

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**MONDAY
SEPTEMBER 12, 2011
5:00 P.M.**

ACTION AGENDA

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

Next City Council Ordinance No. 11-04

CALL TO ORDER

The Regular Meeting of the City Council of the City of Dana Point, California, was called to order by Mayor Schoeffel 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:

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

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), (1 case)
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Government Code § 54956.9 (a), (1 case)
 - 1. 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)
- C. CONFERENCE WITH LABOR NEGOTIATOR, Government Code § 54957.6

Agency Designated Representatives:

City Manager

Unrepresented and Represented Employees: All positions in City

D. PUBLIC EMPLOYEE PERFORMANCE EVALUATION, Government Code § 54957

Title: City Manager

Mayor Schoeffel recessed the meeting into a Closed Session at 5:02 p.m. pursuant to Government Code Section 54956 et seq.

RECONVENE CITY COUNCIL MEETING – CALL TO ORDER

Mayor Schoeffel reconvened the meeting at 6:14 p.m. All Council Members were present.

STAFF PRESENT: Douglas C. Chotkevys, City Manager; Jennifer Farrell; Assistant 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; John Tilton, City Architect; Kelly Straine, Assistant Director of the Dana Point Chamber of Commerce; Christy Teague, Economic Development Manager; 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

Assistant City Attorney Farrell stated that she had no announcement.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Hayley Perrault.

PRESENTATIONS AND PROCLAMATIONS

August Business of the Month – Killer Dana Surf Shop
DAR Constitution Week Proclamation
Presentation to Deputy Lollie Elmore

CONSENT CALENDAR

IT WAS MOVED BY COUNCIL MEMBER STEVEN WEINBERG, SECONDED BY MAYOR PRO TEM LARA ANDERSON, THAT THE RECOMMENDATIONS BE ACCEPTED FOR ALL ITEMS LISTED ON THE CONSENT CALENDAR.

The motion carried by the following vote:

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

NOES: None

ABSENT: 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, JULY 25, 2011

APPROVED THE MINUTES.

3. PLANNING COMMISSION MEETING MINUTES, JULY 18, 2011

RECEIVED AND FILED.

4. PLANNING COMMISSION MEETING MINUTES, AUGUST 1, 2011

RECEIVED AND FILED.

5. OCEAN WATER QUALITY SUBCOMMITTEE ACTION MINUTES, MEETING OF JANUARY 25, 2011

RECEIVED AND FILED.

6. OCEAN WATER QUALITY SUBCOMMITTEE ACTION MINUTES, MEETING OF MAY 24, 2011

RECEIVED AND FILED.

7. DANA POINT DESTINY AD HOC COMMITTEE ACTION MINUTES, MEETING OF JULY 28, 2011

RECEIVED AND FILED.

8. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR

RECEIVED AND FILED.

9. CITY TREASURER'S REPORT, MAY, JUNE AND JULY 2011

RECEIVED AND FILED THE CITY TREASURER'S REPORT FOR THE MONTHS OF MAY, JUNE AND JULY 2011.

10. CLAIMS AND DEMANDS

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

11. SECOND READING AND ADOPTION OF AN ORDINANCE AMENDING CHAPTER 2.06 OF THE DANA POINT MUNICIPAL CODE REGARDING TERMS OF COMMISSIONS

HELD A SECOND READING AND ADOPTED **ORDINANCE 11-04** ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING CHAPTER 2.06 BOARDS AND COMMISSIONS FOR TERMS OF COMMISSIONS OTHER THAN THE PLANNING COMMISSION AND YOUTH BOARD.

12. SECOND READING AND ADOPTION OF AN ORDINANCE ESTABLISHING A REVISED SPEED LIMIT ON SELVA ROAD BETWEEN PACIFIC COAST HIGHWAY AND DANA STRAND/OCEAN FRONT LANE

HELD A SECOND READING AND ADOPTED **ORDINANCE 11-05** ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ESTABLISHING A REVISED SPEED LIMIT ON SELVA ROAD BETWEEN PACIFIC COAST HIGHWAY AND DANA STRAND ROAD/OCEAN FRONT LANE.

13. AGREEMENT WITH THE ORANGE COUNTY HEALTH CARE AGENCY FOR THE TRANSFER OF EQUIPMENT AND EXERCISE SERVICES RELATED TO THE PUBLIC HEALTH EMERGENCY STOCKPILE

APPROVED THE AGREEMENT FOR PROVISION OF POINT OF DISPENSING SITE EQUIPMENT SERVICES AND AGREEMENT FOR EXERCISE SERVICES BETWEEN COUNTY OF ORANGE AND CITY OF DANA POINT JULY 1, 2010 THROUGH JUNE 30, 2015, AND AUTHORIZED THE CITY MANAGER TO EXECUTE THE AGREEMENTS.

