

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**TUESDAY
NOVEMBER 18, 2014
5:00 P.M.**

ACTION AGENDA

Location: Community Center Gym, 34052 Del Obispo, Dana Point, California 92629

Next City Council Ordinance No. 14-05

CALL TO ORDER

The Regular Meeting of the City Council of the City of Dana Point, California, was called to order by Mayor Pro Tem Weinberg at 5:01 p.m. in the Community Center Gym, 34052 Del Obispo, Dana Point.

ROLL CALL OF CITY COUNCIL MEMBERS:

Lisa A. Bartlett, Mayor (*Arrived at 5:15 p.m.*)
Steven H. Weinberg, Mayor Pro Tem
William P. Brough, Council Member (*Absent*)
Carlos N. Olvera, Council Member
J. Scott Schoeffel, Council Member

CLOSED SESSION

City Attorney Munoz indicated that there was a need for a Closed Session as follows:

A. CONFERENCE WITH REAL PROPERTY NEGOTIATOR, Government Code § 54956.8

Location: 34147 and 34149 Pacific Coast Highway
Agency Negotiator: Douglas C. Chotkevys
Negotiating Parties: City of Dana Point and Art Sanchez for the Harold Bragg Family Trust
Under Negotiation: Price and terms of agreement relating to property

Mayor Pro Tem Weinberg 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 Bartlett reconvened the meeting at 6:05 p.m. All Council Members were present with the exception of Council Members Brough and Schoeffel.

STAFF PRESENT: Douglas C. Chotkevys, City Manager; Patrick Munoz, City Attorney; Kathy Ward, City Clerk; Mike Rose, Director of Disaster Preparedness; Lt. Russ Chilton; Ursula Luna-Reynosa, Director of Community Development; Brad Fowler, Director of Public Works and Engineering; Kevin Evans, Director of Community Services; John Tilton, City Architect; Mark Sutton, Building Official; Robert Sedita, Management Analyst; Christy Teague, Economic Development Manager, Jackie Littler, Executive Secretary; DyAnne Weamire, Administrative Secretary; and Bobbi Ogan, Deputy City Clerk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Olvera.

INVOCATION

The Invocation was provided by Pastor Jens Christy of Capo Beach Church.

PRESENTATIONS AND PROCLAMATIONS

Business of the Month – Waterman’s Harbor
Employee of the Month – Beverly Brion
Relay for Life Presentations
Transportation Corridor Agency Presentation

CONSENT CALENDAR

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

The motion carried by the following vote:

AYES: Council Member Carlos N. Olvera, Mayor Pro Tem Steven Weinberg and Mayor Lisa Bartlett

NOES: None

ABSENT: Council Member William Brough and Council Member Scott Schoeffel

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, OCTOBER 21, 2014

APPROVED THE MINUTES.

3. PLANNING COMMISSION MEETING MINUTES, OCTOBER 6, 2014

RECEIVED AND FILED.

4. PLANNING COMMISSION MEETING MINUTES, OCTOBER 13, 2014

RECEIVED AND FILED.

5. YOUTH BOARD MEETING MINUTES, JUNE 5, 2014

RECEIVED AND FILED.

6. YOUTH BOARD MEETING MINUTES, OCTOBER 16, 2014

RECEIVED AND FILED.

7. OCEAN WATER QUALITY SUBCOMMITTEE MEETING MINUTES, AUGUST 26, 2014

RECEIVED AND FILED.

8. ARTS AND CULTURE COMMISSION MEETING MINUTES, JULY 23, 2014

RECEIVED AND FILED.

9. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR

RECEIVED AND FILED.

10. CITY TREASURER'S REPORT, SEPTEMBER AND OCTOBER 2014

RECEIVED AND FILED THE CITY TREASURER'S REPORT FOR THE MONTH OF SEPTEMBER AND OCTOBER, 2014.

11. CLAIMS AND DEMANDS

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

12. 2014-15 SALARY RANGES FOR REPRESENTED EMPLOYEE CLASSIFICATIONS

ADOPTED **RESOLUTION 14-11-18-01** ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ESTABLISHING SALARY RANGES FOR REPRESENTED CLASSIFICATIONS.

13. DISPOSITION OF NON-ESSENTIAL CITY RECORDS

APPROVED THE 2014 DISPOSITION OF NON-ESSENTIAL CITY RECORDS IN ACCORDANCE WITH THE CALIFORNIA STATE LAW AND THE CITY'S APPROVED RECORDS RETENTION SCHEDULE AND ADOPTED **RESOLUTION 14-11-18-02** ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AUTHORIZING THE DISPOSITION OF CERTAIN INACTIVE CITY RECORDS AS PROVIDED BY SECTION 34090 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA.

14. RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE APPROVAL OF THE MEASURE M (M2) EXPENDITURE REPORT FOR FISCAL YEAR 2013-2014

ADOPTED **RESOLUTION 14-11-18-03** ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING THE RENEWED MEASURE M (M2) EXPENDITURE REPORT FOR FISCAL YEAR 2013-2014; and

AUTHORIZED THE MAYOR TO SIGN THE RESOLUTION ON BEHALF OF THE CITY; AND DIRECTED STAFF TO SUBMIT THE RESOLUTION FOR THE CITY OF DANA POINT TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA) TO MAINTAIN ELIGIBILITY IN THE MEASURE M (M2) PROGRAM.

15. WAYFINDING SIGNAGE PROGRAM

APPROVED THE SELECTION OF RSM DESIGN FOR DEVELOPMENT OF A WAYFINDING SIGNAGE PROGRAM AND AUTHORIZED THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR SUBJECT WORK.

