

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**TUESDAY
JUNE 4, 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. 13-02

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 (*arrived at 5:01 p.m.*)

CLOSED SESSION

Assistant City Attorney Farrell indicated that there was a need for a Closed Session to discuss only one (1) anticipated litigation case not two (2) as listed on the Agenda:

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (b1), (2 cases)

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; Jennifer Farrell, Assistant City Attorney; Kathy Ward, City Clerk; Mike Killebrew, Assistant City Manager; Mike Rose, Director of Disaster Preparedness; Sgt. Brian Irish, Police Services; Ursula Luna-Reynosa, Director of Community

Development; Brad Fowler, Director of Public Works/Engineering; Kevin Evans, Director of Community Services and Parks; Christy Teague, Economic Development Manager; Mark Sutton, Building Official; John Tilton, City Architect; Jackie Littler, Executive Secretary; DyAnne Weamire, Administrative Secretary; and Bobbi Ogan, Deputy City Clerk.

CLOSED SESSION ANNOUNCEMENT

Assistant City Attorney Farrell stated that she had no announcement.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Weinberg.

INVOCATION

The Invocation was provided by OCSD Chaplain Kevin Torrence.

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

A member of the Public removed Item 7, Council Member Brough removed Item 9, and Council Member Olvera removed Item 12 from the Consent Calendar.

IT WAS MOVED BY COUNCIL MEMBER SCHOEFFEL, SECONDED BY COUNCIL MEMBER BROUGH, THAT THE RECOMMENDATIONS BE ACCEPTED FOR ALL ITEMS ON THE CONSENT CALENDAR WITH THE EXCEPTION OF ITEMS 7, 9, AND 12.

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, MAY 21, 2013

APPROVED THE MINUTES.

3. TRAFFIC IMPROVEMENT SUBCOMMITTEE MINUTES OF JANUARY 16, 2013

RECEIVED AND FILED.

4. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR

RECEIVED AND FILED.

5. CLAIMS AND DEMANDS

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

6. 2013-2014 LAW ENFORCEMENT SERVICES AGREEMENT

APPROVED THE LAW ENFORCEMENT SERVICES AGREEMENT WITH THE COUNTY OF ORANGE FOR LAW ENFORCEMENT SERVICES FOR THE 2013-2014 FISCAL YEAR AND AUTHORIZED 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

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

IT WAS MOVED BY COUNCIL MEMBER SCHOEFFEL, SECONDED BY MAYOR PRO TEM BARTLETT, THAT THE CITY COUNCIL ADOPT **RESOLUTION 13-06-04-01** 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

AUTHORIZE THE DIRECTOR OF PUBLIC WORKS AND ENGINEERING SERVICES TO FORWARD THE NECESSARY RENEWED MEASURE M ELIGIBILITY DOCUMENTATION TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY.

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

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

APPROVED 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

This Item was removed from the Consent Calendar by Council Member Brough.

IT WAS MOVED BY COUNCIL MEMBER SCHOEFFEL, SECONDED BY MAYOR WEINBERG, THAT THE CITY COUNCIL RECEIVE AND FILE SUBJECT REPORT.

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. 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

ACCEPTED 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 AUTHORIZED THE CITY MANAGER OR HIS DESIGNEE TO SIGN THE AGREEMENT.

11. INTERVENTION SPECIALIST AGREEMENT FY 2013-2014

AUTHORIZED THE CITY MANAGER TO APPROVE A CONTRACT FOR CONSULTANT SERVICES FOR THE INTERVENTION SPECIALIST PROGRAM AT DANA HILLS HIGH SCHOOL; AND AUTHORIZED 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

This Item was removed from the Consent Calendar by Council Member Olvera.

IT WAS MOVED BY COUNCIL MEMBER SCHOEFFEL, SECONDED BY MAYOR WEINBERG, THAT THE CITY COUNCIL HOLD A SECOND READING AND ADOPT **ORDINANCE 13-02** 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.

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

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

ACCEPTED 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 AUTHORIZED THE CITY MANAGER OR HIS DESIGNEE TO SIGN THE AGREEMENT.

PUBLIC COMMENTS

Willa Porter

PUBLIC HEARINGS

14. RESOLUTION ESTABLISHING A SHORT TERM RENTAL PERMIT FEE

IT WAS MOVED BY MAYOR WEINBERG, SECONDED BY COUNCIL MEMBER SCHOEFFEL, THAT THE CITY COUNCIL CONDUCT A PUBLIC HEARING AND ADOPT **RESOLUTION 13-06-04-02** ENTITLED:

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

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

15. DOHENY VILLAGE PLAN STATUS REPORT

IT WAS MOVED BY COUNCIL MEMBER SCHOEFFEL, SECONDED BY COUNCIL MEMBER OLVERA, THAT THE CITY COUNCIL RECEIVE AND FILE THE DOHENY VILLAGE PLAN STATUS REPORT AS WELL AS RECEIVE AN UPDATE FROM BORIS DRAMOV OF ROMA AT THE CITY COUNCIL MEETING.

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

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 7:36 p.m. and announced that the next Regular Meeting of the City Council will be held on June 18, 2013, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.