

CITY OF DANA POINT



**CITY COUNCIL
REGULAR
MEETING/JOINT
MEETING WITH
THE PLANNING
COMMISSION**

**TUESDAY
NOVEMBER 3, 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. 15-07

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 5:01 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 – 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

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 – CALL TO ORDER

Mayor Olvera reconvened the meeting at 6:03 p.m. All Council Members were present.

STAFF PRESENT: Douglas C. Chotkevys, City Manager; Patrick, City Attorney; Kathy Ward, City Clerk; Mike Rose, Director of Disaster Preparedness & Facilities; Lt. Russ Chilton; Ursula Luna-Reynosa, Director of Community Development; Brad Fowler, Director of Public Works and Engineering; John Tilton, City Architect; Mark Sutton, Building Official; Kevin Evans, Director of Community Services

and Parks; Erica Demkowicz, Senior Planner; Charlie View, Interim Planning Manager; Rachel Johnson, Assistant Administrative Analyst; Jackie Littler, Executive Assistant, DyAnne Weamire, Administrative Assistant, and Bobbi Ogan, Deputy City Clerk.

CLOSED SESSION ANNOUNCEMENT

City Attorney Munoz stated that he had nothing to report.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Viczorek.

INVOCATION

The Invocation was provided by Morrie Hansen, VFW Post 9934 Chaplain.

PRESENTATIONS AND PROCLAMATIONS

Employee of the Month – Evelyn LaRocca

CONSENT CALENDAR

A member of the public removed Item #9 from the Consent Calendar.

IT WAS MOVED BY MAYOR PRO TEM TOMLINSON, SECONDED BY COUNCIL MEMBER MULLER, THAT THE RECOMMENDATIONS BE ACCEPTED FOR ALL ITEMS ON THE CONSENT CALENDAR WITH THE EXCEPTION OF ITEM 9.

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. REGULAR MEETING MINUTES, OCTOBER 20, 2015

APPROVED THE MINUTES.

3. PLANNING COMMISSION MEETING MINUTES, OCTOBER 12, 2015

RECEIVED AND FILED.

4. PLANNING COMMISSION ACTIONS, MEETING OF OCTOBER 26, 2015

RECEIVED AND FILED.

5. TOURISM BUSINESS IMPROVEMENT DISTRICT MEETING MINUTES, SEPTEMBER 22, 2015

RECEIVED AND FILED.

6. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR

RECEIVED AND FILED.

7. CLAIMS AND DEMANDS

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

8. CITY TREASURER'S REPORT, SEPTEMBER 2015

RECEIVED AND FILED THE CITY TREASURER'S REPORT FOR THE MONTH OF SEPTEMBER, 2015.

9. DANA POINT TOURISM BUSINESS IMPROVEMENT DISTRICT ANNUAL REPORT AND RENEWAL FOR 2016

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

IT WAS MOVED BY COUNCIL MEMBER SCHOEFFEL, SECONDED BY MAYOR OLVERA, THAT THE CITY COUNCIL ADOPT **RESOLUTION 15-11-03-01** ENTITLED:

A RESOLUTION OF THE CITY OF DANA POINT, CALIFORNIA, CONFIRMING THE 2016 ANNUAL REPORT AND DECLARING THE INTENTION OF THE CITY COUNCIL TO CONTINUE THE PROGRAM AND ASSESSMENTS FOR THE 2016 CALENDAR YEAR FOR THE DANA POINT TOURISM BUSINESS IMPROVEMENT DISTRICT (TBID); and

SET THE DATE FOR A PUBLIC HEARING FOR RENEWAL OF THE DANA POINT TOURISM BUSINESS IMPROVEMENT DISTRICT FOR DECEMBER 1, 2015.

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

10. AUTHORIZATION TO DISTRIBUTE REQUESTS FOR PROPOSALS FOR THE CUSTODIAL MAINTENANCE SERVICE AT CITY FACILITIES

AUTHORIZED STAFF TO DISTRIBUTE THE REQUESTS FOR PROPOSAL (RFP) TO QUALIFIED CONTRACTORS FOR CUSTODIAL SERVICES AT CITY HALL, THE COMMUNITY CENTER, THE NATURE INTERPRETIVE CENTER, THE PCH PEDESTRIAN BRIDGE AND PARK RESTROOMS.

