

# CITY OF DANA POINT

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**CITY COUNCIL  
REGULAR  
MEETING**



**TUESDAY  
JANUARY 20, 2015  
5:00 P.M.**

## **AGENDA**

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

Next City Council Ordinance No. 15-01

### **CALL TO ORDER**

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

Carlos N. Olvera, Mayor  
John A. Tomlinson, Mayor Pro Tem  
Joseph L. Muller, Council Member  
J. Scott Schoeffel, Council Member  
Richard A. Viczorek, Council Member

### **CLOSED SESSION**

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (d1), (3 cases)
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Government Code § 54956.9 (a), (1 case)

Name of Case: City of Dana Point v. Jack Finnegan (OCSC Case No. 30-2014-00746296-CU-PT-CJC; Court of Appeal Case No. G051155)

### **RECESS OF CITY COUNCIL MEETING UNTIL 6:00 P.M.**

### **RECONVENE CITY COUNCIL MEETING**

### **PLEDGE OF ALLEGIANCE**

### **INVOCATION**

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## PRESENTATIONS AND PROCLAMATIONS

Business of the Month – Woody Hut  
Employee of the Month – Deputy Tobin Anderson  
South Orange County Economic Coalition Presentation

## 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. [SPECIAL MEETING MINUTES, DECEMBER 2, 2014](#)**

RECOMMENDED ACTION: That the City Council approve the minutes.

**3. [REGULAR MEETING MINUTES, DECEMBER 2, 2014](#)**

RECOMMENDED ACTION: That the City Council approve the minutes.

**4. [PLANNING COMMISSION MEETING MINUTES, NOVEMBER 10, 2014](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**5. [PLANNING COMMISSION MEETING MINUTES, NOVEMBER 17, 2014](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**6. [PLANNING COMMISSION MEETING MINUTES, DECEMBER 8, 2014](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**7. [PLANNING COMMISSION ACTIONS, MEETING OF JANUARY 12, 2015](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**8. [YOUTH BOARD MEETING MINUTES, NOVEMBER 19, 2014](#)**

RECOMMENDED ACTION: That the City Council receive and file.

9. [YOUTH BOARD MEETING MINUTES, DECEMBER 4, 2014](#)

RECOMMENDED ACTION: That the City Council receive and file.

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

RECOMMENDED ACTION: That the City Council receive and file.

11. [CITY TREASURER REPORTS, NOVEMBER AND DECEMBER 2014](#)

RECOMMENDED ACTION: That the City Council receive and file the City Treasurer Reports for the months of November and December, 2014.

12. [CLAIMS AND DEMANDS](#)

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

13. [NOTICE OF INTENT TO VACATE A PORTION OF DEL PRADO NEAR BLUE LANTERN AND A PORTION OF RUBY LANTERN BETWEEN PACIFIC COAST HIGHWAY AND DEL PRADO AS A RESULT OF RECENT STREET IMPROVEMENTS](#)

RECOMMENDED ACTION: That the City Council 1) adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, DECLARING ITS INTENT TO VACATE A PORTION OF DEL PRADO, A PUBLIC STREET OWNED IN FEE, FORMERLY SAN JUAN AVENUE PER TRACT MAP NUMBER 573;

and 2) adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA DECLARING ITS INTENT TO VACATE A PORTION OF RUBY LANTERN, FORMERLY JUANITA STREET, BETWEEN PACIFIC COAST HIGHWAY AND DEL PRADO, A PUBLIC STREET OWNED IN FEE PER TRACT MAP NUMBER 768.

14. [COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2014](#)

RECOMMENDED ACTION: That the City Council receive and file the Comprehensive Annual Financial Report ("CAFR") for the year ended June 30, 2014.

15. [DANA POINT TOURISM BUSINESS IMPROVEMENT DISTRICT UPDATE REPORT FOR OCTOBER - DECEMBER 2014](#)

RECOMMENDED ACTION: That the City Council receive and file.

16. [ADOPTION OF A RESOLUTION APPROVING FINAL PARCEL MAP 2013-172 \(CONDOMINIUM PROJECT AT 33682 CHULA VISTA AVE\)](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 2013-172.

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**

17. [CITY COUNCIL APPOINTED REPRESENTATIVES AND CITY COMMISSIONS, COMMITTEES, SUBCOMMITTEES AND TASK FORCES](#)

RECOMMENDED ACTION: That the City Council:

- 1) Consider appointments of City Council representatives to outside agencies;
- 2) Consider appointments to City committees, subcommittees and task forces; and
- 3) Direct staff to take action as deemed appropriate; and
- 4) Adopt a Resolution entitled:

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, DESIGNATING AND APPOINTING ITS REPRESENTATIVE AND ALTERNATE TO THE ORANGE COUNTY FIRE AUTHORITY'S BOARD OF DIRECTORS.

18. **APPOINTMENTS TO THE PLANNING COMMISSION AND TRAFFIC IMPROVEMENT SUBCOMMITTEE**

RECOMMENDED ACTION: That the City Council direct staff to proceed with the recruitment/appointment of Planning Commission members and Traffic Improvement Subcommittee members.

**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 agendaized 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-agendaized items may be presented as informational only.

**ADJOURNMENT**

The next Regular Meeting of the City Council will be February 3, 2015, 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, January 15, 2015, 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.