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**CITY OF DANA POINT, CALIFORNIA  
CITY COUNCIL REGULAR MEETING MINUTES  
JULY 21, 2015**

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**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  
Council Member Richard A. Viczorek

Absent: None

**CLOSED SESSION**

City Attorney Munoz indicated that there was a need for a Closed Session as follows with an amendment to Item A; there was only one case to be discussed for anticipated litigation:

- A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (d1), (2 cases)
- B. CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION, Government Code § 54956.9 (c), (1 case: Claim Against Utopia re: Illumination Performance)
- C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION, Government Code § 54957 Title: City Manager

Mayor Olvera recessed the meeting into a Closed Session at 5:01 p.m. pursuant to Government Code Section 54956 et seq.

**RECONVENE - CALL TO ORDER**

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

STAFF PRESENT: Douglas C. Chotkevys, City Manager; Patrick Munoz, City Attorney; Bobbi Ogan, Deputy City Clerk; Mike Rose, Director of Disaster Preparedness and Facilities; Lt. Russ Chilton; Ursula Luna-Reynosa, Director of Community Development;

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Brad Fowler, Director of Public Works and Engineering; Cindy Nelson, Int. Economic Development Manager; Mark Sutton, Building Official; Kevin Evans, Director of Community Services and Parks; Saima Qureshy, Senior Planner; Jackie Littler, Executive Secretary; and DyAnne Weamire, Administrative Secretary.

**CLOSED SESSION ANNOUNCEMENT**

City Attorney Munoz stated that he had no announcement.

**PLEDGE OF ALLEGIANCE**

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

**INVOCATION**

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

**PRESENTATIONS AND PROCLAMATIONS**

Business of the Month - Jon's Fish Market

Management Analyst Sedita provided a PowerPoint presentation. He reported that Sharon and Jon Mansur opened Jon's Fish Market 35 years ago. He stated that prior to opening the restaurant, Jon worked as a commercial fisherman out of the harbor and Sharon worked as a housing manager for the University of Irvine. He added that since 1980 the business has grown and employs 20 people. He stated that the restaurant offers fresh seafood, much of which is provided by local fishermen. Mayor Olvera presented a Certificate of Recognition to Sharon Mansur for Jon's Fish Market being selected the Business of the Month, July 2015. Heather Johnston, CEO of the Dana Point Chamber of Commerce presented Sharon with a one free year of membership with the Chamber.

Shop Del Prado Prize Drawing

Mayor Olvera drew the June ticket and announced that the winners were Bob and Linda Theel.

Employee of the Month - Robin Harnish

Assistant City Manager Killebrew introduced Robin Harnish. He stated that Robin came to the City through a temporary agency. He added that her positive attitude and incredible work ethic made him want her to stay. He stated that she went back to school to take more advanced accounting classes to receive certificates in accounting and earned her position as one of the City's accountants. He added that Robin has been instrumental in the past couple of years with the installation of new accounting systems and has done an exceptional job. Mayor Olvera presented Robin with a Certificate of Recognition for being selected the Employee of the Month for July 2015.

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**CONSENT CALENDAR**

Members of the public removed Items 9, 10, and 12. Mayor Pro Tem Tomlinson removed Item 2 from the Consent Calendar.

IT WAS MOVED BY COUNCIL MEMBER J. SCOTT SCHOEFFEL, SECONDED BY COUNCIL MEMBER JOSEPH L. MULLER, TO ACCEPT ALL ITEMS ON THE CONSENT CALENDAR WITH THE EXCEPTION OF ITEMS 2, 9, 10, AND 12.

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. REGULAR MEETING MINUTES, JUNE 16, 2015**

Mayor Pro Tem Tomlinson removed this item from the Consent Calendar.

Mayor Pro Tem Tomlinson stated that he needed to add another meeting attended to his list; a meeting with Nelson Nygaard on June 15.

IT WAS MOVED BY COUNCIL MEMBER JOSEPH L. MULLER, SECONDED BY MAYOR PRO TEM JOHN A. TOMLINSON, TO APPROVE THE MINUTES WITH THE ADDITION MADE TO THE MEETINGS ATTENDED SECTION.

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

**3. PLANNING COMMISSION MEETING MINUTES, JUNE 22, 2015**

RECEIVED AND FILED.

