

# CITY OF DANA POINT

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**CITY COUNCIL  
REGULAR  
MEETING**



**MONDAY  
OCTOBER 25, 2010  
5:00 P.M.**

## **ACTION AGENDA**

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

### **REDEDICATION OF HARRY OTSUBO COMMUNITY GARDENS**

In lieu of Closed Session, the City hosted a rededication ceremony at Harry Otsubo Community Gardens (24800 Stonehill Drive) at 5:00 p.m.

### **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 6:02 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  
Lara Anderson, Council Member  
Lisa A. Bartlett, Council Member  
Joel Bishop, Council Member

STAFF PRESENT: Douglas C. Chotkevys, City Manager; Patrick Munoz, City Attorney; Kathy Ward, City Clerk; Mike Killebrew, Assistant City Manager; Mike Rose, Director of Disaster Preparedness; Lt. Mark Levy, Police Services; Kyle Butterwick, Director of Community Development; Brad Fowler, Director of Public Works/Engineering; Lynn Kelly, Management Analyst; Kevin Evans, Director of Community Services and Parks; Christy Teague, Economic Development Manager; John Tilton, City Architect; Mark Sutton, Building Official; Lisa Zawaski, Senior Water Quality Engineer; Jackie Littler, Executive Secretary; DyAnne Weamire, Administrative Secretary; and Bobbi Ogan, Deputy City Clerk.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Terry Rifkin, Board Member from the 5<sup>th</sup> Marine Regiment Support Group.

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## **INVOCATION**

The Invocation was provided by Associate Pastor Sabrina Vasta of Gloria Dei Lutheran Church.

## **PRESENTATIONS AND PROCLAMATIONS**

October Business of the Month – The UPS Store  
Dana Point Relay for Life  
Harry Otsubo Community Gardens Presentation

## **CONSENT CALENDAR**

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

**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 27, 2010**

APPROVED THE MINUTES.

**3. PLANNING COMMISSION MEETING MINUTES, SEPTEMBER 20, 2010**

RECEIVED AND FILED.

**4. PLANNING COMMISSION MEETING MINUTES, OCTOBER 4, 2010**

RECEIVED AND FILED.

**5. PLANNING COMMISSION ACTIONS, MEETING OF OCTOBER 18, 2010**

RECEIVED AND FILED.

**6. YOUTH BOARD MEETING MINUTES, SEPTEMBER 16, 2010**

RECEIVED AND FILED.

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

RECEIVED AND FILED.

**8. OCEAN WATER QUALITY SUBCOMMITTEE MEETING MINUTES, JUNE 22, 2010**

RECEIVED AND FILED.

**9. CLAIMS AND DEMANDS**

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

**10. SECOND READING AND ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING CHAPTER 8.01 OF THE MUNICIPAL CODE (GRADING AND EXCAVATION CONTROL) TO ADDRESS WATER QUALITY REGULATION CHANGES AND OTHER MISCELLANEOUS ITEMS**

HELD A SECOND READING AND ADOPTED **ORDINANCE 10-09** ENTITLED:

*AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING CHAPTER 8.01 OF THE MUNICIPAL CODE (GRADING AND EXCAVATION CONTROL) TO ADDRESS WATER QUALITY REGULATION CHANGES AND OTHER MISCELLANEOUS ITEMS.*

**11. ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, ADOPTING A LOCAL SIGNAL SYNCHRONIZATION PLAN FOR THE CITY OF DANA POINT**

ADOPTED **RESOLUTION 10-10-25-01** ENTITLED:

*A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADOPTING A LOCAL SIGNAL SYNCHRONIZATION PLAN FOR THE CITY OF DANA POINT;*

AUTHORIZED THE MAYOR TO SIGN THE RESOLUTION ON BEHALF OF THE CITY; AND DIRECTED THE CITY ENGINEER TO SUBMIT THE ADOPTED LOCAL SIGNAL SYNCHRONIZATION PLAN FOR THE CITY OF DANA POINT AND ALL THE ASSOCIATED PAPERWORK TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY.

**12. DANA POINT YOUTH BOARD TERM LIMITS**

HELD A SECOND READING AND ADOPTED **ORDINANCE 10-10** ENTITLED:

*AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING SECTION 2.06.060 "BOARDS AND COMMISSIONS – GENERAL PROVISIONS" TO INCLUDE LANGUAGE TO LIMIT THE NUMBER OF CONSECUTIVE TERMS EACH YOUTH BOARD MEMBER MAY SERVE TO NO MORE THAN TWO (2) FULL CONSECUTIVE TERMS.*

**13. MAINTENANCE AGREEMENT AND PROPERTY EXCHANGE WITH THE COUNTY OF ORANGE FOR MAINTENANCE OF THE NORTH STRAND BEACH ACCESS STAIRS AND ASSOCIATED FACILITIES**

APPROVED A MAINTENANCE AGREEMENT WITH THE COUNTY OF ORANGE FOR MAINTENANCE OF THE NORTH STRAND BEACH ACCESS STAIRS; AUTHORIZED THE CITY MANAGER TO EXECUTE THE MAINTENANCE AGREEMENT AND APPROVE ANY MINOR ADMINISTRATIVE MODIFICATIONS; APPROVED THE QUITCLAIM DEED AND

GRANT DEED FOR TWO PARCELS IN THE HEADLANDS STRAND VISTA PARK AREA TO CLARIFY PROPERTY OWNERSHIP, AND AUTHORIZE THE CITY ENGINEER TO EXECUTE THE DOCUMENTS; AND AUTHORIZED THE CITY ENGINEER TO ACCEPT AND SIGN VARIOUS GRANT DEEDS AND EASEMENTS TO CLARIFY PROPERTY OWNERSHIP IN THE HEADLANDS STRAND VISTA PARK AREA AT THE HEADLANDS.

