

CITY OF DANA POINT

CITY COUNCIL REGULAR MEETING



**TUESDAY
MARCH 15, 2016
5:00 P.M.**

ACTION AGENDA

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

Next City Council Ordinance No. 16-03

CALL TO ORDER

The Regular Meeting of the City Council of the City of Dana Point, California, was called to order by Mayor Tomlinson at 5:02 p.m. in the City Council Chambers, 33282 Golden Lantern, Dana Point.

ROLL CALL OF CITY COUNCIL MEMBERS:

John A. Tomlinson, Mayor
Richard A. Viczorek, Mayor Pro Tem
Joseph L. Muller, Council Member
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 LEGAL COUNSEL – EXISTING LITIGATION, Government Code § 54956.9 (a), (1 case)

Name of Case: City of Dana Point v. California Coastal Commission, et al Case No. 37-2010-00099827

Mayor Tomlinson 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 Tomlinson reconvened the meeting at 6:08 p.m. All Council Members were present.

STAFF PRESENT: Douglas C. Chotkevys, City Manager; Patrick Munoz, City Attorney; Mike Killebrew, Assistant City Manager; 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; John Tilton, City Architect; Kevin Evans, Director of Community Services and Parks; Jackie Littler, Executive Assistant; DyAnne Weamire, Senior Administrative Assistant, and Bobbi Ogan, Deputy City Clerk.

CLOSED SESSION ANNOUNCEMENT

City Attorney Munoz stated that he had no announcement.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pro Tem Viczorek.

INVOCATION

The Invocation was provided by Orange County Sheriff's Department Chaplain Jim Davis.

PRESENTATIONS AND PROCLAMATIONS

Deputy of the Year – Mike Woodruff
Orange County Human Relations Council Annual Report
Certificate of Recognition for Michael Leahy

CONSENT CALENDAR

Members of the public removed Items 9 and 10 from the Consent Calendar.

IT WAS MOVED BY COUNCIL MEMBER SCHOEFFEL, SECONDED BY COUNCIL MEMBER MULLER, THAT THE RECOMMENDATIONS BE ACCEPTED FOR ALL ITEMS ON THE CONSENT CALENDAR WITH THE EXCEPTION OF ITEMS 9 AND 10.

The motion carried by the following vote:

AYES: Council Member Joseph L. Muller, Council Member J. Scott Schoeffel, Council Member Carlos N. Olvera, Mayor Pro Tem Richard A. Viczorek and Mayor John A. Tomlinson

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, MARCH 1, 2016

APPROVED THE MINUTES.

3. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR

RECEIVED AND FILED.

4. CITY TREASURER'S REPORT, FEBRUARY 2016

RECEIVED AND FILED THE CITY TREASURER'S REPORT FOR THE MONTH OF FEBRUARY 2016.

5. TOURISM IMPROVEMENT DISTRICT MINUTES, FEBRUARY 17, 2016

RECEIVED AND FILED.

6. CLAIMS AND DEMANDS

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

7. STREET SWEEPING MAINTENANCE SERVICES AGREEMENT RENEWAL

AUTHORIZED A CONTRACT EXTENSION WITH RENEWAL OPTIONS FOR STREET SWEEPING SERVICES FROM THE CURRENT SERVICE PROVIDER, CLEAN STREET, INC., AND AUTHORIZED THE CITY MANAGER TO EXECUTE THE AGREEMENT AND THE FUTURE EXTENSIONS AS APPROPRIATE.

8. ADOPTION OF A RESOLUTION OF THE CITY COUNCIL AUTHORIZING AN APPLICATION FOR ADDITIONAL GRANT FUNDS WITH THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR THE 2016 PROJECT "V" CALL FOR PROJECTS

ADOPTED **RESOLUTION 16-03-15-01** ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AUTHORIZING SUBMITTAL OF AN APPLICATION FOR GRANT FUNDS FOR THE ORANGE COUNTY TRANSPORTATION AUTHORITY'S 2016 PROJECT "V" CALL FOR PROJECTS; and

AUTHORIZED THE CITY MANAGER OR HIS DESIGNEE TO SIGN GRANT DOCUMENTS, AND AUTHORIZED THE MAYOR TO SIGN THE RESOLUTION ON BEHALF OF THE CITY.

9. DOHENY VILLAGE PLAN UPDATE

A member of the public removed this item from the Consent Calendar.

IT WAS MOVED BY COUNCIL MEMBER OLVERA, SECONDED BY COUNCIL MEMBER MULLER, THAT THE CITY COUNCIL RECEIVE AND FILE THIS REPORT.

The motion carried by the following vote:

AYES: Council Member Joseph L. Muller, Council Member J. Scott Schoeffel, Council Member Carlos N. Olvera, Mayor Pro Tem Richard A. Viczorek and Mayor John A. Tomlinson

NOES: None

ABSENT: None

10. FISCAL YEAR 2015-2016 BUDGET STATUS REPORT

A member of the public removed this item from the Consent Calendar.

IT WAS MOVED BY COUNCIL MEMBER MULLER, SECONDED BY MAYOR TOMLINSON, THAT THE CITY COUNCIL RECEIVE AND FILE THIS REPORT.

The motion carried by the following vote:

AYES: Council Member Joseph L. Muller, Council Member Carlos N. Olvera, Mayor Pro Tem Richard A. Viczorek and Mayor John A. Tomlinson

NOES: Council Member J. Scott Schoeffel

ABSENT: None

11. THIRD AMENDMENT TO AGREEMENT WITH KEYSER MARSTON ASSOCIATES

AUTHORIZED THE CITY MANAGER TO EXECUTE A THIRD AMENDMENT (THE "THIRD AMENDMENT") TO THE AGREEMENT FOR CONSULTANT SERVICES BY AND BETWEEN THE CITY OF DANA POINT AND KEYSER MARSTON ASSOCIATES (THE "CONSULTANT"), AND APPROVED AN AMENDMENT TO THE BUDGET AS DESCRIBED IN THE FISCAL IMPACT SECTION.

12. ANNUAL HOUSING ELEMENT PROGRESS REPORT

RECEIVED AND FILED THE ANNUAL HOUSING ELEMENT REPORT.

PUBLIC COMMENTS

Gail Benda
Mary Therese Spivy
Jim and Cynthia Carol
Cindy Fleming

PUBLIC HEARINGS

There were no Public Hearings.

UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

13. TRAFFIC IMPROVEMENT SUBCOMMITTEE VACANCY – MICHAEL LEAHY

IT WAS MOVED BY COUNCIL MEMBER SCHOEFFEL, SECONDED BY COUNCIL MEMBER OLVERA, THAT THE CITY COUNCIL ACCEPT THE LETTER OF RESIGNATION FROM TRAFFIC IMPROVEMENT SUBCOMMITTEE CHAIR MICHAEL LEAHY, DIRECT STAFF TO ADVERTISE THE NOTICE OF VACANCY FOR 30 DAYS, ACCEPT APPLICATIONS WHICH THE COUNCIL WOULD REVIEW, AND APPOINT A REPLACEMENT.

The motion carried by the following vote:

AYES: Council Member Joseph L. Muller, Council Member J. Scott Schoeffel, Council Member Carlos N. Olvera, Mayor Pro Tem Richard A. Viczorek and Mayor John A. Tomlinson

NOES: None

ABSENT: None

PUBLIC COMMENTS (Continued)

There were no additional Public Comments received.

STAFF REPORTS

There were no Staff Reports.

COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Tomlinson adjourned the meeting at 7:04 p.m. and announced that the next Regular Meeting of the City Council will be April 5, 2016, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.