

CITY OF DANA POINT

CITY COUNCIL REGULAR MEETING



TUESDAY
OCTOBER 2, 2018
5:00 P.M.

MINUTES

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

Next City Council Ordinance No. 18-07

CALL TO ORDER

The Regular Meeting of the City Council of the City of Dana Point, California, was called to order by Mayor Viczorek at 5:00 p.m. in the City Council Chambers, 33282 Golden Lantern, Dana Point.

ROLL CALL OF CITY COUNCIL MEMBERS:

Richard A. Viczorek, Mayor
Joseph L. Muller, Mayor Pro Tem
Debra Lewis, Council Member
John A. Tomlinson, Council Member (Arrived at 5:08 p.m.)
Paul N Wyatt, Council Member

CLOSED SESSION

A. CONFERENCE WITH LABOR NEGOTIATOR, Government Code § 54957.6

Agency Designated Representatives: City Manager
Unrepresented and Represented Employees: All positions in City

Mayor Viczorek recessed the meeting into a Closed Session at 5:00 p.m. pursuant to Government Code Section 54956 et seq.

RECONVENE CITY COUNCIL MEETING

Mayor Viczorek reconvened the meeting at 6:01 p.m. All Council Members were present.

STAFF PRESENT: Mark Denny, City Manager; Patrick Munoz, City Attorney; Mike Killebrew, Assistant City Manager; Kathy Ward, City Clerk; Lt. Margie Sheehan; Matthew Schneider, Acting Director of Community Development; Matthew Sinacori, Director of Public Works and Engineering; Kelly Reenders, Economic Development Manager, Jack Holden Building Official; Rachel Johnson, Management Analyst; Sean Nicholas, Senior Planner; and Shayna Sharke, Deputy City Clerk

CLOSED SESSION ANNOUNCEMENT

City Attorney Munoz did not have a Closed Session announcement.

PLEDGE OF ALLEGIANCE

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

INVOCATION

The Invocation was provided by OCFA Chaplain Brett Peterson.

PRESENTATIONS AND PROCLAMATIONS

OCFA Fire Prevention Week

Mayor Viczorek and Mayor Pro Tem Muller presented Battalion Chief Scott Wiedensohler with a proclamation declaring October 7th through 13th as OCFA Fire Prevention Week. Battalion Chief Wiedensohler encouraged families to create an escape plan in case of fire at home and practice two times per year. He added that OCFA, Irvine will have an open house on Saturday, October 6th, and OCFA, Dana Point will host their open house on Saturday, October 13th.

READING OF ORDINANCE TITLES

City Clerk Ward read two Ordinance titles listed on the agenda.

CONSENT CALENDAR

IT WAS MOVED BY MAYOR VICZOREK, SECONDED BY MAYOR PRO TEM MULLER, THAT THE RECOMMENDATIONS BE ACCEPTED FOR ALL ITEMS ON THE CONSENT CALENDAR.

The motion carried by the following vote:

AYES: Council Member Debra Lewis, Council Member John A. Tomlinson, Council Member Paul N Wyatt, Mayor Pro Tem Joseph L. Muller, and Mayor Richard A. Viczorek

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, SEPTEMBER 18, 2018

APPROVED THE MINUTES.

3. PLANNING COMMISSION MEETING MINUTES, SEPTEMBER 10, 2018

RECEIVED AND FILED.

4. YOUTH BOARD MEETING MINUTES, SEPTEMBER 13, 2018

RECEIVED AND FILED.

5. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR

RECEIVED AND FILED.

6. CITY TREASURER'S REPORT, AUGUST

RECEIVED AND FILED THE CITY TREASURER'S REPORT FOR AUGUST, 2018.

