
**CITY OF DANA POINT, CALIFORNIA
CITY COUNCIL REGULAR MEETING MINUTES
APRIL 7, 2015**

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 5:00 p.m. in the City Council Chambers, 33282 Golden Lantern, Dana Point.

ROLL CALL OF CITY COUNCIL MEMBERS:

Present: Mayor Carlos N. Olvera
Mayor Pro Tem John A. Tomlinson
Council Member Joseph L. Muller
Council Member J. Scott Schoeffel (*Arrived at 5:05 p.m.*)
Council Member Richard A. Viczorek

Absent: None

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, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (d1), (1 case)
- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION, Government Code § 54956.9 (a), (1 case) Name of Case: City of Dana Point v. California Coastal Commission, et al Case No. 37-2010-00099827
- C. CONFERENCE WITH REAL PROPERTY NEGOTIATOR, Government Code § 54956.8 Location: 24551 Del Prado, Dana Point Agency Negotiator: Douglas C. Chotkevys Negotiating Parties: City of Dana Point and U.S. Postmaster Under Negotiation: Price and terms of agreement relating to property

Mayor Olvera recessed the meeting into a Closed Session at 5:02 p.m. pursuant to Government Code Section 54956 et seq.

RECONVENE CITY COUNCIL MEETING

Mayor Olvera reconvened the meeting at 6:00 p.m. All Council Members were present.

STAFF PRESENT: Douglas C. Chotkevys, City Manager; Jennifer Farrell, Assistant City Attorney; Kathy Ward, City Clerk; Mike Rose, Director of Disaster Preparedness; Lt.

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Russ Chilton; Ursula Luna-Reynosa, Director of Community Development; Brad Fowler, Director of Public Works and Engineering; Brian McClure, Parks Manager; Robert Sedita, Management Analyst; Erica Demkowicz, Senior Planner; Mark Sutton, Building Official; DyAnne Weamire, Administrative Secretary; and Bobbi Ogan, Deputy City Clerk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pro Tem Tomlinson.

INVOCATION

The Invocation was provided by Chaplain Ken Schlenker from the Orange County Sheriff's Department.

PRESENTATIONS AND PROCLAMATIONS

Business of the Month - Dream Catchers

Management Analyst Sedita provided a PowerPoint presentation detailing Dream Catcher Yachts. He reported that Dream Catcher had opened in 1992 in the Harbor and in 2009, purchased the brokerage company. He stated that they currently have seven employees. He added that in addition to yacht sales, they also offer yacht charters with services that include sightseeing, fishing, scuba diving and more. Mayor Olvera presented a Certificate of Recognition to Kenzie and Robin Lobacz. Heather Johnston of the Dana Point Chamber of Commerce also presented the Lobacz' with a Certificate.

Shop Del Prado Drawing

Community Development Director Luna-Reynosa provided a presentation with the details of how the program is run. Mayor Olvera drew the February ticket and announced that the winner was Susie Kelly.

Employee of the Month - Eric Haghani

Community Development Director Luna-Reynosa provided an introduction of Eric Haghani. Building Official Sutton added that Eric embodies five-star customer service and that he is one of the key people on the Building Department team. He stated that Eric provides over the counter plan review services. Mayor Olvera presented Eric with a Certificate of Recognition for being selected as the Employee of the Month for April, 2015.

Deputy of the Year - Deputy James Johnson

Lt. Chilton provided comments regarding Deputy James Johnson. Mayor Olvera presented Deputy Johnson with a Certificate of Recognition for being selection Deputy of the Year.

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CONSENT CALENDAR

Council Member Viczorek removed Item 15 and Council Member Muller removed Item 16 from the Consent Calendar.

IT WAS MOVED BY COUNCIL MEMBER J. SCOTT SCHOEFFEL, SECONDED BY MAYOR PRO TEM JOHN A. TOMLINSON, ACCEPT THE RECOMMENDATIONS FOR ALL ITEMS ON THE CONSENT CALENDAR WITH THE EXCEPTION OF ITEM 15 AND 16.

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

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/JOINT MEETING MINUTES, FEBRUARY 25, 2015

APPROVED THE MINUTES.

3. REGULAR MEETING MINUTES, MARCH 17, 2015

APPROVED THE MINUTES.

4. PLANNING COMMISSION MEETING MINUTES, FEBRUARY 9, 2015

RECEIVED AND FILED.