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4. **PLANNING COMMISSION ACTIONS, MEETING OF JULY 13, 2015**  
RECEIVED AND FILED.
5. **FINANCIAL REVIEW COMMITTEE MEETING MINUTES, APRIL 16, 2015**  
RECEIVED AND FILED.
6. **YOUTH BOARD MEETING MINUTES, MAY 21, 2015**  
RECEIVED AND FILED.
7. **YOUTH BOARD MEETING MINUTES, JUNE 4, 2015**  
RECEIVED AND FILED.
8. **MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR**  
RECEIVED AND FILED.
9. **DOHENY PARK ROAD MAINTENANCE/INTERIM IMPROVEMENTS**

A member of the public removed this item from the Consent Calendar.

Ann Romano, Capistrano Beach/Capo Cares, stated that she was happy that the City Council had supported their requests for cleaning and improvements in Doheny Village.

IT WAS MOVED BY MAYOR PRO TEM JOHN A. TOMLINSON, SECONDED BY COUNCIL MEMBER J. SCOTT SCHOEFFEL, TO APPROVE MOVING FORWARD WITH THE PROPOSED IMPROVEMENTS.

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

**10. AMENDMENT TO CITY MANAGER CONTRACT**

A member of the public removed this item from the Consent Calendar.

City Attorney Munoz provided a staff report.

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Mayor Olvera opened the Public Comments.

Steve Stewart, Dana Point, felt that the City was financially challenged and that the additional compensation for the City Manager was not justified.

Mayor Olvera closed the Public Comments.

Council Member Schoeffel felt that the City Manager has done a fine job. He stated that if he votes no on this item it is because it is a base building increase. He added that the City Manager deserves something, and recommended a non-base building bonus instead.

Mayor Olvera stated that Doug Chotkevys is a senior City Manager in Orange County and has provided the City with stability. He added that he supports the recommendation.

Council Member Muller agrees with Council Member Schoeffel on the base building compensation in theory, but in practice he felt it did not work. He stated that he supports the recommendation.

Mayor Pro Tem Tomlinson stated that he appreciated Mr. Chotkevys and all that he does as well as the communication he provides. He felt that a 2.9% increase was appropriate at this time.

Council Member Muller asked Assistant City Manager Killebrew to address the comments made about the City's financial stability.

Assistant City Manager Killebrew replied that the General Fund was structurally sound with around 20 Million. He stated that over the years it had built up, but the City has accomplished many projects. He added that as the City's CFO and a resident that he was very happy with the financial condition of the General Fund.

Council Member Viczorek stated that stability, continuity and institutional knowledge was important and that is what the City Manager brings. He felt that this was a fair increase to continue the services of the City Manager.

IT WAS MOVED BY COUNCIL MEMBER RICHARD A. VICZOREK, SECONDED BY COUNCIL MEMBER JOSEPH L. MULLER, TO AUTHORIZE THE MAYOR TO SIGN AN AMENDMENT TO THE CITY MANAGER'S CONTRACT.

The motion carried by the following vote:

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

NOES: Council Member J. Scott Schoeffel

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**11. AWARD CONTRACT TO DEKRA-LITE INDUSTRIES FOR HOLIDAY DECOR DISPLAYS, SPECIALTY DISPLAYS AND STREET LIGHT POLE BANNER SERVICES**

AWARDED A MAINTENANCE SERVICES CONTRACT TO DEKRA-LITE INDUSTRIES, INC. FOR HOLIDAY DECOR DISPLAYS, SPECIALTY DISPLAYS AND STREET LIGHT POLE BANNER SERVICES; AUTHORIZED UP TO FOUR OPTIONAL TWO YEAR CONTRACT RENEWALS BEYOND THE ORIGINAL PARTIAL YEAR TERM OF SEPTEMBER 1, 2015 - JUNE 30, 2016; AND AUTHORIZED THE CITY MANAGER TO EXECUTE THE MAINTENANCE SERVICES CONTRACT AND FUTURE AMENDMENTS TO THE CONTRACT.

**12. DOHENY VILLAGE PLAN UPDATE**

A member of the public removed this item from the Consent Calendar.

City Manager Chotkevys introduced the item and Interim Economic Development Manager Nelson provided an overview.

Mayor Olvera opened the Public Comments.

