

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**MONDAY
AUGUST 24, 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. 09-07

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 5:01 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

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Government Code § 54956.9 (a), (2 cases)

Name of Case: South Orange County Wastewater Authority v. City of Dana Point
Case No. 30-2009-00283523

Name of Case: Paul Douglas, Carl Grewe, Two Doheny LLC v. City of Dana Point
Case No. 30-2009-00125363

- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (b1), (1 case – Niguel Shores/Headlands/County of Orange boundary issues)

- C. CONFERENCE WITH REAL LABOR NEGOTIATOR, Government Code § 54957.6

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

Mayor Bartlett recessed the meeting into a Closed Session at 5:03 p.m. pursuant to Government Code Section 54956 et. seq.

RECONVENE CITY COUNCIL MEETING – CALL TO ORDER

Mayor Bartlett reconvened the meeting at 6:02 p.m. All Council Members were present.

CLOSED SESSION ANNOUNCEMENT

City Attorney Munoz stated that he had no announcement.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mark Matthews, President and COO of Toshiba America Business Solutions.

INVOCATION

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

PRESENTATIONS AND PROCLAMATIONS

August Business of the Month, Elaine Jung LaVine Insurance Agency, Inc.
Proclamation to Toshiba America Business Solutions
Proclamation to DAR for Constitution Week

CONSENT CALENDAR

IT WAS MOVED BY COUNCIL MEMBER JOEL BISHOP, SECONDED BY COUNCIL MEMBER LARA ANDERSON, THAT THE RECOMMENDATIONS BE ACCEPTED FOR ALL ITEMS LISTED ON CONSENT CALENDAR.

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

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, JULY 27, 2009

APPROVED THE MINUTES.

3. PLANNING COMMISSION MEETING MINUTES, JULY 20, 2009 (0120-10)

RECEIVED AND FILED.

4. PLANNING COMMISSION MEETING MINUTES, AUGUST 3, 2009 (0120-10)

RECEIVED AND FILED.

5. PLANNING COMMISSION ACTIONS, MEETING OF AUGUST 17, 2009 (0120-10)

RECEIVED AND FILED.

6. INVESTMENT REVIEW COMMITTEE DRAFT MEETING MINUTES, JUNE 16, 2009 (0410-35)

RECEIVED AND FILED.

7. TRAFFIC IMPROVEMENT SUBCOMMITTEE ACTION MINUTES, JUNE 17, 2009 (0410-35)

RECEIVED AND FILED.

8. OCEAN WATER QUALITY SUBCOMMITTEE ACTION MINUTES, MAY 26, 2009 (0410-35)

RECEIVED AND FILED.

9. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR

RECEIVED AND FILED.

10. CITY TREASURER'S REPORT, JUNE 2009 (0350-20)

RECEIVED AND FILED THE CITY TREASURER'S REPORT FOR THE MONTH OF JUNE 2009.

11. CLAIMS AND DEMANDS (0300-30)

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

12. SECOND READING AND ADOPTION OF THE PROPOSED AMENDMENTS TO CHAPTER 1.10, ENTITLED "ADMINISTRATIVE CITATIONS" OF THE DANA POINT MUNICIPAL CODE RELATING TO THE ENFORCEMENT OF VIOLATIONS OF THE MUNICIPAL CODE (0480-10)

HELD SECOND READING AND ADOPTED **ORDINANCE 09-07** ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING CHAPTER 1.10 ENTITLED "ADMINISTRATIVE CITATIONS" OF THE MUNICIPAL CODE RELATING TO THE ENFORCEMENT OF VIOLATIONS OF THE MUNICIPAL CODE.

PUBLIC COMMENTS

Nancy Jenkins
Gwen Drenick
Bob Moore
Patti Short
Bruce Heyman

PUBLIC HEARINGS

13. RE-APPROPRIATION OF CITIZENS OPTION FOR PUBLIC SAFETY (COPS) PROGRAM FUNDS FROM FY 2008/2009 – (AB 1913) (0260-05)

IT WAS MOVED BY MAYOR LISA A. BARTLETT, SECONDED BY MAYOR PRO TEM STEVEN WEINBERG TO CONDUCT A PUBLIC HEARING AND ADJUST THE FY 2008/09 BUDGET WITH THE RE-APPROPRIATION OF \$117,408.85 UN-ENCUMBERED CITIZENS OPTION FOR PUBLIC SAFETY (COPS) PROGRAM UNSPENT MONIES REMAINING FROM THE FY 2008/09 BUDGET, TO THE SUPPLEMENTAL LAW ENFORCEMENT SERVICE FUND (SLESF) ACCOUNT, AND APPROPRIATE FUNDS FROM THE SLESF TO IMPLEMENT THE FOLLOWING PROGRAMS:

- APPROVE FUNDING FOR THE SCHOOL RESOURCE OFFICER POSITION FOR THIS SCHOOL YEAR.
- APPROVE FUNDING FOR PROJECT STOP (STOP TRASHING OUR PARKS).

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

ABSENT: None

UNFINISHED BUSINESS

14. SISTER CITY COMMITTEE (0140-60)

IT WAS MOVED BY MAYOR PRO TEM STEVEN WEINBERG, SECONDED BY MAYOR LISA A. BARTLETT TO FORM A SISTER CITY ADVISORY COMMITTEE OF DANA POINT CITIZENS AND BUSINESS REPRESENTATIVES TO SUPPORT SISTER CITY ACTIVITIES; IDENTIFY MAYOR BARTLETT AND COUNCIL MEMBER SCHOEFFEL TO ACT AS EX-OFFICIO REPRESENTATIVES TO THE SISTER CITY COMMITTEE; AND AUTHORIZE STAFF TO EFFECT THE FORMATION OF A NON-PROFIT ORGANIZATION TO ALLOW

FUNDRAISING TO SUPPORT SISTER CITY ACTIVITIES, INCLUDING THE POTENTIAL ITALIAN OPERA FESTIVAL IN DANA POINT.

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

ABSENT: None

NEW BUSINESS

15. APPOINTMENT TO PLANNING COMMISSION DUE TO VACANCY (120-10)

IT WAS MOVED BY COUNCIL MEMBER LARA ANDERSON, SECONDED BY MAYOR LISA A. BARTLETT TO ACCEPT THE RESIGNATION OF PLANNING COMMISSIONER MICHAEL DEC.

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

ABSENT: None

IT WAS MOVED BY MAYOR LISA A. BARTLETT, SECONDED BY MAYOR PRO TEM STEVEN WEINBERG TO OPEN THE RECRUITMENT OF THE VACANT PLANNING COMMISSION SEAT TO ALL RESIDENTS.

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

ABSENT: None

PUBLIC COMMENTS (Continued)

There were no additional Public Comments.

STAFF REPORTS

There were no 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 7:17 p.m. and announced that the next Adjourned Regular Meeting of the City Council will be held on September 28, 2009, at 5:00 p.m. in the City Council Chamber located at 33282 Golden lantern, Suite 210, Dana Point, California.