

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**TUESDAY
MARCH 5, 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 with the exception of Item A which no longer required discussion:

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

Name of Case: Therese Coppi v. City of Dana Point; County of Orange – USDC Central District Case No. – SACV11-1813 JST (RNBx)

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 6:01 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, Acting Director of Community Development; Brad Fowler, Director of Public Works/Engineering; Kevin Evans, Director of Community Services and Parks; Christy Teague, Acting City Architect/Planning Manager; Mark Sutton, Building Official; 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 Heather Johnston, Executive Director of the Dana Point Chamber of Commerce.

INVOCATION

The Invocation was provided by Orange County Fire Authority Chaplain Jeff Hetschel.

PRESENTATIONS AND PROCLAMATIONS

Business of the Month – Buena Vista Market
Employee of the Month – Jennifer Ransom, City Clerk Specialist
Proclamation for Judy and Brad Brandmeier

CONSENT CALENDAR

Mayor Pro Tem Bartlett removed Item 9 from the Consent Calendar.

IT WAS MOVED BY COUNCIL MEMBER OLVERA, SECONDED BY MAYOR PRO TEM BARTLETT, THAT THE RECOMMENDATIONS BE ACCEPTED FOR ALL ITEMS ON THE CONSENT CALENDAR WITH THE EXCEPTION OF ITEM 9.

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 19, 2013

APPROVED THE MINUTES.

3. PLANNING COMMISSION MEETING MINUTES, FEBRUARY 11, 2013

RECEIVED AND FILED.

4. PLANNING COMMISSION ACTIONS, MEETING OF FEBRUARY 25, 2013

RECEIVED AND FILED.

5. YOUTH BOARD MEETING MINUTES, FEBRUARY 7, 2013

RECEIVED AND FILED.

6. ARTS AND CULTURE COMMISSION MINUTES, JANUARY 16, 2013

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. AWARD OF CONTRACT FOR IT SERVICES

Mayor Pro Tem Bartlett removed this item from the Consent Calendar.

IT WAS MOVED BY MAYOR PRO TEM BARTLETT, SECONDED BY COUNCIL MEMBER BROUGH, THAT THE CITY COUNCIL AWARD A CONTRACT TO THE CITY OF BREA (BREAT) FOR CONTRACT INFORMATION TECHNOLOGY SERVICES; AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT FOR SAID EQUIPMENT AND SERVICES.

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

10. AWARD OF CONTRACT FOR THE FOURTH OF JULY AERIAL FIREWORKS DISPLAY AND BARGE CONTRACT

APPROVED THE FOLLOWING CONTRACTS FOR THE 2013 FOURTH OF JULY AERIAL DISPLAY: 1) CONTRACT WITH BAY FIREWORKS FOR THE AERIAL DISPLAY; 2) CONTRACT WITH PACIFIC TUGBOAT TO PROVIDE A TUG AND BARGE TO BE USED AS THE STAGING AREA FOR THE FIREWORKS DISPLAY; AND 3) AUTHORIZED THE CITY MANAGER TO EXECUTE THE AGREEMENTS.

11. 2013 WEED ABATEMENT PROGRAM

ADOPTED **RESOLUTION 13-03-05-01** ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, DECLARING WEEDS A PUBLIC NUISANCE AND INITIATING ABATEMENT PROCEEDINGS.

PUBLIC COMMENTS

Angie Menedez
Steve Hagy
Harold Kaufman

PUBLIC HEARINGS

12. SHORT TERM RENTALS

IT WAS MOVED BY COUNCIL MEMBER SCHOEFFEL, SECONDED BY MAYOR PRO TEM BARTLETT, THAT THE CITY COUNCIL CONDUCT A PUBLIC HEARING AND INTRODUCE AN ORDINANCE ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADDING CHAPTER 5.38 RELATING TO SHORT TERM RENTAL PERMITS.

The motion carried by the following vote:

AYES: Council Member Scott Schoeffel, Mayor Pro Tem Lisa Bartlett and Mayor Steven Weinberg

NOES: Council Member William Brough and Council Member Carlos N. Olvera,

ABSENT: None

UNFINISHED BUSINESS

There were no Unfinished Business items.

NEW BUSINESS

There were no New Business items.

PUBLIC COMMENTS (Continued)

There were no additional Public Comments received.

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 7:56 p.m. and announced that the next Regular Meeting of the City Council will be held on March 19, 2013, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.