

# CITY OF DANA POINT

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**CITY COUNCIL  
ADJOURNED  
REGULAR  
MEETING/JOINT  
MEETING WITH  
THE PLANNING  
COMMISSION**



**TUESDAY  
JANUARY 28, 2014  
6:00 P.M.**

## **AGENDA**

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

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Next City Council Ordinance No. 14-03

### **CALL TO ORDER**

### **ROLL CALL OF CITY COUNCIL MEMBERS:**

Lisa A. Bartlett, Mayor  
Steven H. Weinberg, Mayor Pro Tem  
William P. Brough, Council Member  
Carlos N. Olvera, Council Member  
J. Scott Schoeffel, Council Member

### **CONVENE CITY COUNCIL MEETING**

### **PLEDGE OF ALLEGIANCE**

### **INVOCATION**

### **CONSENT CALENDAR**

All matters listed under the Consent Calendar are considered to be routine and all will be enacted by one roll call vote. There will be no separate discussion of these items unless members of the City Council, the public, or staff request specific items be removed from the Consent Calendar for separate action.

#### **1. WAIVE THE READING OF ORDINANCES AND APPROVE READING BY TITLE ONLY**

**RECOMMENDED ACTION:** That the City Council approve the reading by title only of all ordinances on the Consent Calendar and that further reading of such ordinances be waived.

**2. ADOPTION OF A RESOLUTION APPROVING A NOTICE OF COMPLETION FOR THE CONSTRUCTION OF THE ANNUAL RESIDENTIAL ROADWAY RESURFACING FY13-14 PHASE 1 PROJECT**

RECOMMENDED ACTION: That the City Council 1) adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING A NOTICE OF COMPLETION FOR THE CONSTRUCTION OF THE PROJECT ENTITLED "ANNUAL RESIDENTIAL ROADWAY RESURFACING FY13-14 PHASE 1 PROJECT"; and

2) create a new Capital Improvement Program (CIP) Project entitled "Storm Drain Repairs Citywide FY13-14" and 3) direct all project savings and authorize budget transfers as indicated in the Fiscal Impact Section.

**3. NOTICE OF INTENT TO VACATE A SLOPE EASEMENT AT 34215 PACIFIC COAST HIGHWAY (ASSESSOR PARCEL NUMBERS 682-301-15 AND 682-301-16)**

RECOMMENDED ACTION: That the City Council adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, DECLARING ITS INTENT TO VACATE A SLOPE EASEMENT AT 32415 PACIFIC COAST HIGHWAY (ASSESSOR PARCEL NUMBERS 682-301-15 AND 682-301-16) AS DEDICATED PER DOCUMENT RECORDED WITH THE COUNTY OF ORANGE OCTOBER 18, 1979 AS INSTRUMENT NUMBER 27473 IN THE BOOK 13357, PAGE 665 O.R.

At this time, the City Clerk will read the title(s) of the ordinance(s) listed on the agenda.

**PUBLIC HEARINGS**

There are no Public Hearings.

**UNFINISHED BUSINESS**

There are no Unfinished Business items.

**JOINT MEETING WITH THE PLANNING COMMISSION**

**ROLL CALL OF THE PLANNING COMMISSION MEMBERS:**

**Gary Newkirk, Chairman**  
**Liz Claus, Vice-Chairwoman**  
**Norman Denton III, Commissioner**  
**April O'Connor, Commissioner**  
**Susan Whittaker, Commissioner**

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## **PUBLIC COMMENTS**

Any person wishing to address the City Council during the Public Comments section or on an Agenda item is asked to complete a "Request to Speak" form available on the table at the side of the Council Chamber. The completed form is to be submitted to the City Clerk prior to the Agenda item being called by the Mayor and prior to the individual being heard by the City Council.

