS



REGIONAL PROPOSED AI GOALS AND STRATEGIES

To address the contributing factors described above, the AI plan proposes the following goals and actions: Regional Goals and Strategies"

Goal 1: Increase the supply of affordable housing in high opportunity areas [1]

Strategies:

1. Explore the creation of a new countywide source of affordable housing.
2. Using best practices from other jurisdictions, explore policies and programs that increase the supply affordable housing, such as linkage fees, housing bonds, inclusionary housing, public land set-aside, community land trusts, transit-oriented development, and expedited permitting and review.
3. Explore providing low-interest loans to single-family homeowners and grants to homeowners with household incomes of up to 80% of the Area Median Income to develop accessory dwelling units with affordability restriction on their property.
4. Review existing zoning policies and explore zoning changes to facilitate the development of affordable housing.
5. Align zoning codes to conform to recent California affordable housing legislation.

Goal 2: Prevent displacement of low- and moderate-income residents with protected characteristics, including Hispanic residents, Vietnamese residents, other seniors, and people with disabilities

Strategies:

1. Explore piloting a Right to Counsel Program to ensure legal representation for tenants in landlord-tenant proceedings, including those involving the application of new laws like A.B. 1482.

Goal 3: Increase community integration for persons with disabilities

Strategies:

1. Conduct targeted outreach and provide tenant application assistance and support to persons with disabilities, including individuals transitioning from institutional settings and individuals who are at risk of institutionalization. As part of that assistance, maintain a database of housing that is accessible to persons with disabilities.
2. Consider adopting the accessibility standards adopted by the City of Los Angeles, which require at least 15 percent of all new units in city-supported Low-Income Housing Tax Credit (LIHTC) projects to be ADA-

[1] The term "high opportunity areas" generally means locations where there are economic and social factors and amenities that provide a positive impact on a person's life outcome. This is described in more detail in Section iii, Disparities in Access to Opportunity.

accessible with at least 4 percent of total units to be accessible for persons with hearing and/or vision disabilities.

Goal 4: Ensure equal access to housing for persons with protected characteristics, who are disproportionately likely to be lower-income and to experience homelessness

Strategies:

1. Reduce barriers to accessing rental housing by exploring eliminating application fees for voucher holders and encouraging landlords to follow HUD's guidance on the use of criminal backgrounds in screening tenants.
2. Consider incorporating a fair housing equity analysis into the review of significant rezoning proposals and specific plans.

Goal 5: Expand access to opportunity for protected classes

Strategies:

1. Explore the voluntary adoption of Small Area Fair Market Rents or exception payment standards in order to increase access to higher opportunity areas for Housing Choice Voucher holders.
2. Continue implementing a mobility counseling program that informs Housing Choice Voucher holders about their residential options in higher opportunity areas and provides holistic supports to voucher holders seeking to move to higher opportunity areas.
3. Study and make recommendations to improve and expand Orange County's public transportation to ensure that members of protected classes can access jobs in employment centers in Anaheim, Santa Ana, and Irvine.
4. Increase support for fair housing enforcement, education, and outreach.

City of Aliso Viejo Proposed AI Goals and Strategies

1. In collaboration with the Orange County Housing Authority (OCHA):
   a. Attend quarterly OCHA Housing Advisory Committee to enhance the exchange of information regarding the availability, procedures, and policies related to the Housing Assistance Voucher program and regional housing issues.
   b. Support OCHA's affirmative fair marketing plan and de-concentration policies by providing five-year and annual PHA plan certifications.
   c. In coordination with OCHA and fair housing services provider, conduct landlord education campaign to educate property owners about State law prohibiting discrimination based on household income.

2. Through the City's fair housing contractor:
   a. Provide fair housing education and information to apartment managers and homeowner associations on why denial of reasonable modifications/accommodations is unlawful.
   b. Conduct multi-faceted fair housing outreach to tenants, landlords, property owners, realtors, and property management companies. Methods of outreach may include workshops, informational booths, presentations to community groups, and distribution of multi-lingual fair housing literature.

