

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**TUESDAY
APRIL 2, 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 (b)(1), (4 cases)

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

RECONVENE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENTATIONS AND PROCLAMATIONS

Business of the Month – Laguna Dana Urgent Care
Employee of the Month – Sherry Murphy, Recreation Supervisor II
Proclamation Rick Robinson (Retirement)

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, MARCH 5, 2013

RECOMMENDED ACTION: That the City Council approve the minutes.

3. REGULAR MEETING MINUTES, MARCH 19, 2013

RECOMMENDED ACTION: That the City Council approve the minutes.

4. PLANNING COMMISSION MEETING MINUTES, MARCH 11, 2013

RECOMMENDED ACTION: That the City Council receive and file.

5. PLANNING COMMISSION ACTIONS, MEETING OF MARCH 25, 2013

RECOMMENDED ACTION: That the City Council receive and file.

6. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR

RECOMMENDED ACTION: That the City Council receive and file.

7. CLAIMS AND DEMANDS

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

8. SECOND READING AND ADOPTION OF SHORT TERM RENTALS ORDINANCE

RECOMMENDED ACTION: That the City Council hold a second reading and adopt 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.

9. AWARD OF CONTRACT FOR AUDIT SERVICES

RECOMMENDED ACTION: That the City Council award a contract for audit services to the accounting firm Vavrinek, Trine, Day & Co., LLP, covering the fiscal years ending June 30, 2013, 2014, and 2015, with the option to extend the agreement for two, one (1) year extensions and authorize the City Manager to execute the contract on the City's behalf.

10. [UPDATE OF RECORDS MANAGEMENT PROGRAM POLICY AND RECORDS RETENTION SCHEDULES; AND WEBSITE PORTAL LAUNCH OF PUBLIC RECORDS](#)

RECOMMENDED ACTION: That the City Council adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, UPDATING THE CITY'S RECORDS MANAGEMENT PROGRAM POLICY AND RECORDS RETENTION SCHEDULE FOR CITY DEPARTMENTS AS PROVIDED BY SECTION 34090 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA.

11. [RESOLUTIONS REORGANIZING THE PLANNING COMMISSION AND TRAFFIC IMPROVEMENT SUBCOMMITTEE](#)

RECOMMENDED ACTION: That the City Council adopt the entitled resolutions that effectuate appointments/replacements to the Planning Commission and Traffic Improvement Subcommittee: 1)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, TO REORGANIZE THE PLANNING COMMISSION BY APPOINTING COMMISSIONERS O'CONNOR AND DENTON TO NEW FOUR (4) YEAR TERMS AND APPOINTING WHITTAKER TO REPLACE COMMISSIONER PREZIOSI FOR THE BALANCE OF HIS TERM; and 2)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, TO REORGANIZE THE TRAFFIC IMPROVEMENT SUBCOMMITTEE BY APPOINTING BILL CLINE AND MICHAEL LEAHY TO NEW FOUR (4) YEAR TERMS.

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

There are no Unfinished Business items.

NEW BUSINESS

12. [ADOPTION OF A RESOLUTION OF THE CITY COUNCIL AUTHORIZING APPLICATION FOR FUNDS FOR THE PILOT SUMMER WEEKEND PACIFIC COAST HIGHWAY \(PCH\) TROLLEY, DHHS/HARBOR SHUTTLE & MISCELLANEOUS SPECIAL EVENTS SHUTTLES; FROM THE ORANGE COUNTY TRANSPORTATION AUTHORITY PROJECT 'V' FUNDING PROGRAM](#)

RECOMMENDED ACTION: That the City Council 1) adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AUTHORIZING AN APPLICATION FOR PROJECT V GRANT FUNDS TO INITIATE A SUMMER WEEKEND PILOT PACIFIC COAST HIGHWAY (PCH) TROLLEY AND DHHS/HARBOR SHUTTLE AND A SPECIAL EVENTS SHUTTLE PROGRAM;

2) authorize the City Manager or his designee to sign grant documents; and 3) authorize the Mayor to sign the Resolution on behalf of the City.

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 April 16, 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, March 28, 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.