14. AMENDMENT TO THE CITY'S CONFLICT OF INTEREST CODE

ADOPTED **RESOLUTION 11-09-12-01** ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING THE CONFLICT OF INTEREST CODE

PUBLIC COMMENTS

Ingrid McGuire
Bob Fowler
Mary Norman
Vonne Barnes
Laurie Menosky
Kathy Smith
James Littlejohn

PUBLIC HEARINGS

15. RE-APPROPRIATION OF CITIZENS OPTION FOR PUBLIC SAFETY (COPS) PROGRAM FUNDS FROM FY 2010/2011 – (AB 1913)

IT WAS MOVED BY COUNCIL MEMBER STEVEN WEINBERG, SECONDED BY COUNCIL MEMBER LISA BARTLETT, THAT THE CITY COUNCIL CONDUCT A PUBLIC HEARING AND ADJUST THE FY 2011/12 BUDGET WITH THE RE-APPROPRIATION OF UNENCUMBERED CITIZENS OPTION FOR PUBLIC SAFETY (COPS) PROGRAM UNSPENT MONIES REMAINING FROM THE FY 2010/11 BUDGET, TO THE SUPPLEMENT LAW ENFORCEMENT SERVICE FUND (SLESF) ACCOUNT, AND APPROPRIATE FUNDS FROM THE SLESF TO IMPLEMENT AND MAINTAIN THE FOLLOWING PROGRAMS:

- APPROVE FUNDING FOR THE SCHOOL RESOURCE OFFICER POSITION FOR THIS SCHOOL YEAR.
- APPROVE FUNDING FOR PROJECT STOP (STOP TRASHING OUR PARKS).
- APPROVE FUNDING FOR PROJECT **HIDE IT, LOCK IT, OR LOSE IT.**
- APPROVE FUNDING FOR PROJECT **IT'S YOUR BUSINESS.**

The motion carried by the following vote:

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

NOES: None

ABSENT: None

UNFINISHED BUSINESS

16. DANA POINT ARTS AND CULTURE COMMISSION MEMBER SELECTION

IT WAS MOVED BY MAYOR PRO TEM LARA ANDERSON, SECONDED BY COUNCIL MEMBER STEVEN WEINBERG, THAT THE CITY COUNCIL DESIGNATE MAYOR SCOTT SCHOEFFEL AND COUNCIL MEMBER WILLIAM BROUGH TO SERVE AS A SUBCOMMITTEE TO REVIEW, SCREEN AND INTERVIEW APPLICANTS FOR THE DANA POINT ARTS AND CULTURE SUBCOMMITTEE; AND MAKE A RECOMMENDATION FOR APPOINTMENTS TO THE FULL COUNCIL.

The motion carried by the following vote:

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

NOES: None

ABSENT: None

NEW BUSINESS

17. DANA POINT YOUTH BOARD INTERVIEWS

CONDUCTED INTERVIEWS AND CONSIDERED APPOINTMENTS TO FILL ELEVEN (11) EXPIRED TERMS ON THE DANA POINT YOUTH BOARD WITH THE REMAINING APPLICANTS APPOINTED AS MEMBERS AT LARGE.

IT WAS MOVED BY COUNCIL MEMBER STEVEN WEINBERG, SECONDED BY COUNCIL MEMBER LISA BARTLETT, THAT THE CITY COUNCIL APPOINT THE FOLLOWING TO SERVE ON THE YOUTH BOARD:

AMANDA ANDERSON
CALIN CLIFFORD
HUGH FITZMAURICE
JORDAN HALL
CHRIS KWOK
MATTHEW LIM
NATE MAGEE
SARAH MARTINO
FABIANA MUNOZ
LAUREN O'CONNOR
MORGAN TOLLES

APPOINTED AS MEMBERS AT LARGE:

LUKE ALCANTARA
ALENA POWERS DAVIS
AUDREY DERBONNE
MEGAN GEYER
ELLIE GOGICHAEVA
KELLY KRIEGER
KATIE MCANDREWS
SAM O'MELVENY
JESSICA POP

The motion carried by the following vote:

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

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 Schoeffel declared the meeting adjourned at 9:40 p.m. and announced that the next Regular Meeting of the City Council will be held on September 26, 2011, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.