Community Development Block Grant (CDBG)

2021 – 2022 Annual Action Plan of Expenditures

City Council
April 21, 2021

2021 – 2022 CDBG Funding

- Fiscal Year 2021-2022 Allocation: Department of Housing and Urban Development (HUD) awarded the City **$213,835** in CDBG funds
- Additionally, the City has **$49,582** of unused funding
  - $20,819 – Unused admin funds from FY 2019 - 2020
  - $28,763 – Unused program funds from FY 2017 – 2018 (County of Orange

2021 – 2022 Annual Action Plan of Expenditures

- **Public Services: $3,500**
  - **Fair Housing Services: $3,500**

    For fair housing outreach, education, and enforcement services to reduce and eliminate impediments to the fair access of housing opportunities.
  - **Supportive Housing Unit: $2,500**

    Family Assistance Ministries to provide case management and support services for the resident family of the newly acquired low-income housing unit
- **Administration: $42,700**
  - Oversight & coordination of the program by staff & CDBG Consultant
  - Cost of inspections related to ADA improvements

2021 – 2022 Annual Action Plan of Expenditures

- **Public Facilities and Improvements: $212,017**
  - Various ADA Improvements
    - Upgrade of slopes and markings in parking lots
    - Installation of necessary ramps and landings,
    - Removal of obstacles and hindrances to access
    - New safety features
    - Installation/relocation of accessible controls and dispensers
    - Modifications/adjustments to doors
  - Location of Improvements:
    - City Hall
    - Aliso Viejo Center
    - Aliso Viejo Aquatic Center
    - Aliso Viejo Community Center & Iglesia Park

Staff Recommendation to City Council:

1. Conduct a public hearing;
2. Declare the City Council finds the FY 2021-2022 Annual Action Plan is not subject to the California Environmental Quality Act ("CEQA") as the activity is not a project defined in Section 15378(b)(5) of the state CEQA Guidelines;
3. Approve and adopt the FY 2021-2022 Annual Action Plan ("Action Plan") for the use of Community Development Block Grant ("CDBG") funds (Attachment 1);
4. Authorize the City Manager to submit the Action Plan to the U.S. Department of Housing and Urban Development ("HUD"), which executes the HUD contract and authorize the City Manage to submit all related documents with the implementation of the Action Plan.

Community Development Block Grant (CDBG)

2021 – 2022 Annual Action Plan of Expenditures

City Council
April 21, 2021

City of Aliso Viejo
AGENDA ITEM

DATE: April 21, 2021

TO: Mayor and City Council

FROM: CARES Act Funding Ad-Hoc Committee

SUBJECT: REVIEW CITY EXPENDITURE OF CARES ACT RELIEF FUNDS

Recommended Action:

Receive and file.

Fiscal Impact:

There is no fiscal impact to this action.

Discussion:

Earlier this year the City Council formed an Ad-Hoc Committee to review the expenditure of CARES Act funds received by the City. The two Councilmembers appointed to the Ad-Hoc Committee were Mayor Tiffany Ackley and Councilmember Dave Harrington.

The City received $1,032,316.75 of CARES Act funds over the last two fiscal years (2019-20 and 2020-21). The City utilized these funds to provide various grants for businesses, improvement programs to promote outdoor dining and retail shopping, as well as to reimburse the City for costs to address COVID-19 pandemic issues.

Since formation, the Committee has reviewed the various City expenditures and provides the attached report to the City Council showing the breakdown of expenses paid by CARES Act funds received by the City. There were additional CARES Act funds provided to Aliso Viejo businesses that are not reflected on the attached report. These additional funds were provided by other sources such as Supervisor Bartlett's office.

Attachments:

1. Memorandum
2. Expenditure Recap

CITY OF ALISO VIEJO
MEMORANDUM

TO: CITY COUNCIL

FROM: AD-HOC COMMITTEE

DATE: March 25, 2021

SUBJECT: City Expenditure of CARES Relief Funds (City Monies)

City Council requested details on expediture of the CARES Relief Funds totalling $1,032,316.75 received by the City.

Attached is a detail listing showing the recipients of the City's Business Support Grant and AV-Go Grant, a snapshot of the funds received by the City from the State and the County and the programs that were funded with these funds. The expenditures for The Row and The Patio as well as PPE/City staff are shown in the aggregate. Included in the costs for The Row and The Patio are design services to create the ambience at the two sites, purchase of plants, sandbags and A-Frames, janitorial services, cleaning supplies and contractor costs to purchase and install the tables, chairs, umbrellas, trash cans, sanitizing stations, pallet walls and K-rails.

Costs for City Hall include PPE, sanitizer stations, hand sanitizers and sanitizer refills, disinfecting wipes, storage supplies per EOC recommendations, thermometers, masks, and janitorial services. Also included are legal services for clarification and implementation of the new rules per Federal, State, FMLA and required notices for personnel and risk management.