In order to conduct a timely meeting, there will be a three-minute time limit per person and an overall time limit of fifteen minutes for this Public Comments portion of the agenda. At the Mayor's discretion, the balance of public comments will be heard after the New Business portion of the agenda. All comments are to be directed to the City Council and shall not consist of any personal attacks. Members of the public are expected to maintain a professional, courteous decorum during their comments. State law prohibits the City Council from taking action on a specific item unless it appears on the posted Agenda.

If anyone has handouts to distribute to the City Council, please follow proper procedure and hand them to the City Clerk. The City Clerk will see that they are distributed.

## **NEW BUSINESS**

**4. PRESENTATION OF TOWN CENTER LANTERN DISTRICT PARKING PLAN – DRAFT REPORT; AND AMENDMENT OF THE CONTRACT WITH NELSON/NYGAARD CONSULTING ASSOCIATES TO CONTINUE THEIR WORK ON THE TOWN CENTER PARKING PLAN**

**SUPPORTING DOCUMENT B – Parking Plan**

RECOMMENDED ACTION: That the City Council 1) authorize the City Manager to enter into an amended agreement with Nelson/Nygaard Consulting Associates in accordance with the attached scope of work to continue the work on the preparation of the Parking Plan and adoption of amendments to the Town Center Plan, 2) authorize a budget adjustment as provided for and that the City Council and the Planning Commission receive the presentation on the Draft Report on Town Center Lantern District Parking Plan from the Consultant, provide comments and guidance to staff and consultant pertaining to any modifications and amendments to the report.

**5. COMMUNITY DEVELOPMENT WORK PLAN**

RECOMMENDED ACTION: That the City Council and Planning Commission receive the presentation on the 2014 Community Development Work Plan, provide direction and assign priorities to the projects and activities described in this report.

## **PUBLIC COMMENTS (Continued)**

## **STAFF REPORTS**

(City Manager Doug Chotkevys)

(City Attorney Patrick Muñoz)

## COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED

The City Council may discuss, act upon or seek consensus on matters described under Council Reports only if: They are agendaized with a complete written report included; or, if an item arose subsequent to the posting of the agenda and the Council determines that an emergency exists. Non-agendaized items may be presented as informational only.

## CLOSED SESSION

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

Location: Assessor's Parcel Number 682-311-02; area .76 acres  
Agency Negotiator: Doug Chotkevys, City Manager  
Negotiating Parties: City of Dana Point and Beverly Hills Hospitality Group  
Under Negotiation: Price and terms of agreement relating to property

## ADJOURNMENT

The next Regular Meeting of the City Council will be February 18, 2014, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

## CERTIFICATION

I, Kathy M. Ward, City Clerk of the City of Dana Point, do hereby certify that a copy of the foregoing Agenda was posted at Dana Point City Hall, the Dana Point Post Office, the Capistrano Beach Post Office and the Dana Point Library by Thursday, January 23, 2014, at 5:00 p.m.

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KATHY M. WARD, CITY CLERK

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DATE

Subscriptions to receive City Council Agendas on a regular basis are available through the City Clerk's Office. Agendas are also available on the City's website at [www.danapoint.org](http://www.danapoint.org). In addition, Agenda related materials (including materials, if any, provided to the City Council after the Agenda was posted) may be reviewed in the office of the City Clerk during regular business hours or on the website at [www.danapoint.org](http://www.danapoint.org).

PURSUANT TO THE AMERICANS WITH DISABILITIES ACT, PERSONS WITH A DISABILITY WHO REQUIRE A DISABILITY-RELATED MODIFICATION OR ACCOMMODATION IN ORDER TO PARTICIPATE IN A MEETING, INCLUDING AUXILIARY AIDS OR SERVICES, MAY REQUEST SUCH MODIFICATION OR ACCOMMODATION FROM THE CITY CLERK AT (949) 248-3500 (TELEPHONE) OR (949) 248-9920 (FACSIMILE). NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ASSURE ACCESSIBILITY TO THE MEETING.