5. PLANNING COMMISSION MEETING MINUTES, MARCH 9, 2015

RECEIVED AND FILED.

6. PLANNING COMMISSION MEETING ACTIONS, MARCH 23, 2015

RECEIVED AND FILED.

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7. **PLANNING COMMISSION ACTIONS, MEETING OF MARCH 30, 2015**
RECEIVED AND FILED.
8. **YOUTH BOARD MEETING MINUTES, FEBRUARY 19, 2015**
RECEIVED AND FILED.
9. **YOUTH BOARD MEETING MINUTES, MARCH 19, 2015**
RECEIVED AND FILED.
10. **MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR**
RECEIVED AND FILED.
11. **CLAIMS AND DEMANDS**
RECEIVED AND FILED THE CLAIMS AND DEMANDS.
12. **CITY TREASURER'S REPORT, FEBRUARY 2015**
RECEIVED AND FILED THE CITY TREASURER'S REPORT FOR THE MONTH OF FEBRUARY 2015.
13. **OCEAN WATER QUALITY SUBCOMMITTEE MINUTES, NOVEMBER 18, 2014**
RECEIVED AND FILED.
14. **DANA POINT TOURISM BUSINESS IMPROVEMENT DISTRICT QUARTERLY REPORT FOR JANUARY - MARCH 2015**
RECEIVED AND FILED.
15. **ANNUAL REVIEW OF THE INVESTMENT POLICY**

Council Member Viczorek removed this item from the Consent Calendar.

Council Member Viczorek asked for an explanation of the item as he was confused by the staff report.

Assistant City Manager Killebrew replied that the City has been investing in the same manner since the Orange County bankruptcy in 1994 and that there has been no change in how the City invests its monies. He

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added that this policy is broad and meets what the Government Code allows.

City Manager Chotkevys asked if the auditors had any findings or any recommended changes to the policy this year.

Assistant City Manager Killebrew replied that the auditors compare our Code to the California Government Code and there were no recommended changes.

Council Member Viczorek asked what the point of the Investment Review Committee was.

City Manager Chotkevys replied that the Investment Review Committee has a very broad range of oversight as it is an advisory board to the City Council.

Assistant City Manager Killebrew added that in 2006 the IRC delved into creating financial policies for reserves in addition if any other community facilities districts are created that would come to them as well as anything the City Council may want to refer to the committee.

Council Member Viczorek asked if this item was time sensitive or would it be wise to have the IRC review it when they meet.

Assistant City Manager Killebrew replied that the City was complying with State Code that requires an annual review. He stated that the IRC can review the policy at any time and bring it back to Council for changes.

Council Member Schoeffel felt that the scope of the committee's work is much broader than their name implies. He suggested that they change their name to Finance and Investment Review and urged that the IRC meet sooner rather than later.

IT WAS MOVED BY MAYOR PRO TEM JOHN A. TOMLINSON, SECONDED BY COUNCIL MEMBER J. SCOTT SCHOEFFEL, THAT THE CITY COUNCIL APPROVE THE CITY'S STATEMENT OF SAFEKEEPING AND INVESTMENT OF PUBLIC FUNDS POLICY ("INVESTMENT POLICY").

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

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16. MID FISCAL YEAR 2014-15 BUDGET STATUS REPORT

Council Member Muller removed this item from the Consent Calendar.

Council Member Muller asked why Cox Communications was the only provider listed as a franchise.

City Manager Chotkevys replied that Cox was the cable provider many years ago and at the time there was a local franchise. He stated that about three or four years ago they applied to the CPUC and received a state franchise. He added that the City still receives a franchise fee as a result of that but they now have a state franchise. He stated that the residents do have a choice of providers.

Council Member Muller stated that there is a \$30,000 dollar increase in the facilities department for maintenance and that it was concerning a pipe that has been identified as defective and needs to be replaced. He asked why the City was not having the manufacturer replace the pipe if it was defective.

City Manager Chotkevys replied that about eight to ten years ago there had been a major renovation at the Community Center youth baseball complex. He stated that over the years we have had six or seven material failures, we have gone in and corrected the problem. He added that the term defective pipe is being used and that because of the time that has passed it would be very difficult to go back to the contractor. He stated that staff would like to replace the entire length pipe and resolve this issue.