The COVID-19 related programs approved by Council but not funded through the CARES Act include a proposed small business revolving loan program and rent and/or utility subsidies and food pantry expenses for Aliso Viejo residents. These programs were funded through the COVID Supplemental CDBG program and authorized by Council in June 2020.

The City received an additional $129,348 of CDBG-V (COVID) funds. The plan approved by Council allocated $50,000 as the City's required 10% matching funds for a small business revolving loan program. The program as presented to Council was to apply for a $500,000 grant from the US Economic Development Department. Recently, the City was informed that its application was not approved. So, the $50,000 is available for other COVID-related expenses. Soon, City staff will present to the City Council a revised recommendation on how best to reallocate these funds. These funds must be spent within 3 years of receipt.

The remaining funds of $79,348 were allocated on a 50/50 split to Family Assistance Ministries and South County Outreach for rental assistance, utility cost subsidy, and food pantry services specifically for Aliso Viejo residents.

Attachment – Business Grant and AV Go Grant recipient list.

CITY OF ALISO VIEJO
CARES - COVID RELIEF FUNDS RECAP

BUSINESS GRANT PROGRAM	
Wish Out Loud-SBG#1	$5,000.00
Khein Company LLC-Beauty on the block-SBG#2	$5,000.00
Growwers Direct-SBG#3	$7,500.00
Prestige Cleaners-SBG#4	$7,500.00
Clear Source-Bio Safe Cleaners-SBG#5	$7,500.00
Café Aliso - SBG#6	$5,000.00
Dancer's Choice-SBG#7	$5,000.00
Pink Nail Bar-SBG#8	$5,000.00
LockHarts Karate Academy-SBG#9	$5,000.00
Taj Threading & Beauty-SBG#10	$5,000.00
Law Offices of Shaun Cunnigham-SBG#11	$5,000.00
Prorky's Pizza-SBG#12	$7,500.00
Castle Nail Salon-SBG#13	$7,500.00
Muse Nail Salon-SBG#14	$5,000.00
Gymboree-SBG#15	$5,000.00
Juice It Up-SBG#17	$7,500.00
La Perma Artistry-SBG#18	$5,000.00
Sattva-SBG#19	$5,000.00
Ruxandra Preda DDS-SBG#20	$7,500.00
Kumon Math-Tak OC Partners-SBG#21	$7,500.00
Home Creations Design-SBG#22	$5,000.00
Great Food Fore Thought-SBG#23	$7,500.00
Pacific Park Fitness-SBG#24	$3,750.00
GPS, Inc-SBG#25	$5,000.00
Namaste Bites-SBG#26	$5,000.00
Len Woods Indian Territory-SBG#27	$5,000.00
Natures Juice-HKR Investments-SBG#28	$7,500.00
Shampoo Cocktail-SBG#29	$5,000.00
Navika USA-SBG#30	$5,000.00
Telles Hair-SBG#32	$5,000.00
Polo Cleaners-SBG#33	$5,000.00
RedKnight Consulting-SBG#34	$7,500.00
The Center Stage Studio-SBG#38	$10,000.00
Even Stephen Movement-SBG#39	$5,000.00
Kats Only-SBG#40	$5,000.00
OC Wine Mart-SBG#41	$10,000.00
Thai Bite-SBG#42	$10,000.00
Brueggers Bagel#43	$7,500.00
The Perfect Impression#44	$10,000.00
Apnea Science Corp#45	$5,000.00
Excel Hair#46	$7,500.00
Salon Platinum#47	$5,000.00
Kristin's Kiddieland #48	$5,000.00
National Taekwondo Academy #49	$10,000.00
Platinum Lash Studio#51	$5,000.00
Henry J Madyson#52	$5,000.00
Massage#53	$10,000.00
i20 Ramen#54	$10,000.00
Tony Beizaee (Aliso Creek Dental)#55	$7,500.00
Seasons Florist #56	$7,500.00
Chitra Tiruveedula, DDS #57	$5,000.00
Aliso Viejo Animal Hospital #58	$7,500.00
TOTAL	$333,750.00