PUBLIC COMMENTS

There were no Public Comments received.

PUBLIC HEARINGS

11. COASTAL DEVELOPMENT PERMIT 15-0021 REGULATING HOURS OF OPERATION OF PUBLIC FACILITIES, INCLUDING THE MID-STRAND BEACH ACCESS AND CENTRAL STRAND BEACH ACCESS, AT THE DANA POINT HEADLANDS AND INTRODUCTION OF AN ORDINANCE AMENDING CHAPTER 13.04, PARKS AND RECREATIONAL FACILITIES REGULATIONS, OF THE MUNICIPAL CODE TO ADDRESS CITY PARKS AND FACILITIES

IT WAS MOVED BY COUNCIL MEMBER MULLER, SECONDED BY COUNCIL MEMBER VICZOREK, THAT THE CITY COUNCIL HOLD A PUBLIC HEARING AND ADOPT **RESOLUTION 15-11-03-02** APPROVING COSTAL DEVELOPMENT PERMIT 15-0021 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING COASTAL DEVELOPMENT PERMIT CDP15-0021 REGULATING HOURS OF OPERATION OF PUBLIC FACILITIES, INCLUDING THE MID-STRAND BEACH ACCESS AND CENTRAL STRAND BEACH ACCESS AT THE DANA POINT HEADLANDS; and

INTRODUCE AND HOLD A FIRST READING OF AN ORDINANCE ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING CHAPTER 13.04, PARKS AND RECREATIONAL FACILITIES REGULATIONS OF THE MUNICIPAL CODE TO ADDRESS PARKS AND FACILITIES IN THE CITY.

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

NEW BUSINESS

- 12. CERTIFY THE SUFFICIENCY OF CITIZENS' INITIATIVE PETITION FOR "THE 2015 TOWN CENTER INITIATIVE" AND CONSIDER ACTIONS TO ADOPT THE INITIATIVE ORDINANCE, OR ADOPT A RESOLUTION SUBMITTING THE INITIATIVE ORDINANCE TO THE VOTERS AT A SPECIAL ELECTION, OR ORDER A REPORT ON THE EFFECT OF THE PROPOSED ORDINANCE**

IT WAS MOVED BY COUNCIL MEMBER MULLER, SECONDED BY COUNCIL MEMBER VICZOREK, THAT THE CITY COUNCIL 1) ACCEPT THE REPORT OF THE CITY CLERK DECLARING SUFFICIENCY OF THE INITIATIVE PETITION; AND APPROPRIATE FUNDS FROM GENERAL FUND RESERVES TO THE CITY CLERK'S OFFICE IN THE AMOUNT OF \$13,672 FOR COSTS INCURRED TO HAVE THE PETITION SIGNATURES VERIFIED BY THE ORANGE COUNTY REGISTRAR OF VOTERS AND 2) ORDER A REPORT ON THE INITIATIVE PURSUANT TO ELECTIONS CODE § 9212 TO BE PRESENTED TO THE CITY COUNCIL AT A REGULAR CITY COUNCIL MEETING NO LATER THAN DECEMBER 1.

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

JOINT MEETING WITH THE PLANNING COMMISSION

ROLL CALL OF THE PLANNING COMMISSION MEMBERS:

April O'Connor, Chairwoman
Eric A. Nelson, Vice-Chairman
Liz Claus, Commissioner
Scott McKhann, Commissioner
Danni R. Murphy, Commissioner

UNFINISHED BUSINESS

- 13. DOHENY VILLAGE DESIGN CHARRETTE OVERVIEW**

THE CITY COUNCIL AND PLANNING COMMISSION RECEIVED AN UPDATE.

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 10:19 p.m. and announced that the next Regular Meeting of the City Council will be November 17, 2015, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.