Kathryn Carpenter, Capistrano Beach, stated that she was concerned about future development on the residential side. She asked the Council to consider purchasing the bus yard property and asked for the City to not forget the culture.

Larry Robinson, Dana Point/Capo Cares, acknowledged the work of Cindy Nelson. He asked for the Council to establish reserves to achieve the goals. He thanked the Council for the efforts that were being made for a safe environment.

Toni Nelson, Capistrano Beach/Capo Cares, thanked the City Council for taking their suggestions into consideration. She stated that she was impressed with Cindy Nelson and thanked Brad Fowler and Matt Sinacori for their efforts.

Mayor Olvera closed the Public Comments.

Mayor Pro Tem Tomlinson asked for an update from the Chief of Police.

Lt. Chilton reported that currently they have six (6) deputies trained and equipped on bike patrol and historically the bike patrol has run in the summer months on an as-needed basis city-wide on average of about 10 hours a week. He stated that he was working on doubling the amount of deputies. He added that they have motor officers stationed on Camino Capistrano and Palisades.



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Mayor Olvera asked about future improvements that have been planned for Capistrano Beach.

Director Fowler replied that the Council had approved a significant amount of budget for work on the residential streets. He added that the staff report covered a number of items including the work along Doheny Park Road, and improvements along Coast Highway to provide a bicycle path that will include lighting and landscaped area along the beach. He stated that there is a connectivity study that has been done which staff will work with Caltrans on some of the median improvements.

Mayor Olvera stated that he has reviewed the connectivity study and asked how the public could access it.

Director Fowler replied that there is a link to the report on the City's website but he could also send it to Capo Cares for their review.

Mayor Pro Tem Tomlinson asked how the Interim Planning Manager will be of assistance in developing the Doheny Village Plan.

City Manager Chotkevys replied that everyone works as a team and with the amount of development in the City, he will be involved in the day-to-day discussions on the various projects.

IT WAS MOVED BY COUNCIL MEMBER JOSEPH L. MULLER, SECONDED BY MAYOR PRO TEM JOHN A. TOMLINSON, TO RECEIVE AND FILE THE UPDATE.

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

**13. CONSIDER AWARD OF A CONTRACT FOR THE CONSTRUCTION OF THE ANNUAL SLURRY SEAL PROJECT**

APPROVED THE FINAL CONSTRUCTION CONTRACT DOCUMENTS REQUIRED FOR THE ANNUAL SLURRY SEAL PROJECT (CIP #1276); APPROVED AWARD OF A CONTRACT TO AMERICAN ASPHALT SOUTH, INCORPORATED FOR THE CONSTRUCTION OF THE ANNUAL SLURRY SEAL PROJECT, PROVIDING THAT THE CITY MANAGER OR HIS DESIGNEE SIGNS AND ADMINISTERS THE SUBJECT CONTRACT AND MAY APPROVE ADDITIONAL PAYMENT FOR CHANGE ORDERS, CONTINGENCIES, MANAGEMENT SERVICES, AND SOILS AND MATERIAL TESTING, AS NOTED IN THE FISCAL IMPACT SECTION; AUTHORIZED ADDITIONAL INSPECTION AND MATERIALS AND TESTING SERVICES PER THE AS-NEEDED

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CONSULTANT SERVICES AGREEMENT WITH GMU GEOTECHNICAL FOR GEOTECHNICAL ENGINEERING PER THE FISCAL IMPACT SECTION; AND 4) AUTHORIZE THE FUNDING TRANSFER AS NOTED IN THE FISCAL IMPACT SECTION.

- 14. DANA POINT TOURISM BUSINESS IMPROVEMENT DISTRICT QUARTERLY REPORT FOR APRIL - JUNE 2015**

RECEIVED AND FILED.

- 15. AWARD OF CONTRACT TO OPTICOS DESIGN, INC. TO DEVELOP A FORM BASED CODE FOR DOHENY VILLAGE**

AUTHORIZED THE CITY MANAGER TO FINALIZE THE SCOPE OF WORK AND ENTER INTO AN AGREEMENT WITH OPTICOS DESIGN, INC. (THE "CONSULTANT") IN ACCORDANCE WITH THE SCOPE OF WORK.

