
**CITY OF DANA POINT, CALIFORNIA
CITY COUNCIL REGULAR MEETING MINUTES
APRIL 3, 2012**

CALL TO ORDER

The Regular Meeting of the City Council of the City of Dana Point, California, was called to order by Mayor Anderson at 5:00 p.m. in the Dana Point City Council Chamber, 32282 Golden Lantern, Suite 210, Dana Point.

ROLL CALL OF CITY COUNCIL MEMBERS:

Present: Mayor Lara Anderson
Mayor Pro Tem Steven Weinberg
Council Member Lisa Bartlett
Council Member William Brough
Council Member Scott Schoeffel

CLOSED SESSION

Assistant City Attorney Farrell indicated that there was a need for a Closed Session as follows:

- A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (b1), 2 cases)

Mayor Anderson recessed the meeting into a Closed Session at 5:01 p.m. pursuant to Government Code Section 54956 et seq.

RECONVENE CITY COUNCIL MEETING - CALL TO ORDER

Mayor Anderson reconvened the meeting at 6:01 p.m. All Council Members were present.

STAFF PRESENT: Douglas C. Chotkevys, City Manager; Jennifer Farrell; Assistant City Attorney; Kathy Ward, City Clerk; Mike Killebrew, Assistant City Manager; Mike Rose, Director of Disaster Preparedness; Lt. Lynn Koehmstedt, Police Services; Kyle Butterwick, Director of Community Development; Brad Fowler, Director of Public Works/Engineering; Christy Teague, Economic Development Manager; Kevin Evans, Director of Community Services and Parks; Mark Sutton, Building Official; John Tilton, City Architect; Jackie Littler, Executive Secretary; DyAnne Weamire, Administrative Secretary; and Bobbi Ogan, Deputy City Clerk

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CLOSED SESSION ANNOUNCEMENT

Mayor Anderson stated that there was nothing to report.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by former Mayor and current South Coast Water District Director, Ingrid McGuire.

INVOCATION

The Invocation was provided by Pastor Jens Christy of Capo Beach Calvary.

PRESENTATIONS AND PROCLAMATIONS

Adriane Nada from Laura's House provided a PowerPoint presentation which detailed the programs available at the shelter.

CONSENT CALENDAR

Staff removed Item #10 from the Consent Calendar.

Mayor Pro Tem Weinberg stated that he would need to recuse himself from Item #10 due to a potential conflict of interest.

IT WAS MOVED BY MAYOR PRO TEM STEVEN WEINBERG, SECONDED BY COUNCIL MEMBER LISA BARTLETT, ACCEPT ALL ITEMS LISTED ON THE CONSENT CALENDAR WITH THE EXCEPTION OF ITEM #10.

The motion carried by the following vote:

AYES: Council Member Lisa Bartlett, Council Member William Brough, Council Member Scott Schoeffel, Mayor Pro Tem Steven Weinberg and Mayor Lara Anderson

NOES: None

1. WAIVE THE READING OF ORDINANCES AND APPROVE READING BY TITLE ONLY

APPROVED THE READING BY TITLE ONLY OF ALL ORDINANCES ON THE CONSENT CALENDAR AND THAT FURTHER READING OF SUCH ORDINANCES BE WAIVED.

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2. REGULAR MEETING MINUTES, MARCH 6, 2012

APPROVED THE MINUTES.

3. PLANNING COMMISSION MEETING MINUTES, FEBRUARY 27, 2012

RECEIVED AND FILED.

4. PLANNING COMMISSION MEETING MINUTES, MARCH 12, 2012

RECEIVED AND FILED.

5. PLANNING COMMISSION ACTIONS, MEETING OF MARCH 26, 2012

RECEIVED AND FILED.

6. YOUTH BOARD MEETING MINUTES, MEETING OF MARCH 1, 2012

RECEIVED AND FILED.

7. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR

RECEIVED AND FILED.