IT WAS MOVED BY COUNCIL MEMBER JOSEPH L. MULLER, SECONDED BY COUNCIL MEMBER RICHARD A. VICZOREK, THAT THE CITY COUNCIL RECEIVE AND FILE THE REPORT AND AUTHORIZE THE BUDGET AMENDMENTS DETAILED WITHIN THE REPORT.

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

17. WASTE DISPOSAL AGREEMENT AMENDMENT BETWEEN THE COUNTY OF ORANGE AND THE CITY OF DANA POINT

ADOPTED RESOLUTION 15-04-07-01 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF DANA POINT, CALIFORNIA, APPROVING AN AMENDMENT TO THE 2009 WASTE DISPOSAL AGREEMENT WITH THE COUNTY OF ORANGE; and

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AUTHORIZED THE MAYOR TO SIGN THE RESOLUTION ON BEHALF OF THE CITY AND AUTHORIZED THE CITY MANAGER TO EXECUTE THE AGREEMENT.

18. SDG&E REQUEST FOR SUPPORT - SOUTH ORANGE COUNTY RELIABILITY ENHANCEMENT PROJECT

APPROVED THE MAYOR SIGNING A LETTER OF SUPPORT TO THE CALIFORNIA PUBLIC UTILITIES COMMISSION FOR SDG&E'S SOUTH ORANGE COUNTY RELIABILITY ENHANCEMENT PROJECT.

19. AB 1217 DALY - LEGISLATION CHANGING ORANGE COUNTY FIRE AUTHORITY'S BOARD COMPOSITION

ADOPTED A MOTION OPPOSING AB 1217 (DALY) AS CURRENTLY DRAFTED AND AUTHORIZED THE MAYOR TO COMMUNICATE THE CITY COUNCIL'S POSITION TO THE STATE ASSEMBLY AND TO THE ORANGE COUNTY FIRE AUTHORITY (OCFA).

20. TOPOGRAPHIC SURVEY SERVICES FOR UPCOMING CAPITAL PROJECTS

AUTHORIZED TOPOGRAPHIC SURVEY SERVICES WITH HALL AND FOREMAN PER THE AS-NEEDED CONSULTANT SERVICES AGREEMENT.

21. APPOINTMENTS TO THE ARTS AND CULTURE COMMISSION

DIRECTED STAFF TO PROCEED WITH THE RECRUITMENT/APPOINTMENT OF ARTS AND CULTURE COMMISSION MEMBERS.

22. AUTHORIZE THE CITY MANAGER TO APPOINT AN INTERIM ECONOMIC DEVELOPMENT MANAGER

AUTHORIZED THE CITY MANAGER TO APPOINT AN INTERIM ECONOMIC DEVELOPMENT MANAGER, AND RECEIVED AND FILED UPDATE ON RECRUITMENT OF AN ECONOMIC DEVELOPMENT MANAGER.

23. SECOND READING AND ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA AMENDING CHAPTER 12.08.050 AND ADDING CHAPTER 12.08.060 OF THE MUNICIPAL CODE TO ADDRESS PARKING OF COMMERCIAL AND RECREATIONAL VEHICLES ON PUBLIC STREETS AND TO EXTEND ENFORCEMENT OF THE ORDINANCE TO DESIGNATED PARKING LOTS USED BY THE PUBLIC IN THE CITY OF DANA POINT

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CONDUCTED A SECOND READING AND ADOPTED **ORDINANCE 15-01** OF THE CITY OF DANA POINT TO AMEND CHAPTER 12.08.050 AND ADD CHAPTER 12.08.060 ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA AMENDING CHAPTER 12.08.050 AND ADDING CHAPTER 12.08.060 OF THE DANA POINT MUNICIPAL CODE TO ADDRESS PARKING OF COMMERCIAL AND RECREATIONAL VEHICLES ON PUBLIC STREETS AND TO EXTEND ENFORCEMENT OF ORDINANCE TO DESIGNATED PARKING LOTS USED BY THE PUBLIC IN THE CITY OF DANA POINT.

- 24. SECOND READING AND ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA AMENDING AND REPLACING DANA POINT MUNICIPAL CODE SECTION 12.16.010 ESTABLISHING SPEED LIMITS CITYWIDE**

CONDUCTED SECOND READING AND ADOPTED **ORDINANCE 15-02** OF THE CITY OF DANA POINT ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING AND REPLACING DANA POINT MUNICIPAL CODE, CHAPTER 12.16.010, ESTABLISHING SPEED LIMITS IN THE CITY OF DANA POINT PURSUANT TO THE CALIFORNIA VEHICLE CODE.

