

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**MONDAY
APRIL 27, 2009
5:00 P.M.**

ACTION AGENDA

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

Next City Council Ordinance No. 09-04

CALL TO ORDER

The Regular Meeting of the City Council of the City of Dana Point, California, was called to order by Mayor Bartlett at 5:00 p.m. in the Dana Point City Council Chamber, 33282 Golden Lantern, Suite 210, Dana Point.

ROLL CALL OF CITY COUNCIL MEMBERS:

Present: Lisa A. Bartlett, Mayor
Steven H. Weinberg, Mayor Pro Tem
Lara Anderson, Council Member
Joel Bishop, Council Member
Scott Schoeffel, Council Member

CLOSED SESSION

City Attorney Munoz indicated that there was a need for a Closed Session as follows:

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION, Government Code § 54957

Title: City Manager

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

RECONVENE CITY COUNCIL MEETING – CALL TO ORDER

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

STAFF PRESENT: Douglas C. Chotkevys, City Manager; Patrick Munoz, City Attorney; Kathy M. Ward, City Clerk; Mike Killebrew, Director of Administrative Services; Lt. Mark Levy, Chief of Police Services; Kyle Butterwick, Director of Community Development; Brad Fowler, Director of Public Works; Lynn Kelly, Management Analyst; Christy Teague, Economic Development Manager; Kevin Evans, Director of Community Services and Parks; Jackie Littler, Executive Secretary; DyAnne Weamire, Administrative Secretary; and Bobbi Ogan, Deputy City Clerk.

CLOSED SESSION ANNOUNCEMENT

Assistant City Attorney Litfin stated that he had nothing to report.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Nichole Chambers, President/CEO of the Dana Point Chamber of Commerce.

INVOCATION

The Invocation was provided by Seminary Intern Sabrina Vasta of Gloria Dei Lutheran Church.

PRESENTATIONS AND PROCLAMATIONS

Certificate of Recognition for Festival of Whales Award Winners
Certificate of Recognition for Shelby Kwait of Dana Hills High School Make A Wish Foundation
Proclamation for Arson Awareness Week
Proclamation from Senator Tom Harman's Office for City's 20th Anniversary

CONSENT CALENDAR

Council Member Bishop recused himself from voting on Item 14 due to a potential conflict of interest.

IT WAS MOVED BY COUNCIL MEMBER LARA ANDERSON, SECONDED BY MAYOR LISA BARTLETT, THAT THE RECOMMENDATIONS BE ACCEPTED FOR ALL ITEMS LISTED ON CONSENT CALENDAR WITH THE EXCEPTION OF ITEM 14.

The motion carried by the following vote:

AYES: Council Member Lara Anderson, Council Member Joel Bishop, Council Member Scott Schoeffel, Mayor Pro Tem Steven Weinberg, and Mayor Lisa A. Bartlett

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. ADJOURNED REGULAR MEETING MINUTES, MARCH 31, 2009

APPROVED THE MINUTES.

3. ADJOURNED REGULAR MEETING MINUTES, APRIL 7, 2009

APPROVED THE MINUTES.

4. REGULAR MEETING MINUTES, APRIL 13, 2009

APPROVED THE MINUTES.

5. PLANNING COMMISSION MEETING MINUTES, MARCH 16, 2009

RECEIVED AND FILED.

6. PLANNING COMMISSION MEETING MINUTES, APRIL 6, 2009

RECEIVED AND FILED.

7. PLANNING COMMISSION ACTIONS, MEETING OF APRIL 20, 2009

RECEIVED AND FILED.

8. YOUTH BOARD MEETING MINUTES, APRIL 2, 2009

RECEIVED AND FILED.

9. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR

RECEIVED AND FILED.

10. CITY TREASURER'S REPORT, MARCH 2009

RECEIVED AND FILED THE CITY TREASURER'S REPORT FOR THE MONTH OF MARCH.

11. CLAIMS AND DEMANDS

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

12. COUNTY OF ORANGE PROPOSITION 42 CITY AID PROGRAM FUNDING AGREEMENT FOR FY2010

AUTHORIZED THE MAYOR TO EXECUTE THE PROPOSITION 42 CITY AID PROGRAM (CAP) FUNDING AGREEMENT.

13. STATUS REPORT ON THE SUNDAY EXTENDED OPERATING HOURS AT THE DANA POINT LIBRARY

RECEIVED AND FILED THE UPDATE REPORT FOR THE USAGE DURING THE EXTENDED HOURS OF OPERATION AT THE DANA POINT LIBRARY.

14. INTRODUCTION OF AN ORDINANCE AMENDING CHAPTER 13.04, PARKS AND RECREATIONAL FACILITIES REGULATIONS, OF THE MUNICIPAL CODE TO ADDRESS NEW PARKS AND FACILITIES IN THE CITY

Council Member Joel Bishop recused himself from this item due to a potential conflict of interest.

INTRODUCED AND HELD 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 THE NEW PARKS AND FACILITIES IN THE CITY.

The motion carried by the following vote:

AYES: Council Member Lara Anderson, Council Member Scott Schoeffel, Mayor Pro Tem Steven Weinberg, and Mayor Lisa A. Bartlett

NOES: None

RECUSED: Council Member Joel Bishop

PUBLIC COMMENTS

John Chaffetz
Joe Snyder
Harold Kaufman

PUBLIC HEARINGS

15. ESTABLISHMENT OF DANA POINT TOURISM BUSINESS IMPROVEMENT DISTRICT

IT WAS MOVED BY MAYOR PRO TEM STEVEN WEINBERG, SECONDED BY COUNCIL MEMBER LARA ANDERSON, TO HOLD A SECOND READING AND ADOPT **ORDINANCE 09-01** ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ESTABLISHING THE DANA POINT TOURISM BUSINESS IMPROVEMENT DISTRICT (TBID).

The motion carried by the following vote:

AYES: Council Member Lara Anderson, Council Member Joel Bishop, Council Member Scott Schoeffel, Mayor Pro Tem Steven Weinberg, and Mayor Lisa A. Bartlett

NOES: None

IT WAS MOVED BY MAYOR PRO TEM STEVEN WEINBERG, SECONDED BY MAYOR LISA BARTLETT TO CONDUCT A PUBLIC HEARING; AND ADOPT **RESOLUTION 09-04-27-01** ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, CONFIRMING THE INTENTION OF THE CITY COUNCIL TO LEVY ASSESSMENTS FOR THE 2010 CALENDAR YEAR FOR THE DANA POINT TOURISM BUSINESS IMPROVEMENT DISTRICT (TBID).

The motion carried by the following vote:

AYES: Council Member Joel Bishop, Council Member Scott Schoeffel, Mayor Pro Tem Steven Weinberg, and Mayor Lisa A. Bartlett

NOES: Council Member Lara Anderson

UNFINISHED BUSINESS

There were no Unfinished Business items.

NEW BUSINESS

There were no New Business items.

PUBLIC COMMENTS (Continued)

There were no additional Public Comments.

STAFF REPORTS

COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Bartlett declared the meeting adjourned at 6:50 p.m. and announced that the next Regular Meeting of the City Council will be held on May 11, 2009, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.