

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**TUESDAY
FEBRUARY 19, 2013
5:00 P.M.**

AGENDA

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

Next City Council Ordinance No. 13-01

CALL TO ORDER

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

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (b1), (1 case)

RECESS OF CITY COUNCIL MEETING UNTIL 6:00 P.M.

RECONVENE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENTATIONS AND PROCLAMATIONS

VFW Patriot Pen Award Winner
VFW Voice of Democracy Award Winner
VFW Teacher of the Year
Orange County Human Relations Annual Report

CONSENT CALENDAR

All matters listed under the Consent Calendar are considered to be routine and all will be enacted by one roll call vote. There will be no separate discussion of these items unless members of the City Council, the public, or staff request specific items be removed from the Consent Calendar for separate action.

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

RECOMMENDED ACTION: That the City Council approve 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, FEBRUARY 5, 2013](#)

RECOMMENDED ACTION: That the City Council approve the minutes.

3. [PLANNING COMMISSION MEETING MINUTES, JANUARY 14, 2013](#)

RECOMMENDED ACTION: That the City Council receive and file.

4. [PLANNING COMMISSION MEETING MINUTES, JANUARY 28, 2013](#)

RECOMMENDED ACTION: That the City Council receive and file.

5. [PLANNING COMMISSION ACTIONS, MEETING OF FEBRUARY 11, 2013](#)

RECOMMENDED ACTION: That the City Council receive and file.

6. [YOUTH BOARD MEETING MINUTES, JANUARY 17, 2013](#)

RECOMMENDED ACTION: That the City Council receive and file.

7. [MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR](#)

RECOMMENDED ACTION: That the City Council receive and file.

8. [CITY TREASURER'S REPORT, JANUARY 2013](#)

RECOMMENDED ACTION: That the City Council receive and file the City Treasurer's Report for the month of January, 2013

9. [CLAIMS AND DEMANDS](#)

RECOMMENDED ACTION: That the City Council receive and file the Claims and Demands.

10. [HISTORIC PRESERVATION AGREEMENT \(MILLS ACT\) FOR THE PROPERTY LOCATED AT 24401 SANTA CLARA AVENUE](#)

RECOMMENDED ACTION: That the City Council enter into a Historic Preservation Agreement (Mills Act) for the property located at 24401 Santa Clara Avenue and authorize the Mayor to execute the agreement.

11. [SENIOR CITIZENS TRANSPORTATION CONTRACT AGREEMENTS WITH ORANGE COUNTY TRANSIT AUTHORITY \(OCTA\) AND AGEWELL SENIOR SERVICES, INC.](#)

RECOMMENDED ACTION: That the City Council 1) authorize the City Manager to request funds from the Orange County Transit Authority (OCTA) for the Senior Mobility Program; and 2) authorize the City Manager to execute a contract agreement with AgeWell Senior Services, Inc. to provide transportation services for the Dana Point Senior Nutrition Program.

12. [SIGN PROGRAM PERMIT SPP12-0001 FOR OC BEADS/ART GALLERY LOCATED AT 24471 DEL PRADO](#)

RECOMMENDED ACTION: That the City Council approve Sign Program Permit SPP12-0001 for OC Beads/Art Gallery located at 24471 Del Prado by adopting the Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING SIGN PROGRAM PERMIT SPP12-0001.

13. [TOURISM BUSINESS IMPROVEMENT DISTRICT PROGRAMS AND QUARTERLY REPORT FOR OCTOBER – DECEMBER 2012](#)

RECOMMENDED ACTION: That the City Council 1) authorize the City Manager to execute a contract amendment with Agency 51 to affect Dana Point Tourism Business Improvement District (TBID) Advisory Board recommendations related to the Meetings Marketing Program and Event Marketing Program included in the approved 2013 work plan; and 2) receive and file the Tourism Business Improvement District (TBID) Quarterly Report from October – December 2012.

At this time, the City Clerk will read the title(s) of the ordinance(s) listed on the agenda.

PUBLIC COMMENTS

Any person wishing to address the City Council during the Public Comments section or on an Agenda item is asked to complete a "Request to Speak" form available on the table at the side of the Council Chamber. The completed form is to be submitted to the City Clerk prior to the Agenda item being called by the Mayor and prior to the individual being heard by the City Council.

In order to conduct a timely meeting, there will be a three-minute time limit per person and an overall time limit of fifteen minutes for this Public Comments portion of the agenda. At the Mayor's discretion, the balance of public comments will be heard after the New Business portion of the agenda. All comments are to be directed to the City Council and shall not consist of any personal attacks. Members of the public are expected to maintain a professional, courteous decorum during their

comments. State law prohibits the City Council from taking action on a specific item unless it appears on the posted Agenda.

If anyone has handouts to distribute to the City Council, please follow proper procedure and hand them to the City Clerk. The City Clerk will see that they are distributed.

PUBLIC HEARINGS

There are no Public Hearings.

UNFINISHED BUSINESS

14. THE TOWN CENTER PROJECT - PACIFIC COAST HIGHWAY AND DEL PRADO STREET IMPROVEMENTS

RECOMMENDED ACTION: That the City Council receive Staff's conceptual phased construction plan approach and direct Staff to: 1) complete the design; 2) conduct a value engineering review; 3) provide three bid packages allowing phased construction; 4) minimize adverse construction impacts; 5) develop detailed cost estimates; 6) develop funding options with the Investment Review Committee; 7) Evaluate private development impacts/benefits; 8) facilitate SCWD action through the Water/Sewer Committee; and 9) process necessary design agreement amendments, as detailed in the Staff Report, so that construction can begin this fall.

NEW BUSINESS

There is no New Business.

PUBLIC COMMENTS (Continued)

STAFF REPORTS

(City Manager Doug Chotkevys)

(City Attorney Patrick Muñoz)

COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED

The City Council may discuss, act upon or seek consensus on matters described under Council Reports only if: They are agendaized with a complete written report included; or, if an item arose subsequent to the posting of the agenda and the Council determines that an emergency exists. Non-agendaized items may be presented as informational only.

ADJOURNMENT

The next Regular Meeting of the City Council will be March 5, 2013, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

CERTIFICATION

I, Kathy M. Ward, City Clerk of the City of Dana Point, do hereby certify that a copy of the foregoing Agenda was posted at Dana Point City Hall, the Dana Point Post Office, the Capistrano Beach Post Office and the Dana Point Library by Thursday, February 14, 2013, at 5:00 p.m.

KATHY M. WARD, CITY CLERK

DATE

Subscriptions to receive City Council Agendas on a regular basis are available through the City Clerk's Office. Agendas are also available on the City's website at www.danapoint.org. In addition, Agenda related materials (including materials, if any, provided to the City Council after the Agenda was posted) may be reviewed in the office of the City Clerk during regular business hours or on the website at www.danapoint.org.

PURSUANT TO THE AMERICANS WITH DISABILITIES ACT, PERSONS WITH A DISABILITY WHO REQUIRE A DISABILITY-RELATED MODIFICATION OR ACCOMMODATION IN ORDER TO PARTICIPATE IN A MEETING, INCLUDING AUXILIARY AIDS OR SERVICES, MAY REQUEST SUCH MODIFICATION OR ACCOMMODATION FROM THE CITY CLERK AT (949) 248-3500 (TELEPHONE) OR (949) 248-9920 (FACSIMILE). NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ASSURE ACCESSIBILITY TO THE MEETING.