

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**MONDAY
OCTOBER 24, 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. 11-03

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 5:06 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 – 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)
- B. CONFERENCE WITH LABOR NEGOTIATOR, Government Code § 54957.6

Agency Designated Representatives: City Manager
Unrepresented and Represented Employees: All positions in City

Mayor Schoeffel recessed the meeting into a Closed Session at 5:07 p.m. pursuant to Government Code Section 54956 et seq.

RECONVENE CITY COUNCIL MEETING – CALL TO ORDER

Mayor Schoeffel reconvened the meeting at 6:07 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; Sgt. Jim Greenwood, Police Services; Kyle Butterwick, Director of Community Development; Brad Fowler, Director of Public Works/Engineering; John Tilton, City Architect; Jeff Rosaler, Natural Resource Protection Officer; Christy Teague, Economic Development Manager; Lynn Kelly, Management Analyst; 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

City Attorney Munoz reported that he had nothing to report.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Zachary Moore, a student from Palisades Elementary School.

INVOCATION

The Invocation was provided by OCFA Chaplain Jeff Hetschel.

PRESENTATIONS AND PROCLAMATIONS

October Businesses of the Month – Da Vine Food & Wine/Golden Galleon/The Upstairs Store
Fire Prevention Week Proclamation

CONSENT CALENDAR

IT WAS MOVED BY COUNCIL MEMBER WEINBERG, SECONDED BY COUNCIL MEMBER BARTLETT, 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, SEPTEMBER 26, 2011

APPROVED THE MINUTES.

3. PLANNING COMMISSION MEETING MINUTES, SEPTEMBER 19, 2011

RECEIVED AND FILED.

4. PLANNING COMMISSION MEETING MINUTES, OCTOBER 3, 2011

RECEIVED AND FILED.

5. PLANNING COMMISSION ACTIONS, MEETING OF OCTOBER 17, 2011

RECEIVED AND FILED.

6. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR

RECEIVED AND FILED.

7. CITY TREASURER'S REPORT, AUGUST 2011

RECEIVED AND FILED THE CITY TREASURER'S REPORT FOR THE MONTH OF AUGUST 2011.

8. CLAIMS AND DEMANDS

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

9. ULTRASYSTEMS ENVIRONMENTAL, INC. CONTRACT EXTENSION FOR ENVIRONMENTAL SERVICES RELATED TO THE CONSTRUCTION OF THE DOHENY HOTEL PROJECT

AUTHORIZED THE CITY MANAGER TO EXECUTE AN EXTENSION TO THE CONSULTANT SERVICES AGREEMENT WITH ULTRASYSTEMS.

10. AUTHORIZATION OF CITY OFFICERS TO DEPOSIT OR WITHDRAW CITY MONIES IN THE LOCAL AGENCY INVESTMENT FUND

ADOPTED RESOLUTION 11-10-24-01 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AUTHORIZING INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND.

11. CITY COUNCIL AND PLANNING COMMISSION MEETING DATES

INTRODUCED AND HELD THE FIRST READING OF AN ORDINANCE ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING SECTIONS 2.04.010 AND 2.07.011 OF THE DANA POINT MUNICIPAL CODE REGARDING THE DATE OF REGULAR MEETINGS FOR THE CITY COUNCIL AND PLANNING COMMISSION.

12. HISTORIC PRESERVATION AGREEMENT (MILLS ACT) FOR THE PROPERTY LOCATED AT 33771 BLUE LANTERN

AUTHORIZED THE MAYOR TO SIGN A HISTORIC PROPERTY PRESERVATION AGREEMENT WHICH WOULD ALLOW THE PROPERTY OWNERS OF THE HISTORIC STRUCTURE LOCATED AT 33771 BLUE LANTERN, TO PARTICIPATE IN THE STATE'S MILLS ACT PROGRAM.

13. HISTORIC PRESERVATION AGREEMENT (MILLS ACT) FOR THE PROPERTY LOCATED AT 34051 BLUE LANTERN

AUTHORIZED THE MAYOR TO SIGN A HISTORIC PROPERTY PRESERVATION AGREEMENT WHICH WOULD ALLOW THE PROPERTY OWNERS OF THE HISTORIC STRUCTURE LOCATED AT 34051 BLUE LANTERN, TO PARTICIPATE IN THE STATE'S MILLS ACT PROGRAM.

14. HISTORIC PRESERVATION AGREEMENT (MILLS ACT) FOR THE PROPERTY LOCATED AT 33942 CHULA VISTA

AUTHORIZED THE MAYOR TO SIGN A HISTORIC PROPERTY PRESERVATION AGREEMENT WHICH WOULD ALLOW THE PROPERTY OWNERS OF THE HISTORIC STRUCTURE LOCATED AT 33942 CHULA VISTA, TO PARTICIPATE IN THE STATE'S MILLS ACT PROGRAM.

15. HISTORIC PRESERVATION AGREEMENT (MILLS ACT) FOR THE PROPERTY LOCATED AT 33792 BLUE LANTERN

AUTHORIZED THE MAYOR TO SIGN A HISTORIC PROPERTY PRESERVATION AGREEMENT WHICH WOULD ALLOW THE PROPERTY OWNERS OF THE HISTORIC STRUCTURE LOCATED AT 33792 BLUE LANTERN, TO PARTICIPATE IN THE STATE'S MILLS ACT PROGRAM.

16. OCTA TRANSIT SYSTEM STUDY RECOMMENDATIONS

AUTHORIZED THE SUBMITTAL OF A LETTER TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA) BOARD REQUESTING THEY DIRECT OCTA STAFF TO INCLUDE IN THE IMPLEMENTATION PLAN A PROJECT TO JOINTLY FUND AND IMPLEMENT A PILOT PROJECT FOR A DANA POINT SUMMER TROLLEY/SHUTTLE SERVICE.

PUBLIC COMMENTS

Frank Ritenour
Jori August Brice
Mary Jeffries
Robert Fowler
Joe Snyder
Hal Brice
Dave Norman

PUBLIC HEARINGS

There were no Public Hearing items.

UNFINISHED BUSINESS

There were no Unfinished Business items.

NEW BUSINESS

17. TWO YEAR STATUS REPORT ON THE NATURE INTERPRETIVE CENTER AND SURROUNDING HEADLANDS OPEN SPACE

RECEIVED AND FILED AN INFORMATIONAL UPDATE ON THE NATURE INTERPRETIVE CENTER AND SURROUNDING HEADLANDS OPEN SPACE.

18. APPOINTMENTS TO ARTS AND CULTURE COMMISSION

CONDUCTED INTERVIEWS AND CONSIDERED APPOINTMENTS TO FILL FIVE SEATS ON THE ARTS AND CULTURE COMMISSION IN STAGGERED TERMS.

IT WAS MOVED BY MAYOR SCHOEFFEL, SECONDED BY COUNCIL MEMBER WEINBERG, THAT THE CITY COUNCIL APPOINT THE FOLLOWING TO SERVE FOR A TERM OF TWO YEARS ENDING JUNE 30, 2013:

MATTHEW MILLER
JUDITH NOWLAND

AND APPOINT THE FOLLOWING TO SERVE FOR A TERM OF FOUR YEARS ENDING JUNE 30, 2015:

NANCY JENKINS
KARIN SCHNELL
ALAN WICKSTROM

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 9:33 p.m. and announced that the next Regular Meeting of the City Council will be held on November 14, 2011, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.