PUBLIC COMMENTS

Betty Hill, Capistrano Beach, provided a brief summary of the Town Center Initiative.

Roxanne Watrous, spoke regarding the Town Center Initiative.

PUBLIC HEARINGS

- 25. NEGATIVE DECLARATION, ZONING ORDINANCE AND MUNICIPAL CODE TEXT AMENDMENT ZTA14-0001, AND LOCAL COASTAL PROGRAM AMENDMENT LCPA14-0001 TO AMEND THE CITY'S MUNICIPAL CODE AND ZONING ORDINANCE TO ALLOW POULTRY - SPECIFICALLY CHICKENS IN ALL SINGLE FAMILY RESIDENTIAL ZONING DISTRICTS**

Director of Community Development Luna-Reynosa introduced Senior Planner Demkowicz who provided a PowerPoint presentation and staff report.

Mayor Olvera opened the Public Hearing.

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Mark Schaffer, Dana Point, stated that he does not support allowing chickens and felt that raising chickens in the backyard will detract from the small beach community atmosphere.

Chad George, Capistrano Beach, reported that he had met with a representative from Vector Control and was informed that in addition to producing flies, having chickens will increase the presence of rats.

Dorothy Larson, Capistrano Beach, stated that she did not feel that poultry should be allowed.

Diane Wooley (speaking on behalf of Donna Nelson, Capistrano Beach) stated that she had spoken to Vector Control and that chickens would increase the number of predators and vector from disease carrying flies to humans.

Dale Watson, San Clemente, stated that he was concerned with the passing of this Ordinance to allow chickens. He was concerned with the beaches being affected by the runoff. He added that if chickens were allowed that BMPs would need to be implemented and that the site plan would need to include distances such as ten feet away from storm water conveyance, backyard drains, and swales.

Mike Kelly, Dana Point, stated that he did not support allowing chickens due to the additional costs and burdens that will be placed on the City staff to enforce complaints and the new code. He asked if the City had taken into consideration the known fact of increased vermin and predators that chickens would attract. He felt that by allowing chickens that it would have a potential negative effect on property values.

Karen George, Capistrano Beach, stated that she did not support allowing chickens and felt that chickens would have an unknown negative impact on the City because the City is not properly prepared to oversee introducing chickens into residential neighborhoods.

Kirk Barris (read a letter from Alex Martinez, Capistrano Beach) stated that he did not support allowing chickens as they would attract more predators in the neighborhoods and difficult to enforce.

Donna Scimia, Dana Point, stated that she did not support allowing chickens.

Eugene Rathbun, Dana Point, stated that he did not support allowing chickens.

Matt McKinney, Capistrano Beach, stated that he does not support allowing chickens.

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Robert Faust, Dana Point, stated that he was opposed to allowing chickens.

Madeline Watson (speaking on behalf of her sister Carolina Moura, Capistrano Beach) stated that she did not support allowing chickens due to the small lots that most people live on.

Terry Walsh, Dana Point, stated that if chickens were to be allowed that concerns should be addressed such as the size of lots. He added that this should not be imposed on homeowner associations similar to how the short term rental ordinance was handled.

Ann Worthington, Dana Point, stated that she does not support allowing chickens and cited two Ordinances that were adopted by previous City Councils.

Mike Hurlbut (speaking on behalf of Dr. Walter Henry, Capistrano Beach) stated that he did not support allowing chickens due to disease risks.

Grant Wadman, Dana Point, spoke regarding the regulations enforced by the City of San Juan Capistrano and other cities who allow chickens. He stated that he did not support allowing chickens in Dana Point.

Tracy Terry, San Clemente, spoke regarding the chickens she owns in San Clemente. She was concerned with people confining their chickens to their coop all of the time. She felt that the chickens would need a lot of space.

Dale (speaking on behalf of Keith Fullenwider) stated that he does not support allowing chickens due to their noise, flies attracted due to poor housekeeping, and the overload on Code Enforcement.

Eric Faust, Dana Point, stated that he did not support allowing chickens.