## **PUBLIC COMMENTS**

Ingrid McGuire  
Richard Dietmeier

## **PUBLIC HEARINGS**

14. **ADOPTION BY REFERENCE THE CALIFORNIA CODES OF REGULATIONS TITLE 24, PARTS 1-12, KNOWN AND DESIGNATED AS THE 2010 EDITION OF THE CALIFORNIA BUILDING CODE, 2010 EDITION OF THE CALIFORNIA RESIDENTIAL CODE, 2010 EDITION OF THE CALIFORNIA ELECTRICAL CODE, 2010 EDITION OF THE CALIFORNIA PLUMBING CODE, 2010 EDITION OF THE CALIFORNIA MECHANICAL CODE, 2010 EDITION OF THE CALIFORNIA ADMINISTRATIVE CODE, 2010 EDITION OF THE CALIFORNIA REFERENCE STANDARDS CODE, 2010 EDITION OF THE CALIFORNIA ENERGY CODE, 2010 EDITION OF THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2010 EDITION OF THE CALIFORNIA HISTORICAL BUILDING CODE, 2010 EDITION OF THE CALIFORNIA EXISTING BUILDING CODE AND THE 2010 EDITION OF THE CALIFORNIA FIRE CODE, MAKING AMENDMENTS THERETO, AND RELATED ACTIONS**

IT WAS MOVED BY COUNCIL MEMBER JOEL BISHOP, SECONDED BY COUNCIL MEMBER LISA BARTLETT, TO CONDUCT A PUBLIC HEARING AND INTRODUCE FOR FIRST READING OF AN ORDINANCE ENTITLED:

*AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING CHAPTERS 8.02, 8.12, 8.14, 8.16, 8.20, 8.24, 8.26, 8.28, 8.30, 8.32, 8.34, 8.36, 8.38 AND ADDING CHAPTERS 8.03 AND 8.11 OF TITLE 8 OF THE DANA POINT MUNICIPAL CODE ADOPTING BY REFERENCE THE CALIFORNIA CODES OF REGULATIONS TITLE 24, PARTS 1-12, KNOWN AND DESIGNATED AS THE 2010 EDITION OF THE CALIFORNIA BUILDING CODE, 2010 EDITION OF THE CALIFORNIA RESIDENTIAL CODE, 2010 EDITION OF THE CALIFORNIA ELECTRICAL CODE, 2010 EDITION OF THE CALIFORNIA PLUMBING CODE, 2010 EDITION OF THE CALIFORNIA MECHANICAL CODE, 2010 EDITION OF THE CALIFORNIA ADMINISTRATIVE CODE, 2010 EDITION OF THE CALIFORNIA REFERENCE STANDARDS CODE, 2010 EDITION OF THE CALIFORNIA ENERGY CODE, 2010 EDITION OF THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2010 EDITION OF THE CALIFORNIA HISTORICAL BUILDING CODE, 2010 EDITION OF THE CALIFORNIA EXISTING BUILDING CODE AND THE 2010 EDITION OF THE CALIFORNIA FIRE CODE, MAKING AMENDMENTS THERETO, AND RELATED ACTIONS;*

**ADOPT RESOLUTION 10-10-25-02 ENTITLED:**

*A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, SETTING FORTH FINDINGS WITH RESPECT TO LOCAL CONDITIONS WITHIN THE*

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*CITY OF DANA POINT WHICH MAKE CERTAIN MODIFICATIONS AND CHANGES TO THE CALIFORNIA BUILDING CODE, CALIFORNIA RESIDENTIAL CODE, THE CALIFORNIA PLUMBING CODE, THE CALIFORNIA MECHANICAL CODE, THE CALIFORNIA ELECTRICAL CODE, CALIFORNIA GREEN BUILDING STANDARDS CODE AND THE CALIFORNIA FIRE CODE AND FIRE CODE STANDARDS REASONABLY NECESSARY FOR DIFFERENT OCCUPANCIES; and*

INSTRUCTED THE BUILDING OFFICIAL TO FILE THE RESOLUTION WITH THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT AND THE CALIFORNIA BUILDING STANDARDS COMMISSION.

The motion carried by the following vote:

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

NOES: None

ABSENT: None

## **UNFINISHED BUSINESS**

There were no Unfinished Business items.

## **NEW BUSINESS**

**15. INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA AMENDING CHAPTER 15.10 OF THE MUNICIPAL CODE (STORM WATER/SURFACE RUNOFF WATER QUALITY PROTECTION ORDINANCE) TO ADDRESS WATER QUALITY REGULATION CHANGES REQUIRED IN THE NEW SAN DIEGO REGIONAL WATER QUALITY BOARD NPDES PERMIT**

IT WAS MOVED BY COUNCIL MEMBER LISA BARTLETT, SECONDED BY MAYOR PRO TEM SCOTT SCHOEFFEL, TO INTRODUCE AND HOLD A FIRST READING OF AN ORDINANCE ENTITLED:

*AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING CHAPTER 15.10 OF THE MUNICIPAL CODE (STORM WATER/SURFACE RUNOFF WATER QUALITY PROTECTION ORDINANCE) TO ADDRESS SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD (SDRWQCB) WATER QUALITY REGULATION CHANGES.*

The motion carried by the following vote:

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

NOES: None

ABSENT: None

## **PUBLIC COMMENTS (Continued)**

There were no additional Public Comments received.

## **STAFF REPORTS**

## **COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED**

## **ADJOURNMENT**

There being no further business before the City Council at this session, Mayor Weinberg adjourned the meeting at 7:26 p.m. in the memory of Bill Steinriede. He announced that the next Regular Meeting of the City Council will be November 8, 2010, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.