
**CITY OF DANA POINT, CALIFORNIA
CITY COUNCIL REGULAR MEETING MINUTES
FEBRUARY 19, 2013**

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:

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

Absent: None

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; 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.

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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

FWW Patriot Pen Award Winner

Taylor Plett read her winning essay for the audience.

FWW Voice of Democracy Award Winner

Kelly Gomez read her winning essay.

FWW Commander Joe Snyder presented a certificate and check to Taylor Plett for her FFW Patriot Pen Award winning essay and a plaque and check to Kelly Gomez for her FFW Voice of Democracy winning essay. Commander Snyder acknowledged FFW Voice of Democracy 2nd Place winner Megan House with a certificate, check, and a medal and Mayor Weinberg presented a Certificate of Recognition. Mayor Weinberg presented both Taylor and Kelly with Certificates of Recognition in honor of their awards. Mayor Weinberg presented 3rd place winner of the FFW Patriot Pen Award, Lauren Thompson with a Certificate of Recognition and Commander Snyder presented Lauren with a certificate from the FFW as well as a check.

FWW Teacher of the Year

Commander Joe Snyder presented Sue Larwood with a plaque, an apple award, and a check. Mayor Weinberg presented Sue with a Certificate of Recognition for her honor in being named FFW Teacher of the Year.

Orange County Human Relations Annual Report

Bill Wood introduced Dr. Frank Marmolejo who provided a summary of the annual report. Dr. Marmolejo presented Mayor Weinberg with a Certificate of Recognition for Dana Point's work with the Orange County Human Relations organization.

CONSENT CALENDAR

Council Member Olvera removed Item 13 from the Consent Calendar.

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IT WAS MOVED BY COUNCIL MEMBER J. SCOTT SCHOEFFEL, SECONDED BY MAYOR PRO TEM LISA A. BARTLETT, ACCEPT THE RECOMMENDATIONS 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

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.

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.

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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 AUTHORIZE 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 RESOLUTION 13-02-19-01 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 had removed this item from the Consent Calendar.

Assistant City Manager Killebrew provided a brief summary.

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IT WAS MOVED BY COUNCIL MEMBER CARLOS N. OLVERA, SECONDED BY MAYOR PRO TEM LISA A. BARTLETT, 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 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

PUBLIC COMMENTS

Elizabeth Bamattre, San Juan Capistrano, representing Dana Point Historical Society, invited the City Council to participate in the Historical Society's public reading of Richard Henry Dana's book "Two Years Before The Mast". She stated that the reading will take place on March 8, 9, and 10 at the Nature Interpretative Center. She added that if there was interest in reading to email twoyearsbeforethemast@gmail.com or call 248-8121.

PUBLIC HEARINGS

There were no Public Hearing Items.

UNFINISHED BUSINESS

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

City Manager Chotkevys provided a staff report.

Director of Engineering/Public Works Fowler provided an overview of the phased approach with a PowerPoint presentation.

Mayor Weinberg opened the Public Comments.

Wayne Rayfield, Dana Point, stated that he supports this plan and urged the Council to approve the nine steps that have been identified in staff's

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presentation. He felt that it was vital that the City Council continues the momentum and look at this as an investment in our community for years to come. He added that South Coast Water District was willing, ready and eager to move forward as a partner with the City on this project.

John Kalb, Mountain Center, stated that he supports the project.

Terry Walsh, Dana Point, stated that he supports the Town Center Plan and urged the City Council to move forward. He added that he likes the idea of a Gant chart. He felt that the chart should be published for the residents and urged the Council to continue to communicate the status of the plan to the public.

Maria Elena Banks, Dana Point, stated that she supports the project moving forward.

Mike Balsamo, Aliso Viejo, OC Building Chapter, stated that there was a high demand for housing in Orange County. He spoke about livable communities and the right mix that was needed.

Harold Kaufman, Dana Point, stated that he supports staff's recommendation. He encouraged the City Council to move this plan forward. He added that he had two concerns for the plan; phasing could be interrupted by a future City Council and the lack of an in lieu parking program. He asked for a tenth item to be added to the recommendation to take the in lieu parking program back to the Coastal Commission.

Bill Shepherd, Dana Point, stated that he supports the project moving forward.

Lori Roskopf, Dana Point, encouraged the City Council to move forward with the project.

Susan Echarte, Dana Point, stated that she was supportive of the plan moving forward.