Heidi Langefeld, Dana Point, stated that she supported allowing chickens in Dana Point. She added that it was her experience as a realtor that chickens would not detract from the property values of homes.

Christine Maclean, Capistrano Beach, stated that she supported allowing chickens. She spoke of her experience with chickens volunteering at the Ecology Center.

Nancy Weagley, Capistrano Beach, stated that she was in support of allowing chickens.

Monica Anderson, Capistrano Beach, stated that she supports allowing chickens.

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Michelle Devine, Dana Point, stated that she supports allowing chickens and shared her experience of living near them.

John Pierini, Dana Point, stated that he supports allowing chickens.

Steve Bennett, Dana Point, stated that he supports allowing chickens.

Elizabeth Gilbert, Capistrano Beach, stated that did not support allowing chickens.

Nancy Rohr, Capistrano Beach, stated that she supports allowing chickens and spoke of her experiencing living near them.

Joel Maclean, Capistrano Beach, stated that he supports allowing chickens.

Robert Wagner, Dana Point, stated that he does not support allowing chickens.

Patricia OKeefe, Dana Point, stated that she supports allowing chickens as long as there is room to allow them and for neighbors not to be inconvenienced.

Tom Boylan, Capistrano Beach, stated that he was never aware that there were chickens living in his neighborhood and that he would support allowing them.

Janell Cushman, Capistrano Beach, stated that she supports allowing chickens and did not agree that chickens would have a negative impact on ground water.

Mayor Olvera closed the Public Hearing.

Mayor Pro Tem Tomlinson stated that he had discussed his participation on this issue with the City Attorney and it was determined that he could participate and vote on this item.

Council Member Schoeffel asked if Ordinance 90-13 that was mentioned by Ms. Worthington was included in the staff report.

Community Development Director Luna-Reynosa replied that they did not locate that Ordinance when staff was researching the issue.

Council Member Schoeffel asked if it took the City five months to enforce its Ordinance that prohibits chickens.

City Manager Chotkevys replied that he would need a point of reference, but he believes that when this matter surfaced that the chickens were relocated to San Juan Capistrano.

Council Member Schoeffel stated that in his experience serving on the board of CASA that CASA was not in a position to enforce an Ordinance to allow chickens. He asked how the City would manage to enforce this Ordinance.

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City Manager Chotkevys replied that there would be a program created similar to vacation rentals.

Community Development Director Luna-Reynosa added that staff had talked with CASA as they currently enforce Title 10 of the Municipal Code which regulates animals. She stated that Planning would review the site plan, but CASA would have to determine a fee structure to support the ability to have staff to help with the enforcement.

Council Member Viczorek asked why staff does not have the Ordinance that was referenced by Ms. Worthington.

Senior Planner Demkowicz replied that when she reviewed the City's files, she did not locate that Ordinance as part of the search.

Mayor Olvera stated that he was surprised that this became such a large issue. He commended everyone on both sides for their participation as well as staff for trying to create an Ordinance that would fit Dana Point. He added that after listening to all of the testimony that this use may not fit Dana Point.

Council Member Muller stated that he believes in property owner rights but felt that the City's small lot sizes would make it difficult to not be a nuisance to neighbors.

Mayor Pro Tem Tomlinson stated that he leans towards allowing people freedom of choice. He stated that he had lived next door to chickens for ten months and they were never a bother to him.

Council Member Schoeffel felt that allowing chickens would be a conflicting land use and that he did not support amending the Ordinance.

Council Member Viczorek commended both sides of this issue for how this had developed. He felt that if the Ordinance were adopted that there would be enforcement issues, more staff needed and more complaints would be generated. He stated that there would be more complaints because there would be more chicken owners. He added that Dana Point is a beach community and that he felt this was not in the best interest of the entire community.

Mayor Olvera stated that he appreciated the input from the public.

Mayor Pro Tem Tomlinson thanked everyone for being respectful. He asked if there was a possibility that the Council could adopt a temporary Ordinance that would allow people to have chickens on a trial basis.

Mayor Olvera replied that what was before the Council tonight was the choice of adopting or not approving an Ordinance but a motion could be made to see if there is a consensus to proceed in that direction.

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Council Member Schoeffel stated that there are options if the Council were to choose them. He felt that at this point in time that the Council has a clearly articulated and historically established policy on this issue that he did not see a reason to change it.

