

# CITY OF DANA POINT

**CITY COUNCIL  
REGULAR  
MEETING**



**TUESDAY  
FEBRUARY 19, 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), (1 case)

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 6:00 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; Jeremy Kirchner, Emergency Services Coordinator; Lt. Lynn Koehmstedt, Police Services; John Tilton, Acting Director of Community Development; Brad Fowler, Director of Public Works/Engineering; Matthew Sinacori, City Engineer;

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Kevin Evans, Director of Community Services and Parks; Christy Teague, Acting City Architect/Planning Manager; Jackie Littler, Executive Secretary; DyAnne Weamire, Administrative Secretary; and Bobbi Ogan, Deputy City Clerk.

## **CLOSED SESSION ANNOUNCEMENT**

City Attorney Munoz stated that he had no announcement.

## **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Bob Fowler.

## **INVOCATION**

The Invocation was provided by VFW Post 9934 Chaplain Maury Hansen.

## **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**

Council Member Olvera removed Item 13 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 ON THE CONSENT CALENDAR WITH THE EXCEPTION OF ITEM 13.

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, FEBRUARY 5, 2013**

APPROVED THE MINUTES.

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**3. PLANNING COMMISSION MEETING MINUTES, JANUARY 14, 2013**

RECEIVED AND FILED.

**4. PLANNING COMMISSION MEETING MINUTES, JANUARY 28, 2013**

RECEIVED AND FILED.

**5. PLANNING COMMISSION ACTIONS, MEETING OF FEBRUARY 11, 2013**

RECEIVED AND FILED.

**6. YOUTH BOARD MEETING MINUTES, JANUARY 17, 2013**

RECEIVED AND FILED.

**7. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR**

RECEIVED AND FILED.

**8. CITY TREASURER'S REPORT, JANUARY 2013**

RECEIVED AND FILED THE CITY TREASURER'S REPORT FOR THE MONTH OF JANUARY, 2013

**9. CLAIMS AND DEMANDS**

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

**10. HISTORIC PRESERVATION AGREEMENT (MILLS ACT) FOR THE PROPERTY LOCATED AT 24401 SANTA CLARA AVENUE**

ENTERED INTO A HISTORIC PRESERVATION AGREEMENT (MILLS ACT) FOR THE PROPERTY LOCATED AT 24401 SANTA CLARA AVENUE AND AUTHORIZED THE MAYOR TO EXECUTE THE AGREEMENT.

**11. SENIOR CITIZENS TRANSPORTATION CONTRACT AGREEMENTS WITH ORANGE COUNTY TRANSMIT AUTHORITY (OCTA) AND AGEWELL SENIOR SERVICES, INC.**

AUTHORIZED THE CITY MANAGER TO REQUEST FUNDS FROM THE ORANGE COUNTY TRANSIT AUTHORITY (OCTA) FOR THE SENIOR MOBILITY PROGRAM; AND AUTHORIZED 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**

APPROVED 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**

Council Member Olvera removed Item 13 from the Consent Calendar.

IT WAS MOVED BY COUNCIL MEMBER OLVERA, SECONDED BY MAYOR PRO TEM BARTLETT, THAT THE CITY COUNCIL 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 EVENT MARKETING PROGRAM INCLUDED IN THE APPROVED 2013 WORK PLAN; AUTHORIZE THE CITY MANAGER TO DIRECT PAYMENTS FROM THE TBID ACCOUNT RELATED TO THE DANA POINT TOURISM BUSINESS IMPROVEMENT DISTRICT (TBID) ADVISORY BOARD RECOMMENDATIONS FOR A MEETINGS MARKETING PROGRAM; AND RECEIVE AND FILE THE TOURISM BUSINESS IMPROVEMENT DISTRICT (TBID) QUARTERLY REPORT FROM OCTOBER - DECEMBER 2012.

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**

Elizabeth Bamattre

**PUBLIC HEARINGS**

There were no Public Hearings.

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## UNFINISHED BUSINESS

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

IT WAS MOVED BY COUNCIL MEMBER SCHOEFFEL, SECONDED BY MAYOR PRO TEM BARTLETT, THAT THE CITY COUNCIL RECEIVE STAFF'S CONCEPTUAL PHASED CONSTRUCTION PLAN APPROACH AND DIRECT STAFF TO COMPLETE THE DESIGN; CONDUCT A VALUE ENGINEERING REVIEW; PROVIDE THREE BID PACKAGES ALLOWING PHASED CONSTRUCTION; MINIMIZE ADVERSE CONSTRUCTION IMPACTS; DEVELOP DETAILED COST ESTIMATES; DEVELOP FUNDING OPTIONS WITH THE INVESTMENT REVIEW COMMITTEE; EVALUATE PRIVATE DEVELOPMENT IMPACTS/BENEFITS; FACILITATE SCWD ACTION THROUGH THE WATER/SEWER COMMITTEE; AND PROCESS NECESSARY DESIGN AGREEMENT AMENDMENTS, AS DETAILED IN THE STAFF REPORT, SO THAT CONSTRUCTION CAN BEGIN THIS FALL.

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

## NEW BUSINESS

There was no New Business.

## 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 7:50 p.m. and announced that the next Regular Meeting of the City Council will be held on March 5, 2013, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.