AV GO GRANT	
Stadium Brewery-TC	$4,140.42
Sattva	$5,000.00
Kanpai Sushi	$1,972.94
Urban Plates	$5,000.00
Chillies/Binker	$4,054.54
Excel Hair & Nails	$3,650.66
Opah	$973.56
GPS, Inc	$4,412.18
Sgt Pepperoni	$5,000.00
Tony Pepperoni #13	$3,830.49
Platinum Salon/Jeff Wacker	$5,000.00
Khein Company LLC-Beauty on the block	$4,838.57
Telles Hair#10	$2,106.80
Pacific Park Fitness	$5,000.00
Wish Out Loud	$1,657.92
Great Food Fore Thought-Which Which #17	$1,986.30
Beyond Thai#15	$5,000.00
Muse Organic Nail Salon#16	$4,748.68
B&G Club	$5,000.00
TOTAL	$73,373.06

CARES - COVID RELIEF FUNDS RECAP	
Business Support Grant Program	$333,750.00
AV-Go Grant	$73,373.06
The Row	$155,820.14
The Patio	$70,862.59
Crossing Guards	$12,088.32
City Outreach & Marketing (PIO)	$9,185.57
City COVID Staff Time	$248,257.21
City COVID PPE, Sanitizers & Supplies	$128,979.86
TOTAL	$1,032,316.75

City of Aliso Viejo
AGENDA ITEM

DATE: April 21, 2021

TO: Mayor and City Council

FROM: City/AVCA Standing Committee
Dave Doyle, City Manager

SUBJECT: AUTHORIZE SUBMISSION OF FIRE PREVENTION GRANT APPLICATION TO CAL FIRE

Recommended Action:

The City/AVCA Standing Committee and City staff recommend Council authorize submission of a CAL FIRE grant application requesting up to $2 Million including local matching funds in the amount of 25% of the grant award.

Fiscal Impact:

If successful, the City would be awarded up to $2 Million to address issues associated with the bark beetle infestation. Infested trees would either be removed or treated depending on the health of the tree. The removal of dead trees and treatment to keep the remaining trees healthy will reduce the threat of wildfire potential and increase community resiliency in the event of a wildfire.

The grant application requires the City commit to provide matching funds in the amount of 25% of the grant award (not to exceed $500,000). However, as described below, it is anticipated that all or most of the matching funds would be paid by AVCA through a reimbursement agreement still to be negotiated.

Background:

For the last several years, the City has been promoting the availability of State grant funds to pay for the removal of dead and dying trees throughout the State. Since the City owns very few trees, staff reached out to AVCA and began discussions about applying for the State grant funds. At that time, the grant process did not require any local matching funds. However, for a variety of reasons, the City and AVCA were unable to complete an application for submission in the earlier rounds.

However, the Orange County Fire Authority (OCFA) was successful and received approximately $8 Million of State Grant funds. Earlier this year OCFA and the City

partnered to offer dead tree removal and treatment of infested trees to the Homeowner Sub-Associations located immediately adjacent to the Aliso Canyon. OCFA recently completed an assessment of the trees within the participating HOA areas. Following this assessment, several dead trees were removed while others were healthy enough to be left in place and treated for pest infestation. The tree removal and/or treatment was provided to these HOAs at no cost.

Discussion:

Following a year long hiatus due to the COVID-19 pandemic, the CAL FIRE grant program is once again available. The City recently received notification CAL FIRE is accepting grant applications until May 19, 2021. The notification stated $165 Million is available in the current cycle and will be awarded to agencies throughout the State. Following this notification, the City/AVCA Standing Committee met to discuss the best process to apply for this funding cycle.

Prior discussions focused on a joint application with AVCA and the City as co-applicants since AVCA alone is not eligible to apply. However, during recent conversations CAL FIRE stated a co-applicant application as previously envisioned would not be viewed favorably and likely not be successful in securing funds.

So, during the City/AVCA meeting it was recommended the City apply for the funds as the sole applicant. This recommendation was made based on the required timing for application submission as well as the comments noted above from CAL FIRE representatives that a co-applicant application would significantly reduce the likelihood our application would be approved.

Since it will likely take 6-9 months after submission to learn if our application is approved, the City and AVCA will develop a reimbursement agreement during that time for the required matching funds for all grant funds used on AVCA owned trees. If, for any reason, the City and AVCA are unable to formalize a reimbursement agreement during this time, the City can simply not accept the grant award or expend only those grant funds on City owned trees and return the remaining grant funds. The City is only required to provide matching funds for grant funds expended. Therefore, there is no financial risk to the City associated with submission of the grant application.

