

# CITY OF DANA POINT

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**CITY COUNCIL  
REGULAR  
MEETING**



**MONDAY  
JUNE 13, 2011  
5:00 P.M.**

## **AGENDA**

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

Next City Council Ordinance No. 11-03

### **CALL TO ORDER**

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

Scott Schoeffel, Mayor  
Lara Anderson, Mayor Pro Tem  
Lisa A. Bartlett, Council Member  
William P. Brough, Council Member  
Steven H. Weinberg, Council Member

### **CLOSED SESSION**

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Government Code § 54956.9 (a), (1 case)

Name of Case: City of Dana Point v. California Coastal Commission, San Diego County Superior Court Case No. 37-2010-00099827 (Consolidated with San Diego County Superior Court Case No. 37-2010-00099878)

- B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION, Government Code § 54957

Title: City Manager

**RECESS OF CITY COUNCIL MEETING UNTIL 6:00 P.M.**

**RECONVENE CITY COUNCIL MEETING**

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

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## PRESENTATIONS AND PROCLAMATIONS

June Business of the Month – Wind & Sea Restaurant  
Recognition of Dana Hills High School Principal Dr. Robert Nye  
Recognition of Youth Board Members  
Recognition of Charitable Grant Subcommittee Members  
Recognition of Colby Gardner, Deputy Brett Gardner and Jeremy Kirchner  
Dana Point Police Services Quarterly Commendations  
Measure M Completion Presentation  
VFW Post 9934 Presentation

## CONSENT CALENDAR

All matters listed under the Consent Calendar are considered to be routine and all will be enacted by one roll call vote. There will be no separate discussion of these items unless members of the City Council, the public, or staff request specific items be removed from the Consent Calendar for separate action.

**1. WAIVE THE READING OF ORDINANCES AND APPROVE READING BY TITLE ONLY**

RECOMMENDED ACTION: That the City Council approve 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, MAY 23, 2011](#)**

RECOMMENDED ACTION: That the City Council approve the minutes.

**3. [PLANNING COMMISSION MEETING MINUTES, MAY 16, 2011](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**4. [PLANNING COMMISSION ACTIONS, MEETING OF JUNE 6, 2011](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**5. [YOUTH BOARD MEETING MINUTES, APRIL 20, 2011](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**6. [YOUTH BOARD MEETING MINUTES, MAY 19, 2011](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**7. [CHARITABLE GRANT SUBCOMMITTEE DRAFT ACTION MINUTES, MAY 19, 2011](#)**

RECOMMENDED ACTION: That the City Council receive and file.

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8. [TRAFFIC IMPROVEMENT SUBCOMMITTEE ACTION MINUTES, APRIL 20, 2011](#)

RECOMMENDED ACTION: That the City Council receive and file.

9. [MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR](#)

RECOMMENDED ACTION: That the City Council receive and file.

10. [CITY TREASURER'S REPORT, APRIL 2011](#)

RECOMMENDED ACTION: That the City Council receive and file the City Treasurer's Report for the month of April 2011.

11. [CLAIMS AND DEMANDS](#)

RECOMMENDED ACTION: That the City Council receive and file the Claims and Demands.

12. [SUPPORT FOR CALIFORNIA STATE ASSEMBLY BILL AB 741 WASTEWATER INFRASTRUCTURE REPLACEMENT FINANCING](#)

RECOMMENDED ACTION: That the City Council authorize a letter of support for AB 741.

13. [APPROVAL OF AMENDMENT NO. 1 TO EXTEND THE JOINT COOPERATIVE AGREEMENT FOR THE PILOT COMMERCIAL FOOD WASTE DIVERSION PROGRAM](#)

RECOMMENDED ACTION: That the City Council approve and authorize the Mayor or his designee to execute Amendment No. 1 to extend the existing Joint Cooperative Agreement between the cities of San Clemente, Aliso Viejo, Dana Point, Laguna Hills, Laguna Niguel, Rancho Santa Margarita, San Juan Capistrano and Tustin for the Pilot Commercial Food Waste Diversion Program.

14. [PROFESSIONAL SERVICES CONTRACT WITH ROSENOW SPEVACEK GROUP INC. FOR AN ECONOMIC DEVELOPMENT STRATEGY PLAN AND UPDATE OF ECONOMIC DEVELOPMENT ELEMENT OF THE GENERAL PLAN](#)

RECOMMENDED ACTION: That the City Council authorize the City Manager to sign a professional services contract with Rosenow Spevacek Group Inc. for development of an Economic Development Strategy Plan and Update of the 1991 Economic Development Element of the City's General Plan.

15. [PROFESSIONAL SERVICES CONTRACT FOR BUSINESS CRIME PREVENTION OUTREACH MARKETING PROGRAM](#)

RECOMMENDED ACTION: That the City Council authorize the City Manager to sign a contract with Bolt Public Relations for Business Crime Prevention Outreach Marketing Services.

