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**CITY OF DANA POINT, CALIFORNIA  
CITY COUNCIL REGULAR MEETING MINUTES  
JUNE 19, 2012**

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**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:**

Present: Mayor Lara Anderson  
Mayor Pro Tem Steven Weinberg  
Council Member Lisa Bartlett  
Council Member Scott Schoeffel

Absent: Council Member William Brough

**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 STEVEN WEINBERG, SECONDED BY COUNCIL MEMBER SCOTT SCHOEFFEL, 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

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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 with the exception of Council Member Brough.

**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

Aaron Berenschot, Dispatch Supervisor in the Orange county Sheriff's Department Communications Bureau provided a PowerPoint presentation detailing the Crime Stoppers program.

Robert S. Key Presentation

Bob Fowler introduced Retired Major Robert S. Key. Mr. Key provided information on the South Orange County Vet Center's outreach readjustment counseling center for Veterans and their families as well as active duty military.

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Certificate of Recognition to Dr. Sarv Grover

OCFA Battalion Chief Terry Scott presented a Civilian Lifesaving Certificate to Dr. Sarv Grover in recognition of the actions he took to save his tennis partner on the morning of January 6, 2012. Mayor Anderson presented a Certificate of Recognition to Dr. Sarv Grover in recognition of his lifesaving actions.

Recognition of Youth Board

Management Analyst Kelly introduced Calin Clifford, Amanda Anderson, and Chris Kwok. Mayor Anderson presented Certificates of Recognition to Calin, Amanda, and Chris for their service on the Youth Board.

**CONSENT CALENDAR**

Mayor Anderson removed Item #10 from the Consent Calendar.

IT WAS MOVED BY MAYOR PRO TEM STEVEN WEINBERG, SECONDED BY COUNCIL MEMBER LISA BARTLETT, ACCEPT ALL ITEM 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

ABSTAIN: 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.

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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.

Mayor Anderson asked that since she is termed out, what would be the deadline to file nomination papers.

City Clerk Ward replied that it would be August 10 assuming that council Member Schoeffel does file his nomination papers; if not, it would be extended to August 15.

Mayor Anderson asked if in the event there is no need to hold an election, what would happen to the \$32,000 dollars that has been budgeted.

City Manager Chotkevys replied that the money would go back into the General Fund and that the City Council could use it for whatever they choose. He added that when you factor in the soft cost for staff time the amount is closer to \$50,000.

IT WAS MOVED BY MAYOR PRO TEM STEVEN WEINBERG, SECONDED BY COUNCIL MEMBER LISA BARTLETT, ADOPT THE FOLLOWING RESOLUTIONS ENTITLED:

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

*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:**

*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:**

*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

**ABSTAIN:** 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**

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

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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**

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.

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

**PUBLIC COMMENTS**

Joe Snyder, Capistrano Beach, reported that he had just returned from the State convention where Post 9934 was recognized in a number of ways. He added that the recognitions included the military assistance program and the package of recognizing firemen of the year. He thanked the City for their support.

Norm Denton, Dana Point, reported that he had participated in the 5th Marine golf tournament yesterday. He thanked Pete Hammer and his volunteers for the event.

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Brett Cleary, Laguna Niguel, representing the Dana Hills Boys Aquatics Program, thanked the City for supporting their fundraising booth at the Festival of Whales. He stated that this was the third year the City had supported them. He presented Mayor Anderson with a signed photograph of the boys aquatics team.

**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**

City Manager Chotkevys provided a staff report.

Director of Disaster Preparedness Rose provided an overview of the proposal. As part of the overview, Mr. Rose indicated that Packet Fusion provided the best overall proposal in terms of design, equipment and support. Of particular note, their design included "redundancies" by which we will have a greater level of assurance that our systems will remain operative in the event of a significant emergency or disaster.

Mayor Pro Tem Weinberg asked what the cost for the system was.

City Manager Chotkevys replied \$76,528 for the system and \$23,472 for contingency.

**IT WAS MOVED BY COUNCIL MEMBER SCOTT SCHOEFFEL, SECONDED BY MAYOR PRO TEM STEVEN WEINBERG, 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 AUTHORIZED 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



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**PUBLIC COMMENTS**

There were no additional Public Comments received.

