
**CITY OF DANA POINT, CALIFORNIA
CITY COUNCIL REGULAR MEETING MINUTES
DECEMBER 13, 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 6:00 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
Mayor Pro Tem Scott Schoeffel
Council Member Lara Anderson
Council Member Lisa A. Bartlett
Council Member Joel Bishop

Absent: None

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; Christy Teague, Economic Development Manager; Kevin Evans, Director of Community Service & Parks; John Tilton, City Architect; Lisa Zawaski, Senior Water Quality Engineer; Windy Robles, City Clerk Specialist; Jeremy Kirchner, Emergency Services Coordinator; Jackie Littler, Executive Secretary; DyAnne Weamire, Administrative Secretary; and Bobbi Ogan, Deputy City Clerk.

CLOSED SESSION

There was no Closed Session.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Joel Bishop.

INVOCATION

The Invocation was provided by OCFA Chaplain Jeff Hetschel.

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PRESENTATIONS AND PROCLAMATIONS

December Business of the Month - Collins Holdings

Management Analyst Kelly provided a PowerPoint presentation. She reported that Collins Holdings were strong supporters of the 5th Marine Regiment and their support group. Mayor Weinberg presented a Certificate of Recognition to John and Damian Collins for Collins Holdings being named the featured business of the month, December 2010.

CONSENT CALENDAR

IT WAS MOVED BY COUNCIL MEMBER LISA A. BARTLETT, SECONDED BY MAYOR PRO TEM SCOTT SCHOEFFEL, TO 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, Mayor Pro Tem Scott Schoeffel and Mayor Steven Weinberg

NOES: 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, NOVEMBER 22, 2010

APPROVED THE MINUTES.

3. PLANNING COMMISSION MEETING MINUTES, NOVEMBER 15, 2010

RECEIVED AND FILED.

4. PLANNING COMMISSION ACTIONS, MEETING OF DECEMBER 6, 2010

RECEIVED AND FILED.

5. YOUTH BOARD MEETING MINUTES, NOVEMBER 4, 2010

RECEIVED AND FILED.

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6. YOUTH BOARD MEETING MINUTES, NOVEMBER 18, 2010

RECEIVED AND FILED.

**7. CHARITABLE GRANT SUBCOMMITTEE DRAFT ACTION MINUTES,
NOVEMBER 17, 2010**

RECEIVED AND FILED.

8. TRAFFIC IMPROVEMENT SUBCOMMITTEE MINUTES, OCTOBER 20, 2010

RECEIVED AND FILED.

9. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR

RECEIVED AND FILED.

10. CITY TREASURER'S REPORT, OCTOBER 2010

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

11. CLAIMS AND DEMANDS

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

**12. CITY'S UPDATED WATER QUALITY LOCAL IMPLEMENTATION PLAN (LIP)
TO COMPLY WITH NEW SAN DIEGO REGIONAL WATER QUALITY
CONTROL BOARD NPDES PERMIT REQUIREMENTS (ORDER R9-2009-
0002)**

ADOPTED RESOLUTION 10-12-13-01 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADOPTING THE UPDATED CITY OF DANA POINT LOCAL IMPLEMENTATION PLAN (LIP), A WATER QUALITY IMPLEMENTATION DOCUMENT THAT MEETS THE REQUIREMENTS OF THE SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD MUNICIPAL NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT, ORDER R9-2009-0002; and

AUTHORIZED THE DIRECTOR OF PUBLIC WORKS TO INCORPORATE FURTHER UPDATES, AS NECESSARY TO COMPLY WITH THE ORDER; AND AUTHORIZED THE UPDATED LIP TO BE SUBMITTED TO THE SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD BY DECEMBER 16, 2010.

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13. ADOPTION OF RESOLUTION APPROVING A REVISED SUBDIVISION IMPROVEMENT AGREEMENT FOR TRACT NUMBER 15924

ADOPTED **RESOLUTION 10-12-13-02** ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING A REVISED SUBDIVISION IMPROVEMENT AGREEMENT FOR TRACT NUMBER 15924; and

AUTHORIZED THE CITY MANAGER TO EXECUTE THE AGREEMENT; AND ACKNOWLEDGED THAT THIS AGREEMENT SUPERSEDES THE PREVIOUSLY ADOPTED SUBDIVISION IMPROVEMENT AGREEMENT, ORIGINALLY APPROVED BY THE CITY COUNCIL ON APRIL 30, 2008.