Council Member Muller stated that he agreed with Council Member Schoeffel.

IT WAS MOVED BY COUNCIL MEMBER J. SCOTT SCHOEFFEL, SECONDED BY COUNCIL MEMBER JOSEPH L. MULLER, NOT APPROVE THE ZONING ORDINANCE AND MUNICIPAL CODE TEXT AMENDMENT (ZTA14-0001) AND LOCAL COASTAL PROGRAM AMENDMENT (LCPA14-0001) FOR THE ALLOWANCE OF POULTRY - SPECIALLY CHICKENS IN ALL SINGLE FAMILY RESIDENTIAL DISTRICTS AND DIRECT STAFF AT A FUTURE DATE TO MOVE THE EXISTING REGULATIONS FOR ANIMALS IN RESIDENTIAL DISTRICTS CONTAINED WITHIN SECTION 9.07.190 TO MUNICIPAL CODE TITLE 10 - ANIMAL CONTROL, WELFARE AND LICENSING REQUIREMENTS WITH OTHER ANIMAL REGULATIONS AS PART OF A FUTURE ZONING CODE CLEAN-UP ITEM.

The motion carried by the following vote:

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

NOES: Mayor Pro Tem John A. Tomlinson.

UNFINISHED BUSINESS

26. 2015 WEED ABATEMENT PROGRAM

City Manager Chotkevys provided a staff report.

There being no requests to speak on this item, Mayor Olvera opened and closed the Public Hearing.

IT WAS MOVED BY COUNCIL MEMBER J. SCOTT SCHOEFFEL, SECONDED BY MAYOR PRO TEM JOHN A. TOMLINSON, HEAR ANY OBJECTIONS REGARDING WEED ABATEMENT AND ADOPT **RESOLUTION 15-04-07-02** ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, HEARING NO OBJECTIONS AND PROCEEDING WITH WEED ABATEMENT.

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The motion carried by the following vote:

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

NOES: None.

NEW BUSINESS

There were no New Business items.

PUBLIC COMMENTS

There were no additional Public Comments received.

STAFF REPORTS

City Manager Chotkevys stated that staff will be jump starting the "Hide It, Lock It, Lose It" program. He reminded the public to be mindful when securing their vehicles.

COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED

Council Member Muller thanked everyone that was involved this evening and for their passion on both sides of the subject.

Mayor Pro Tem Tomlinson thanked the residents for participating in tonight's discussion.

Council Member Schoeffel stated that on March 6th his Ocean Institute "Adopt A Class" that he had sponsored came up from Casitas Inter School From Vista and felt that sponsoring these classes was one of the best experiences. He felt that this was a very worthwhile program to be involved in. He announced that the 4th season of the Dana Point Symphony Orchestra would begin on April 18th at St. Edwards Church at 7:30 p.m. He added that this year the orchestra is starting in Spain as part of their "One World 2015 Season".

Council Member Viczorek asked about the motion that was passed for Item 25 and whether it included the direction to staff to clean up the Zoning law or not.

Council Member Schoeffel replied that it was the maker's intent.

Council Member Viczorek stated that there had been no discussion on that and asked what the purpose was.

Community Development Director Luna-Reynosa replied that currently we have similar language in two different sections of our Code. She stated that Title 9 is

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the Zoning Code where land use issues are discussed and Title 10 is our code relative to animal control and regulations. She added that there is language that conflicts and staff would like to move all animal control regulations from Title 9 to Title 10.

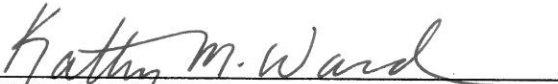
Council Member Schoeffel clarified that it was his intent to not approve the Zone Text Amendment and to harmonize the Code. He added that he did not want to repeal Ordinance 90-13.

Council Member Viczorek stated that he would turn in his list of meetings attended to the City Clerk.

Mayor Olvera stated that he would turn in his list of meetings attended to the City Clerk.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Olvera adjourned the meeting at 8:58 p.m. and announced that the next Regular Meeting of the City Council will be April 21, 2015, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.