Fred Pardes, Dana Point, felt that it was essential for the businesses for the plan to move forward.

Jim Miller, Dana Point, urged the Council to move this project forward.

Bob Beeby, Dana Point, stated that he supports the project moving forward.

Kirsten Reynolds, Dana Point, urged the City Council to move this project forward.

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John Sedigh, Dana Point, stated that he supports the Town Center project moving forward.

Bob Theel, Dana Point, stated that he supports the project moving forward.

Mel Hoeffliger, Dana Point, stated that he supports the project moving forward.

Ellen Eber, Laguna Niguel, spoke of their investment that they had made on Del Prado and urged the City Council to move forward with the project.

Vance Collins, Princeville, Kauai, urged the City Council to move the Town Center project forward.

Dennis Grimes, Dana Point, stated that he supports the project moving forward.

Dana Yarger, Dana Point, stated that he supports the project moving forward.

Gary Macrades, Dana Point, asked for Council support to move this project forward.

Mayor Weinberg closed the public comments.

Council Member Schoeffel stated that he was pleased with all of the support the project has been given. He added that so the City wouldn't have to wait a moment longer to get it started, he would move the recommended action and hopefully there will be a second, listen to discussion and vote.

Mayor Pro Tem Bartlett stated that she would second the motion. She added that she appreciated the time and effort of City staff, public and subcommittee and that the phased approach made sense. She felt that the parking issues of the Town Center needed to be addressed.

Council Member Brough thanked the Mayor for bringing this item forward. He stated that he supports the project and that it was his number one priority.

Council Member Olvera stated that he supports the project moving forward. He thanked the Mayor for putting this on the agenda. He added that he would like to see as the project moves forward under City Manager comments, an update on what has happened in the last two weeks and what is coming in the next two weeks. He stated that he supports proceeding in phases and that he was encouraged with the direction that staff has provided.

Council Member Brough felt that it was important that the City Council receive action reports once a month from the City Manager.

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City Manager replied that he has asked Director Fowler to agendize quarterly reports for the City Council and public. He added that in addition, that if there was something meaningful to report he would be happy to provide the information.

Mayor Weinberg stated that he supports the project moving forward.

IT WAS MOVED BY COUNCIL MEMBER J. SCOTT SCHOEFFEL, SECONDED BY MAYOR PRO TEM LISA A. BARTLETT, 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.

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

NEW BUSINESS

There were no New Business items.

PUBLIC COMMENTS

There were no additional Public Comments received.

STAFF REPORTS

There were no Staff Reports provided.

COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED

Council Member Olvera reported that he had attended the following:

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February 7 - Festival of Whales Media Day

February 9 - Ribbon Cutting at the Library for the reorganization of the Library

February 15 - League of California Cities meeting in Irvine

He stated that he would like to look at all of the resumes for the sitting Planning Commissioners so he could familiarize himself with everyone who is on the Commission.

City Manager Chotkevys replied that he will ask all of the Planning Commissioners to submit an updated resume.

Council Member Schoeffel stated that he had attended two Transportation Corridor Agency meetings, the opening night of the Dana Point Symphony, and that he will be participating in the reading of *Two Years Before The Mast*.

Council Member Brough stated that he had turned in his meetings attended to the City Clerk.

Mayor Pro Tem Bartlett reported that she had attended a meeting for the Southern California Association of Governments and several meetings for the Transportation Corridor Agencies as well as the Dana Point Symphony concert on February 8. She announced the following upcoming events:

February 22-24 is the Ocean Institute's Jazz Festival.

February 24 - March 2 is Restaurant Week in Dana Point where hotels and local restaurants will be offering special pricing for multi-course dinners.

March 2 is the Festival of Whales Parade, a movie in the evening and the following weekend is the concert.

March 8 Dana Point Symphony Concert

March 30 Egg Hunts in Pines and Sea Canyon parks.

Mayor Weinberg stated that he had turned in his list of meetings attended to the City Clerk.

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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 would 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.



KATHY M. WARD
CITY CLERK

APPROVED AT THE MEETING OF MARCH 5, 2013

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Meetings attended since February 5, 2013:

Mayor Steven Weinberg

February 9	Friends of the Library Ribbon Cutting
February 13	OCFA Budget and Finance Meeting

Council Member William Brough

February 7	Festival of Whales Media Day, Dana Point Harbor
February 9	Dana Point Library, Friends of the Library Bookstore Reopening