- 16. APPROVAL OF A LEASE AGREEMENT WITH HUFF MERIDIAN, LLC FOR USE OF PRIVATE PARKING INTO SHARED, PUBLIC PARKING AT 24582 DEL PRADO, DANA POINT**

ADOPTED RESOLUTION 15-07-21-01 ENTITLED:

*A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING A LEASE AGREEMENT BY AND BETWEEN THE CITY OF DANA POINT AND HUFF MERIDIAN, LLC, AUTHORIZING THE CITY ATTORNEY TO APPROVE NON-SUBSTANTIVE CHANGES TO THE AGREEMENT AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY.*

- 17. AUTHORIZE THE CITY MANAGER TO APPOINT AN INTERIM PLANNING MANAGER AND INTERIM CITY CLERK SPECIALIST**

AUTHORIZED THE CITY MANAGER TO APPOINT AN INTERIM PLANNING MANAGER AND AN INTERIM CITY CLERK SPECIALIST.

**PUBLIC COMMENTS**

There were no Public Comments received.



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**PUBLIC HEARINGS**

**18. 2015 WEED ABATEMENT ADMINISTRATIVE CITATION PROGRAM**

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

City Manager Chotkevys provided a staff report.

IT WAS MOVED BY COUNCIL MEMBER J. SCOTT SCHOEFFEL, SECONDED BY COUNCIL MEMBER JOSEPH L. MULLER, TO CONDUCT A HEARING ON THE WEED ABATEMENT COST REPORT AND DELINQUENT ADMINISTRATIVE CITATION FINES, THEREAFTER, ADOPT **RESOLUTION 15-07-21-02** CONFIRMING THE COST REPORT/DELINQUENT CITATION FINES AND PROVIDING FOR THE COLLECTION ON THE REGULAR TAX BILL ENTITLED:

*A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, CONFIRMING THE COST OF ABATEMENT/DELINQUENT ADMINISTRATIVE CITATION FINES AND PROVIDING FOR THE COLLECTION ON THE REGULAR TAX BILL.*

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

**19. ZONE TEXT AMENDMENT ZTA15-0001 AND LOCAL COASTAL PROGRAM AMENDMENT LCPA15-0001; TO AMEND THE CITY'S ZONING ORDINANCE; CHAPTER 9.26 AND CORRESPONDING APPENDIX "E", GENERALLY REFERRED TO AS "DANA POINT TOWN CENTER PLAN", TO ADDRESS PARKING REGULATIONS, AND TO CHANGE THE TITLE OF THE DOCUMENT TO "DANA POINT LANTERN DISTRICT PLAN" AND AN ADDENDUM TO THE PREVIOUSLY APPROVED MITIGATED NEGATIVE DECLARATION**

City Manager Chotkevys provided a staff report.

Director of Community Development Luna-Reynosa introduced Patrick Siegman of Nelson Nygaard. Patrick Siegman provided a summary of the parking program and responded to questions from the City Council.

Mayor Olvera opened the Public Hearing.

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Betty Hill, Capistrano Beach, spoke about her concerns with the proposed parking program which included the leasing of parking and long-term solutions. She felt that developers needed to bear the costs for parking for their own projects.

Buck Hill, Capistrano Beach, spoke of other cities and their parking programs.

Gary Newkirk, Dana Point, felt that the credit for on-street parking will use up all of the City's available parking and that this would subsidize the developers. He stated that he was concerned with the reduction of the in-lieu parking spaces.

Steve LaMotte, Huntington Beach, representing the Building Industry Association, stated that they support staff's recommendations on the parking program amendments.

Dana Yarger, Dana Point, stated that there was a parking problem at his building on Del Prado and that a parking structure needed to be built. He felt that the on-street parking should be reserved for customers.

Cindy Fleming, Dana Point, stated that she supports the Lantern District Plan but felt that the restaurants needed to have more parking as the overflow is into the residential areas.

Peggy Tabas, Newport Beach, stated that she supports the new parking program and felt that it will go a long way to stimulate new development in the down town.

Mayor Olvera closed the Public Hearing.

Mayor Pro Tem Tomlinson suggested that the developer be made to pay for the curbside parking instead of allowing a credit. He felt that the number of parking spaces required of residential units was too low at one per 1,000.

Council Member Schoeffel asked where guests of the residential areas will be parking.

Patrick Siegman replied that the unused commercial spaces will be used for guests at night.

