

# CITY OF DANA POINT

## CITY COUNCIL REGULAR MEETING



**MONDAY  
OCTOBER 12, 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. 09-08

### 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. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Government Code § 54956.9 (a), (5 cases)  
Name of Case(s): The Point Alternative Care - Case No. 30-2009-00298187  
Holistic Health - Case No. 30-2009-00298196  
Beach Cities Collective - Case No. 30-2009-00298208  
Dana Point Safe Harbor Collective - Case No. 30-2009-00298200  
Dana Point Beach Collective - Case No. 30-2009-00298206

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 6:04 p.m. All Council Members were present.

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STAFF PRESENT: Douglas C. Chotkevys, City Manager; Patrick Munoz, City Attorney; Kathy M. Ward, City Clerk; Mike Killebrew, Assistant City Manager; Sgt. Lynn Koehmstedt, 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, Brian McClure, Parks Manager, Director of Community Services and Parks; Jackie Littler, Executive Secretary; DyAnne Weamire, Administrative Secretary; and Bobbi Ogan, Deputy City Clerk.

## **CLOSED SESSION ANNOUNCEMENT**

City Attorney Munoz stated that he had no announcement.

## **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Carlos Olvera, President of the Dana Point Historical Society.

## **INVOCATION**

The Invocation was provided by Reverend Paul Peck.

## **PRESENTATIONS AND PROCLAMATIONS**

Business of the Month – Anthony’s Shoe Repair  
Proclamation for Mai Louise Griffith  
Capistrano Valley Assistance League Presentation

## **CONSENT CALENDAR**

STAFF PULLED ITEM NUMBER 8 AND ASKED THAT THE ITEM BE CONTINUED TO THE NEXT MEETING. MAYOR PRO TEM WEINBERG ABSTAINED FROM VOTING ON ITEM NUMBER 2 AND ITEM NUMBER 8. IT WAS MOVED BY MAYOR LISA BARTLETT, SECONDED BY COUNCIL MEMBER LARA ANDERSON, THAT THE RECOMMENDATIONS BE ACCEPTED FOR ALL ITEMS LISTED ON CONSENT CALENDAR WITH THE EXCEPTION OF ITEM NUMBER 8.

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, SEPTEMBER 28, 2009**

APPROVED THE MINUTES.

**3. PLANNING COMMISSION MEETING MINUTES, SEPTEMBER 21, 2009**

RECEIVED AND FILED.

**4. PLANNING COMMISSION ACTIONS, MEETING OF OCTOBER 5, 2009**

RECEIVED AND FILED.

**5. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR**

RECEIVED AND FILED.

**6. CITY TREASURER'S REPORT, AUGUST 2009**

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

**7. CLAIMS AND DEMANDS**

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

**8. APPROVAL OF A CONSULTANT SERVICES AGREEMENT WITH MICHAEL BRANDMAN ASSOCIATES FOR ENVIRONMENTAL SERVICES RELATED TO THE EXPANSION OF SOUTH SHORES CHURCH**

IT WAS MOVED BY COUNCIL MEMBER ANDERSON, SECONDED BY COUNCIL MEMBER SCHOEFFEL, THAT THE ITEM BE CONTINUED TO THE NEXT REGULAR COUNCIL MEETING OF OCTOBER 26, 2009.

The motion carried by the following vote:

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

NOES: None

ABSENT: None

ABSTAIN: Mayor Pro Tem Steven Weinberg

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**9. HISTORIC PRESERVATION AGREEMENT (MILLS ACT) FOR THE PROPERTY LOCATED AT 34021 AMBER LANTERN**

AUTHORIZED THE MAYOR TO SIGN A HISTORIC PROPERTY PRESERVATION AGREEMENT WHICH WOULD ALLOW THE PROPERTY OWNERS, ROBERT AND BONNIE BEEBY, OF THE HISTORIC STRUCTURE LOCATED AT 34021 AMBER LANTERN, TO PARTICIPATE IN THE STATE'S MILLS ACT PROGRAM.

