

# CITY OF DANA POINT

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**CITY COUNCIL  
REGULAR  
MEETING**



**TUESDAY  
FEBRUARY 18, 2014  
5:00 P.M.**

## **AGENDA**

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

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Next City Council Ordinance No. 14-03

### **CALL TO ORDER**

### **ROLL CALL OF CITY COUNCIL MEMBERS:**

Lisa A. Bartlett, Mayor  
Steven H. Weinberg, 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 (d)(1) (1 case)
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Government Code § 54956.9 (a), Name of case: City of Dana Point v. The Point Alternative Care - 30-201000352093

### **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 – Planet Beauty  
Employee of the Month – Shelley Velez  
VFW Deputy of the Year – Deputy David Cappel

VFW Firefighter of the Year – Fire Captain Craig Covey  
VFW Teacher of the Year – Sharon Miller

## **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, JANUARY 21, 2014](#)**

RECOMMENDED ACTION: That the City Council approve the minutes.

**3. [REGULAR ADJOURNED/JOINT MEETING MINUTES, JANUARY 28, 2014](#)**

RECOMMENDED ACTION: That the City Council approve the minutes.

**4. [PLANNING COMMISSION MEETING MINUTES, JANUARY 13, 2014](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**5. [PLANNING COMMISSION MEETING MINUTES, JANUARY 27, 2014](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**6. [PLANNING COMMISSION ACTIONS, MEETING OF FEBRUARY 10, 2014](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**7. [YOUTH BOARD MEETING MINUTES, DECEMBER 5, 2013](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**8. [ARTS AND CULTURE COMMISSION MEETING MINUTES, OCTOBER 16, 2013](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**9. [MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR](#)**

RECOMMENDED ACTION: That the City Council receive and file.

10. [CITY TREASURER'S REPORT, JANUARY 2014](#)

RECOMMENDED ACTION: That the City Council receive and file the City Treasurer's Report for the month of January 2014.

11. [CLAIMS AND DEMANDS](#)

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

12. [TOURISM BUSINESS IMPROVEMENT DISTRICT \(TBID\) QUARTERLY STATUS UPDATE FOR OCTOBER – DECEMBER 2013 AND RELATED CONTRACT FOR SPECIAL EVENT DEVELOPMENT SERVICES](#)

RECOMMENDED ACTION: That the City Council 1) receive and file quarterly report; and 2) that the City Council authorizes the City Manager to execute a contract with Utopia Entertainment, Inc. for Special Event Development Services on behalf of the Dana Point Tourism Business Improvement District (TBID).

13. [COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2013](#)

RECOMMENDED ACTION: That the City Council receive and file the Comprehensive Annual Financial Report ("CAFR") for the year ended June 30, 2013.

14. [UPDATE ON SISTER CITY COMMITTEE](#)

RECOMMENDED ACTION: That the City Council receive and file or provide other direction it deems appropriate.

15. [THIS ITEM HAS BEEN REMOVED](#)

16. [2014 WEED ABATEMENT PROGRAM](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, DECLARING WEEDS A PUBLIC NUISANCE AND INITIATING ABATEMENT PROCEEDINGS.

17. [APPROVAL OF A RESOLUTION PROVIDING DIRECTION REGARDING PARKING IN-LIEU FEE POLICY](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, PROVIDING DIRECTION REGARDING PARKING IN-LIEU FEE POLICY.

18. [ADOPTION OF A RESOLUTION APPROVING REQUESTED STREET NAME CHANGES FOR TRACT 16769 \(HOTEL RESIDENTIAL SOUTH DEVELOPMENT\)](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING REQUESTED STREET NAME CHANGES ASSOCIATED WITH TRACT 16769.

19. [ADOPTION OF A RESOLUTION APPROVING A NOTICE OF COMPLETION FOR THE CONSTRUCTION OF THE FY 12-13 ANNUAL RESIDENTIAL ROADWAY RESURFACING PROJECT](#)

RECOMMENDED ACTION: That the City Council 1) adopt a Resolution 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 FY 12-13 PROJECT"; and

2) authorize topographic surveying services with Hall and Foreman for upcoming projects per the Fiscal Impact Section; and; 3) establish a new Capital Improvement Program Project entitled "Coast Highway Class 1 Bikeway/Pedestrian Way Extension Project Phase 1" as a result of receiving grant funds for the project; and 4) direct all project savings and authorize budget transfers as indicated in the Fiscal Impact Section.

20. [2014 SPECIAL EVENT CALENDAR](#)

RECOMMENDED ACTION: That the City Council 1) approve the Special Event Calendar for 2014 and the recommended venues; and 2) award the stage and sound contract to Southern California Sound, State & Lighting Corporation; and 3) authorize the City Manager to execute the contract.

21. [AERIAL MAN-LIFT VEHICLE ACQUISITION](#)

RECOMMENDED ACTION: That the City Council authorize the purchase of a replacement truck, equipped with an aerial man-lift, for use by the Emergency Services and Facilities Department.

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**

### **22. [AUTHORIZATION TO ISSUE CITY OF DANA POINT COMMUNITY FACILITIES DISTRICT NO. 2006-1 \(CFD 2006-1\), 2014 SPECIAL TAX BONDS \(HEADLANDS\)](#)**

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2006-1 OF THE CITY OF DANA POINT AUTHORIZING THE ISSUANCE OF ITS 2014 SPECIAL TAX BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED TWENTY SIX MILLION TWO HUNDRED FOURTY-FIVE THOUSAND DOLLARS (\$26,245,000) AND APPROVING CERTAIN DOCUMENTS AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH.

## **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 March 18, 2014, 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, February 13, 2014, at 5:00 p.m.

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KATHY M. WARD, CITY CLERK

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DATE

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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.