

CITY OF DANA POINT

**CITY COUNCIL
ADJOURNED
REGULAR
MEETING/JOINT
MEETING WITH
THE PLANNING
COMMISSION**



**TUESDAY
JANUARY 28, 2014
6:00 P.M.**

ACTION AGENDA

Location: Dana Point Community Center, 34052 Del Obispo, Dana Point, California 92629

Next City Council Ordinance No. 14-03

CALL TO ORDER

The Regular Meeting of the City Council of the City of Dana Point, California, was called to order by Mayor Bartlett at 6:06 p.m. in the Dana Point City Council Chamber, 33282 Golden Lantern, Suite 210, Dana Point.

ROLL CALL OF CITY COUNCIL MEMBERS:

Lisa A. Bartlett, Mayor
Steven H. Weinberg, Mayor Pro Tem
William P. Brough, Council Member (*Arrived at 6:38 p.m.*)
Carlos N. Olvera, Council Member
J. Scott Schoeffel, Council Member

STAFF PRESENT: Douglas C. Chotkevys, City Manager; Patrick Munoz, City Attorney; Kathy Ward, City Clerk; Mike Killebrew, Assistant City Manager; Mike Rose, Director of Disaster Preparedness; Lt. Lynn Koehmstedt; Ursula Luna-Reynosa, Director of Community Development; Brad Fowler, Director of Public Works/Engineering; Brian McClure, Parks Manager; Christy Teague, Economic Development Manager; John Tilton, City Architect; Erica Demkowicz, Senior Planner; Saima Qureshy, Senior Planner; Jackie Littler, Executive Secretary; and Bobbi Ogan, Deputy City Clerk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Schoeffel.

INVOCATION

The Invocation was provided by Pastor David Mattson of Gloria Dei Lutheran Church.

CONSENT CALENDAR

IT WAS MOVED BY MAYOR PRO TEM WEINBERG, SECONDED BY COUNCIL MEMBER SCHOEFFEL, THAT THE RECOMMENDATIONS BE ACCEPTED FOR ALL ITEMS ON THE CONSENT CALENDAR.

The motion carried by the following vote:

AYES: Council Member Carlos N. Olvera, Council Member Scott Schoeffel, Mayor Pro Tem Steven Weinberg and Mayor Lisa Bartlett

NOES: None

ABSENT: Council Member William Brough

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. ADOPTION OF A RESOLUTION APPROVING A NOTICE OF COMPLETION FOR THE CONSTRUCTION OF THE ANNUAL RESIDENTIAL ROADWAY RESURFACING FY13-14 PHASE 1 PROJECT

ADOPTED RESOLUTION 14-01-28-01 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING A NOTICE OF COMPLETION FOR THE CONSTRUCTION OF THE PROJECT ENTITLED "ANNUAL RESIDENTIAL ROADWAY RESURFACING FY13-14 PHASE 1 PROJECT"; and

CREATED A NEW CAPITAL IMPROVEMENT PROGRAM (CIP) PROJECT ENTITLED "STORM DRAIN REPAIRS CITYWIDE FY13-14" AND DIRECTED ALL PROJECT SAVINGS AND AUTHORIZED BUDGET TRANSFERS AS INDICATED IN THE FISCAL IMPACT SECTION.

3. NOTICE OF INTENT TO VACATE A SLOPE EASEMENT AT 34215 PACIFIC COAST HIGHWAY (ASSESSOR PARCEL NUMBERS 682-301-15 AND 682-301-16)

ADOPTED RESOLUTION 14-01-28-02 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, DECLARING ITS INTENT TO VACATE A SLOPE EASEMENT AT 32415 PACIFIC COAST HIGHWAY (ASSESSOR PARCEL NUMBERS 682-301-15 AND 682-301-16) AS DEDICATED PER DOCUMENT RECORDED WITH THE COUNTY OF ORANGE OCTOBER 18, 1979 AS INSTRUMENT NUMBER 27473 IN THE BOOK 13357, PAGE 665 O.R.

PUBLIC HEARINGS

There were no Public Hearings.

UNFINISHED BUSINESS

There were no Unfinished Business items.

JOINT MEETING WITH THE PLANNING COMMISSION

The Joint Meeting of the City Council and Planning Commission of the City of Dana Point, California, was called to order by Mayor Bartlett at 6:08 p.m. in the Dana Point Community Center, 34052 Del Obispo, Dana Point.