14. CALIFORNIA SUSTAINABLE COMMUNITIES PLANNING GRANT FOR DOHENY VILLAGE PLAN

RECEIVED AND FILED THE REPORT AND AUTHORIZED THE CITY MANAGER TO SIGN A CONTRACT WITH CALIFORNIA STRATEGIC GROWTH COUNCIL FOR CALIFORNIA SUSTAINABLE COMMUNITIES PLANNING GRANT FOR THE DOHENY VILLAGE PLAN.

PUBLIC COMMENTS

Sgt. Major Ernest Hoopii, Camp Pendleton, presented a Certificate on behalf of the 5th Marine Regiment and Colonel Buhl to Mayor Weinberg in appreciation of the support the City of Dana Point and the residents provide to the Regiment.

Pete Hammer, Dana Point, thanked the City Council, residents and staff for their support of the 5th Marine Regiment and support group. He thanked the City for allowing the 5th Marine Regiment Support Group the opportunity to participate in City-sponsored events. He reported that this holiday season marks the seventh year since Dana Point had adopted the 5th Marine Regiment and to commemorate that milestone, a new Dana Point 5th Marine Challenge Coin had been minted. Members of the 5th Marine Regiment Group presented each Council Member with their own coin.

Joe Snyder, Capistrano Beach, paid tribute to Council Member Joel Bishop. He stated that the VFW Post 9934 appreciated everything that Joel Bishop had done in support of the Post. Members of the VFW saluted Council Member Bishop.

Ingrid McGuire, Dana Point, thanked Mayor Weinberg and Council Member Bishop for their dedication and hard work. She wished Council Member Bishop the best of luck in his future endeavors. She reported that there was a Stage 2 water supply alert until June, 2011. She stated that residents were allowed to water their lawns from 5-9 a.m. on Mondays, Wednesdays, and Fridays if they live south of San Juan Creek, and

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Tuesdays, Thursdays, and Saturdays for those who live north of San Juan Creek. She added that there were a number of rebates in effect that residents could take advantage of.

PUBLIC HEARINGS

There were no Public Hearing items.

UNFINISHED BUSINESS

15. RESOLUTION RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 2, 2010, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW

City Manager Chotkevys provided an introduction of this item and City Clerk Ward provided a staff report.

There being no requests to speak on this item, Mayor Weinberg opened and closed the Public Comments.

IT WAS MOVED BY COUNCIL MEMBER LISA A. BARTLETT, SECONDED BY COUNCIL MEMBER LARA ANDERSON, TO ADOPT **RESOLUTION 10-12-13-03** ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 2, 2010, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW.

The motion carried by the following vote:

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

NOES: None

NEW BUSINESS

There were no New Business items.

RECOGNITION OF OUTGOING CITY COUNCIL MEMBERS

Mayor Weinberg invited Council Member Bishop to join him where Assembly Woman Diane Harkey presented Council Member Bishop with a Resolution to honor and thank

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him for his service to the community. Brian Probolsky, representing Orange County Board of Supervisor Pat Bates presented Council Member Bishop with a Certificate thanking him for his service on the City Council and the Water Board. Orange County Fire Chief Rick Robinson presented Council Member Bishop with a letter of thanks from Chief Richter for his service to the community. Lt. Mark Levy presented Council Member Bishop with a plaque on behalf of the Orange County Sheriff's Department thanking him for his support. Karin Schnell on behalf of Dana Point Coastal Arts, thanked Council Member Bishop for all of his support. Mayor Weinberg presented Council Member Bishop with City Tile Plaque and a Proclamation recognizing his service to the City.

SWEARING IN OF NEWLY ELECTED CITY COUNCIL MEMBERS

City Clerk Ward administered the Oath of Office to:

- Lisa A. Bartlett
- William P. Brough
- Steven H. Weinberg

CITY COUNCIL REORGANIZATION

A. CITY COUNCIL REORGANIZATION

IT WAS MOVED BY MAYOR STEVEN WEINBERG, SECONDED BY COUNCIL MEMBER LISA A. BARTLETT, NOMINATE SCOTT SCHOEFFEL TO SERVE AS MAYOR.

