

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**TUESDAY
APRIL 2, 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 5:02 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 (*arrived at 5:04 p.m.*)

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 (b)(1), (4 cases)

Mayor Weinberg recessed the meeting into a Closed Session at 5:03 p.m. pursuant to Government Code Section 54956 et seq.

RECONVENE CITY COUNCIL MEETING – CALL TO ORDER

Mayor Weinberg reconvened the meeting at 6:06 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

There was no announcement made.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by OCFA Chief Keith Richter.

INVOCATION

The Invocation was provided by OCFA Chaplain Jeff Hetschel.

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

Item 8 was removed from the Consent Calendar by a member of the public.

Council Member Brough abstained from voting on Item 3.

IT WAS MOVED BY COUNCIL MEMBER SCHOEFFEL, SECONDED BY MAYOR PRO TEM BARTLETT, THAT THE RECOMMENDATIONS BE ACCEPTED FOR ALL ITEMS ON THE CONSENT WITH THE EXCEPTION OF ITEM 8.

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, MARCH 5, 2013

APPROVED THE MINUTES.

3. REGULAR MEETING MINUTES, MARCH 19, 2013

APPROVED THE MINUTES.

4. PLANNING COMMISSION MEETING MINUTES, MARCH 11, 2013

RECEIVED AND FILED.

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

RECEIVED AND FILED.

6. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR

RECEIVED AND FILED.

7. CLAIMS AND DEMANDS

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

8. SECOND READING AND ADOPTION OF SHORT TERM RENTALS ORDINANCE

This item was removed from the Consent Calendar by a member of the public.

IT WAS MOVED BY MAYOR PRO TEM BARTLETT, SECONDED BY COUNCIL MEMBER SCHOEFFEL, THAT THE CITY COUNCIL HOLD A SECOND READING AND ADOPT **ORDINANCE 13-01** 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 William Brough, Council Member Scott Schoeffel, Mayor Pro Tem Lisa Bartlett and Mayor Steven Weinberg

NOES: Council Member Carlos N. Olvera

ABSENT: None

9. AWARD OF CONTRACT FOR AUDIT SERVICES

AWARDED 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 AUTHORIZED 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

ADOPTED RESOLUTION 13-04-02-01 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

ADOPTED THE ENTITLED RESOLUTIONS THAT EFFECTUATE APPOINTMENTS/REPLACEMENTS TO THE PLANNING COMMISSION AND TRAFFIC IMPROVEMENT SUBCOMMITTEE:

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

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.

PUBLIC COMMENTS

Nancy Jenkins
Max Wasinger
Drew Reynolds
Harold Kaufman
Jim Miller
Steve Stewart
Kristi Sanders

PUBLIC HEARINGS

There were no Public Hearings.

UNFINISHED BUSINESS

There were 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

IT WAS MOVED BY COUNCIL MEMBER BROUGH, SECONDED BY MAYOR PRO TEM BARTLETT, THAT THE CITY COUNCIL ADOPT **RESOLUTION 13-04-02-04** 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;

AUTHORIZE THE CITY MANAGER OR HIS DESIGNEE TO SIGN GRANT DOCUMENTS; AND AUTHORIZE THE MAYOR TO SIGN THE RESOLUTION ON BEHALF OF THE CITY.

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 (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 8:04 p.m. and announced that the next Regular Meeting of the City Council will be held on April 16, 2013, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.