

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**TUESDAY
JANUARY 15, 2013
5:00 P.M.**

ACTION AGENDA

Location: City Council Chamber, 33282 Golden Lantern, Suite 210, Dana Point, California 92629

Next City Council Ordinance No. 13-01

CALL TO ORDER

The Regular Meeting of the City Council of the City of Dana Point, California, was called to order by Mayor Weinberg at 5:00 p.m. in the Dana Point City Council Chamber, 33282 Golden Lantern, Suite 210, Dana Point.

ROLL CALL OF CITY COUNCIL MEMBERS:

Steven H. Weinberg, Mayor
Lisa A. Bartlett, Mayor Pro Tem
William P. Brough, Council Member
Carlos N. Olvera, Council Member
J. Scott Schoeffel, Council Member

CLOSED SESSION

City Attorney Munoz 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 Weinberg 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 Weinberg reconvened the meeting at 6:07 p.m. All Council Members were present.

STAFF PRESENT: Douglas C. Chotkevys, City Manager; A. Patrick Munoz; City Attorney; Kathy Ward, City Clerk; Mike Killebrew, Assistant City Manager; Mike Rose, Director of Disaster Preparedness; Lt. Lynn Koehmstedt, Police Services; John Tilton, Interim Director of Community Development; Brad Fowler, Director of Public Works/Engineering; Sea Shelton, Senior Management

Analyst; Kevin Evans, Director of Community Services and Parks; Christy Teague, Economic Development Manager; Jackie Littler, Executive Secretary; DyAnne Weamire, Administrative Secretary; and Bobbi Ogan, Deputy City Clerk.

CLOSED SESSION ANNOUNCEMENT

City Attorney Munoz announced that on a motion made by Council Member Schoeffel, with a second by Council Member Brough, the Council unanimously voted to send a Letter of Establishment in connection with the establishment of a Quiet Zone at the Beach Road crossing which will result in the establishment of a Quiet Zone at that crossing in the next 21 days.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Schoeffel.

INVOCATION

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

PRESENTATIONS AND PROCLAMATIONS

Business of the Month – Cycleological
Employee of the Month – Matthew Sinacori
Girl Scout Gold Award
Elenna Lulu Erkeneff Presentation

CONSENT CALENDAR

Council Member Brough removed Item Number 16 from the Consent Calendar.

IT WAS MOVED BY COUNCIL MEMBER SCHOEFFEL, SECONDED BY MAYOR PRO TEM BARTLETT, THAT THE RECOMMENDATIONS BE ACCEPTED FOR ALL ITEMS LISTED ON THE CONSENT CALENDAR WITH THE EXCEPTION OF ITEM 16.

The motion carried by the following vote:

AYES: Council Member William Brough, Council Member Carlos N. Olvera, Council Member Scott Schoeffel, Mayor Pro Tem Lisa Bartlett and Mayor Steven Weinberg

NOES: None

ABSENT: 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.

2. REGULAR MEETING MINUTES, DECEMBER 4, 2012

APPROVED THE MINUTES.

3. PLANNING COMMISSION MEETING MINUTES, NOVEMBER 26, 2012

RECEIVED AND FILED.

4. YOUTH BOARD MEETING MINUTES, NOVEMBER 1, 2012

RECEIVED AND FILED.

5. YOUTH BOARD MEETING MINUTES, NOVEMBER 15, 2012

RECEIVED AND FILED.

6. ARTS AND CULTURE COMMISSION MINUTES, OCTOBER 17, 2012

RECEIVED AND FILED.

7. ARTS AND CULTURE COMMISSION MINUTES, NOVEMBER 28, 2012

RECEIVED AND FILED.

8. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR

RECEIVED AND FILED.

9. CITY TREASURER'S REPORT, NOVEMBER 2012

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

10. CLAIMS AND DEMANDS

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

11. AUTHORIZATION TO ISSUE REQUEST FOR PROPOSAL FOR AUDITING SERVICES

AUTHORIZED STAFF TO ISSUE A REQUEST FOR PROPOSAL (RFP) FOR AUDITING SERVICES.

12. ANNUAL REVIEW OF INVESTMENT POLICY

APPROVED THE CITY'S STATEMENT OF SAFEKEEPING AND INVESTMENT OF PUBLIC FUNDS POLICY (INVESTMENT POLICY).

13. ADOPTION OF A RESOLUTION APPROVING A NOTICE OF COMPLETION FOR THE CONSTRUCTION OF THE PAVEMENT REHABILITATION PROJECT FY 12/13

ADOPTED **RESOLUTION 13-01-15-01** 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 REHABILITATION PROJECT FY 2012/2013"; and

ESTABLISHED A NEW CAPITAL IMPROVEMENT PROGRAM PROJECT #1259 ENTITLED "PACIFIC COAST HIGHWAY REHABILITATION PROJECT, COPPER LANTERN TO CRYSTAL LANTERN"; AND TRANSFERRED ALL PROJECT SAVINGS TO THE NEWLY ESTABLISHED PACIFIC COAST HIGHWAY REHABILITATION PROJECT, COPPER LANTERN TO CRYSTAL LANTERN PER THE FISCAL IMPACT SECTION.

