

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



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

ACTION AGENDA

Location: City Council Chamber, 33282 Golden Lantern, Suite 210, 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 5:02 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
Carlos N. Olvera, Council Member
J. Scott Schoeffel, Council Member (*arrived at 5:16 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 (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

Mayor Bartlett 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 Bartlett reconvened the meeting at 6:05 p.m. All Council Members were present.

STAFF PRESENT: Douglas C. Chotkevys, City Manager; Patrick Munoz, City Attorney; Bobbi Ogan, Deputy City Clerk; Mike Killebrew, Assistant City Manager; Mike Rose, Director of Disaster Preparedness; Lt. Lynn Koehmstedt; Ursula Luna-Reynosa, Director of Community Development; Matthew Sinacori, City Engineer; Brian McClure, Parks Manager; Sherry Murphy, Recreation Manager; Christy Teague, Economic Development Manager; John Tilton, City Architect; Mark Sutton, Building Official; Jackie Littler, Executive Secretary; DyAnne Weamire, Administrative Secretary; and Jennifer Ransom, City Clerk Specialist.

CLOSED SESSION ANNOUNCEMENT

City Attorney Munoz stated that he had no announcement.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by VFW Post 9934 Commander Morrie Hansen.

INVOCATION

The Invocation was provided by VFW Post 9934 Commander Morrie Hansen.

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

Members of the public removed Items 12 and 17; Council Member Brough removed Items 13 and 14 from the Consent Calendar.

IT WAS MOVED BY MAYOR PRO TEM WEINBERG, SECONDED BY COUNCIL MEMBER OLVERA, THAT THE RECOMMENDATIONS BE ACCEPTED FOR ALL ITEMS ON THE CONSENT CALENDAR WITH THE EXCEPTION OF ITEMS 12, 13, 14 AND 17.

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

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, JANUARY 21, 2014

APPROVED THE MINUTES.

3. REGULAR ADJOURNED/JOINT MEETING MINUTES, JANUARY 28, 2014

APPROVED THE MINUTES.

4. PLANNING COMMISSION MEETING MINUTES, JANUARY 13, 2014

RECEIVED AND FILED.

5. PLANNING COMMISSION MEETING MINUTES, JANUARY 27, 2014

RECEIVED AND FILED.

6. PLANNING COMMISSION ACTIONS, MEETING OF FEBRUARY 10, 2014

RECEIVED AND FILED.

7. YOUTH BOARD MEETING MINUTES, DECEMBER 5, 2013

RECEIVED AND FILED.

8. ARTS AND CULTURE COMMISSION MEETING MINUTES, OCTOBER 16, 2013

RECEIVED AND FILED.

9. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR

RECEIVED AND FILED.

10. CITY TREASURER'S REPORT, JANUARY 2014

RECEIVED AND FILED THE CITY TREASURER'S REPORT FOR THE MONTH OF JANUARY 2014.

11. CLAIMS AND DEMANDS

RECEIVED AND FILED 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

A member of the public removed this item from the Consent Calendar.

IT WAS MOVED BY MAYOR PRO TEM WEINBERG, SECONDED BY MAYOR BARTLETT, THAT THE CITY COUNCIL RECEIVE AND FILE QUARTERLY REPORT; AND AUTHORIZE 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).

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

13. COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2013

Council Member Brough removed this item from the Consent Calendar.

IT WAS MOVED BY COUNCIL MEMBER BROUGH, SECONDED BY COUNCIL MEMBER SCHOEFFEL, THAT THE CITY COUNCIL RECEIVE AND FILE THE COMPREHENSIVE ANNUAL FINANCIAL REPORT (“CAFR”) FOR THE YEAR ENDED JUNE 30, 2013.

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

14. UPDATE ON SISTER CITY COMMITTEE

Council Member Brough removed this item from the Consent Calendar.

IT WAS MOVED BY MAYOR BARTLETT, SECONDED BY MAYOR PRO TEM WEINBERG, THAT THE CITY COUNCIL DIRECT STAFF TO RATIFY THE SISTER CITY AGREEMENT WITH THE CITY OF VITERBO.

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

15. THIS ITEM HAS BEEN REMOVED

16. 2014 WEED ABATEMENT PROGRAM

ADOPTED **RESOLUTION 14-02-18-01** 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

A member of the public removed this item from the Consent Calendar.

IT WAS MOVED BY COUNCIL MEMBER SCHOEFFEL, SECONDED BY COUNCIL MEMBER OLVERA, THAT THE CITY COUNCIL ADOPT **RESOLUTION 14-02-18-04** ENTITLED:

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

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

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

ADOPTED **RESOLUTION 14-02-18-02** 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

ADOPTED **RESOLUTION 14-02-18-03** 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

AUTHORIZED TOPOGRAPHIC SURVEYING SERVICES WITH HALL AND FOREMAN FOR UPCOMING PROJECTS PER THE FISCAL IMPACT SECTION; AND; ESTABLISHED 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 DIRECTED ALL PROJECT SAVINGS AND AUTHORIZE BUDGET TRANSFERS AS INDICATED IN THE FISCAL IMPACT SECTION.

20. 2014 SPECIAL EVENT CALENDAR

APPROVED THE SPECIAL EVENT CALENDAR FOR 2014 AND THE RECOMMENDED VENUES; AND AWARDED THE STAGE AND SOUND CONTRACT TO SOUTHERN CALIFORNIA SOUND, STATE & LIGHTING CORPORATION; AND AUTHORIZED THE CITY MANAGER TO EXECUTE THE CONTRACT.

21. AERIAL MAN-LIFT VEHICLE ACQUISITION

AUTHORIZED THE PURCHASE OF A REPLACEMENT TRUCK, EQUIPPED WITH AN AERIAL MAN-LIFT, FOR USE BY THE EMERGENCY SERVICES AND FACILITIES DEPARTMENT.

PUBLIC COMMENTS

Chris Hoy
Denise Erkeneff
Yvonne English

PUBLIC HEARINGS

There were no Public Hearings

UNFINISHED BUSINESS

There were 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)

IT WAS MOVED BY MAYOR PRO TEM WEINBERG, SECONDED BY COUNCIL MEMBER BROUGH, THAT THE CITY COUNCIL ADOPT **RESOLUTION 14-02-18-05** 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.

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

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 Bartlett declared the meeting adjourned at 7:31 p.m. and announced that the next Regular Meeting of the City Council will be held on March 18, 2014, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.