7. CLAIMS AND DEMANDS

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

8. SECOND READING FOR THE ZONE TEXT AMENDMENT ZTA18-0001, TO AMEND VARIOUS PROVISIONS TO THE ZONING ORDINANCE TO CLARIFY SECTIONS TO BETTER ASSIST THE PUBLIC, 2018 ZONING ORDINANCE CLEANUP

HELD A SECOND READING AND ADOPTED **ORDINANCE 18-07** ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING ZONE TEXT AMENDMENT ZTA18-0001 TO MODIFY AND ADD VARIOUS PROVISIONS TO THE ZONING ORDINANCE AND SUBMISSION AS PART OF LOCAL COASTAL PROGRAM AMENDMENT LCPA18-0001 FOR APPROVAL AND CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION.

PUBLIC COMMENTS

Wayne Yost, Dana Point, thanked attendees of the Dana Point Car Show. He stated that 300 vehicles were on display and the Car Show was attended by 10,000 people.

COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED

Council Member Tomlinson reported that he attended the Short Term Rental Subcommittee Meeting on September 25th.

Council Member Wyatt stated that he turned in his list of meetings attended to the City Clerk. He summarized the South Orange County Service Planning Area (SPA) meeting on Homelessness that he

attended on September 24th and thanked staff for working with surrounding cities to submit a grant application for funding for homeless related projects and programs.

Council Member Lewis stated that she attended the City's Business Perspective on Homelessness meeting on October 2nd and thanked the staff that organized and participated in the meeting. She added that she would like to see a meeting for residents as well.

Mayor Pro Tem Muller stated that he turned in his list of meetings attended to the City Clerk. He added that fire alarms have a 10 year lifespan and reported that OCFA will replace fire alarms for free. He asked staff to identify large multi-unit properties that may need their fire alarms replaced.

Mayor Viczorek said hello to his son, who was watching the meeting from home and he turned in his list of meetings attended to the City Clerk.

PUBLIC HEARINGS

There were no Public Hearings.

UNFINISHED BUSINESS

There were no Unfinished Business items.

9. FISCAL YEAR 2018 (FY18) 4TH QUARTER FINANCIAL REPORT AND PROPOSED FY19 CARRY-OVER BUDGET ADJUSTMENTS

Assistant City Manager Killebrew provided a staff report with a slide presentation.

IT WAS MOVED BY MAYOR VICZOREK, SECONDED BY MAYOR PRO TEM MULLER, THAT THE CITY COUNCIL:

1. Receive and file the FY18 Financial Report for the quarter ended June 30, 2018; and
2. Amend the FY2018-19 ("FY19") budget by authorizing the carry-over and appropriation of encumbered and unencumbered funds from FY18 to FY19, as summarized in the Fiscal Impact section of the report.

Discussion ensued.

The motion carried by the following vote:

AYES: Council Member Lewis, Council Member Tomlinson, Council Member Wyatt, Mayor Pro Tem Muller, and Mayor Viczorek

NOES: None

ABSENT: None

10. DANA POINT TOURISM BUSINESS IMPROVEMENT DISTRICT ANNUAL REPORT AND RENEWAL FOR 2019

Economic Development Manager Reenders provided a staff report.

IT WAS MOVED BY MAYOR VICZOREK, SECONDED BY COUNCIL MEMBER TOMLINSON, THAT THE CITY COUNCIL:

1) Adopt Resolution **18-10-02-01** entitled:

A RESOLUTION OF THE CITY OF DANA POINT, CALIFORNIA, CONFIRMING THE 2019 ANNUAL REPORT AND DECLARING THE INTENTION OF THE CITY COUNCIL TO CONTINUE THE PROGRAM AND ASSESSMENTS FOR THE 2019 CALENDAR YEAR FOR THE DANA POINT TOURISM BUSINESS IMPROVEMENT DISTRICT (TBID); and;

2) Set the date for public hearing for renewal of the Dana Point Tourism Business Improvement District on November 20, 2018.

Economic Development Manager Reenders introduced Jonny Westom, Executive Director of Visit Dana Point.

Discussion ensued.