The motion carried by the following vote:

AYES: Council Member Lara Anderson, Council Member Lisa Bartlett, Council Member William P. Brough, Mayor Pro Tem Scott Schoeffel and Mayor Steven Weinberg

NOES: None

IT WAS MOVED BY MAYOR STEVEN WEINBERG, SECONDED BY COUNCIL MEMBER LISA A. BARTLETT, NOMINATE LARA ANDERSON TO SERVE AS MAYOR PRO TEM.

The motion carried by the following vote:

AYES: Council Member Lara Anderson, Council Member Lisa Bartlett, Council Member William P. Brough, Mayor Pro Tem Scott Schoeffel and Mayor Steven Weinberg

NOES: None

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B. RECOGNITION OF OUTGOING MAYOR

Mayor Schoeffel presented a plaque to Council Member Weinberg for his service to the community over the past year.

PUBLIC COMMENTS

There were no additional Public Comments received.

STAFF REPORTS

City Manager Chotkevys wished Council Member Bishop a fond farewell and congratulated Council Member Brough on his election to the City Council. He thanked Council Member Weinberg for his service to the community.

COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED

Council Member Bartlett thanked Council Member Weinberg for his service this past year as Mayor, congratulated Mayor Schoeffel and Mayor Pro Tem Anderson as well as welcomed Council Member Brough. She reported that she had attended the following:

Several TCA meetings and a SCAG meeting

December 1 - Manufacturing Housing Educational Trust Breakfast and the ribbon cutting ceremony for Harbor Jewelers in Dana Point Harbor.

December 11 - Dana Point Tree Lighting Ceremony in La Plaza.

She stated that the future events were:

December 16 - Chamber of Commerce Holiday Mixer at the Ritz Carlton from 5:30 to 7:30 p.m.

December 17 and 18 - Last weekend for the Dana Point Boat Parade in the Harbor.

She wished everyone in the Dana Point community a safe and joyous holiday season.

Council Member Brough thanked the voters of Dana Point for placing their confidence in him. He also thanked his family and friends for their support. He stated that it was an honor to be the 21st person to hold the title of Dana Point Council Member. He congratulated Council Members Weinberg and Bartlett on their re-election. He wished everyone Merry Christmas, happy holidays, and Happy New Year.

Mayor Pro Tem Anderson thanked Council Member Weinberg for his service as Mayor and felt that he had done a great job. She thanked Joel Bishop for his service and she hoped that he would continue to be Dana Point's international ambassador while

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traveling. She welcomed Council Member Brough to the Council. She reported that she had attended the Turkey Trot, the Dana Point Historical Society Open House and congratulated Pat Fairbanks for being the recipient of the Pat Pepler Award this year. She also had gone on a boat ride with Santa out of Dana Wharf Sportfishing. She stated that the Orange County Fire Authority was holding their Spark of Love Toy Drive and encouraged people to donate their unwrapped, new toys. She added that the toys could be dropped off at any fire station. She stated that the Winter Festival was on Saturday and felt that it was well attended and a great event. She added that Xerox Corporation will print out a card and send it to a soldier in Iraq for free. She stated that to participate to go to www.letsaythanks.com. She wished everyone a safe and wonderful holiday season.

Council Member Weinberg stated that he had turned in his list of meetings to the City Clerk. He invited everyone to visit the Orange County Fire Authority website to view agreement that was made between the firefighters and the two Unions. He stated that he had the opportunity to participate in a tree decorating with students from R.H. Dana Elementary. He welcomed Council Member Brough to the Council and congratulated Council Member Bartlett on her re-election.

Mayor Schoeffel reported that he had attended several TCA meetings, was a judge at the Holiday Boat Parade, and mentioned that SOSCA was holding on December 15 and 16 of this week, a winter instrumental concert. He thanked Joel Bishop for his service to the community and congratulated the winners of the election. He wished everyone a happy holiday season. He invited everyone to the reception where refreshments were to be served.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Schoeffel declared the meeting adjourned at 7:07 p.m. and announced that the next Regular Meeting of the City Council will be held on January 10, 2011 at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California. Mayor Schoeffel invited everyone to the reception.

RECEPTION

Refreshments were served and the public was invited.

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Meetings Attended Since the Last City Council Meeting:

Council Member Steven Weinberg

November 21	Turkey Trot
November 29	Ethics Training
December 1	Vector Control Budget and Finance Vector Control Board Meeting
December 2	Holiday Tree Decorating w/ RH Dana Students OCFA Special Board Meeting
December 10	Holiday Boat Judging
December 11	Holiday Tree Lighting Ceremony