

# CITY OF DANA POINT

**CITY COUNCIL  
REGULAR  
MEETING**



**MONDAY  
APRIL 12, 2010  
5:00 P.M.**

## **ACTION AGENDA**

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

Next City Council Ordinance No. 10-06

### **CALL TO ORDER**

The Regular Meeting of the City Council of the City of Dana Point, California, was called to order by Mayor Weinberg at 5:03 p.m. in the Dana Point City Council Chamber, 33282 Golden Lantern, Suite 210, Dana Point.

### **ROLL CALL OF CITY COUNCIL MEMBERS:**

Steven H. Weinberg, Mayor  
Scott Schoeffel, Mayor Pro Tem (*Absent*)  
Lara Anderson, Council Member  
Lisa A. Bartlett, Council Member  
Joel Bishop, Council Member

### **CLOSED SESSION**

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

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (b1), (3 cases)
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Government Code § 54956.9 (a), (6 cases)

Name of Case(s):

Beach Cities Collective – 30-201000352103  
Dana Point Beach Collective - 30-201000352109  
Dana Point Safe Harbor Collective - 30-201000352107  
Holistic Health - 30-201000352106  
The Point Alternative Care - 30-201000352093  
Redwood Sanctuary - 30-201000352110

Mayor Weinberg recessed the meeting into a Closed Session at 5:04 p.m. pursuant to Government Code Section 54956 et. seq.

## **RECONVENE CITY COUNCIL MEETING – CALL TO ORDER**

Mayor Weinberg reconvened the meeting at 6:02 p.m. All Council Members were present with the exception of Mayor Pro Tem Scott Schoeffel.

STAFF PRESENT: Douglas C. Chotkevys, City Manager; Patrick Munoz, City Attorney; Kathy M. Ward, City Clerk; Mike Killebrew, Assistant City Manager; Jeremy Kirchner, Emergency Services Coordinator; Lt. Mark Levy, Police Services; Kyle Butterwick, Director of Community Development; John Tilton, City Architect; 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**

City Attorney Munoz stated that there was no announcement.

## **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by South Coast Water District Director Wayne Rayfield.

## **INVOCATION**

The Invocation was provided by Master of Divinity Sabrina Vasta.

## **PRESENTATIONS AND PROCLAMATIONS**

Business of the Month – The Wee Loft  
Donate Life Month

## **CONSENT CALENDAR**

IT WAS MOVED BY COUNCIL MEMBER LISA BARTLETT, 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 Lisa Bartlett, Council Member Joel Bishop, and Mayor Steven Weinberg

NOES: None

ABSENT: Mayor Pro Tem Scott Schoeffel

**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, MARCH 22, 2010**

APPROVED THE MINUTES.

**3. PLANNING COMMISSION MEETING MINUTES, MARCH 15, 2010**

RECEIVED AND FILED.

**4. PLANNING COMMISSION ACTIONS, MEETING OF APRIL 5, 2010**

RECEIVED AND FILED.

**5. YOUTH BOARD MEETING MINUTES, MARCH 4, 2010**

RECEIVED AND FILED.

**6. TRAFFIC IMPROVEMENT SUBCOMMITTEE MINUTES, FEBRUARY 17, 2010**

RECEIVED AND FILED.

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

RECEIVED AND FILED.

**8. CITY TREASURER'S REPORT, FEBRUARY, 2010**

RECEIVED AND FILED THE CITY TREASURER'S REPORT FOR THE MONTH OF FEBRUARY, 2010.

**9. CLAIMS AND DEMANDS**

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

**10. BIENNIAL CAMPAIGN CONTRIBUTION AND EXPENDITURE LIMITS ADJUSTMENT**

ADOPTED **RESOLUTION 10-04-12-01** ENTITLED:

*A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADJUSTING THE CAMPAIGN CONTRIBUTION AND CAMPAIGN LOAN LIMITS TO REFLECT CHANGES IN THE CONSUMER PRICE INDEX, AS REQUIRED BY SECTION 2.05.058 OF THE DANA POINT MUNICIPAL CODE.*

**11. FUNDING AGREEMENT FOR SAN JUAN CREEK TOTAL MAXIMUM DAILY LOAD (TMDL) COMPLIANCE ACTIVITIES**

APPROVED FUNDING AGREEMENT D09-043 WITH THE COUNTY OF ORANGE & SAN JUAN CREEK WATERSHED CITIES OF LAGUNA HILLS, LAGUNA NIGUEL, MISSION VIEJO, RANCHO SANTA MARGARITA AND SAN JUAN CAPISTRANO AND THE ORANGE COUNTY FLOOD CONTROL DISTRICT FOR WATER QUALITY MONITORING, REPORTING, RESEARCH, PLANNING AND COMPLIANCE ACTIVITIES IN THE SAN JUAN CREEK WATERSHED; AND AUTHORIZED THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE FUNDING AGREEMENT D09-043.

**12. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA SUPPORTING THE CONSTRUCTION AND OPERATION OF THE PROPOSED HUNTINGTON BEACH WATER DESALINATION FACILITY**

ADOPTED RESOLUTION 10-04-12-02 ENTITLED:

*A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, SUPPORTING THE CONSTRUCTION AND OPERATION OF THE PROPOSED HUNTINGTON BEACH WATER DESALINATION FACILITY.*

**13. APPROVAL OF A COOPERATIVE AGREEMENT WITH OCTA FOR SERVICE PLANNING FOR A POTENTIAL HARBOR SHUTTLE**

APPROVED THE ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA) COOPERATIVE AGREEMENT FOR MEASURE M2 PROJECT V SHUTTLE SERVICE PLANNING FOR A POTENTIAL DANA POINT HARBOR BUS/SHUTTLE AND AUTHORIZE THE MAYOR TO EXECUTE THE AGREEMENT.

**PUBLIC COMMENTS**

Bob Becker  
Pete Hammer

**PUBLIC HEARINGS**

There were no Public Hearings.

## **UNFINISHED BUSINESS**

### **14. 2010 WEED ABATEMENT PROGRAM, AUTHORIZATION TO ABATE WEEDS**

IT WAS MOVED BY COUNCIL MEMBER LARA ANDERSON, SECONDED BY COUNCIL MEMBER LISA BARTLETT, THAT THE CITY COUNCIL HEAR ANY OBJECTIONS REGARDING WEED ABATEMENT AND ADOPTED **RESOLUTION 10-04-12-03** ENTITLED:

*A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, HEARING NO OBJECTIONS AND PROCEEDING WITH WEED ABATEMENT.*

The motion carried by the following vote:

AYES: Council Member Lara Anderson, Council Member Lisa Bartlett, Council Member Joel Bishop, and Mayor Steven Weinberg

NOES: None

ABSENT: Mayor Pro Tem Scott Schoeffel

## **NEW BUSINESS**

There was no New Business.

## **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 Weinberg declared the meeting adjourned at 6:47 p.m. and announced that the next Regular Meeting of the City Council will be April 26, 2010, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.