KATHY M. WARD
CITY CLERK

APPROVED AT THE MEETING OF MAY 5, 2015

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Meetings attended since March 3, 2015:

Mayor Carlos N. Olvera

- March 18 - Meeting with SDG&E
- March 19 - OC Vector Control meeting
- March 19 - League of Cities meeting
- March 23 - Meeting with OC Red Cross
- March 26 - Festival of Whales closing meeting
Ribbon cutting Lingerie Paradis USA
- March 27 - Public reading of Two Years before the mast
- April 1 - Teague's retirement luncheon
- April 2 - SCE Executive briefing
OC Library Board Exec. Meeting
- April 4 - City's Easter egg hunt
- April 9 - OC Vector Budget meeting
OC 5th District Mayor's meeting
- April 10 - Ribbon cutting The District Salon

Mayor Pro Tem John A. Tomlinson

- March 7 - Festival of Whales Parade
- March 15 - Festival of Whales – Whale of a Concert
- April 4 - Egg Hunt – Pines Parks

Council Member Joseph L. Muller

- March 5 - Festival of Whales Opening Event
- March 7 - Festival of Whales Parade
- March 14 - Saddleback College Gala
- March 31 - OCFA Meeting at City Hall
- April 1 - Christy Teague Retirement Luncheon
- April 4 - OCFA meeting with Doug Chotkevys

Council Member J. Scott Schoeffel

- February 2 - Executive team leader breakfast in Laguna Niguel for San Joaquin Hills and Foothill Eastern Transportation Corridor Agencies
- February 8 - Opera Night fundraiser in Laguna Niguel for South Orange County School of the Arts
- February 11- Joint Leadership meeting of the Orange County Transportation Authority/Transportation Corridor Agencies in Orange
- February 12- San Joaquin Hills Transportation Corridor Agency Board of Directors Meeting

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CITY COUNCIL REGULAR MEETING MINUTES
APRIL 7, 2015**

- February 19- Annual dinner for the Orange County Business Council on behalf of Transportation Corridor Agencies
- March 5 - Festival of Whales opening reception at Waterman's Harbor
- March 6 - Greet the elementary school class from Vista, California that I sponsored in connection with the Ocean Institute's "Adopt-A-Class" program for the students' Junior Scientific LiteraSEA lab at the Ocean Institute.
Meeting in San Juan Capistrano with Superintendent Kirsten Vital of the Capistrano Unified School district with Joe Muller and Douglas Chotkevys.
- March 7 - Participated in Festival of Whales parade with "Excellence is Elementary" students from Palisades and R.H. Dana Elementary Schools
- March 8 - Veterans of Foreign Wars pancake breakfast staged in connection with Festival of Whales
- March 11 - Joint toll operations ad hoc committee meeting for the San Joaquin Hills and Foothill Eastern Transportation Corridor Agencies
- March 12 - San Joaquin Hills Transportation Corridor Agency Board of Directors meeting
Foothill Eastern Transportation Corridor Agency Board of Directors meeting.
Joint strategic ad hoc committee meeting for the San Joaquin Hills and Foothill Eastern Transportation Corridor Agencies.
- March 14 - Performed music for seniors at the St. Patrick's Day Senior Luncheon at the Dana Point Community Center
- March 25 - Joint toll operations ad hoc committee meeting for the San Joaquin Hills and Foothill Eastern Transportation Corridor Agencies
- March 26 - Executive team leader breakfast in Laguna Niguel for San Joaquin Hills and Foothill Eastern Transportation Corridor Agencies
- April 3 - Joint legal services ad hoc committee meeting for the San Joaquin Hills and Foothill Eastern Transportation Corridor Agencies

Council Member Richard A. Viczorek

- March 7 - Festival of Whales Parade and Lunch – PCH, Hennessey's
- March 8 - Orange County UCLA Alumni Dinner – Surfin' Cowboy
- March 12 - USMC Battle Color Detachment Performance – Camp Pendleton
- March 15 - Festival of Whales BBQ and Concert – Dana Point Harbor Baby Beach
- March 17 - Dana Point city Council Meeting – City Hall
- March 26 - OCFA Board of Directors Meeting – Irvine, CA
- March 28 - Dana Point Historical Society's Reading of Two Years Before the Mast – Nature Interpretive Center
- March 30 - Meetings with constituents regarding hens in Dana Point – City Hall
- March 31 - Meeting with Planning Commissioner regarding new appointment
Dana Point City Council Meeting – City Hall
- April 1 - City Employee Retirement Luncheon – Brio's
- April 4 - Easter Egg Hunt – Sea Canyon Park