14. SPECIAL EVENT CALENDAR FOR 2013

APPROVED THE EVENT CALENDAR FOR 2013 AND THE RECOMMENDED VENUES; AWARDED THE STAGE AND SOUND CONTRACT TO SOUTHERN CALIFORNIA SOUND STAGE & LIGHTING CORPORATION; AND AUTHORIZED THE CITY MANAGER TO EXECUTE THE CONTRACT.

15. COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2012

RECEIVED AND FILED THE COMPREHENSIVE ANNUAL FINANCIAL REPORT ("CAFR") FOR THE YEAR ENDED JUNE 30, 2012.

16. ELEPHANT PARADE CONTRACT ON BEHALF OF DANA POINT TOURISM BUSINESS IMPROVEMENT DISTRICT

Council Member Brough had removed this item from the Consent Calendar.

IT WAS MOVED BY COUNCIL MEMBER SCHOEFFEL, SECONDED BY MAYOR PRO TEM BARTLETT, THAT THE CITY COUNCIL AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT WITH ELEPHANT PARADE, LLC ON BEHALF OF THE DANA POINT TOURISM BUSINESS IMPROVEMENT DISTRICT.

The motion carried by the following vote:

AYES: Council Member Carlos N. Olvera, Council Member Scott Schoeffel, Mayor Pro Tem Lisa Bartlett and Mayor Steven Weinberg
NOES: Council Member William Brough
ABSENT: None

PUBLIC COMMENTS

Judy Dore
Mike Frost
Jorge Luhan II
Robert Beaulien

PUBLIC HEARINGS

There were no Public Hearings.

UNFINISHED BUSINESS

There were no Unfinished Business items.

NEW BUSINESS

17. CITY COUNCIL APPOINTED REPRESENTATIVES AND CITY COMMISSIONS, COMMITTEES, SUBCOMMITTEES AND TASK FORCES

IT WAS MOVED BY MAYOR PRO TEM BARTLETT, SECONDED BY COUNCIL MEMBER SCHOEFFEL, THAT THE CITY COUNCIL REVIEW THE LIST OF CITY COUNCIL REPRESENTATIVES TO OUTSIDE AGENCIES, CITY COMMITTEES, SUBCOMMITTEES AND TASK FORCES AND MADE REVISIONS TO APPOINTMENTS AND ADOPT **RESOLUTION 13-01-15-02** ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, DESIGNATING AND APPOINTING ITS REPRESENTATIVE AND ALTERNATE TO THE ORANGE COUNTY FIRE AUTHORITY'S BOARD OF DIRECTORS.

The motion carried by the following vote:

AYES: Council Member William Brough, Council Member Carlos N. Olvera, Council Member Scott Schoeffel, Mayor Pro Tem Lisa Bartlett and Mayor Steven Weinberg

NOES: None

ABSENT: None

18. APPOINTMENTS TO THE PLANNING COMMISSION AND TRAFFIC IMPROVEMENT SUBCOMMITTEE

IT WAS MOVED BY MAYOR PRO TEM BARTLETT, SECONDED BY COUNCIL MEMBER BROUGH, THAT THE CITY COUNCIL DIRECT STAFF TO PROCEED WITH THE RECRUITMENT/APPOINTMENT OF PLANNING COMMISSION MEMBERS AND TRAFFIC IMPROVEMENT SUBCOMMITTEE MEMBERS.

The motion carried by the following vote:

AYES: Council Member William Brough, Council Member Carlos N. Olvera, Council Member Scott Schoeffel, Mayor Pro Tem Lisa Bartlett and Mayor Steven Weinberg

NOES: None

ABSENT: None

19. PROPOSED PUBLIC ART AT THE LANTERN BAY PARK

IT WAS MOVED BY MAYOR PRO TEM BARTLETT, SECONDED BY COUNCIL MEMBER SCHOEFFEL, THAT THE CITY COUNCIL APPROVE THE RECOMMENDED ARTISTIC DISPLAY FOR LANTERN BAY PARK; AUTHORIZE TRANSFER OF FUNDS FROM THE ARTS IN PUBLIC PLACES RESERVE ACCOUNT; AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE CONTRACT WITH STEVEN RYDZON.

The motion carried by the following vote:

AYES: Council Member William Brough, Council Member Carlos N. Olvera, Council Member Scott Schoeffel, Mayor Pro Tem Lisa Bartlett and Mayor Steven Weinberg

NOES: None

ABSENT: None

PUBLIC COMMENTS (Continued)

There were no additional Public Comments received.

STAFF REPORTS

There were no Staff Reports.

COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Weinberg declared the meeting adjourned at 7:24 p.m. in memory of Beverly Sels and announced that the next Regular Meeting of the City Council will be held on February 5, 2013, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.