**STAFF REPORTS**

City Manager Chotkevys asked everyone to enjoy all of the events that the City will be offering this summer. He stated that if anyone had questions to go to the City's website or call City Hall for details.

City Attorney Munoz stated that the 5th Marine Support group put on a terrific golf tournament that was well attended and he was glad he was able to participate.

**COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED**

Council Member Bartlett reported that she had attended several meetings for the Transportation Corridor Agency, Association of California Cities-Orange County and Southern California Association of Governments. She added that on May 24 she attended the Ribbon Cutting Ceremony for the VFW office at City Hall, and on May 28 she attended the Memorial Day Service in Pines Park. She stated that she had also attended the Dana Point Brand Launch at the Laguna Cliffs Marriott on June 13. She announced the following upcoming events:

June 22 - Change of Command Ceremony for the 2nd Division at Camp Pendleton  
June 23-24 - Dana Point Concours d'Elegance at the St. Regis and Monarch Links Golf Course  
July 4 - Dana Point Fourth of July fireworks show

Council Member Schoeffel spoke regarding the senior scholarships that he funds at Dana Hills. He stated that the City has some wonderful kids.

Mayor Pro Tem Weinberg stated he turned in his list of meetings attended to the City Clerk. He asked everyone to be vigilant around the swimming pools.

Mayor Anderson stated that she had turned in her list of meetings attended to the City Clerk. She reported that the OC Library Public Advisory Board had recently submitted their budget to the Board of Supervisors and that the State took back a 100% of the funding; \$618,000. She stated that the biggest hit is to services and supplies. She asked for support of the Friends of the Library. She announced that the summer reading program begins on June 25. She stated that the Coastal Animal Services Authority budget has had to eliminate a couple of positions and reduce hours on another position; no animal services have been cut. Congratulations to the graduating seniors.

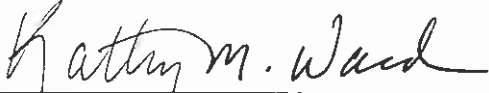
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**ADJOURNMENT**

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.



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KATHY M. WARD  
CITY CLERK

APPROVED AT THE MEETING OF JULY 17, 2012

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Meetings attended since May 15, 2012

**Mayor Lara Anderson**

May 17 South OC Mayors Breakfast meeting  
May 18 Chamber Ribbon Cutting for Robin Milonakis  
May 19 DPYC Opening Day  
May 21 CASA JPA meeting  
May 24 VFW Ribbon Cutting  
May 30 Ocean Institute "Oceans of Inspiration" Breakfast  
May 31 OC Public Library Advisory Board Meeting  
June 2 Fish for Life Welcoming Ceremony  
June 12 CASA JPA meeting  
June 13 Dana Point Brand Launch

**Mayor Pro Tem Steven Weinberg**

May 17 Vector Control Board of Directors  
Vector Control Budget and Finance Committee  
May 22 OC Board of Supervisors Meeting  
May 24 OCFA Claims Meeting  
OCFA Executive Committee  
OCFA Board of Directors  
May 28 Veteran Memorial Service, Pines Park  
June 12 Mobil Education Team, OCFA  
Chamber of Commerce Mixer  
June 13 "Point of Travel" City Brand Launch

**Council Member William Brough**

May 17 Association of California Cities - Orange County meeting  
May 18 Robin Milonakis Group ribbon cutting  
May 19 Dana Point Yacht Club Opening Day, Dana Point Harbor  
May 23 Dana Point Historical Society Founders Day Program, Tennis Club  
May 24 Association of California Cities - Orange County meeting  
May 24 Veterans of Foreign Wars (VFW) office grand opening, City Hall  
May 28 Veterans of Foreign Wars (VFW) Memorial Day ceremony, Pines Park  
June 13 Dana Point Brand Launch, Marriott  
June 13 Relay for Life kick off event, Stillwater  
June 14 The Wine Bistro grand opening  
June 18 5th Marines Support Group Combat Golf Fundraiser, Camp Pendleton

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