Council Member Schoeffel asked where would guests park during the day.

Patrick Siegman replied that the uses will not hit their peak at the same time.

Council Member Schoeffel stated that one parking space per residential unit was very low.

Patrick Siegman replied that the Meridian was working well as an example. He added that they have found that the standard has worked well in other cities.

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Council Member Schoeffel asked if projects come in and the City cannot keep pace with acquisition of surface parking; how will that problem be solved.

Patrick Siegman replied that the parking program will match the pace of development with solutions. He added that if a lot of projects come in they with either pay the in-lieu fee or build parking.

Council Member Schoeffel asked how we will know that the shared public parking is going to be available and affordably priced to support the project.

Patrick Siegman replied that when someone wants to bring in a new business or start a new activity that then will be the catalyst to create parking and provide the City with the leverage.

Mayor Olvera summarized the discussion and asked if staff had anything to add.

City Manager Chotkevys stated that as a result of the discussion there seems to be an issue relating to the in-lieu parking fee applying to on-street parking in front of a development and the other issue is relative to the residential parking spaces.

City Attorney Munoz felt that it would be helpful if Director Luna-Reynosa described what the Planning Commission had discussed on the residential standards.

Director Luna-Reynosa replied that the Planning Commission was concerned about the residential parking standards, but instead of coming up with an alternative standard they wanted the Council to know of their concern and enable the Council to review the standards.

Council Member Muller recommended eliminating curbside parking being counted for by commercial development and requiring one parking space per bedroom in residential developments.

Council Member Viczorek felt that staff has put together a great plan and that he would agree with Gary Newkirk about the on-street parking. He stated that the issue of residential parking should be left to the free market.

Council Member Schoeffel stated that he also agrees with Gary Newkirk. He felt that the residential standard should be two spaces per unit and then resort to a benefit assessment district.

Mayor Pro Tem Tomlinson felt that a \$40,000 standard should be applied if curbside parking is used as part of a plan.

Council Member Muller clarified that curbside parking should not be allowed to be counted as part of a development's minimum parking requirement.

Council Member Schoeffel asked if there was any way to budget this out to see what the in-lieu fees would be.

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Director Luna-Reynosa replied that in general people do not like to pay the in-lieu fee unless it is less expensive than providing their on-site parking. She stated that at two parking spaces per 1,000 square feet, she felt that developers would provide their own parking on-site.

Council Member Muller made a motion to approve this plan with the change to not allow the commercial development to count the curbside parking in place of the requirement of two spaces per 1,000 square feet.

Council Member Viczorek seconded the motion.

Mayor Pro Tem Tomlinson stated that he would want to raise the residential parking requirement to two parking spaces per 1,000 square feet.

Patrick Siegman recommended requiring one parking space for studios and one bedroom units, and two parking spaces for two bedroom units and three parking spaces for three bedroom units.

Mayor Pro Tem Tomlinson made a substitute motion of one parking space per bedroom and the payment of in-lieu fees for off-street parking. Motion died for lack of second.

IT WAS MOVED BY COUNCIL MEMBER JOSEPH L. MULLER, SECONDED BY MAYOR PRO TEM JOHN A. TOMLINSON, TO CONDUCT A PUBLIC HEARING AND ADOPT **RESOLUTION 15-07-21-03** DELETING THE PROVISION THAT ALLOWS ON-STREET PARKING CREDITS AND CHANGE THE PARKING REQUIREMENT FOR RESIDENTIAL PROJECTS TO TWO PARKING SPACES PER 1,000 SQUARE FEET ENTITLED:

*A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADOPTING AN ADDENDUM TO A PREVIOUSLY APPROVED MITIGATED NEGATIVE DECLARATION FOR THE ZONE TEXT AMENDMENT ZTA15-0001 AND LOCAL COASTAL PROGRAM AMENDMENT LCPA15-0001, TO AMEND THE CITY'S ZONING ORDINANCE; CHAPTER 9.26 AND CORRESPONDING APPENDIX E, GENERALLY REFERRED TO AS DANA POINT TOWN CENTER PLAN, TO ADDRESS PARKING REGULATIONS AND TO CHANGE THE TITLE OF THE DOCUMENT TO DANA POINT LANTERN DISTRICT PLAN; AND*

INTRODUCE FOR FIRST READING AN ORDINANCE ENTITLED:

*AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING ZONE TEXT AMENDMENT ZTA15-0001 TO AMEND THE CITY'S ZONING ORDINANCE; CHAPTER 9.26 AND CORRESPONDING APPENDIX E; GENERALLY REFERRED TO AS THE DANA POINT TOWN CENTER PLAN; TO ADDRESS PARKING REGULATIONS AND A*

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*TITLE CHANGE OF THE DOCUMENT TO DANA POINT LANTERN DISTRICT PLAN; AND SUBMISSION AS PART OF LOCAL COASTAL PROGRAM AMENDMENT LCPA15-0001 FOR APPROVAL AND CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION; AND*

ADOPT **RESOLUTION 15-07-21-04** REQUESTING CERTIFICATION OF THE LCPA FROM THE CALIFORNIA COASTAL COMMISSION ENTITLED:

*A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, REGARDING LOCAL COASTAL PROGRAM AMENDMENT LCPA15-0001 AND REQUESTING CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION.*

The motion carried by the following vote:

AYES: Council Member Joseph L. Muller, Mayor Pro Tem John A. Tomlinson and Mayor Carlos N. Olvera

NOES: Council Member J. Scott Schoeffel, and Council Member Richard A. Viczorek

Director Luna-Reynosa clarified that the motion was two parking spaces per 1,000 square feet with a minimum of one parking space per residential unit.

#### **UNFINISHED BUSINESS**

There were no Unfinished Business items.

#### **NEW BUSINESS**

- 20. INTRODUCTION OF ORDINANCE AMENDMENTS TO THE CITY COUNCIL OF CITY OF DANA POINT, CALIFORNIA MUNICIPAL CODE 1) AMENDING CHAPTER 12.08 TO ALLOW PARKING METER/PAY STATION/MOBILE DEVICE PAYMENT ZONES; 2) ADDING CHAPTER 12.20 OF THE MUNICIPAL CODE TO ESTABLISH A PARKING BENEFIT DISTRICT FOR THE RESIDENTIAL AREA LOCATED TO THE SOUTH OF THE LANTERN DISTRICT; AND 3) INITIATING A NEW PREFERENTIAL PARKING DISTRICT FOR THE RESIDENTIAL AREA LOCATED TO THE NORTH OF LANTERN DISTRICT/PACIFIC COAST HIGHWAY**

City Manager Chotkevys provided a staff report.

Mayor Olvera opened the Public Comments.

Joseph Moderou, Dana Point, spoke of the spillover from the Lantern District into the residential areas. He felt that pay parking was fine but if this is not consistent on all of the Lantern streets then people will look for the free parking.



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Jorge Luhan, Dana Point, stated that he was in favor of a parking benefit district.

Wendy McDonald, Dana Point, stated that she had questions about how the parking district worked.

Steve Cary, Dana Point, stated that he supports this proposal with the exception of the definition of resident. He felt that parking passes should only be given to those who live on the street that is metered.

Mayor Olvera closed the Public Comments.

Council Member Schoeffel asked about the definition of resident because he thought that it meant those who lived on the street.

Director of Public Works and Engineering Fowler replied that was the intent.

IT WAS MOVED BY COUNCIL MEMBER J. SCOTT SCHOEFFEL, SECONDED BY MAYOR PRO TEM JOHN A. TOMLINSON, TO INTRODUCE AND HOLD A FIRST READING OF ORDINANCES ENTITLED:

*AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA AMENDING CHAPTER 12.08 TO ALLOW PARKING METER/PAY STATION/MOBILE DEVICE PAYMENT ZONES; AND*

*AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA ADDING CHAPTER 12.20 OF THE DANA POINT MUNICIPAL CODE ESTABLISHING A PARKING BENEFIT DISTRICT SOUTH OF DEL PRADO IN LANTERN VILLAGE; AND INITIATED A NEW LANTERN VILLAGE PREFERENTIAL PARKING DISTRICT NORTH OF PACIFIC COAST HIGHWAY.*

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

## **PUBLIC COMMENTS**

There were no additional Public Comments received.



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**STAFF REPORTS**

City Manager Chotkevys thanked the Council for their kind words and their vote of confidence.

**COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED**

Council Member Viczorek reported that he had attended two meetings of the Fire Authority Board of Directors. He stated that there was a Bill in the State Legislature to reduce the number of members on the OCFA Board to thirteen members. He added that a compromise was reached if the Cities gave up their alternate positions they would retain their representatives so the Bill was put on hold temporarily. He did not feel that losing an alternate was a good result. He stated that he would turn in his list of meetings attended to the City Clerk.

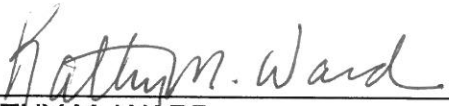
Council Member Muller reported that he traveled to Sacramento on June 17 to lobby against AB 1217, on July 14 he attended the going away lunch for Jennifer Ransom, and spoke at the Niguel Shores Men's Club on July 21.

Mayor Pro Tem Tomlinson 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 9:32 p.m. and announced that the next Regular Meeting of the City Council will be September 1, 2015, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

  
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KATHY M. WARD  
CITY CLERK

APPROVED AT THE MEETING OF SEPTEMBER 1, 2015

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**CITY OF DANA POINT, CALIFORNIA  
CITY COUNCIL REGULAR MEETING MINUTES  
JULY 21, 2015**

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Meetings attended since June 16, 2015:

**Mayor Carlos N. Olvera**

- June 18 - OC Vector control board meeting; Ribbon cutting for Boneyard Café
- June 19 - Dana Hills High School graduation
- June 20 - OC Historical Commission function
- June 25 - Boy & Girls Club board meeting; received award for the City
- June 26 - South Orange County Economic Coalition; Dana Point Trolley Hop
- June 28 - Ground Breaking Ceremonies Gloria Dei Church
- July 6 - Doheny Village meeting; City Manager evaluation meeting
- July 9 - SONGS CEP meeting
- July 16 - South OC Association of Mayors; OC Vector Control Board Meeting
- July 19 - Special Olympics Torch thru Dana Point, received City gift

**Mayor Pro Tem John L. Tomlinson**

- June 18 - Dana Point Trolley Ribbon Cutting
- June 22 - Farewell dinner for Colonel Jason Bohm at Jack's Restaurant with Fifth Marine Support Regiment

**Council Member J. Scott Schoeffel**

- June 19 - Year-end student awards ceremony at Palisades Elementary School and presented Excellence is Elementary scholarships to students at the event. Year-end student awards ceremony at RH Dana ENF Elementary School and presented Excellence is Elementary scholarships to students at the event.
- June 22 - Farewell dinner for Colonel Jason Bohm at Jack's Restaurant with Fifth Marine Support Regiment
- June 28 - Reception for patrons of Dana Point Symphony Orchestra
- June 29 - San Joaquin Hills Transportation Corridor Agency Board of Directors special meeting
- June 30 - Joint executive committee meeting in Laguna Niguel for San Joaquin Hills and Foothill Eastern Transportation Corridor Agencies
- July 6 - Meeting of Coastal Animal Services Authority board of directors
- July 9 - San Joaquin Hills Transportation Corridor Agency Board of Directors meeting. Attend Foothill Eastern Transportation Corridor Agency Board of Directors meeting.
- July 11 - Dana Point Symphony Orchestra performance at St. Edward the Confessor Catholic Church
- July 12 - Dana Point Summer Concerts 2015 concert at Lantern Bay Park
- July 15 - Annual meeting of directors of California Joint Powers Insurance Authority
- July 16 - Joint compensation ad hoc committee for the San Joaquin Hills and Foothill Eastern Transportation Corridor Agencies
- July 19 - Dana Point Summer Concerts 2015 concert at Sea Terrace Park

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**CITY OF DANA POINT, CALIFORNIA  
CITY COUNCIL REGULAR MEETING MINUTES  
JULY 21, 2015**

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**Council Member Richard A. Viczorek**

- June 18 - Boneyard Café Ribbon Cutting – Doheny State Beach  
Dana Point Trolley Ribbon Cutting – Doheny State Beach
- June 22 - Hail & Farewell for Col Bohm and Col Kassner – Jack's Restaurant
- June 25 - OCFA Board of Directors Meeting – Irvine
- July 1 - OCFA Board of Directors Meeting – Irvine
- July 9 - Meeting with constituents re: Capo Beach residential neighborhood issues  
– Capistrano Beach