

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**TUESDAY
MARCH 15, 2016
5:00 P.M.**

AGENDA

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

Next City Council Ordinance No. 16-03

CALL TO ORDER

ROLL CALL OF CITY COUNCIL MEMBERS:

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

CLOSED SESSION

- A. 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

Deputy of the Year – Mike Woodruff
Orange County Human Relations Council Annual Report
Certificate of Recognition for Michael Leahy

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, MARCH 1, 2016](#)

RECOMMENDED ACTION: That the City Council approve the minutes.

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

RECOMMENDED ACTION: That the City Council receive and file.

4. [CITY TREASURER'S REPORT, FEBRUARY 2016](#)

RECOMMENDED ACTION: That the City Council receive and file the City Treasurer's Report for the month of February 2016.

5. [TOURISM IMPROVEMENT DISTRICT MINUTES, FEBRUARY 17, 2016](#)

RECOMMENDED ACTION: That the City Council receive and file.

6. [CLAIMS AND DEMANDS](#)

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

7. [STREET SWEEPING MAINTENANCE SERVICES AGREEMENT RENEWAL](#)

RECOMMENDED ACTION: That the City Council 1) authorize a contract extension with renewal options for street sweeping services from the current service provider, Clean Street, Inc., and 2) authorize the City Manager to execute the agreement and the future extensions as appropriate.

8. [ADOPTION OF A RESOLUTION OF THE CITY COUNCIL AUTHORIZING AN APPLICATION FOR ADDITIONAL GRANT FUNDS WITH THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR THE 2016 PROJECT "V" CALL FOR PROJECTS](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AUTHORIZING SUBMITTAL OF AN APPLICATION FOR GRANT FUNDS FOR THE ORANGE COUNTY TRANSPORTATION AUTHORITY'S 2016 PROJECT "V" CALL FOR PROJECTS; and

2) authorize the City Manager or his Designee to sign grant documents, and 3) authorize the Mayor to sign the Resolution on behalf of the City.

9. **DOHENY VILLAGE PLAN UPDATE**

RECOMMENDED ACTION: That the City Council receive and file this report.

10. **FISCAL YEAR 2015-2016 BUDGET STATUS REPORT**

RECOMMENDED ACTION: That the City Council receive and file this report.

11. **THIRD AMENDMENT TO AGREEMENT WITH KEYSER MARSTON ASSOCIATES**

RECOMMENDED ACTION: That the City Council authorize the City Manager to execute a third amendment (the "Third Amendment") to the Agreement for Consultant Services by and between the City of Dana Point and Keyser Marston Associates (the "Consultant"), and approve an amendment to the budget as described in the Fiscal Impact section.

12. **ANNUAL HOUSING ELEMENT PROGRESS REPORT**

RECOMMENDED ACTION: That the City Council receive and file the Annual Housing Element Report.

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

There is no Unfinished Business.

NEW BUSINESS

13. [TRAFFIC IMPROVEMENT SUBCOMMITTEE VACANCY – MICHAEL LEAHY](#)

RECOMMENDED ACTION: That the City Council accept the letter of resignation from Traffic Improvement Subcommittee Chair Michael Leahy and provide staff with direction as appropriate.

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 April 5, 2016, 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, March 10, 2016, at 5:30 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.