8. CLAIMS AND DEMANDS

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

9. CITY TREASURER'S REPORT, FEBRUARY 2012

RECEIVED AND FILED THE CITY TREASURER'S REPORT FOR THE MONTH OF FEBRUARY, 2012.

10. ADOPTION OF THE UPDATED VERY HIGH FIRE HAZARD SEVERITY AND EMBER ZONES MAP, MAKING AMENDMENTS THERETO, AND RELATED ACTIONS

Mayor Pro Tem Weinberg left the Council Chambers.

This item was removed from the Consent Calendar by staff.

City Manager Chotkevys provided an introduction of the item and Building Official Sutton provided a PowerPoint presentation.

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City Manager Chotkevys recommended that the City Council table the adoption of the Ordinance for two weeks to allow staff to host a community meeting with a presentation by Orange County Fire Authority to allow for a better understanding of this map amendment.

Mayor Anderson opened the Public Comments.

Carlos N. Olvera, Dana Point, spoke in favor of the Ordinance. He read some excerpts out of the Grand Jury report regarding wood roofs from 2002/2003.

Bob Moore, Dana Point, felt that he needed more information from staff in order to understand this Ordinance.

Richard Dombrow, Dana Point, felt that their area was being labeled and stated that he did not understand the Ordinance.

Ingrid McGuire, Dana Point, stated that she was concerned about the expansion of the zone. She felt that if their homes were included in this zone, their homeowners insurance would increase and depress their property values.

Lars Wiedermann, Dana Point, stated that the two basic concerns he had were how will this be implemented and policed.

Rod Woodfield, Dana Point, stated that he welcomes a community meeting and requested that a mailer be sent to the people affected. He added that he was concerned about the cost increase of insurance and felt that everyone would be eager to work with the fire department to develop fire breaks, better standards and ways to develop mechanisms to prevent fires from spreading up to the homes rather than a label which does nothing for fire safety.

Linda Rappaport, Dana Point, stated that she would like staff to look at the potential of working with Laguna Beach and Laguna Niguel to do something to about the problems in the brush area.

Mayor Anderson stated that it would be good to have insurance representatives at the community meeting. She asked if the City was under a certain time limit to approve this item.

City Manager Chotkevys replied that he would like to hold the community meeting next week and after that meeting report back to the Council. He stated that staff will reach out to the insurance community and OCFA to see if there are any alternatives.

Mayor Anderson asked if Laguna Beach and Laguna Niguel have adopted the map where does that leave Dana Point.

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Building Official Sutton replied that Laguna Beach adopted the map in January and Laguna Niguel has an issue because three of their Council Members reside in the map area so they are having difficulties with a quorum to address the issue.

IT WAS MOVED BY COUNCIL MEMBER LISA BARTLETT, SECONDED BY COUNCIL MEMBER SCOTT SCHOEFFEL, TABLE THE ADOPTION OF THE ORDINANCE TO ALLOW STAFF TIME TO HOLD A COMMUNITY MEETING.

The motion carried by the following vote:

AYES: Council Member Lisa Bartlett, Council Member William Brough, Council Member Scott Schoeffel, and Mayor Lara Anderson

NOES: None

ABSENT: Mayor Pro Tem Steven Weinberg

**11. HAWRAN & MALM, LLC (FORMERLY DONAHUE, HAWRAN & MALM, LLC)
CONTRACT EXTENSION FOR PROPERTY APPRAISAL SERVICES**

AUTHORIZED THE CITY MANAGER TO EXECUTE A TWO YEAR CONTRACT EXTENSION WITH HAWRAN & MALM, LLC WITH ONE (1) ADDITIONAL TWO YEAR RENEWAL OPTION.