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16. **SPECIAL EVENT PERMIT 11-0002 “TASTE OF BREWS” AT LANTERN BAY PARK**

RECOMMENDED ACTION: That the City Council receive and file this report on the issuance of a permit for the Taste of Brews event for Lifestyle Promotions.

17. **ESTABLISHMENT OF AN ARTS AND CULTURE COMMISSION**

RECOMMENDED ACTION: That the City Council:

- A. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ESTABLISHING A DANA POINT ARTS AND CULTURE COMMISSION; and
- B. Direct staff to begin a recruitment process and schedule candidate interviews with the City Council.

At this time, the City Clerk will read the title(s) of the ordinance(s) listed on the agenda.

## **PUBLIC COMMENTS**

Any person wishing to address the City Council during the Public Comments section or on an Agenda item is asked to complete a “Request to Speak” form available on the table at the side of the Council Chamber. The completed form is to be submitted to the City Clerk prior to the Agenda item being called by the Mayor and prior to the individual being heard by the City Council.

In order to conduct a timely meeting, there will be a three-minute time limit per person and an overall time limit of fifteen minutes for this Public Comments portion of the agenda. At the Mayor’s discretion, the balance of public comments will be heard after the New Business portion of the agenda. All comments are to be directed to the City Council and shall not consist of any personal attacks. Members of the public are expected to maintain a professional, courteous decorum during their comments. State law prohibits the City Council from taking action on a specific item unless it appears on the posted Agenda.

If anyone has handouts to distribute to the City Council, please follow proper procedure and hand them to the City Clerk. The City Clerk will see that they are distributed.

## **PUBLIC HEARINGS**

18. **CALIFORNIA COASTAL COMMISSION SUGGESTED MODIFICATIONS AFFECTING THE IMPLEMENTATION PLAN OF THE DANA POINT HARBOR REVITALIZATION PLAN AND DISTRICT REGULATIONS FOR DANA POINT LOCAL COASTAL PROGRAM AMEMDMENT 06-03**

RECOMMENDED ACTION: That the City Council conduct a Public Hearing and adopt the suggested modifications approved by the California Coastal Commission in its certification of the Implementation Plan for the Local Coastal Program Amendment LCPA06-03 for the Dana Point Harbor Revitalization Plan and District Regulations and Dana Point Specific Plan Amendment for the Dana Point Harbor by 1) introducing an Ordinance entitled:

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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA ADOPTING THE LOCAL COASTAL PROGRAM AMENDMENT LCPA06-03 AFFECTING THE IMPLEMENTATION PLAN FOR THE DANA POINT HARBOR REVITALIZATION PLAN AND DISTRICT REGULATIONS, THAT ALSO AMENDS THE DANA POINT SPECIFIC PLAN AND ZONING CODE, FOR APPROVAL AND CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION; and

2) forward the adopted modifications to the Coastal Commission for final certification by adopting a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADOPTING THE COASTAL COMMISSION'S MODIFICATIONS TO THE IMPLEMENTATION PLAN FOR LOCAL COASTAL PROGRAM AMENDMENT LCPA06-03 AND REQUESTING CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION.

## **UNFINISHED BUSINESS**

There are no Unfinished Business items.

## **NEW BUSINESS**

There are no New Business items.

## **PUBLIC COMMENTS (Continued)**

## **STAFF REPORTS**

(City Manager Doug Chotkevys)

(City Attorney Patrick Muñoz)

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

The City Council may discuss, act upon or seek consensus on matters described under Council Reports only if: They are agendaized with a complete written report included; or, if an item arose subsequent to the posting of the agenda and the Council determines that an emergency exists. Non-agendaized items may be presented as informational only.

## **ADJOURNMENT**

The next Regular Meeting of the City Council will be July 25, 2011, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

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## CERTIFICATION

I, Kathy M. Ward, City Clerk of the City of Dana Point, do hereby certify that a copy of the foregoing Agenda was posted at Dana Point City Hall, the Dana Point Post Office, the Capistrano Beach Post Office and the Dana Point Library by Thursday, June 9, 2011, at 5:00 p.m.

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KATHY M. WARD, CITY CLERK

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DATE

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PURSUANT TO THE AMERICANS WITH DISABILITIES ACT, PERSONS WITH A DISABILITY WHO REQUIRE A DISABILITY-RELATED MODIFICATION OR ACCOMMODATION IN ORDER TO PARTICIPATE IN A MEETING, INCLUDING AUXILIARY AIDS OR SERVICES, MAY REQUEST SUCH MODIFICATION OR ACCOMMODATION FROM THE CITY CLERK AT (949) 248-3500 (TELEPHONE) OR (949) 248-9920 (FACSIMILE). NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ASSURE ACCESSIBILITY TO THE MEETING.