

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**TUESDAY
OCTOBER 1, 2013
5:00 P.M.**

AGENDA

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

Next City Council Ordinance No. 13-03

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 REAL PROPERTY NEGOTIATOR, Government Code § 54956.8

Location: 26315 and 26351 Via Canon
Agency Negotiator: Douglas C. Chotkevys, Mike Killebrew, Ursula Luna-Reynosa
Negotiating Parties: City of Dana Point and Brandywine Homes; Integral Communities;
and Stonefield Development, and Lighthouse Charitable Foundation
Under Negotiation: Price and terms of a possible agreement relating to property

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

Name of Case: Therese Coppi v. City of Dana Point; County of Orange – USDC
Central District Case No. – SACV11-1813 JST (RNBx)

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 – Capo Beach Equipment Rentals
Employee of the Month – Werner Abrajano
OCFA – Fire Prevention Week

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, SEPTEMBER 17, 2013](#)**

RECOMMENDED ACTION: That the City Council approve the minutes.

3. **[PLANNING COMMISSION MEETING MINUTES, AUGUST 12, 2013](#)**

RECOMMENDED ACTION: That the City Council receive and file.

4. **[PLANNING COMMISSION MEETING MINUTES, SEPTEMBER 9, 2013](#)**

RECOMMENDED ACTION: That the City Council receive and file.

5. **[PLANNING COMMISSION ACTIONS, MEETING OF SEPTEMBER 23, 2013](#)**

RECOMMENDED 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.

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

8. [AWARD CONTRACT TO NELSON \ NYGAARD CONSULTING ASSOCIATES AND RECEIVE AN UPDATE ON PARKING MANAGEMENT IN TOWN CENTER](#)

RECOMMENDED ACTION: That the City Council 1) authorize the City Manager to enter into an agreement with Nelson \ Nygaard Consulting Associates in accordance with the attached scope of work; and 2) authorize a budget adjustment.

NEW BUSINESS

There are no New Business items.

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 October 15, 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, September 26, 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.