

# CITY OF DANA POINT

**CITY COUNCIL  
REGULAR  
MEETING**



**TUESDAY  
JUNE 16, 2015  
5:00 P.M.**

## **AGENDA**

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

Next City Council Ordinance No. 15-03

### **CALL TO ORDER**

### **ROLL CALL OF CITY COUNCIL MEMBERS:**

Carlos N. Olvera, Mayor  
John A. Tomlinson, Mayor Pro Tem  
Joseph L. Muller, Council Member  
J. Scott Schoeffel, Council Member  
Richard A. Viczorek, Council Member

### **CLOSED SESSION**

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (d1), (2 cases)
- B. 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 – People's Deli  
Employee of the Month – Shayna Sharke

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## 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, JUNE 2, 2015](#)**

RECOMMENDED ACTION: That the City Council approve the minutes.

**3. [PLANNING COMMISSION MEETING MINUTES, MAY 11, 2015](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**4. [PLANNING COMMISSION ACTIONS, MEETING OF JUNE 8, 2015](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**5. [YOUTH BOARD MEETING MINUTES, APRIL 2, 2015](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**6. [YOUTH BOARD MEETING MINUTES, MAY 7, 2015](#)**

RECOMMENDED ACTION: That the City Council receive and file.

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

RECOMMENDED ACTION: That the City Council receive and file.

**8. [CITY TREASURER'S REPORT, MAY 2015](#)**

RECOMMENDED ACTION: That the City Council receive and file the City Treasurer's Report for the month of May 2015.

**9. [CLAIMS AND DEMANDS](#)**

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

10. [INTERVENTION SPECIALIST AGREEMENT FY 2015-2016](#)

RECOMMENDED ACTION: That the City Council authorize the City Manager to approve a contract for consultant services for the Intervention Specialist Program.

11. [ANNUAL APPROVAL OF THE SEVEN YEAR CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEARS 2015-2016 THROUGH FISCAL YEAR 2021-2022 AND AUTHORIZATION TO FORWARD RENEWED MEASURE M ELIGIBILITY DOCUMENTATION TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY](#)

RECOMMENDED ACTION: That the City Council 1) adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, REAFFIRMING CONFORMANCE OF THE CIRCULATION ELEMENT, THE MITIGATION FEE PROGRAM AND ADOPTION OF THE SEVEN YEAR CAPITAL IMPROVEMENT PROGRAM FOR FY2015-16 THROUGH FY2021-22 AS REQUIRED BY THE OCTA RENEWED MEASURE M (M2) PROGRAM; and

2) 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. [AUTHORIZE STAFF TO DISTRIBUTE TWO REQUEST FOR PROPOSALS FOR THE MAINTENANCE OF PARKS AND FOR THE MAINTENANCE OF LANDSCAPED MEDIANS AND PARKWAYS](#)

RECOMMENDED ACTION: That the City Council 1) authorize staff to distribute a Request for Proposal (RFP) to qualified landscaped maintenance contractors for the maintenance of parks; and 2) distribute a RFP to qualified landscape maintenance contractors for the maintenance of landscaped medians and parkways.

13. [CONTRACT AGREEMENT RENEWAL BETWEEN ALL CITY MANAGEMENT SERVICES, INC. AND THE CITY OF DANA POINT FOR PROVIDING SCHOOL CROSSING GUARD SERVICES](#)

RECOMMENDED ACTION: That the City Council authorize the City Manager to approve the renewal of contract agreement between All City Management Services, Inc. and the City of Dana Point for providing School Crossing Guard Services for Fiscal Year 2015-16.

14. [AMENDMENT TO CITY'S COMPREHENSIVE LEAVE PERSONNEL POLICY IN ACCORDANCE WITH HEALTHY WORKPLACES HEALTHY FAMILY ACT OF 2014](#)

RECOMMENDED ACTION: That the City Council approve the amendment of existing City personnel leave policies that are in conflict with the new legislation.

15. [SECOND READING AND ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT CALIFORNIA, AMENDING CHAPTER 14.01.610 TO ADDRESS LANDSCAPE REQUIREMENTS WITHIN PUBLIC RIGHT-OF-WAY AREAS](#)

RECOMMENDED ACTION: That the City Council conduct a second reading and adopt an Ordinance to amend Chapter 14.01.610 entitled:

*AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING CHAPTER 14.01.610 TO ADDRESS LANDSCAPE REQUIREMENTS WITHIN PUBLIC RIGHT-OF-WAY PARKWAY AREAS.*

16. **CITYWIDE WAYFINDING SIGNAGE PROGRAM**

RECOMMENDED ACTION: That the City Council approve staff continuing to move forward with the Wayfinding Signage Program.

17. **COMMUNITY FACILITIES DISTRICT DEPOSIT AND REIMBURSEMENT AGREEMENT**

RECOMMENDED ACTION: That the City Council authorize the City Manager to execute a Community Facilities District Deposit and Reimbursement Agreement with Zephyr Partners.

18. **APPROVAL OF CONTRACT AMENDMENT FOR ADDITIONAL AS-NEEDED CAPITAL IMPROVEMENT PROGRAM DESIGN SERVICES WITH ATKINS NORTH AMERICA, INC.**

RECOMMENDED ACTION: That the City Council consider 1) approving a contract amendment with Atkins North America, Inc. for additional as-needed Public Works CIP design services for FY16 and FY 17; and 2) authorize the City Manager or his Designee to execute the contract amendment.

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

### 19. [DOHENY VILLAGE PLAN STUDY SESSION](#)

RECOMMENDED ACTION: That the City Council receive the staff presentation and provide input during the study session.

## NEW BUSINESS

### 20. [LETTER IN OPPOSITION TO AB 718](#)

RECOMMENDED ACTION: That the City Council authorize the Mayor to send a letter in opposition to AB 718 on behalf of the City Council.

## 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 July 21, 2015, 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, June 11, 2015, at 5:30 p.m.

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KATHY M. WARD, CITY CLERK

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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.