

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**TUESDAY
JUNE 4, 2013
5:00 P.M.**

AGENDA

Location: City Council Chamber, 33282 Golden Lantern, Suite 210, Dana Point, California 92629

Next City Council Ordinance No. 13-02

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 (b1), (2 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 – Lantern Bay Realty, Inc.
Employee of the Month - Mark Sutton
Certificate of Recognition Dana Point Youth Board

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, MAY 21, 2013

RECOMMENDED ACTION: That the City Council approve the minutes.

3. TRAFFIC IMPROVEMENT SUBCOMMITTEE MINUTES OF JANUARY 16, 2013

RECOMMENDED ACTION: That the City Council receive and file.

4. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR

RECOMMENDED ACTION: That the City Council receive and file.

5. CLAIMS AND DEMANDS

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

6. 2013-2014 LAW ENFORCEMENT SERVICES AGREEMENT

RECOMMENDED ACTION: That the City Council approve the Law Enforcement Services Agreement with the County of Orange for law enforcement services for the 2013-2014 fiscal year and authorize the City Manager to execute the agreement.

7. APPROVAL OF THE SEVEN YEAR CAPITAL IMPROVEMENT PROGRAM AND AUTHORIZATION TO FORWARD RENEWED MEASURE M ELIGIBILITY DOCUMENTATION TO THE ORANGE COUNTRY TRANSPORTATION AUTHORITY

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, REAFFIRMING CONFORMANCE OF THE CIRCULATION ELEMENT, THE MITIGATION FEE PROGRAM AND THE LOCAL SIGNAL SYNCHRONIZATION PLAN AND ADOPTION OF THE SEVEN YEAR CAPITAL IMPROVEMENT PROGRAM FOR FY14 THROUGH FY20 AS REQUIRED BY THE OCTA RENEWED MEASURE M (M2) PROGRAM; and

2) authorize the Director of Public Works and Engineering Services to forward the necessary Renewed Measure M Eligibility documentation to the Orange County Transportation Authority.

8. [APPROVAL OF AN AMENDMENT TO THE MEASURE M2 7-YEAR CAPITAL IMPROVEMENT PROGRAM, FY2012-13 THROUGH FY 2018-19](#)

RECOMMENDED ACTION: That the City Council approve an amendment to the Measure M2 7-year Capital Improvement Program, FY 2012-2013 through FY 2018-2019 for inclusion of the Golden Lantern Parkway and Median Mitigation Project.

9. [PCH/DEL PRADO STREET IMPROVEMENT PROJECT STATUS REPORT](#)

RECOMMENDED ACTION: That the City Council receive and file subject report.

10. [LETTER AGREEMENT FOR ACCEPTANCE OF COMPETITIVE GRANT FUNDS FOR THE SAN JUAN CREEK STORM DRAIN WATER QUALITY PROJECT \(L01S02\) BETWEEN DANA POINT AND THE ORANGE COUNTY TRANSPORTATION AUTHORITY UNDER THE ORANGE COUNTY TRANSPORTATION AGENCY MEASURE M2 ENVIRONMENTAL CLEAN UP FUNDING PROGRAM, AS PART OF THE M2 COMPREHENSIVE TRANSPORTATION FUNDING PROGRAM \(CTFP\), No. C-1-2761](#)

RECOMMENDED ACTION: That the City Council 1) accept the Letter Agreement between the Orange County Transportation Authority and the City of Dana Point for the San Juan Creek Storm Drain Water Quality Project (L01S02); and 2) authorize the City Manager or his designee to sign the agreement.

11. [INTERVENTION SPECIALIST AGREEMENT FY 2013-2014](#)

RECOMMENDED ACTION: That the City Council 1) authorize the City Manager to approve a contract for consultant services for the Intervention specialist Program at Dana Hills High School; and 2) authorize the City Manager to extend the contract for up to one, one (1) year extension should the program continue to prove beneficial.

12. [SECOND READING AND ADOPTION OF AN ORDINANCE TO ALLOW QUARTERLY REPORTING AND REMITTING OF TRANSIENT OCCUPANCY TAX FOR SHORT TERM RENTALS](#)

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, AMENDING CHAPTER 3.25 RELATING TO THE COLLECTION OF TRANSIENT OCCUPANCY TAX.

13. [SALT CREEK OZONE TREATMENT FACILITY 4TH AMENDMENT TO AGREEMENT WITH SOUTH COAST WATER DISTRICT FOR FACILITY OPERATION AND MAINTENANCE](#)

RECOMMENDED ACTION: That the City Council 1) accept the 4th Amendment to the existing Agreement for the Facility Operation and Maintenance between South Coast Water District and the City of Dana Point and 2) authorize the City Manager or his designee to sign the Agreement.

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

14. [RESOLUTION ESTABLISHING A SHORT TERM RENTAL PERMIT FEE](#)

RECOMMENDED ACTION: That the City Council conduct a Public Hearing and adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA,
ESTABLISHING A SHORT TERM RENTAL PERMIT FEE

UNFINISHED BUSINESS

15. [DOHENY VILLAGE PLAN STATUS REPORT](#)

RECOMMENDED ACTION: That the City Council receive and file this Doheny Village Plan status report as well as receive an update from Boris Dramov of ROMA at the City Council meeting.

NEW BUSINESS

There are no New Business items.

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 agendized 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-agendized items may be presented as informational only.

ADJOURNMENT

The next Regular Meeting of the City Council will be June 18, 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, May 30, 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.