12. ADOPTION OF A RESOLUTION APPROVING A NOTICE OF COMPLETION FOR THE CONSTRUCTION OF THE PACIFIC COAST HIGHWAY MEDIAN PHASE 2 PROJECT

ADOPTED RESOLUTION 12-04-03-01 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING A NOTICE OF COMPLETION FOR THE CONSTRUCTION OF THE PROJECT ENTITLED "PACIFIC COAST HIGHWAY MEDIAN PHASE 2 PROJECT".

13. SUPPORT OF SB 1447 ARTIFICIAL REEFS

ADOPTED RESOLUTION 12-04-03-02 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, IN SUPPORT OF SB 1447 TO STREAMLINE GOVERNMENT PROCEDURES FOR APPROVING ARTIFICIAL REEFS; and

AUTHORIZED THE MAYOR TO SIGN A LETTER OF SUPPORT FOR SB 1447.

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14. BIENNIAL CAMPAIGN CONTRIBUTION AND EXPENDITURE LIMITS ADJUSTMENT

APPROVED AND ADOPTED RESOLUTION 12-04-03-03 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADJUSTING THE CAMPAIGN CONTRIBUTION AND CAMPAIGN LOAN LIMITS TO REFLECT CHANGES IN THE CONSUMER PRICE INDEX, AS REQUIRED BY SECTION 2.05.058 OF THE DANA POINT MUNICIPAL CODE.

PUBLIC COMMENTS

Karyn Jones, San Clemente, spoke regarding the *Feel Good Film Festival*. She stated that the film festival was being held at the Laguna Niguel Regency Theater. She added that they were hoping to make this a south county event so they were asking for the community's support. Kristen Flores stated that the *Feel Good Film Festival* is a film competition and celebration of independently produced short, feature length films, screen plays and student films.

PUBLIC HEARINGS

There were no Public Hearings.

UNFINISHED BUSINESS

15. DANA POINT TOURISM BUSINESS IMPROVEMENT DISTRICT QUARTERLY REPORT FOR JANUARY - MARCH 2012

City Manager Chotkevys provided an introduction of the item and Economic Development Manager Teague provided a staff report.

Mayor Anderson stated that people would be happy to hear that Dana Point is marketing conferences to be held here in town.

NEW BUSINESS

16. SHORT TERM VACATION RENTALS - STATUS REPORT

City Manager Chotkevys provided a staff report.

Mayor Anderson stated that the City has not come to any resolution of this subject. She was concerned that the City does not have oversight of these rentals. She added that the question was whether we wanted these in our City.

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She stated that one suggestion was that the City conducts a survey of the residents to see if they want these here.

Council Member Bartlett felt that the survey was a great idea to move forward.

Council Member Brough asked staff for current numbers of properties since the data was from 2009. He felt that there should be a poll of the HOAs to see if they allow this type of use.

City Manager Chotkevys replied that staff will update the information as best they can. He stated that staff will utilize a professional polling company and felt that a statistically valid sampling of 500 registered voters would give some value and insight of the Council as they proceed.

Council Member Schoeffel felt that this was a great idea and that the polling survey information would be extremely helpful on the policy issue.

PUBLIC COMMENTS

There were no additional Public Comments received.

STAFF REPORTS

City Manager Chotkevys welcomed Lt. Lynn Koehmstedt.

COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED

Council Member Bartlett congratulated Chief Koehmstedt on his appointment. She reported that she has attended Transportation Corridor Agency, Southern California Association of Governments and Association of California Cities - Orange County meetings. She stated that on March 10 she attended the Gene Burrus ball field dedication and on March 17 she served the seniors St. Patrick's Day luncheon. She reported that on Saturday, April 7 the City would be hosting egg hunts at Sea Canyon and Pines Park. She stated that on April 14 is the San Clemente/Dana Point Animal Shelter grand opening from 1-4 p.m. She added that on April 20-21 is the California Wine Festival.