If approved, the grant funds would be used to conduct an assessment and inventory of all trees in the project area. This assessment would provide a project blueprint identifying which trees are recommended for removal or treatment. A joint committee of two members of AVCA, two City Councilmembers, City staff and our CAL FIRE grant consultant would review these recommendations and finalize an action plan to be implemented.

City of Aliso Viejo
AGENDA ITEM

DATE: April 21, 2021

TO: Mayor and City Council

FROM: Charlene Cheng, Management Analyst

SUBJECT: SB 760 (BATES) – STATE HIGHWAYS: STATE ROUTE 241: REDUCTION
SB 761 (BATES) – PUBLIC RESOURCES: CITY OF SAN CLEMENTE: ROAD CONSTRUCTION

Recommended Actions:

City Council to discuss and approve one of the following actions:

1. Authorize the Mayor to send letters on behalf of the City Council expressing support for SB 760 (Bates) and SB 761 (Bates);

2. Authorize the Mayor to send letters on behalf of the City Council opposing SB 760 (Bates) and SB 761 (Bates); or

3. Take no action.

Fiscal Impact:

No fiscal impact.

Background:

On March 17, 2021, the City Council directed staff to bring forward an item regarding Senate Bills 760 and 761, authored by Senator Pat Bates.

SB 760 proposes to amend the California Streets and Highways Code to state that Route 241 end at Oso Parkway, east of Mission Viejo. The Highways Code currently states that "Route 241 is from Route 5 south of San Clemente to Route 91 in the City of Anaheim." SB 761 looks to prohibit any road planning agency from constructing, funding, and operating any development of a thoroughfare on San Clemente land deemed as open space or a conservation easement.

Discussion:

At its February 25, 2021 meeting, the TCA External Affairs Committee voted unanimously to oppose SB 760 and SB 761. At their March 11, 2021 Joint San Joaquin Hills and Foothill/Eastern Transportation Corridor Agencies Board Meeting, the Boards had an in-depth discussion about SB 760 and SB 761. The Boards expressed several concerns regarding the loss of local control and transportation policy impact SB 760 and SB 761 would have on Orange County and across the state.

The City of San Clemente has expressed strong support for SB 760 and SB 761, citing them as opportunities to protect South Orange County from future decisions that may create devasting economic and environmental damage to protected open spaces. San Clemente has asked their residents to submit letters of support for both measures.

SB 760 (Bates)

Existing law establishes the state highway system throughout the state and designates State Route 241 from Route 5 south of San Clemente to State Route 91 in the City of Anaheim. This bill would delete from the state highway system the portion of State Route 241 from State Route 5 south of the City of San Clemente to Oso Parkway east of the City of Mission Viejo.

On March 12, 2020 the TCA directors voted to abandon the SR-241 project and stop it at its current location of Oso Parkway east of the City of Mission Viejo. SB 760 would codify this decision in the California Streets and Highways Code.

SB 761 (Bates)

Existing law vests the Department of Transportation with full possession and control of the state highway system and associated property. The Planning and Zoning Law requires each city, county, and city and county to prepare and adopt a general plan that contains certain mandatory elements, including a land use element and an open-space element. This bill would prohibit certain governmental entities from constructing, funding, or operating, or from taking property to construct, fund, or operate, a new major thoroughfare in the City of San Clemente in an area that is subject to a conservation easement or that is protected as open space under a local initiative. The bill would provide that these provisions do not apply to State Route 5 and lands immediately adjacent to State Route 5 or the extension of Los Patrones Parkway as an untolled county arterial highway.

Attachments:

1. Senate Bill 760
2. Senate Bill 761
3. Draft Letters of Support
4. Draft Letters of Opposition

SENATE BILL No. 760

Introduced by Senator Bates

February 19, 2021

An act to amend Section 541 of the Streets and Highways Code, relating to state highways.

LEGISLATIVE COUNSEL'S DIGEST

SB 760, as introduced, Bates. State highways: State Route 241: reduction.

Existing law establishes the state highway system throughout the state and designates State Route 241 from State Route 5 south of the City of San Clemente to State Route 91 in the City of Anaheim.

This bill would delete from the state highway system the portion of State Route 241 from State Route 5 south of the City of San Clemente to Oso Parkway east of the City of Mission Viejo.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 541 of the Streets and Highways Code is amended to read:

541. *(a)* Route 241 is from ~~Route 5 south~~ *Oso Parkway east* of ~~San Clemente~~ *the City of Mission Viejo* to Route 91 in the City of Anaheim.