16. NATIONAL ARTS AND HUMANITIES MONTH - OCTOBER 2015

DECLARED OCTOBER 2015 AS NATIONAL ARTS AND HUMANITIES MONTH; AND ADOPTED **RESOLUTION 14-11-18-04** ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, DECLARING OCTOBER 2015 AS NATIONAL ARTS AND HUMANITIES MONTH.

PUBLIC COMMENTS

Dan Daley
Lindsay Waggoner
Eileen Waters
Bryan Noakes
Patricia Okeefe
Bob Theel
Mary Gieselman
Keith Fullenwider
Michael McPhan
Gregory Miller Jones
Jim Miller
Richard Gardner

PUBLIC HEARINGS

17. DANA POINT TOURISM BUSINESS IMPROVEMENT DISTRICT ANNUAL REPORT AND RENEWAL FOR 2015 WITH RELATED CONTRACT

IT WAS MOVED BY COUNCIL MEMBER OLVERA, SECONDED BY MAYOR PRO TEM WEINBERG, THAT THE CITY COUNCIL CONDUCT A PUBLIC HEARING AND ADOPT **RESOLUTION**

14-11-18-05 ENTITLED:

A RESOLUTION OF THE CITY OF DANA POINT, CALIFORNIA, CONFIRMING THE 2014 ANNUAL REPORT AND DECLARING THE INTENTION OF THE CITY COUNCIL TO CONTINUE THE PROGRAM AND ASSESSMENTS FOR THE 2015 CALENDAR YEAR FOR THE DANA POINT TOURISM BUSINESS IMPROVEMENT DISTRICT (TBID); and

That the City Council authorize the City Manager to execute a contract with Agency 51 for 2015 Marketing Services on behalf of the Dana Point Tourism Business Improvement District (TBID).

The motion carried by the following vote:

AYES: Council Member Carlos N. Olvera, Mayor Pro Tem Steven Weinberg and Mayor Lisa Bartlett

NOES: None

ABSENT: Council Member William Brough and Council Member Scott Schoeffel

18. HEARING ON AMENDMENTS TO COASTAL DEVELOPMENT PERMIT CDP13-0018 FOR DEVELOPMENT OTHERWISE REFERRED TO AS THE COMMERCIAL CORE PROJECT, A PARKING MANAGEMENT PLAN, A MASTER SIGN PROGRAM AND APPROVALS IN CONCEPT FOR DANA POINT HARBOR

IT WAS MOVED BY MAYOR PRO TEM WEINBERG, SECONDED BY COUNCIL MEMBER OLVERA, THAT THE CITY COUNCIL CONDUCT A PUBLIC HEARING AND ADOPT **RESOLUTION 14-11-18-06** WITH THE ADDITION OF CONDITION NUMBER 57 "THE DESIGN OF THE FESTIVAL PLAZA STAIRS, LOCATED IMMEDIATELY ADJACENT TO COMMERCIAL CORE BUILDING 9, SHALL BE MODIFIED TO ACCOMMODATE A PEDESTRIAN RAMP TO FACILITATE BOATER ACCESS TO THE DOCKS. THE CONSTRUCTION PLANS, INCLUDING THIS MODIFIED RAMP DESGN, SHALL BE PROVIDED TO THE DIRECTOR OF COMMUNITY DEVELOPMENT FOR VERIFICATION CONCURRENT TO SUBMITTAL OF CONSTRUCTION PLANS TO THE ORANGE COUNTY BUILDING DEPARTMENT FOR PLAN CHECK REVIEW." THE RESOLUTION IS ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING COASTAL DEVELOPMENT PERMIT CDP-13-0018(I), AMENDING COASTAL DEVELOPMENT PERMIT CDP13-0018 FOR DEVELOPMENT OTHERWISE REFERRED TO AS THE DANA POINT HARBOR COMMERCIAL CORE PROJECT, A PARKING MANAGEMENT PROGRAM, A MASTER SIGN PROGRAM AND APPROVALS IN CONCEPT.

The motion carried by the following vote:

AYES: Council Member Carlos N. Olvera, Mayor Pro Tem Steven Weinberg and Mayor Lisa Bartlett

NOES: None

ABSENT: Council Member William Brough and Council Member Scott Schoeffel

19. HEARING ON APPEAL OF PLANNING COMMISSION DECISION DENYING COASTAL DEVELOPMENT PERMIT CDP14-0017 FOR THE INSTALLATION OF PAY STATIONS AT SALT CREEK BEACH PARKING LOT AT STRANDS BEACH WITHIN THE COMMUNITY FACILITIES (CF) DISTRICT AT 34111 SELVA ROAD

IT WAS MOVED BY COUNCIL MEMBER OLVERA, SECONDED BY MAYOR PRO TEM WEINBERG, THAT THE CITY COUNCIL CONDUCT A PUBLIC HEARING AND ADOPT **RESOLUTION 14-11-18-07** ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING COASTAL DEVELOPMENT PERMIT CDP14-0017.

The motion carried by the following vote:

AYES: Council Member Carlos N. Olvera, Mayor Pro Tem Steven Weinberg and Mayor Lisa Bartlett

NOES: None

ABSENT: Council Member William Brough and Council Member Scott Schoeffel

UNFINISHED BUSINESS

There were no Unfinished Business items.

NEW BUSINESS

There were no New Business items.

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 Bartlett adjourned the meeting at 8:30 p.m. and announced that the next Regular Meeting of the City Council the next Regular Meeting of the City Council will be December 2, 2014, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.