The motion carried by the following vote:

AYES: Council Member Lewis, Council Member Tomlinson, Council Member Wyatt, Mayor Pro Tem Muller, and Mayor Viczorek

NOES: None

ABSENT: None

11. INTRODUCTION AND FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF DANA POINT, CALIFORNIA AMENDING DANA POINT MUNICIPAL CODE TITLE 11 (PEACE, MORALS AND SAFETY) AND TITLE 13 (PARKS AND RECREATION FACILITIES)

IT WAS MOVED BY MAYOR VICZOREK, SECONDED BY MAYOR PRO TEM MULLER, THAT THE CITY COUNCIL INTRODUCE AND HOLD A FIRST READING OF AN ORDINANCE **18-XX** ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF DANA POINT, CALIFORNIA AMENDING DANA POINT MUNICIPAL CODE TITLE 11 (PEACE, MORALS AND SAFETY) AND TITLE 13 (PARKS AND RECREATION FACILITIES) TO CLARIFY AND AMEND THE CITY'S REGULATIONS RELATING TO FIRES

The motion carried by the following vote:

AYES: Council Member Lewis, Council Member Tomlinson, Council Member Wyatt, Mayor Pro Tem Muller, and Mayor Viczorek

NOES: None

ABSENT: None

PUBLIC COMMENTS (Continued)

STAFF REPORTS

There were no staff reports.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Viczorek adjourned the meeting at 7:04 p.m. and announced that the next Regular Meeting of the City Council will be October 16, 2018, 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 OCTOBER 16, 2018.

Meetings attended since September 19, 2018:

Mayor Richard A. Viczorek

09/19/2018 OCMVCD Board of Trustees Meeting

Mayor Pro Tem Joseph L. Muller

09/19/2018 OCFA
09/19/2018 CIP Ad Hoc
09/26/2018 TCA
09/26/2018 Parking Subcommittee
09/26/2018 LVA Taco Night
09/27/2018 OCFA

Council Member John A. Tomlinson

09/25/2018 Short Term Rental Subcommittee Meeting

Council Member Debra Lewis

09/19/2018 Capital Improvement Projects Subcommittee
9/21/2018 City Staff Briefing
10/2/2018 City Homeless Preparedness for Businesses

Council Member Paul N Wyatt

09/19/2018 JPIA Forum
09/20/2018 JPIA Forum
09/23/2018 Lantern District Car Show
09/24/2018 Homelessness South OC Service Planning Area Meeting
09/24/2018 Harbor Revitalization Status Update
09/25/2018 Short-term Rental Subcommittee Meeting
09/25/2018 Ocean Water Quality Subcommittee Meeting
09/26/2018 Lantern Village Association Tacofest
09/28/2018 ACC-OC Smart Cities Panel Discussion

South OC Service Planning Area (SPA) Meeting on Homelessness

The South County Service Planning Area (SPA) meeting was held on Monday September 24th. City Manager Mark Denny, Kelly Reenders and I attended and received some good news. Contrary to our previous understanding, the funding from the state, \$15M for OC – Homeless Emergency Assistance Program (HEAP), only requires a city to declare a homeless crisis if the requested monies are to be used for location-specific projects such as siting and building a homeless shelter. The state is now saying that other projects such as outreach and rapid rehousing do not require a resolution if done through a non-profit service provider.

Mark and Kelly recognized this opportunity immediately and organized a meeting of the five neighboring cities in South County who use Mercy House for outreach to discuss a grant for these funds. The first meeting has already taken place with very positive results and a second meeting is scheduled for later this week.

The grant application must be submitted by Friday. Kelly has taken the lead on making this happen with support and assistance from Mark. The County will make the determination on the money but thanks to Kelly's and Mark's leadership four of our neighbor cities are now working together with Dana Point to address the homelessness issues in our regional area. I think this grant application has a very high possibility of being funded and I especially want to thank Kelly for recognizing the opportunity and doing the heavy-lifting to pull our neighbors together to make this possible.