

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**TUESDAY
MAY 20, 2014
5:00 P.M.**

AGENDA

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

Next City Council Ordinance No. 14-04

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, INITIATION OF LITIGATION, Government Code § 54956.9 (d)(4), (1 case):

California Regional Water Quality Control Board, San Diego Region

- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Government Code § 54956.9 (a), (2 cases)

Name of Case: In re Transient Occupancy Cases (California Court of Appeal, 2nd Dist., Div. 2; Docket No. B243800; Filed March 27, 2014)

Name of Case: City of Dana Point, et al v. California Coastal Commission (San Diego County Superior Court; Case No. 37-2010-00099827)

- C. CONFERENCE WITH LABOR NEGOTIATOR, Government Code § 54957.6

Agency Designated Representatives: City Manager
Unrepresented and Represented Employees: All positions in City

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 – Brio Tuscany Grille
Employee of the Month – Jennifer Anderson
OCFA Proclamations – Wildlife Awareness Week
OCFA Proclamations – Drowning Prevention Awareness

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, APRIL 15, 2014](#)

RECOMMENDED ACTION: That the City Council approve the minutes.

3. [PLANNING COMMISSION MEETING MINUTES, MARCH 24, 2014](#)

RECOMMENDED ACTION: That the City Council receive and file.

4. [PLANNING COMMISSION MEETING MINUTES, APRIL 14, 2014](#)

RECOMMENDED ACTION: That the City Council receive and file.

5. [PLANNING COMMISSION MEETING MINUTES, APRIL 28, 2014](#)

RECOMMENDED ACTION: That the City Council receive and file.

6. [PLANNING COMMISSION ACTIONS, MEETING OF MAY 12, 2014](#)

RECOMMENDED ACTION: That the City Council receive and file.

7. [YOUTH BOARD MEETING MINUTES, MARCH 6, 2014](#)

RECOMMENDED ACTION: That the City Council receive and file.

8. [YOUTH BOARD MEETING MINUTES, APRIL 3, 2014](#)

RECOMMENDED ACTION: That the City Council receive and file.

9. [YOUTH BOARD MEETING MINUTES, APRIL 17, 2014](#)

RECOMMENDED ACTION: That the City Council receive and file.

10. [OCEAN WATER QUALITY SUBCOMMITTEE ACTION MINUTES, DECEMBER 10, 2013](#)

RECOMMENDED ACTION: That the City Council receive and file.

11. [TRAFFIC IMPROVEMENT SUBCOMMITTEE ACTION MINUTES, DECEMBER 18, 2013](#)

RECOMMENDED ACTION: That the City Council receive and file.

12. [INVESTMENT REVIEW COMMITTEE ACTION MINUTES, JANUARY 13, 2014](#)

RECOMMENDED ACTION: That the City Council receive and file.

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

RECOMMENDED ACTION: That the City Council receive and file.

14. [CITY TREASURER'S REPORT, APRIL 2014](#)

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

15. [CLAIMS AND DEMANDS](#)

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

16. [RENEWAL OF THE INFORMATION TECHNOLOGY CONTRACT WITH BREA IT](#)

RECOMMENDED ACTION: That the City Council 1) consider renewing the contract with the City of Brea (Brea IT) for contract Information Technology services; and 2) authorize the City Manager to execute the agreement for said equipment and services.

17. [APPROVAL OF THE SECOND AMENDMENT TO THE CONTRACT BY AND BETWEEN THE CITY OF DANA POINT AND THE LILLEY PLANNING GROUP](#)

RECOMMENDED ACTION: That the City Council approve an amendment (the "Second Amendment") to the agreement for contractor services by and between the City of Dana Point

and The Lilley Planning Group (the "Contract") and authorize and direct the City Manager to execute the Second Amendment.

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

18. [HEARING ON APPEAL OF PLANNING COMMISSION DECISION APPROVING SITE DEVELOPMENT PERMIT SDP07-15\(I\) AND CONDITIONAL USE PERMIT CUP98-14\(M\)\(II\) AMENDING PREVIOUS APPROVALS TO ALLOW THE RELOCATION AND EXPANSION OF APPROVED CONFERENCE FACILITIES IN PLACE OF THE EXISTING TENNIS COURTS, A REDUCTION IN THE NUMBER OF DETACHED CASITAS FROM THREE TO TWO, MINOR CHANGES TO THE LANDSCAPING PALATE, AND A CORRESPONDING REVISION TO THE HOTEL'S SHARED PARKING PROGRAM](#)

RECOMMENDED ACTION: That the City Council conduct a Public Hearing and take action to uphold the Planning Commission's actions; 1) adopting an Addendum to the previously prepared and adopted Negative Declaration for the project and 2) approving Site Development Permit SDP07-15(I) and Conditional Use Permit CUP98-14(M)(II) by adopting the draft Resolution.

UNFINISHED BUSINESS

There are no Unfinished Business items.

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 17, 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, May 15, 2014, at 5:00 p.m.

KATHY M. WARD, CITY CLERK

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.