

# CITY OF DANA POINT

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**CITY COUNCIL  
SPECIAL  
MEETING**



**JULY 22, 2013  
6:00 P.M.**

**ROOM B**

## **ACTION AGENDA**

**Location: Dana Point Community Center, 34052 Del Obispo, Room B, Dana Point, California  
92629**

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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 Weinberg at 6:03 p.m. in the Dana Point Community Center, 34052 Del Obispo, Room B, Dana Point.

### **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

STAFF PRESENT: Douglas C. Chotkevys, City Manager; Patrick Munoz, City Attorney; Kathy Ward, City Clerk; Mike Killebrew, Assistant City Manager; Jackie Littler, Executive Secretary; DyAnne Weamire, Administrative Secretary; and Bobbi Ogan, Deputy City Clerk.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Weinberg.

### **PUBLIC COMMENTS**

Paul Gavin

### **UNFINISHED BUSINESS**

- 1. ADOPTION OF A RESOLUTION APPROVING A JOINT PARTICIPATION AGREEMENT WITH SOUTH COAST WATER DISTRICT (SCWD) FOR REIMBURSEMENT OF COSTS TO SCWD TO CONSTRUCT THE CITY'S STORM DRAIN IMPROVEMENTS AS PART OF THE TOWN CENTER PHASE 1 PROJECT**

IT WAS MOVED BY COUNCIL MEMBER BROUGH, SECONDED BY COUNCIL MEMBER SCHOEFFEL, THAT THE CITY COUNCIL RESCIND PRIOR JOINT PARTICIPATION AGREEMENT RESOLUTION NO. 13-06-18-01 OF JUNE 18, 2013 AND ADOPT **RESOLUTION 13-07-22-01** ENTITLED:

*A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING A JOINT PARTICIPATION AGREEMENT BETWEEN THE CITY OF DANA POINT AND THE SOUTH COAST WATER DISTRICT FOR THE REIMBURSEMENT OF COSTS TO SCWD TO CONSTRUCT THE CITY'S STORM DRAIN IMPROVEMENTS AS PART OF THE TOWN CENTER PHASE 1 PROJECT;*

AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT; AUTHORIZE A BUDGET APPROPRIATION IN IN ACCORDANCE WITH THE FISCAL SECTION; AND AUTHORIZE THE CITY MANAGER TO PROVIDE THE CONSTRUCTION DEPOSIT AMOUNT TO SCWD (INCLUDES BASE BID PLUS A FIFTEEN PERCENT CONTINGENCY) AS INDICATED IN THE AGREEMENT.

The motion carried by the following vote:

AYES: Council Member Brough, Council Member Olvera, Council Member Schoeffel, Mayor Pro Tem Bartlett and Mayor Weinberg

NOES: None

ABSENT: None

## **CLOSED SESSION**

City Attorney Munoz indicated that there was a need for a Closed Session as follows:

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (b1), (1 case)

Mayor Weinberg recessed the meeting into a Closed Session at 6:08 p.m. pursuant to Government Code Section 54956 et seq.

## **CLOSED SESSION ANNOUNCEMENT**

City Attorney Munoz stated that he had no announcement.

## **ADJOURNMENT**

There being no further business before the City Council at this session, Mayor Weinberg declared the meeting adjourned at 7:48 p.m. and announced that the next Regular Meeting of the City Council will be September 17, 2013 (or as needed), at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.