Council Member Schoeffel reported that he had attended the St. Patrick's Day Senior Lunch. He stated that the next performance of the Dana Point Symphony Orchestra was scheduled for April 13 at 7:30 p.m. at St. Edwards Church. He added that there was an Arts and Culture Commission community workshop this past Saturday at the Ocean Institute to see what the residents thought about the state of arts and culture in the City and what ideas they had for future direction. He stated that he had attended a fundraiser in Capistrano Beach for the Dana Point Symphony later that day. He added that he had also taken his dogs to the immunization clinic this past Thursday at the animal shelter.

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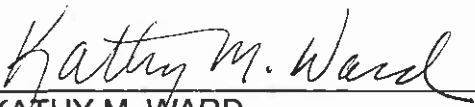
Council Member Brough reported that he had attended a farewell party for Sergeant Major Hoopi on March 8 at Cannon's, Lt. Levy's retirement lunch on March 15 at Doheny State Beach, a Chamber Mixer at the new Stillwater Cafe, the Gene Burrus field dedication, and a Dana Point Youth Baseball fundraiser at San Juan Hills on March 23. He mentioned that since the City had received a favorable decision from the FPPC, he hoped that the City Council would be considering the committee assignments at an upcoming meeting.

Mayor Pro Tem Weinberg stated that he had turned in his list of meetings attended to the City Clerk. He reported that the Dana Point Grand Prix was coming up on May 2 and for more information go to danapointgrandprix.com. He stated that the Grand Prix was the largest single day bike race held in the United States.

Mayor Anderson felt that all of the Festival of Whales events were great and stated that she had participated in many of them. She mentioned the Easter egg hunts this weekend. She reported that the 19th Annual Pet Project Foundation Wag-A-Thon was coming up on April 28 from 8:30 a.m. to 1:00 p.m. in the Harbor and that this year's celebrity canine was Bolt, the St. Bernard. She stated that for more information go to petprojectfoundation.com. She stated that the Cat Room Expansion grand opening would be held on Saturday, April 14 from 1-4 p.m. She added that they would be offering reduced adoption fees, kids' activities, pet first aid techniques will be demonstrated and many other activities. She stated that she had turned in her list of meetings attended to the City Clerk.

ADJOURNMENT

There being no further business before the City Council at this time, Mayor Anderson adjourned the meeting in memory of George Mair at 7:32 p.m. She announced that the next Regular Meeting of the City Council will be April 17, 2012, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.



KATHY M. WARD
CITY CLERK

APPROVED AT THE MEETING OF APRIL 17, 2012

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Meetings attended since March 6, 2012

Mayor Lara Anderson

March 10 Gene Burrus Field dedication
Judged the 1st Annual Chowder Cook Off and presented the Mayor's
Choice Award

March 11 Kicked off and ran in the Grunion Run 5k with the family

March 11 Whale of a Concert and BBQ

March 15 SOCAM meeting
Levy's Retirement Celebration

March 17 Senior Center Lunch

March 20 Presented Proclamation to Forrest Lunsway for his 101st birthday

March 21 "Mayors for Meals" Day with Meals on Wheels program

March 26 CASA Board meeting

Mayor Pro Tem Steven Weinberg

March 14 OCFA Budget and Finance Committee Meeting

March 15 Vector Control Budget and Finance Committee Meeting
Vector Control Board of Directors Meeting
Chamber Mixer-Stillwaters

March 22 Vector Control Budget Review
OCFA Executive Committee
OCFA Board of Directors

March 27 Ocean Water Quality Committee

Council Member Lisa Bartlett

TCA, SCAG, and ACC-OC Meetings

March 9 Dana Point Symphony Concert

March 10 Gene Burrus ballfield dedication

March 15 Lt. Levy farewell event at Doheny State Beach

March 17 Attended and served at the Senior's St. Patrick's Day luncheon

March 25 SOCSA Opera Night at SOKA University

March 29 ACC-OC event featuring Dr. Robert Behn from Harvard University

March 31 Dana Point Symphony Garden Party and Concert event