**10. HISTORIC PRESERVATION AGREEMENT (MILLS ACT) FOR THE PROPERTY LOCATED AT 33857 VIOLET LANTERN**

AUTHORIZED THE MAYOR TO SIGN A HISTORIC PROPERTY PRESERVATION AGREEMENT WHICH WOULD ALLOW THE PROPERTY OWNER, MEADE GRESALFI, OF THE HISTORIC STRUCTURE LOCATED AT 33857 VIOLET LANTERN, TO PARTICIPATE IN THE STATE'S MILLS ACT PROGRAM.

**11. APPROVAL OF A CONSULTANT SERVICES AGREEMENT WITH DONAHUE, HAWRAN & MALM, LLC FOR PROPERTY APPRAISAL SERVICES FOR STREET IMPROVEMENTS ON PACIFIC COAST HIGHWAY AND DEL PRADO BETWEEN BLUE LANTERN AND COPPER LANTERN**

APPROVED SUBJECT AGREEMENT, APPROVED FUNDING FROM THE UNDESIGNATED CIP RESERVE AS DESCRIBED IN THE FISCAL SECTION AND AUTHORIZED THE CITY MANAGER TO EXECUTE THE AGREEMENT.

**12. RENOVATION OF HARRY OTSUBO COMMUNITY GARDENS**

AUTHORIZED STAFF TO COMMENCE A REHABILITATION PROJECT AT THE HARRY OTSUBO COMMUNITY GARDENS TO ADDRESS DEFERRED MAINTENANCE ISSUES IN THE SURROUNDING LANDSCAPING, INCLUDING THE BUDGET AS DESCRIBED IN THE FISCAL IMPACT SECTION OF THIS REPORT.

**PUBLIC COMMENTS**

Jennifer Gonzalez  
Ingrid McGuire  
Patricia McCarroll  
Roxanne Willinger  
Thomas Beadel  
Bob Sopks  
Robert Saint-Aubn

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## **PUBLIC HEARINGS**

There were no Public Hearings.

## **UNFINISHED BUSINESS**

There was no Unfinished Business items.

## **NEW BUSINESS**

### **13. MARINE LIFE PROTECTION ACT BRIEF**

IT WAS MOVED BY COUNCIL MEMBER ANDERSON, SECONDED BY COUNCIL MEMBER SCHOEFFEL, THAT PROVIDED THAT ALL RECORD INFORMATION THAT WAS PRESENTED TO THE CITY COUNCIL BY STAKEHOLDERS AND OTHERS SUPPORTING MAP 2 APPROVAL PROVES TO BE ACCURATE IN ALL MATERIAL RESPECTS, THE CITY COUNCIL WILL ENDORSE THE BLUE RIBBON TASK FORCE'S SELECTION OF MAP 2 AS THE PREFERRED ALTERNATIVE.

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

### **14. ADOPTION OF A RESOLUTION TO MODIFY THE STREET SWEEPING SCHEDULE AND RESTRICT PARKING IN THE DOHENY VILLAGE AREA, IN THE UPPER BLUE LANTERN AREA, AND ON SEVERAL ARTERIAL STREETS**

IT WAS MOVED BY COUNCIL MEMBER BISHOP SECONDED BY COUNCIL MEMBER ANDERSON, THAT THE CITY COUNCIL APPROVE THE RECOMMENDATION FROM THE TRAFFIC IMPROVEMENT SUBCOMMITTEE TO MODIFY THE STREET SWEEPING SCHEDULE AND ADD PARKING RESTRICTION IN THE DOHENY VILLAGE AREA, THE UPPER BLUE LANTERN AREA, AND SEVERAL ARTERIAL STREETS, APPROVE NECESSARY FUNDING AS NOTED IN THE AGENDA FISCAL SECTION, ADOPT **RESOLUTION 09-10-12-01** ENTITLED:

*A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, PROHIBITING PARKING DURING SPECIFIED HOURS ON DESIGNATED STREETS FOR STREET SWEEPING PURPOSES AND RESCINDING RESOLUTION NUMBERS 06-11-20-03, 01-01-23-04 AND 91-03-12-7; and*

PROVIDED ADDITIONAL DIRECTION TO THE CITY'S TRAFFIC IMPROVEMENT SUBCOMMITTEE REGARDING FURTHER STUDY OF STREET SWEEPING SCHEDULES.

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 8:33 p.m. and announced that the next Regular Meeting of the City Council will be October 26, 2009, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.