

CITY OF DANA POINT

CITY COUNCIL REGULAR MEETING



**TUESDAY
MAY 20, 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. 14-04

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 5:03 p.m.*)

CLOSED SESSION

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

- 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

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 6:03 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; Lt. Russ Chilton; Ursula Luna-Reynosa, Director of Community Development; Brad Fowler, Director of Public Works and Engineering; Kevin Evans, Director of Community Services; John Tilton, City Architect; Kurth Nelson, Senior Planner; Mark Sutton, Building Official; 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 Council Member Brough.

INVOCATION

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

PRESENTATIONS AND PROCLAMATIONS

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

CONSENT CALENDAR

Council Member Schoeffel removed Item 17 from the Consent Calendar.

IT WAS MOVED BY COUNCIL MEMBER BROUGH, SECONDED BY MAYOR PRO TEM WEINBERG, THAT THE RECOMMENDATIONS BE ACCEPTED FOR ALL ITEMS ON THE CONSENT CALENDAR WITH THE EXCEPTION OF ITEM 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, APRIL 15, 2014

APPROVED THE MINUTES.

3. PLANNING COMMISSION MEETING MINUTES, MARCH 24, 2014

RECEIVED AND FILED.

4. PLANNING COMMISSION MEETING MINUTES, APRIL 14, 2014

RECEIVED AND FILED.

5. PLANNING COMMISSION MEETING MINUTES, APRIL 28, 2014

RECEIVED AND FILED.

6. PLANNING COMMISSION ACTIONS, MEETING OF MAY 12, 2014

RECEIVED AND FILED.

7. YOUTH BOARD MEETING MINUTES, MARCH 6, 2014

RECEIVED AND FILED.

8. YOUTH BOARD MEETING MINUTES, APRIL 3, 2014

RECEIVED AND FILED.

9. YOUTH BOARD MEETING MINUTES, APRIL 17, 2014

RECEIVED AND FILED.

10. OCEAN WATER QUALITY SUBCOMMITTEE ACTION MINUTES, DECEMBER 10, 2013

RECEIVED AND FILED.

11. TRAFFIC IMPROVEMENT SUBCOMMITTEE ACTION MINUTES, DECEMBER 18, 2013

RECEIVED AND FILED.

12. INVESTMENT REVIEW COMMITTEE ACTION MINUTES, JANUARY 13, 2014

RECEIVED AND FILED.

13. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR

RECEIVED AND FILED.

14. CITY TREASURER'S REPORT, APRIL 2014

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

15. CLAIMS AND DEMANDS

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

16. RENEWAL OF THE INFORMATION TECHNOLOGY CONTRACT WITH BREA IT

CONSIDERED RENEWING THE CONTRACT WITH THE CITY OF BREA (BREA IT) FOR CONTRACT INFORMATION TECHNOLOGY SERVICES; AND AUTHORIZED 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

Council Member Schoeffel removed this item from the Consent Calendar.

IT WAS MOVED BY COUNCIL MEMBER SCHOEFFEL, SECONDED BY MAYOR PRO TEM WEINBERG, 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.

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

James Littlejohn
Alan Wickstrom
Teresa Rathbun
Regina Hilburn
Patti Short

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**

IT WAS MOVED BY COUNCIL MEMBER WILLIAM BROUGH, SECONDED BY MAYOR PRO TEM STEVEN WEINBERG, THAT THE CITY COUNCIL CONDUCT A PUBLIC HEARING AND TAKE ACTION TO UPHOLD THE PLANNING COMMISSION'S ACTION BY APPROVING SITE DEVELOPMENT PERMIT SDP07-15(I) AND CONDITIONAL USE PERMIT CUP98-14(M)(II) BY ADOPTING **RESOLUTION 14-05-20-01** WHICH INCLUDES THE ADDITION OF AN ANNUAL NOISE SURVEY AS PART OF THE NOISE MONITORING/MITIGATION PROGRAM AND THE REVISION OF CONDITION OF APPROVAL NUMBER 13 ENTITLED:

UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF 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.

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 SCOTT SCHOEFFEL, SECONDED BY MAYOR PRO TEM STEVEN WEINBERG, TO ADOPT AN ADDENDUM TO THE PREVIOUSLY PREPARED AND ADOPTED NEGATIVE DECLARATION FOR THE PROJECT BY ADOPTING **RESOLUTION 14-05-20-02** ENTITLED:

UPHOLDING THE PLANNING COMMISSION'S ADOPTION OF AN ADDENDUM TO THE ORIGINAL NEGATIVE DECLARATION FOR SITE DEVELOPMENT PERMIT SDP07-15(I), VARIANCE V07-07, AND CONDITIONAL USE PERMIT CUP98-14(M)(II).

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

UNFINISHED BUSINESS

There were no Unfinished Business items.

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 Bartlett declared the meeting adjourned at 7:30 p.m. and announced that 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.