(b) Nothing in subdivision (a) shall prohibit any member of the Foothill/Eastern Transportation Corridor Agency, the Foothill/Eastern Transportation Corridor Agency, or any successor agency, from requiring the payment of a fee established before

January 1, 2020, under subdivision (a) of Section 66484.3 of the Government Code.

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SENATE BILL No. 761

Introduced by Senator Bates

February 19, 2021

An act to add Section 65569 to the Government Code, relating to public resources.

LEGISLATIVE COUNSEL'S DIGEST

SB 761, as introduced, Bates. Public resources: City of San Clemente: road construction.

Existing law vests the Department of Transportation with full possession and control of the state highway system and associated property. The Planning and Zoning Law requires each city, county, and city and county to prepare and adopt a general plan that contains certain mandatory elements, including a land use element and an open-space element.

This bill would prohibit certain governmental entities from constructing, funding, or operating, or from taking property to construct, fund, or operate, a new major thoroughfare in the City of San Clemente in an area that is subject to a conservation easement or that is protected as open space under a local initiative. The bill would provide that these provisions do not apply to State Route 5 and lands immediately adjacent to State Route 5 or the extension of Los Patrones Parkway as an untolled county arterial highway.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 65569 is added to the Government Code, to read:

65569. (a) Notwithstanding any other law, a joint powers agency acting pursuant to Section 66484.3, state agency, transportation joint powers authority, or regional transportation agency, or a successor agency to any of those entities, shall not construct, fund, or operate, nor take property to construct, fund, or operate, a new major thoroughfare in the City of San Clemente in an area that is subject to a conservation easement or is protected as open space under a local initiative.

(b) This section does not apply to State Route 5 and lands immediately adjacent to State Route 5 or the extension of Los Patrones Parkway as an untolled county arterial highway.

O

April 21, 2021

The Honorable Lena Gonzalez
Chair, Senate Transportation Committee
State Capitol, Sacramento, CA 95814

RE: SB 760 (Bates) – SUPPORT

Dear Chair Gonzalez:

The City of Aliso Viejo is in SUPPORT of SB 760. This bill is necessary to remove from the books a highway that state and regional transportation agencies have decided to abandon due to its devastating environmental, economic, cultural, and societal costs. California Streets and Highways Code Section 541 currently requires that the SR-241 Highway connect to Interstate 5 south of the City of San Clemente.

In the most recent chapter of TCA's anti-environmental actions, TCA and Caltrans scoped several alternatives. None of them connected to Interstate 5 south of San Clemente as required by the California Legislature. One of the new alternatives drove through the middle of San Clemente and its significant open space resources, terminating with the toll road going above its high school parking lot, nowhere near "south of San Clemente." The City of San Clemente, a large San Clemente HOA (The Reserve), and the Capistrano Unified School District were forced to file lawsuits to stop this overreach. In the end, the TCA directors voted to abandon the project and stop the SR-241 at its current location - Oso Parkway east of the City of Mission Viejo. We believe that SB 760 will guarantee the safety of our residents for the future.

In 2019, the Legislature approved and Governor Newsom signed AB 29 [Ch. 791, Statutes of 2019]. This bill applied to SR 710, and like SR 241, provided that after both the state and the region have concluded their studies of the alternatives and made a determination that the project would not go forward. AB 29 simply amended existing law to conform with the determined outcome. The Senate Transportation Committee approved AB 29 on a vote of 12-0. This set a precedent for SB 760.

As with AB 29 in 2019, SB 760 will provide minor and absorbable costs to the Department of Transportation (Caltrans) and the California Transportation Commission (CTC) related to the removal of specified portions of SR 241. In addition, SB 760 will provide significant cost savings for the state. Currently, Caltrans expends approximately $2 million annually on the current TCA Toll Roads. If the additional stretch of the Toll Road is not built, Caltrans will not have to maintain it. Therefore, SB 760 will save the state money because it reduces future maintenance costs on SR 241.

SB 760 will codify the March 12, 2020 decision by the TCA and re-establish the trust between our local agencies that is the result of this Toll Road fight. In the end, on March 12, 2020, the TCA directors voted to abandon the project and stop the SR-241 at its current location. SB 760 reflects that March 12 decision and lays the foundation so that trust within the community may be restored. We join with Senator Bates in her desire to encourage the parties to re-establish trust in regional transportation planning. Keeping SB 760 moving forward will facilitate that.

