

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**TUESDAY
JANUARY 15, 2013
5:00 P.M.**

AGENDA

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

Next City Council Ordinance No. 13-01

CALL TO ORDER

ROLL CALL OF CITY COUNCIL MEMBERS:

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

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

RECONVENE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENTATIONS AND PROCLAMATIONS

Business of the Month – Cycleological
Employee of the Month – Matthew Sinacori
Girl Scout Gold Award
Elenna Lulu Erkeneff Presentation

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, DECEMBER 4, 2012](#)

RECOMMENDED ACTION: That the City Council approve the minutes.

3. [PLANNING COMMISSION MEETING MINUTES, NOVEMBER 26, 2012](#)

RECOMMENDED ACTION: That the City Council receive and file.

4. [YOUTH BOARD MEETING MINUTES, NOVEMBER 1, 2012](#)

RECOMMENDED ACTION: That the City Council receive and file.

5. [YOUTH BOARD MEETING MINUTES, NOVEMBER 15, 2012](#)

RECOMMENDED ACTION: That the City Council receive and file.

6. [ARTS AND CULTURE COMMISSION MINUTES, OCTOBER 17, 2012](#)

RECOMMENDED ACTION: That the City Council receive and file.

7. [ARTS AND CULTURE COMMISSION MINUTES, NOVEMBER 28, 2012](#)

RECOMMENDED ACTION: That the City Council receive and file.

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

RECOMMENDED ACTION: That the City Council receive and file.

9. [CITY TREASURER'S REPORT, NOVEMBER 2012](#)

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

10. [CLAIMS AND DEMANDS](#)

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

11. AUTHORIZATION TO ISSUE REQUEST FOR PROPOSAL FOR AUDITING SERVICES

RECOMMENDED ACTION: That the City Council authorize Staff to issue a Request for Proposal (RFP) for auditing services.

12. ANNUAL REVIEW OF INVESTMENT POLICY

RECOMMENDED ACTION: That the City Council approve the City's Statement of Safekeeping and Investment of Public Funds Policy (Investment Policy).

13. ADOPTION OF A RESOLUTION APPROVING A NOTICE OF COMPLETION FOR THE CONSTRUCTION OF THE PAVEMENT REHABILITATION PROJECT FY 12/13

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 "PACIFIC COAST HIGHWAY REHABILITATION PROJECT FY 2012/2013";

2) establish a new Capital Improvement Program Project #1259 entitled "Pacific Coast Highway Rehabilitation Project, Copper Lantern to Crystal Lantern"; and 3) transfer all project savings to the newly established Pacific Coast Highway Rehabilitation Project, Copper Lantern to Crystal Lantern per the fiscal impact section.

14. SPECIAL EVENT CALENDAR FOR 2013

RECOMMENDED ACTION: That the City Council 1) approve the event calendar for 2013 and the recommended venues; 2) award the stage and sound contract to Southern California Sound Stage & Lighting Corporation; and 3) authorize the City Manager to execute the contract.

15. COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2012

RECOMMENDED ACTION: That the City Council receive and file the Comprehensive Annual Financial Report ("CAFR") for the year ended June 30, 2012.

16. ELEPHANT PARADE CONTRACT ON BEHALF OF DANA POINT TOURISM BUSINESS IMPROVEMENT DISTRICT

RECOMMENDED ACTION: That the City Council 1) authorize the City Manager to execute a contract with Elephant Parade, LLC on behalf of the Dana Point Tourism Business Improvement District.

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

17. CITY COUNCIL APPOINTED REPRESENTATIVES AND CITY COMMISSIONS, COMMITTEES, SUBCOMMITTEES AND TASK FORCES

RECOMMENDED ACTION: That the City Council:

- 1) Consider appointments of City Council representatives to outside agencies;
- 2) Consider appointments to City committees, subcommittees and task forces; and
- 3) Direct staff to take action as deemed appropriate; and
- 4) Adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, DESIGNATING AND APPOINTING ITS REPRESENTATIVE AND ALTERNATE TO THE ORANGE COUNTY FIRE AUTHORITY'S BOARD OF DIRECTORS.

18. APPOINTMENTS TO THE PLANNING COMMISSION AND TRAFFIC IMPROVEMENT SUBCOMMITTEE

RECOMMENDED ACTION: That the City Council direct staff to proceed with the recruitment/appointment of Planning Commission members and Traffic Improvement Subcommittee members.

19. PROPOSED PUBLIC ART AT THE LANTERN BAY PARK

RECOMMENDED ACTION: That the City Council 1) approve the recommended Artistic Display for Lantern Bay Park; 2) authorize transfer of funds from the Arts in Public Places Reserve Account; and 3) authorize the City Manager to execute the contract with Steven Rydzon.

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 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 February 5, 2013, 2013, 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 10, 2013, at 5:00 p.m.

KATHY M. WARD, CITY CLERK

DATE

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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.