ROLL CALL OF THE PLANNING COMMISSION MEMBERS:

Gary Newkirk, Chairman
Liz Claus, Vice-Chairwoman
Norman Denton III, Commissioner
April O'Connor, Commissioner
Susan Whittaker, Commissioner

PUBLIC COMMENTS

Jorge Olamendi
Betty Hill
Buck Hill
Tom Gates
Karl Kuhn

NEW BUSINESS

4. PRESENTATION OF TOWN CENTER LANTERN DISTRICT PARKING PLAN – DRAFT REPORT; AND AMENDMENT OF THE CONTRACT WITH NELSON/NYGAARD CONSULTING ASSOCIATES TO CONTINUE THEIR WORK ON THE TOWN CENTER PARKING PLAN

IT WAS MOVED BY COUNCIL MEMBER SCHOEFFEL, SECONDED BY COUNCIL MEMBER BROUGH, THAT THE CITY COUNCIL APPROVE OF STAFF'S RECOMMENDATION OF A NOT TO EXCEED \$15,000 IN LIEU PARKING FEE UNTIL THE NEW PARKING PLAN IS APPROVED BY THE COASTAL COMMISSION; IF THE PLAN IS APPROVED AND REQUIRED PARKING SPACES ARE REDUCED, EXCESS FEES (IF ANY) COULD BE RETURNED TO THE DEVELOPER, AND DIRECT THE CITY ATTORNEY AND STAFF TO RETURN TO COUNCIL AT THE NEXT MEETING WITH A RESOLUTION OF APPROVAL.

The motion carried by the following vote:

AYES: Council Member William Brough, Council Member Carlos N. Olvera, Council Member Scott Schoeffel, Mayor Pro Tem Steven Weinberg and Mayor Lisa Bartlett

NOES: None

ABSENT: None

IT WAS MOVED BY COUNCIL MEMBER SCHOEFFEL, SECONDED BY COUNCIL MEMBER BROUGH, THAT THE CITY COUNCIL ENTER INTO AN AMENDED AGREEMENT WITH NELSON/NYGAARD CONSULTING ASSOCIATES IN ACCORDANCE WITH THE ATTACHED SCOPE OF WORK TO CONTINUE THE WORK ON THE PREPARATION OF THE PARKING PLAN AND ADOPTION OF AMENDMENTS TO THE TOWN CENTER PLAN, AUTHORIZED A BUDGET ADJUSTMENT AS PROVIDED FOR AND THAT THE CITY COUNCIL AND THE PLANNING COMMISSION RECEIVE THE PRESENTATION ON THE DRAFT REPORT ON TOWN CENTER LANTERN DISTRICT PARKING PLAN FROM THE CONSULTANT.

The motion carried by the following vote:

AYES: Council Member William Brough, Council Member Carlos N. Olvera, Council Member Scott Schoeffel, Mayor Pro Tem Steven Weinberg and Mayor Lisa Bartlett

NOES: None

ABSENT: None

5. COMMUNITY DEVELOPMENT WORK PLAN

IT WAS MOVED BY COUNCIL MEMBER SCHOEFFEL, SECONDED BY MAYOR PRO TEM WEINBERG, THAT THE CITY COUNCIL DIRECT STAFF TO COMMISSION A FEE STUDY AND REPORT BACK TO COUNCIL AS SOON AS POSSIBLE.

The motion carried by the following vote:

AYES: Council Member Carlos N. Olvera, Council Member Scott Schoeffel, Mayor Pro Tem Steven Weinberg and Mayor Lisa Bartlett

NOES: Council Member William Brough

ABSENT: None

IT WAS MOVED BY COUNCIL MEMBER SCHOEFFEL, SECONDED BY MAYOR PRO TEM WEINBERG, THAT THE CITY COUNCIL AUTHORIZE THE FUNDING OF AN ASSOCIATE PLANNER POSITION.

The motion carried by the following vote:

AYES: Council Member Scott Schoeffel, Mayor Pro Tem Steven Weinberg and Mayor Lisa Bartlett

NOES: Council Member William Brough and Council Member Carlos N. Olvera

ABSENT: None

PUBLIC COMMENTS (Continued)

There were no additional Public Comments received.

STAFF REPORTS

COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED

CLOSED SESSION

City Attorney Munoz indicated that there was a need for a Closed Session as follows:

A. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR, Government Code § 54956.8**

Location: Assessor's Parcel Number 682-311-02; area .76 acres
Agency Negotiator: Doug Chothevys, City Manager
Negotiating Parties: City of Dana Point and Beverly Hills Hospitality Group
Under Negotiation: Price and terms of agreement relating to property

Mayor Bartlett recessed the meeting into a Closed Session at 8:51 p.m. pursuant to Government Code Section 54956 et seq.

RECONVENE – ADJOURNMENT

City Attorney Munoz stated that he had no reportable items from Closed Session.

There being no further business before the City Council at this session, Mayor Bartlett declared the meeting adjourned at 9:28 p.m. She stated that the next Regular Meeting of the City Council would be February 18, 2014, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.