

# CITY OF DANA POINT

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**CITY COUNCIL  
REGULAR  
MEETING**



**TUESDAY  
JUNE 19, 2012  
5:00 P.M.**

## **AGENDA**

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

Next City Council Ordinance No. 12-07

### **CALL TO ORDER**

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

Lara Anderson, Mayor  
Steven Weinberg, Mayor Pro Tem  
Lisa A. Bartlett, Council Member  
William P. Brough, Council Member  
J. Scott Schoeffel, Council Member

### **CLOSED SESSION**

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (b1), (2 cases)
- B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR, Government Code § 54956.8

Location: 34202 Del Obispo, Dana Point  
Agency Negotiator: City Manager and City Attorney  
Negotiating Parties: City of Dana Point and Alvarez & Masal Capital Real Estate, LLC  
Under Negotiation: Price and terms of possible acquisition of real property

### **RECESS OF CITY COUNCIL MEETING UNTIL 6:00 P.M.**

### **RECONVENE CITY COUNCIL MEETING**

### **PLEDGE OF ALLEGIANCE**

### **INVOCATION**

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## PRESENTATIONS AND PROCLAMATIONS

OC Crime Stoppers Presentation  
Robert S. Key Presentation  
Recognition of Youth Board  
Certificate of Recognition to Dr. Sarv Grover

## 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. [REGULAR MEETING MINUTES, MAY 15, 2012](#)**

RECOMMENDED ACTION: That the City Council approve the minutes.

**3. [PLANNING COMMISSION MEETING MINUTES, MAY 14, 2012](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**4. [PLANNING COMMISSION ACTIONS, MEETING OF JUNE 11, 2012](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**5. [ARTS AND CULTURE COMMISSION MEETING MINUTES, MARCH 21, 2012](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**6. [ARTS AND CULTURE COMMISSION MEETING MINUTES, APRIL 18, 2012](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**7. [MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**8. [CITY TREASURER'S REPORT, MAY 2012](#)**

RECOMMENDED ACTION: That the City Council receive and file the City Treasurer's Report for the month of May 2012.

9. **CLAIMS AND DEMANDS**

RECOMMENDED ACTION: That the City Council receive and file the Claims and Demands.

10. **CALLING FOR A GENERAL MUNICIPAL ELECTION ON NOVEMBER 6, 2012 TO FILL TWO CITY COUNCIL SEATS**

RECOMMENDED ACTION: That the City Council adopt the following Resolutions entitled:

- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2012 FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES; and
- B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF ORANGE TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 6, 2012 WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE; and
- C. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES' STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2012.

11. **APPROVAL OF THE SEVEN YEAR CAPITAL IMPROVEMENT PROGRAM AND AUTHORIZATION TO FORWARD RENEWED MEASURE M ELIGIBILITY DOCUMENTATION TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY**

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADOPTING THE SEVEN YEAR CAPITAL IMPROVEMENT PROGRAM FOR FY13 THROUGH FY19 AS REQUIRED BY THE OCTA RENEWED MEASURE M2 GROWTH MANAGEMENT PROGRAM AND VERIFYING THE STATUS OF THE CIRCULATION ELEMENT FOR THE CITY OF DANA POINT; and

2) authorize the Director of Public Works and Engineering Services to forward the necessary Renewed Measure M eligibility documentation to the Orange County Transportation Authority.

12. **APPROVAL OF A CONTRACT AMENDMENT TO RENEW THE TRAFFIC SIGNAL MAINTENANCE SERVICES AGREEMENT WITH REPUBLIC ITS, A SIEMENS BUSINESS**

RECOMMENDED ACTION: That the City Council 1) approve the amendment to renew the traffic signal maintenance services agreement with Republic ITS, a Siemens Business and 2) authorize three additional two (2) year contract options and 3) authorize the City Manager to execute the amendment.

13. [ADOPTION OF A RESOLUTION ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2012/2013](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2012/2013.

14. [AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE NEXT PHASE OF CITY HALL RENOVATION](#)

RECOMMENDED ACTION: That the City Council authorize staff to advertise for bids for the next phase of City Hall renovation.

15. [AUTHORIZE STAFF TO DISTRIBUTE REQUESTS FOR PROPOSALS FOR THE CUSTODIAL MAINTENANCE WORK AT CITY FACILITIES](#)

RECOMMENDED ACTION: That the City Council authorize staff to distribute the Requests For Proposal (RFP) to qualified contractors for the custodial maintenance of City Hall, the Community Center, the Nature Interpretive Center, the PCH Pedestrian Bridge and park restrooms.

16. [ADOPT A RESOLUTION AUTHORIZING THE CITY OF DANA POINT TO SUBMIT A PROJECT FOR FUNDING THROUGH THE STATE-LOCAL PARTNERSHIP PROGRAM UNDER THE PROPOSITION 1B HIGHWAY SAFETY, TRAFFIC REDUCTION, AIR QUALITY, AND PORT SECURITY BOND ACT](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AUTHORIZING APPLICATION FOR FUNDS FOR THE STATE-LOCAL PARTNERSHIP PROGRAM UNDER THE PROPOSITION 1B HIGHWAY SAFETY, TRAFFIC REDUCTION, AIR QUALITY, AND PORT SECURITY BOND ACT OF 2006; and

2) authorize the City Manager to sign all needed documentation under the program.

17. [ROMA DESIGN GROUP CONTRACT EXTENSION FOR CONSULTANT SERVICES RELATED TO DEVELOPMENT OF THE DOHENY VILLAGE PLAN](#)

RECOMMENDED ACTION: That the City Council authorize the City Manager to execute a contract extension with ROMA Design Group (ROMA) for consultant services related to development of the Doheny Village Plan.

18. [REGIONAL HOUSING NEEDS ASSESSMENT \(RHNA\) UPDATE](#)

RECOMMENDED ACTION: That the City Council receive and file this report.

19. [APPEAL BY MARIANNE STAHL OF THE DECISION OF THE BUILDING OFFICIAL DATED FEBRUARY 29, 2012](#)

RECOMMENDED ACTION: That the City Council delegate its authority to conduct a hearing on the appeal filed by Marianne Stahl to an independent hearing officer.

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

## **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.

## **PUBLIC HEARINGS**

There are no Public Hearings.

## **UNFINISHED BUSINESS**

There are no Unfinished Business items.

## **NEW BUSINESS**

20. [AWARD OF CONTRACT FOR CITY TELEPHONE SYSTEM](#)

## **PUBLIC COMMENTS (Continued)**

## **STAFF REPORTS**

(City Manager Doug Chotkevys)

(City Attorney Patrick Muñoz)

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## **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 agendized 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-agendized items may be presented as informational only.

## **ADJOURNMENT**

The next Regular Meeting of the City Council will be July 17, 2012, 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, June 14, 2012, 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.