

# CITY OF DANA POINT

## CITY COUNCIL REGULAR MEETING



**TUESDAY  
JULY 5, 2016  
6:00 P.M.**

## MINUTES

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

Next City Council Ordinance No. 16-05

### 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 6:00 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 (*Excused Absence*)  
Carlos N. Olvera, Council Member  
J. Scott Schoeffel, Council Member

STAFF PRESENT: Douglas C. Chotkevys, City Manager; Jennifer Farrell, Assistant City Attorney; Mike Killebrew, Assistant City Manager; Kathy Ward, City Clerk; Mike Rose, Director of Disaster Preparedness; Lt. Russ Chilton; and Ursula Luna-Reynosa, Director of Community Development.

### CLOSED SESSION

There were no Closed Session items.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Tomlinson.

### INVOCATION

There was no Invocation provided.

### PRESENTATIONS AND PROCLAMATIONS

There were no presentations or proclamations.

## CONSENT CALENDAR

There were no Consent Calendar items.

## PUBLIC COMMENTS

Norma Lococo, Dana Point, asked for consideration of a parking benefit district to be implemented along Violet Lantern from the alley to Santa Clara.

## UNFINISHED BUSINESS

### 1. RESOLUTION CERTIFYING THE RESULTS OF THE JUNE 7, 2016 SPECIAL MUNICIPAL ELECTION

City Manager Chotkevys provided a staff report and Community Development Director Luna-Reynosa provided comments.

Mayor Tomlinson opened the Public Comments.

Buck Hill, Capistrano Beach, asked if it was possible to not seek an LCPA amendment and send a letter to the Coastal Commission explaining that Measure H was the same as the original plan and explain that the changes had to do with view protection from roof decks, slightly more parking, that the density was down and that the impacts on the environment would be slightly reduced.

Mayor Tomlinson closed the Public Comments.

Council Member Schoeffel asked staff to comment on the Mr. Hill's suggestion.

Community Development Director Luna-Reynosa replied that staff could certainly include those sentiments with the report that will be sent to the Coastal Commission but that ultimately it would be their decision whether they would certify or provide an opinion letter.

Council Member Schoeffel asked the City Attorney if the Coastal Commission had the authority to issue interpretative opinions upon request by constituent cities.

Assistant City Attorney Farrell replied that they have done that in the past, but she was not aware of them issuing opinion letter in the context of initiatives.

Council Member Schoeffel stated that his suggestion to the Council would be to direct staff to prepare a request as soon as possible for an interpretative opinion of the Commission that a formal LCPA amendment was not necessary in light of the facts and circumstances of this case.

IT WAS MOVED BY COUNCIL MEMBER SCHOEFFEL, SECONDED BY MAYOR TOMLINSON, THAT THE CITY COUNCIL ADOPT **RESOLUTION 16-07-05-01** ENTITLED:

*A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, RECITING THE FACT OF THE SPECIAL MUNICIPAL ELECTION HELD IN THE CITY OF DANA POINT ON JUNE 7, 2016, DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY THE PROVISION OF LAW; and*

DIRECT STAFF TO SEND A LETTER TO THE COASTAL COMMISSION STAFF REQUESTING AN INTERPRETIVE OPINION WHETHER AN LCPA WAS REQUIRED FOR CERTIFICATION OF MEASURE H.

The motion carried by the following vote:

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

NOES: None

ABSENT: Council Member Joseph L. Muller

## NEW BUSINESS

There were no New Business items.

## PUBLIC COMMENTS (Continued)

There were no additional Public Comments received.

## STAFF REPORTS

City Manager Chotkevys complimented staff for preparing for the 4<sup>th</sup> of July and thanked them for their efforts.

## COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED

Council Member Schoeffel stated that it was a great 4<sup>th</sup> of July and thanked staff for their preparations.

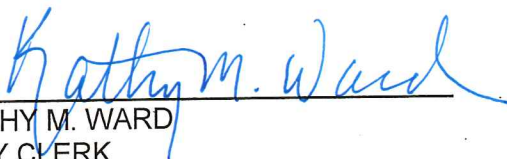
Council Member Olvera reported that he turned in his list of meetings attended to the City Clerk.

Mayor Pro Tem Viczorek stated that he would turn in his list of meetings attended to the City Clerk.

Mayor Tomlinson thanked everyone for putting on a great show and stated that he would turn in his list of meetings attended to the City Clerk.

## ADJOURNMENT

There being no further business before the City Council at this session, Mayor Tomlinson adjourned the meeting at 6:16 p.m. and announced that the next Regular Meeting of the City Council will be July 19, 2016, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

  
KATHY M. WARD  
CITY CLERK

APPROVED AT THE MEETING OF JULY 19, 2016

Meetings attended since June 21, 2016:

**Mayor Pro Tem Richard A. Viczorek**

June 29 - Harbor Groundbreaking Ceremony

**Council Member Carlos N. Olvera**

June 22 - SONGS Community Meeting

June 29 - Harbor Groundbreaking Ceremony