

# CITY OF DANA POINT

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**CITY COUNCIL  
REGULAR  
MEETING**



**TUESDAY  
JUNE 2, 2015  
5:00 P.M.**

## **AGENDA**

**Location: Dana Point Community Center Gym, 34052 Del Obispo, Dana Point, California 92629**

Next City Council Ordinance No. 15-03

### **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), (2 cases)
- B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION, Government Code § 54957

Title: City Manager

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

### **RECONVENE CITY COUNCIL MEETING**

### **PLEDGE OF ALLEGIANCE**

### **INVOCATION**

### **PRESENTATIONS AND PROCLAMATIONS**

There are no Presentations or Proclamations.

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## 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, MAY 5, 2015](#)**

RECOMMENDED ACTION: That the City Council approve the minutes.

**3. [PLANNING COMMISSION MEETING MINUTES, APRIL 27, 2015](#)**

RECOMMENDED ACTION: That the City Council receive and file.

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

RECOMMENDED ACTION: That the City Council receive and file.

**5. [CITY TREASURER'S REPORT, APRIL 2015](#)**

RECOMMENDED ACTION: That the City Council receive and file the City Treasurer's Report for the month of April 2015.

**6. [CLAIMS AND DEMANDS](#)**

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

**7. [SALT CREEK OZONE TREATMENT FACILITY 5<sup>TH</sup> AMENDMENT TO AGREEMENT WITH SOUTH COAST WATER DISTRICT FOR FACILITY OPERATION AND MAINTENANCE](#)**

RECOMMENDED ACTION: That the City Council 1) accept the 5<sup>th</sup> Amendment to the Agreement for the Facility Operation and Maintenance between South Coast Water District and the City of Dana Point; and 2) authorize the City Manager or his designee to sign the Agreement.

**8. [FY 2015-16 LAW ENFORCEMENT SERVICES AGREEMENT](#)**

RECOMMENDED ACTION: That the City Council approve the Law Enforcement Services Agreement with the County of Orange for law enforcement services for the 2015-2016 fiscal year and authorize the City Manager to execute the agreement.

9. [CONTRACT AMENDMENT FOR THE ENVIRONMENTAL SERVICES PROVIDED BY LSA ASSOCIATES FOR THE SOUTH SHORES CHURCH PROJECT'S ENVIRONMENTAL IMPACT REPORT](#)

RECOMMENDED ACTION: That the City Council authorize the City Manager to execute a contract amendment to the Consultant Services Agreement with LSA Associates.

10. [INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT CALIFORNIA, AMENDING CHAPTER 14.01.610 TO ADDRESS LANDSCAPE REQUIREMENTS WITHIN PUBLIC RIGHT-OF-WAY AREAS](#)

RECOMMENDED ACTION: That the City Council introduce and hold first reading of an Ordinance to amend Chapter 14.01.610 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING CHAPTER 14.01.610 TO ADDRESS LANDSCAPE REQUIREMENTS WITHIN PUBLIC RIGHT-OF-WAY PARKWAY AREAS.

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**

11. [HEARING ON THE APPEAL OF PLANNING COMMISSION DECISION APPROVING COASTAL DEVELOPMENT PERMIT CDP04-11, CONDITIONAL USE PERMIT CUP04-21 AND SITE DEVELOPMENT PERMIT SDP04-31 FOR THE DEMOLITION OF THREE EXISTING BUILDINGS AND CONSTRUCTION OF FOUR NEW BUILDINGS AND A TWO LEVEL, PARTIALLY SUBTERRANEAN PARKING STRUCTURE ON A 6-ACRE SITE FOR SOUTH SHORES CHURCH, LOCATED AT 32712 CROWN VALLEY PARKWAY. CONSIDERATION OF A SHARED PARKING PROGRAM AND PARKING MANAGEMENT PLAN IS INCLUDED IN CONJUNCTION WITH THE PROPOSED DEVELOPMENT. A FINAL](#)

**ENVIRONMENTAL IMPACT REPORT (FEIR) HAS BEEN PREPARED TO ADDRESS POTENTIAL ENVIRONMENTAL IMPACT ASSOCIATED WITH THE PROJECT.**

RECOMMENDED ACTION: That the City Council conduct a Public Hearing and 1) adopt Resolution No. 15-06-02-xx certifying Final Environmental Impact Report (EIR SCH#2009041129) and adoption of Findings of Fact entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, UPHOLDING THE PLANNING COMMISSION'S DECISION TO CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT (EIR SCH#2009041129) FOR COASTAL DEVELOPMENT CDP04-11, CONDITIONAL USE PERMIT CUP04-21 AND SITE DEVELOPMENT PERMIT SDP04-31; AND ADOPTION OF FINDINGS OF FACT FOR SOUTH SHORES CHURCH MASTER PLAN PROJECT LOCATED AT 32712 CROWN VALLEY PARKWAY; and

2) uphold the Planning Commission's approval and adopt Resolution No. 15-06-02-xx approving Coastal Development Permit CDP04-11, Conditional Use Permit CUP04-21 and Site Development Permit SDP04-31 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF COASTAL DEVELOPMENT PERMIT CDP-04-11, CONDITIONAL USE PERMIT CUP04-21 AND SITE DEVELOPMENT PERMIT SDP04-31 FOR SOUTH SHORES CHURCH MASTER PLAN PROJECT LOCATED AT 32712 CROWN VALLEY PARKWAY AND ADOPTION OF THE MITIGATION MONITORING AND REPORTING PROGRAM.

**12. PUBLIC HEARING AND RESOLUTION TO ADOPT THE PROPOSED OPERATING AND CAPITAL IMPROVEMENT BUDGETS FOR FISCAL YEARS 2015-2016 AND 2016-2017; RESOLUTION TO ESTABLISH THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2015-2016; AND RESOLUTION TO ADOPT THE POSITION TITLE, SALARY RANGE, AND CLASS SPECIFICATIONS FOR ASSISTANT ADMINISTRATIVE ANALYST**

RECOMMENDED ACTION: That the City Council:

- A. Conduct a Public Hearing to review the City of Dana Point Proposed Operating and Capital Improvement Budgets for Fiscal Years 2015-2016 ("FY 2015") and 2016-2017 ("FY 2016");
- B. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA ADOPTING AN OPERATING AND CAPITAL IMPROVEMENT BUDGET FOR THE CITY OF DANA POINT FOR FISCAL YEARS 2015-2016 AND 2016-2017; and
- C. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2015-2016.
- D. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADOPTING THE POSITION TITLE, SALARY RANGE, AND CLASS SPECIFICATIONS FOR ASSISTANT ADMINISTRATIVE ANALYST.

## **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 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 June 16, 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, May 28, 2015, at 5:30 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.