

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



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

ACTION AGENDA

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

Next City Council Ordinance No. 15-01

CALL TO ORDER

The Regular Meeting of the City Council of the City of Dana Point, California, was called to order by Mayor Olvera at 5:04 p.m. in the City Council Chambers, 33282 Golden Lantern, Dana Point.

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

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 (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)

Mayor Olvera recessed the meeting into a Closed Session at 5:05 p.m. pursuant to Government Code Section 54956 et seq.

RECONVENE CITY COUNCIL MEETING

Mayor Olvera reconvened the meeting at 6:10 p.m. All Council Members were present.

STAFF PRESENT: Douglas C. Chotkevys, City Manager; Patrick Munoz, City Attorney; Kathy Ward, City Clerk; 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; Mark Sutton, Building Official; Robert Sedita, Management Analyst; Christy Teague, Economic Development Manager, Matthew Kunk, Senior Civil Engineer; Jackie Littler, Executive Secretary; DyAnne Weamire, Administrative Secretary; and Bobbi Ogan, Deputy City Clerk.

CLOSED SESSION ANNOUNCEMENT

City Attorney Munoz stated that he had no announcement.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Muller.

INVOCATION

The Invocation was provided by Associate Pastor Jens Christy of Capo Beach Church.

PRESENTATIONS AND PROCLAMATIONS

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

CONSENT CALENDAR

A member of the public removed Item 13 from the Consent Calendar.

IT WAS MOVED BY COUNCIL MEMBER SCHOEFFEL, SECONDED BY COUNCIL MEMBER MULLER, THAT THE RECOMMENDATIONS BE ACCEPTED FOR ALL ITEMS ON THE CONSENT CALENDAR WITH THE EXCEPTION OF ITEM 13.

The motion carried by the following vote:

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

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. SPECIAL MEETING MINUTES, DECEMBER 2, 2014

APPROVED THE MINUTES.

3. REGULAR MEETING MINUTES, DECEMBER 2, 2014

APPROVED THE MINUTES.

4. PLANNING COMMISSION MEETING MINUTES, NOVEMBER 10, 2014

RECEIVED AND FILED.

5. PLANNING COMMISSION MEETING MINUTES, NOVEMBER 17, 2014

RECEIVED AND FILED.

6. PLANNING COMMISSION MEETING MINUTES, DECEMBER 8, 2014

RECEIVED AND FILED.

7. PLANNING COMMISSION ACTIONS, MEETING OF JANUARY 12, 2015

RECEIVED AND FILED.

8. YOUTH BOARD MEETING MINUTES, NOVEMBER 19, 2014

RECEIVED AND FILED.

9. YOUTH BOARD MEETING MINUTES, DECEMBER 4, 2014

RECEIVED AND FILED.

10. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR

RECEIVED AND FILED.

11. CITY TREASURER REPORTS, NOVEMBER AND DECEMBER 2014

RECEIVED AND FILED THE CITY TREASURER REPORTS FOR THE MONTHS OF NOVEMBER AND DECEMBER, 2014.

12. CLAIMS AND DEMANDS

RECEIVED AND FILED 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

This item was removed from the Consent Calendar by a member of the public.

IT WAS MOVED BY COUNCIL MEMBER SCHOEFFEL, SECONDED BY COUNCIL MEMBER VICZOREK, THAT THE CITY COUNCIL ADOPT **RESOLUTION 15-01-20-01** 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 ADOPT **RESOLUTION 15-01-20-02** 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.

The motion carried by the following vote:

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

NOES: None

ABSENT: None

14. COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2014

RECEIVED AND FILED 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

RECEIVED AND FILED.

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

ADOPTED **RESOLUTION 14-01-20-03** ENTITLED:

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

PUBLIC COMMENTS

Nancy Jenkins
Brad Gross
Ingrid McGuire
Karl Kuhn
Carol Wilson
Penny Maynard
Nick Karahalios
Terry Goller
Jim Miller

PUBLIC HEARINGS

There were no Public Hearings.

UNFINISHED BUSINESS

There were no Unfinished Business items.

NEW BUSINESS

17. CITY COUNCIL APPOINTED REPRESENTATIVES AND CITY COMMISSIONS, COMMITTEES, SUBCOMMITTEES AND TASK FORCES

IT WAS MOVED BY COUNCIL MEMBER SCHOEFFEL, SECONDED BY MAYOR PRO TEM TOMLINSON, THAT THE CITY COUNCIL REVIEW THE LIST OF CITY COUNCIL REPRESENTATIVES TO OUTSIDE AGENCIES, CITY COMMITTEES, SUBCOMMITTEES AND TASK FORCES AND MADE REVISIONS TO APPOINTMENTS AND ADOPT **RESOLUTION 15-01-20-04** ENTITLED:

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.

The motion carried by the following vote:

AYES: Council Member Joseph L. Muller, Council Member J. Scott Schoeffel, Council Member Richard A. Viczorek, Mayor Pro Tem John A. Tomlinson and Mayor Carlos N. Olvera
NOES: None
ABSENT: None

18. APPOINTMENTS TO THE PLANNING COMMISSION AND TRAFFIC IMPROVEMENT SUBCOMMITTEE

IT WAS MOVED BY COUNCIL MEMBER SCHOEFFEL, SECONDED BY COUNCIL MEMBER MULLER, THAT THE CITY COUNCIL DIRECT STAFF TO PROCEED WITH THE RECRUITMENT/APPOINTMENT OF PLANNING COMMISSION MEMBERS AND TRAFFIC IMPROVEMENT SUBCOMMITTEE MEMBERS.

The motion carried by the following vote:

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

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 Olvera adjourned the meeting at 7:58 p.m. and announced that the next Regular Meeting of the City Council will be held on February 3, 2015, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.