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We, therefore, respectfully ask for your support of SB 760.

Sincerely,

Tiffany Ackley
Mayor
City of Aliso Viejo

DRAFT

April 21, 2021

The Honorable Henry Stern
Chair, Senate Natural Resources Committee
State Capitol, Sacramento, CA 95814

RE: SB 761 (Bates) – SUPPORT

Dear Chair Stern:

The City of Aliso Viejo is in SUPPORT of SB 761. This measure makes it clear that no future major thoroughfares shall encroach property in San Clemente that is designated as open space or that is subject to a conservation easement.

The Transportation Corridor Agencies (TCA) was formed in 1986 as joint powers authorities (JPA) by Orange County and cities within the County. Starting in the 1970s, the County and cities collectively planned for future highway needs. Subsequently, in 1987, SB 1413 (Seymour) authorized toll roads in Orange County. SB 1437 (Seymour) then authorized fees collected pursuant to a subdivision map.

TCA was formed under statute enacted by the legislature in 1986, to plan, finance, construct, and operate toll roads in Orange County. TCA covers the following regions:

1) The San Joaquin Hills Transportation Corridor Agency (SJTCA) oversees the San Joaquin Hills Toll Road State Route 73 (SR-73), which stretches 15 miles from Newport Beach to San Juan Capistrano in southwest Orange County.

2) The Foothill/Eastern Transportation Corridor Agency (F/ETCA) runs both the Foothill Toll Road and the Eastern Toll Road which include State Routes 133, 241, and 261, linking Route 91 (SR-91) near the Orange County/Riverside County border to Interstate 5 (I-5) in Irvine and also to communities in South Orange County.

TCA has constructed and currently operates approximately 51 miles of toll roads primarily in south Orange County and presently employs a staff of 68 agency employees. Depending on the distance traveled, toll rates range anywhere from $2 to slightly over $10. The toll roads maintained by TCA are financed with tax exempt nonrecourse toll revenue bonds on a stand-alone basis; toll revenue and developer fees cover debt service obligations. Most recent figures show debt obligations for the Foothill/Eastern system at an estimated $2.4 billion in outstanding principal and totaling an estimated $6.5 billion in principal and interest from 2018-2053. For the San Joaquin Hills system, debt obligations are at an estimated $2.1 billion in outstanding principal and totaling an estimated $5.1 billion in principal and interest from 2018-2050.

Existing state statute routes State Route 241 starting at State Route 5 south of the City of San Clemente. State Route 241 starts and ends outside of San Clemente. For the last two decades, TCA has been planning an extension to the 5 south of San Clemente and north of Camp Pendleton. However, in 2016, the California Attorney General, State Park and Recreation Commission, Native American Heritage Commission, F/ETCA and conservation organizations entered into a legal settlement agreement protecting a specified avoidance area from the proposed toll road project. This ended years of litigation by the parties, and a judgment confirming and implementing the settlement agreement was entered by the San Diego Superior

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Court in January 2017. In March 2017, the F/ETCA, California Natural Resources Agency, conservation organizations, and Caltrans entered into a protective agreement in which Caltrans agreed not to authorize construction of a major thoroughfare in the avoidance area. Since the settlement, the F/ETCA has been planning a new route that conceptually passes through the private land of Rancho Mission Viejo, San Juan Capistrano, and San Clemente ultimately connecting to the 5.

San Clemente's General Plan contains open space protection measures dating back to the 1920s. On November 4, 2008, San Clemente voters approved Measure V – an initiative amending the General Plan to require voter approval to change an open space designation to a non-open-space designation. The California Constitution grants a city's voters the initiative power to propose and enact local legislation through a local election (Cal. Const. art II, Sec. 8). The context of Measure V makes it very clear that the City's electorate in no way contemplated a freeway through San Clemente open spaces. Further, building roadways not shown in the General Plan Circulation Element, like a multi-lane highway through open space, would run counter to the electorate's intent with Measure V and would significantly and adversely impact the open space areas that Measure V guards.

SB 761 seeks to provide the same protections for open space in San Clemente as the 2017 settlement and AB 1426 [Ch. 168, Stat. 2020], provides San Onofre State Beach and the Richard H. and Donna O'Neill Conservancy.

We, therefore, respectfully ask for your support of SB 761.

