

# CITY OF DANA POINT

**CITY COUNCIL  
REGULAR  
MEETING**



**TUESDAY  
OCTOBER 6, 2015  
5:00 P.M.**

## **AGENDA**

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

Next City Council Ordinance No. 15-07

### **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), (1 case)
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Government Code § 54956.9 (a), (1 case)  
Name of Case: City of Dana Point v. California Coastal Commission, et al  
Case No. 37-2010-00099827

### **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 – Big 5 Sporting Goods  
Employee of the Month – Lisa Zawaski  
OCFA Fire Prevention Week Proclamation

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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, SEPTEMBER 15, 2015](#)**

RECOMMENDED ACTION: That the City Council approve the minutes.

**3. [SPECIAL MEETING MINUTES, SEPTEMBER 23, 2015](#)**

RECOMMENDED ACTION: That the City Council approve the minutes.

**4. [PLANNING COMMISSION MEETING MINUTES, AUGUST 24, 2015](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**5. [PLANNING COMMISSION ACTIONS, MEETING OF SEPTEMBER 28, 2015](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**6. [TOURISM BOARD IMPROVEMENT DISTRICT MEETING MINUTES, AUGUST 4, 2015](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**7. [FINANCIAL REVIEW COMMITTEE ACTION MINUTES, SEPTEMBER 8, 2015](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**8. [TOURISM BOARD IMPROVEMENT DISTRICT MEETING MINUTES, AUGUST 21, 2015](#)**

RECOMMENDED ACTION: That the City Council receive and file.

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

RECOMMENDED ACTION: That the City Council receive and file.

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

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

**11. FISCAL YEAR 2015-16 PROPOSED BUDGET ADJUSTMENTS (CARRY-OVER)**

RECOMMENDED ACTION: That the City Council amend the FY2015-16 ("FY16") budget by authorizing the carry-over and re-appropriation of encumbered and unencumbered from the FY15 to the FY16; and authorize the City Manager to ratify and execute the first amendment to the agreement between Convergent Technologies LLC.

**12. 2015-16 SALARY RANGES FOR REPRESENTED AND NON-REPRESENTED CLASSIFICATIONS**

RECOMMENDED ACTION: That the City Council adopt Resolutions entitled:

- 1) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ESTABLISHING SALARY RANGES FOR REPRESENTED AND NON-REPRESENTED CLASSIFICATIONS; AMENDING POSITION TITLES FOR THE CITY'S SECRETARY CLASSIFICATION SERIES, AND AMENDING THE CLASS SPECIFICATION FOR SENIOR CIVIL ENGINEER; and
- 2) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ESTABLISHING SALARY RANGES FOR NON-REPRESENTED CLASSIFICATIONS.

**13. APPROVAL OF CAPITAL IMPROVEMENT PROGRAM DESIGN SERVICES WITH WEST COAST CIVIL, INCORPORATED**

RECOMMENDED ACTION: That the City Council 1) consider approving awarding the Capital Improvement Program design services contract to West Coast Civil, Incorporated and 2) authorize the City Manager or his Designee to execute the Contract Agreement.

**14. REPLACEMENT OF TELESCOPIC GYMNASIUM BLEACHERS**

RECOMMENDED ACTION: That the City Council authorize the purchase of replacement telescopic bleachers for the Community Center gymnasium and authorize the City Manager or his designee to execute a contract with California Facilities Specialties for this budgeted replacement project.

**15. APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF DANA POINT AND SOUTHERN CALIFORNIA EDISON FOR SUPPORT OF EMERGENCY PLANNING AND RESPONSE EFFORTS**

RECOMMENDED ACTION: That the City Council approve the Memorandum of Understanding (MOU) between the City and Southern California Edison to continue the support of emergency planning and response efforts and authorize the City Manager or his designee to execute the MOU.

At this time, the City Clerk will read the title(s) of the ordinance(s) listed on the agenda.

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## **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**

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 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.

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## ADJOURNMENT

The next Regular Meeting of the City Council will be October 20, 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, October 1, 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.