

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**TUESDAY
MAY 7, 2013
5:00 P.M.**

AGENDA

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

**TELECONFERENCE:
Hotel Palomar
2121 P Street, NW
Washington, DC 20037**

Next City Council Ordinance No. 13-02

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), (1 case)
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Government Code § 54956.9 (a), (1 case)

Name of Case: Holistic Health - Orange County Superior Court Case No. 30-2010-00352106-CU-MC-CJC

- C. CONFERENCE WITH LABOR NEGOTIATOR, Government Code § 54957.6

Agency Designated Representatives: City Manager
Unrepresented and Represented Employees: All positions in City

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 – Bonjour Café and Bistro
Employee of the Month – DyAnne Weamire
Boys and Girls Clubs of Capistrano Valley Youth of the Year

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, APRIL 16, 2013](#)

RECOMMENDED ACTION: That the City Council approve the minutes.

3. [PLANNING COMMISSION MEETING MINUTES, MARCH 25, 2013](#)

RECOMMENDED ACTION: That the City Council receive and file.

4. [INVESTMENT REVIEW COMMITTEE MEETING MINUTES, JUNE 19, 2009](#)

RECOMMENDED ACTION: That the City Council receive and file.

5. [OCEAN WATER QUALITY SUBCOMMITTEE MEETING MINUTES, JANUARY 22, 2013](#)

RECOMMENDATION ACTION: That the City Council receive and file.

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

RECOMMENDED ACTION: That the City Council receive and file.

7. **CLAIMS AND DEMANDS**

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

8. **ADOPTION OF A RESOLUTION APPROVING A NOTICE OF COMPLETION FOR THE CONSTRUCTION OF THE PCH LANDSCAPED MEDIANS PHASE III PROJECT**

RECOMMENDED ACTION: That City Council 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 LANDSCAPED MEDIAN PHASE III PROJECT".

9. **ADOPTION OF A RESOLUTION APPROVING A NOTICE OF COMPLETION FOR THE CONSTRUCTION OF THE TOWN CENTER SOUTH GATEWAY PROJECT**

RECOMMENDED ACTION: That City Council 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 "TOWN CENTER SOUTH GATEWAY PROJECT".

10. **ROMA DESIGN GROUP CONTRACT AMENDMENT AND EXTENSION FOR CONSULTANT SERVICES RELATED TO DEVELOPMENT OF THE DOHENY VILLAGE PLAN**

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

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 Hearing items.

UNFINISHED BUSINESS

11. [**PROGRESS REPORT AND VALUE ENGINEERING PROPOSAL FOR THE PCH/DEL PRADO STREET IMPROVEMENT PROJECT IN TOWN CENTER**](#)

RECOMMENDED ACTION: That the City Council 1) receive and file subject progress report; 2) provide direction on whether to proceed with Staff's recommended value alternative design proposal; and 3) approve a First Amendment to Agreement with Keeton Kreitzer Consulting for additional CEQA/CDP Analysis.

NEW BUSINESS

12. [**AUTHORIZATION TO ISSUE CITY OF DANA POINT COMMUNITY FACILITIES DISTRICT NO. 2006-1 \(CFD 2006-1\), 2013 SPECIAL TAX BONDS \(HEADLANDS\)**](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2006-1 OF THE CITY OF DANA POINT AUTHORIZING THE ISSUANCE OF ITS 2013 SPECIAL TAX BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED TWENTY MILLION DOLLARS (\$20,000,000) AND APPROVING CERTAIN DOCUMENTS AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH.

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.

ADJOURNMENT

The next Regular Meeting of the City Council will be May 21, 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, May 2, 2013, at 5:00 p.m.

KATHY M. WARD, CITY CLERK

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. 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.

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.