

# CITY OF DANA POINT

**CITY COUNCIL  
REGULAR  
MEETING**



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

## **ACTION AGENDA**

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

Next City Council Ordinance No. 12-07

### **CALL TO ORDER**

The Regular Meeting of the City Council of the City of Dana Point, California, was called to order by Mayor Anderson at 5:00 p.m. in the Dana Point City Council Chamber, 33282 Golden Lantern, Suite 210, Dana Point.

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

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

### **CLOSED SESSION**

City Manager Chotkevys stated that there was a need to add an item to Closed Session under Anticipated Litigation.

IT WAS MOVED BY MAYOR PRO TEM WEINBERG, SECONDED BY COUNCIL MEMBER SCHOEFFEL THAT THE CITY COUNCIL ADD AN ITEM TO ANTICIPATED LITIGATION.

The motion carried by the following vote:

AYES: Council Member Lisa Bartlett, Council Member Scott Schoeffel, Mayor Pro Tem Steven Weinberg and Mayor Lara Anderson

NOES: None

ABSENT: Council Member William Brough

- 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

Mayor Anderson 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 Anderson reconvened the meeting at 6:04 p.m. All Council Members were present.

STAFF PRESENT: Douglas C. Chotkevys, City Manager; A. Patrick Munoz, City Attorney; Kathy Ward, City Clerk; Mike Killebrew, Assistant City Manager; Mike Rose, Director of Disaster Preparedness; Lt. Lynn Koehmstedt, Police Services; Kyle Butterwick, Director of Community Development; Brad Fowler, Director of Public Works/Engineering; Kevin Evans, Director of Community Services and Parks; John Tilton, City Architect; Lynn Kelly, Management Analyst; Christy Teague, Economic Development Manager; Mark Sutton, Building Official; Jackie Littler, Executive Secretary; DyAnne Weamire, Administrative Secretary; 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 Planning Commissioner Norman Denton.

**INVOCATION**

The Invocation was provided by OCFA Chaplain Dave Keehn.

**PRESENTATIONS AND PROCLAMATIONS**

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

**CONSENT CALENDAR**

Mayor Anderson removed Item #10 from the Consent Calendar.

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IT WAS MOVED BY MAYOR PRO TEM WEINBERG, SECONDED BY COUNCIL MEMBER BARTLETT, THAT THE RECOMMENDATIONS BE ACCEPTED FOR ALL ITEMS LISTED ON THE CONSENT CALENDAR WITH THE EXCEPTION OF ITEM 10.

The motion carried by the following vote:

AYES: Council Member Lisa Bartlett, Council Member Scott Schoeffel, Mayor Pro Tem Steven Weinberg and Mayor Lara Anderson

NOES: None

ABSENT: Council Member William Brough

**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, MAY 15, 2012**

APPROVED THE MINUTES.

**3. PLANNING COMMISSION MEETING MINUTES, MAY 14, 2012**

RECEIVED AND FILED.

**4. PLANNING COMMISSION ACTIONS, MEETING OF JUNE 11, 2012**

RECEIVED AND FILED.

**5. ARTS AND CULTURE COMMISSION MEETING MINUTES, MARCH 21, 2012**

RECEIVED AND FILED.

**6. ARTS AND CULTURE COMMISSION MEETING MINUTES, APRIL 18, 2012**

RECEIVED AND FILED.

**7. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR**

RECEIVED AND FILED.

**8. CITY TREASURER'S REPORT, MAY 2012**

RECEIVED AND FILED THE CITY TREASURER'S REPORT FOR THE MONTH OF MAY 2012.

**9. CLAIMS AND DEMANDS**

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

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

Mayor Anderson removed this item from the Consent Calendar.

IT WAS MOVED BY MAYOR PRO TEM WEINBERG, SECONDED BY COUNCIL MEMBER BARTLETT, THAT THE CITY COUNCIL ADOPT THE FOLLOWING RESOLUTIONS:

**RESOLUTION 12-06-19-01 ENTITLED:**

*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*

**RESOLUTION 12-06-19-02 ENTITLED:**

*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*

**RESOLUTION 12-06-19-03 ENTITLED:**

*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.*

The motion carried by the following vote:

AYES: Council Member Lisa Bartlett, Council Member Scott Schoeffel, Mayor Pro Tem Steven Weinberg and Mayor Lara Anderson

NOES: None

ABSENT: Council Member William Brough

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

**ADOPTED RESOLUTION 12-06-19-04 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*

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*PROGRAM AND VERIFYING THE STATUS OF THE CIRCULATION ELEMENT FOR THE CITY OF DANA POINT; and*

AUTHORIZED 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**

APPROVED THE AMENDMENT TO RENEW THE TRAFFIC SIGNAL MAINTENANCE SERVICES AGREEMENT WITH REPUBLIC ITS, A SIEMENS BUSINESS AND AUTHORIZED THREE ADDITIONAL TWO (2) YEAR CONTRACT OPTIONS AND AUTHORIZED THE CITY MANAGER TO EXECUTE THE AMENDMENT.

**13. ADOPTION OF A RESOLUTION ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2012/2013**

ADOPTED RESOLUTION 12-06-19-05 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**

AUTHORIZED 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**

AUTHORIZED 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**

ADOPTED RESOLUTION 12-06-19-06 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*

AUTHORIZED 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**

AUTHORIZED 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**

RECEIVED AND FILED THIS REPORT.

**19. APPEAL BY MARIANNE STAHL OF THE DECISION OF THE BUILDING OFFICIAL DATED FEBRUARY 29, 2012**

DELEGATED ITS AUTHORITY TO CONDUCT A HEARING ON THE APPEAL FILED BY MARIANNE STAHL TO AN INDEPENDENT HEARING OFFICER.

**PUBLIC COMMENTS**

Joe Snyder  
Norman Denton  
Brett Cleary

**PUBLIC HEARINGS**

There were no Public Hearings.

**UNFINISHED BUSINESS**

There were no Unfinished Business items.

**NEW BUSINESS**

**20. AWARD OF CONTRACT FOR CITY TELEPHONE SYSTEM**

IT WAS MOVED BY COUNCIL MEMBER SCHOEFFEL, SECONDED BY MAYOR PRO TEM WEINBERG, THAT THE CITY COUNCIL AWARD A CONTRACT TO PACKET FUSION FOR THE DESIGN, INSTALLATION, DEPLOYMENT, AND SUPPORT OF A NEW SHORETEL VOICE-OVER IP TELEPHONE SYSTEM FOR CITY FACILITIES; AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT FOR SAID EQUIPMENT AND SERVICES.

The motion carried by the following vote:

AYES: Council Member Lisa Bartlett, Council Member Scott Schoeffel, Mayor Pro Tem Steven Weinberg and Mayor Lara Anderson

NOES: None

ABSENT: Council Member William Brough

## **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 Anderson adjourned the meeting at 7:04 p.m. in memory of John Chaffetz. She announced that 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.