Sincerely,

Tiffany Ackley
Mayor
City of Aliso Viejo

DRAFT

April 21, 2021

The Honorable Lena Gonzalez
Chair, Senate Transportation Committee
State Capitol, Sacramento, CA 95814

RE: SB 760 (Bates) – OPPOSE

Dear Chair Gonzalez:

The City of Aliso Viejo is strongly OPPOSED to SB 760. We have grave concerns with this legislation and believe it is unnecessary and would effectively preclude our local cities and transportation agencies from evaluating potential regional solutions in the future. SB 760 supersedes and interferes with the transportation decisions that have been made at the local level and will likely be funded at the local level. Aliso Viejo is an active participant in the region's transportation decisions and has also voiced our concern through our representation on the Transportation Corridor Agencies (TCA), a public joint powers authority that works with all the cities in South Orange County to develop consensus solutions.

The agreement on local solutions, supported by all stakeholders and regional bodies including Caltrans, TCA, the Orange County Transportation Authority as well as TCA's Board Member from San Clemente, was reached in March of 2020. AB 760 is yet another attempt by one city to negate this multi-year collaborative effort that identified the following three projects for further study:

- Untolled extension of Los Patrones Parkway (Alternative 22)
- I-5 HOV (carpool) lane improvements from Avenida Pico to San Diego County line
- Gap closure/widening of a segment of Ortega Highway

The process to define mobility solutions was a success, which is why legislation is unnecessary and may undermine the goodwill and trust that was established as a result of these efforts. This multi-agency solution demonstrates that local issues can best be resolved by the local jurisdictions and ignoring this regional approach could set a bad precedent that would allow small special interest groups to halt regionally beneficial transportation projects.

The extent to which the City of San Clemente has attempted to exclude themselves from the transportation planning process over the years is an afront to our neighboring communities, disregarding our mutual responsibility for regional traffic. Their lack of willingness to participate exhibits a complete disregard for the other cities in the region. The City of Aliso Viejo takes our transportation planning responsibilities seriously. We understand the importance of being part of the solution to the region's transportation needs and believe it is incumbent upon all cities to do their part.

As a local jurisdiction focused on collaboration and as a contributing member to TCA's Boards of Directors, which are made up of 24 local elected officials representing 18 cities and three county supervisorial districts in South Orange County, our city asks you and your colleagues to vote no on this bill.

DRAFT

Sincerely,

Tiffany Ackley
Mayor
City of Aliso Viejo

DRAFT

April 21, 2021

The Honorable Henry Stern
Chair, Senate Natural Resources Committee
State Capitol, Sacramento, CA 95814

RE: SB 761 (Bates) – OPPOSE

Dear Chair Stern:

The City of Aliso Viejo strongly opposes SB 761 as it seeks to undermine the results of a local transportation study that was part of a multi-year collaborative process involving a number of stakeholders including Caltrans, the Transportation Corridor Agencies (TCA) and the Orange County Transportation Authority (OCTA). The legislation is also unnecessary and would effectively limit any significant study of transportation needs that could benefit multiple cities and the region.

SB 761 is yet another attempt by one city to shield itself from participating in transportation solutions at the expense of neighboring cities. The California Supreme Court held in Committee of Seven Thousand v. Superior Court (1988) 45 Cal.3d 491, that the local initiative and referendum process could not be used to interfere with the construction or financing of new major thoroughfares by TCA. Nevertheless, in 2008 the City of San Clemente placed a local measure on the ballot (Measure V) to try and do exactly that. Specifically, Measure V requires voter approval before the City can rezone open space for alternative uses. The City then increased its open space designations, and cited Measure V in an effort to stop the evaluation of potential transportation improvement projects. Given that these efforts were unsuccessful under existing law, the City has sought, and now continues to seek, legislation to circumvent the Supreme Court's ruling.

Under SB 761, any landowner could stop a transportation project by Caltrans, TCA, or OCTA by simply placing a conservation easement over a portion of their land. The legislation sets a bad precedent that could be used throughout the state to block regionally significant transportation projects.

The City of Aliso Viejo takes our transportation planning responsibilities seriously. We understand the importance of being part of the solution to the region's transportation needs and believe it is incumbent upon all cities to do their part.

The City of Aliso Viejo respectfully requests that you vote NO on SB 761 to allow local transportation matters to be decided at the local level.

Sincerely,

Tiffany Ackley
Mayor
City of Aliso Viejo

DRAFT