
**CITY OF DANA POINT, CALIFORNIA
CITY COUNCIL REGULAR MEETING MINUTES
APRIL 12, 2010**

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 5:00 p.m. in the Dana Point City Council Chamber, 33282 Golden Lantern, Suite 210, Dana Point.

ROLL CALL OF CITY COUNCIL MEMBERS:

Present: Mayor Steven Weinberg
Council Member Lara Anderson
Council Member Lisa Bartlett
Council Member Joel Bishop

Absent: Mayor Pro Tem Scott Schoeffel

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 5:01 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.

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CLOSED SESSION ANNOUNCEMENT

City Attorney Munoz stated that he had no announcement.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by South Coaster 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

DyAnne Weamire, Administrative Secretary provided a PowerPoint presentation. She reported that the Dana Point store opened in 1990 and that this year The Wee Loft was celebrating their 20th anniversary. Mayor Weinberg presented store co-owner, Annette Garcia with a Certificate of Recognition in honor of The Wee Loft being selected as the Featured Business of the Month, April 2010.

Donate Life Month

Mayor Weinberg presented a Proclamation to Dick Veale in recognition of Donate Life Month. Mr. Veale shared that he, himself was a heart and liver recipient in 2007. He stated that he would not be here today if a young man had not been an organ donor.

CONSENT CALENDAR

IT WAS MOVED BY COUNCIL MEMBER LISA BARTLETT, SECONDED BY COUNCIL MEMBER LARA ANDERSON, ACCEPT ALL ITEMS LISTED ON THE 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

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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.

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10. BIENNIAL CAMPAIGN CONTRIBUTION AND EXPENDITURE LIMITS ADJUSTMENT

APPROVED AND 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 AUTHORIZED THE MAYOR TO EXECUTE THE AGREEMENT.

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PUBLIC COMMENTS

Bob Becker, Dana Point, Pet Project Foundation, reported that the 17th Annual Wag-A-Thon was scheduled to be held on Saturday, April 24th beginning at 8:30 a.m. He stated that the celebrity dog this year will be Marley from the movie Marley & Me. He added that there would be costume and trick contests, musical entertainment, and refreshments, among other activities. He stated that if you sign up by April 19th, you will receive \$5 off your admission fee. He encouraged participants to gather additional pledges as there would be great prizes. He added that a pledge form could be downloaded off their website. He stated that you could sign up on line at www.petprojectfoundation.org or call 949-595-8899.

Pete Hammer, Dana Point, announced that the Montage Pacific Orchestra will be performing at St. Edwards Church Thursday, April 15th at 7:30 p.m. He thanked the City on behalf of the 5th Marines and the Dana Point 5th Marine Regiment Support Group for the invitation to participate in the Dana Point Grand Prix. He felt that today's Veteran's Memorial dedication was exceptional and a beautiful tribute to all of the branches of the military. He encouraged attendance at the 5th Marine Regiment Afghanistan Brief, Wednesday, April 14th at 7:00 p.m. at the Ocean Institute. He announced that the VFW and South Shores Church would be holding a car wash this Saturday, April 17th from 9:00 a.m. to 3:00 p.m.

Mayor Weinberg spoke of the flag box containing the flag that had flown at Camp Leatherneck. City Manager Chotkevys added that the flag had been presented by Brigadier General Larry Nicholson. He stated that the flag had flown over his command post in Afghanistan at Camp Leatherneck and was presented to the City in appreciation of all the City has done for the 5th Marine Regiment.

PUBLIC HEARINGS

There were no Public Hearings.

UNFINISHED BUSINESS

14. 2010 WEED ABATEMENT PROGRAM, AUTHORIZATION TO ABATE WEEDS

City Manager Chotkevys provided a staff report.

Mayor Weinberg suggested that staff modify the Ordinance to limit the height that the weeds can grow. He suggested that the City organize three or four landscapers to take care of the lots that the weeds need trimming with a fixed price contract between the property owners and the landscapers.

City Manager clarified in response to Mayor Weinberg's request, that in addition to the action taken tonight, that if the Council desired, staff would explore the

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current Ordinance and return at a future date with the recommended Ordinance for the Council to discuss and to receive public input on the possibility of providing more direction as appropriate for landscaping standards for vacant lots and to encourage the regular maintenance of those lots. He stated that staff could create a list of local landscape contractors that would be made available to property owners for regular landscape maintenance on the vacant lots.

Council Member Bartlett asked if the proposed Ordinance would make contracting with a landscaper a mandatory or voluntary action.

City Manager replied that staff would return to Council with an Ordinance that would provide landscaping standards and to encourage people to maintain their lots. He stated that staff could create list of landscape contractors that would be made available to those who choose to perform regular landscape maintenance on their vacant lots but that the City could not endorse any one contractor.

Council Member Bartlett felt that this would be a great idea as quite a few of the property owners do not live in the City.

IT WAS MOVED BY COUNCIL MEMBER LARA ANDERSON, SECONDED BY COUNCIL MEMBER LISA BARTLETT, HEAR ANY OBJECTIONS REGARDING WEED ABATEMENT AND ADOPT **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; and

DIRECTED STAFF TO RETURN IN THE FUTURE WITH AN AMENDMENT TO THE ORDINANCE PROVIDING LANDSCAPE STANDARDS FOR VACANT LOTS.

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.

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PUBLIC COMMENTS

There were no additional Public Comments.

STAFF REPORTS

City Manager Chotkevys acknowledged Andrea Swayne of the Dana Point Times. He stated that he appreciated her attendance at the Council meetings, and at other community events. He added that it was a pleasure working with her, as she almost always gets it right.

COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED

Council Member Bartlett reported that she had attended the following:

TCA, Southern California Association of Government, and several League of Cities meetings

April 2 - Paddle Surf ribbon cutting ceremony

She announced the following upcoming events:

April 22 - Nature Interpretive Center Dedication at 11:30 a.m.

April 22-24 - Dana Point's California Wine Festival

April 24 - Sunsets will be hosting a Woody display

April 29 - State of the City Address

April 30 - Marriott renovation ribbon cutting at 3:00 p.m.

Council Member Bishop stated that he had turned in his list of meetings attended to the City Clerk. He thanked the City staff and the volunteers of the bike race for their outstanding demonstration of professionalism. He felt that the dedication of the Veteran's Memorial at Strand Vista Park was very moving.

Council Member Anderson felt that it was a beautiful service to dedicate the Veteran's Memorial. She stated that the Dana Point Grand Prix was amazing as it has grown so quickly and that it was a wonderful event for our community. She thanked the neighbors who live in the surrounding area for their cooperation. She stated that at the Wag-A-Thon she would be emceeing the pet contest and she added that the costume contest was taken very seriously. She stated that she would be working with Christy Teague to possibly organize some sort of committee to investigate Dana Point becoming a possible cruise ship port.

Mayor Weinberg stated that he had turned in his list of meetings attended to the City Clerk. He announced that the Nature Interpretive Center dedication will be held on April 22nd at 11:30 a.m. He stated that the Earth Ocean Society would be hosting its 5th Annual Earth Day, Dana Point Clean Up on Saturday, April 17th. He added that

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those who are interested could either meet at Doheny State Beach at 9:00 a.m. to plant trees and shrubs or meet at La Plaza Park to join teams cleaning the Lantern Village and Harbor areas. He stated that free pizza and refreshments will be provided afterwards. He stated that the Dana Point Grand Prix was created to give back to the community and encourage children to ride. He felt that the most exciting was the kids' race and that it was like herding ants. He stated that this year had the most participants than we have ever had and that the planning has already started for next year's race. He encouraged people to attend the Coastal Arts Concert this Thursday, April 15th.

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.

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Meetings Attended Since the Last City Council Meeting:

Mayor Steven Weinberg

March 25	OCFA BOD meeting
March 25	Vector Control Budget Review Meeting
March 28	SOSCA Opera Night
April 1	Medal of Valor Luncheon
April 2	Ribbon Cutting, Paddle Surf Warehouse
April 5	Vector Control Board meeting
April 8	Bahati Foundation Presentation, Boys & Girls Club
April 8	Dinner for General Dunford
April 10	VIP Reception, Dana Point Community Cycling Foundation
April 10-11	Dana Point Grand Prix

Council Member Joel Bishop

April 9	California League of Cities Conference
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