

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**TUESDAY
FEBRUARY 21, 2017
5:00 P.M.**

AGENDA

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

Next City Council Ordinance No. 17-01

CALL TO ORDER

ROLL CALL OF CITY COUNCIL MEMBERS:

Debra Lewis, Mayor
Paul N Wyatt, Mayor Pro Tem
Joseph L. Muller, Council Member
John A. Tomlinson, 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), (3 cases)
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Government Code § 54956.9 (a), (1 case)

Name of Case: City of Dana Point v. Headlands Reserve LLC, Sanford Edward, et al;
Orange County Superior Court Case No. 30-2016-00872051;

- C. PUBLIC EMPLOYMENT, Government Code § 54957: Title: City Manager recruitment
- D. PUBLIC EMPLOYEE PERFORMANCE EVALUATION, Government Code § 54957

Title: City Attorney

RECESS OF CITY COUNCIL MEETING UNTIL 6:00 P.M.

RECONVENE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENTATIONS AND PROCLAMATIONS

Capistrano Unified School District High School Teacher of the Year
VFW Law Enforcement Officer of the Year
VFW Firefighter of the Year
VFW Reserve Firefighter of the Year

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, FEBRUARY 7, 2017](#)**

RECOMMENDED ACTION: That the City Council approve the minutes.

3. **[PLANNING COMMISSION MEETING MINUTES, JANUARY 23, 2017](#)**

RECOMMENDED ACTION: That the City Council receive and file.

4. **[PLANNING COMMISSION ACTIONS, MEETING OF FEBRUARY 13, 2017](#)**

RECOMMENDED ACTION: That the City Council receive and file.

5. **[ARTS AND CULTURE COMMISSION MEETING MINUTES, OCTOBER 19, 2016](#)**

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. **[CITY TREASURER'S REPORT, JANUARY 2017](#)**

RECOMMENDED ACTION: That the City Council receive and file the City Treasurer's Report for the month of January, 2017

8. **[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 Hearing items.

UNFINISHED BUSINESS

9. [DOHENY VILLAGE PLAN UPDATE](#)

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

10. [CONSIDERATION OF THE CONCEPTUAL DESIGN FOR THE MEDIANS ON CROWN VALLEY BETWEEN SEVEN SEAS DRIVE AND CAMINO DEL AVION](#)

RECOMMENDED ACTION: That the City Council approve the conceptual design and direct staff to proceed with the preparation of construction documents for the Crown Valley Median Drought Conversion Project.

11. [APPROVAL FOR CITY TO PARTICIPATE IN THE CONCERNED COASTAL COMMUNITIES COALITION](#)

RECOMMENDED ACTION: That the City Council approve of the City joining the coalition and appoint the Mayor (or Mayor Pro Tem in her absence) to participate in regularly held meetings of the coalition.

NEW BUSINESS

12. **COUNCIL DISCUSSION AND ADOPTION OF CITY PURCHASING POLICY AS PROPOSED BY MAYOR LEWIS**

RECOMMENDED ACTION: Mayor Lewis recommends that the City Council discuss and consider approval of a City Purchasing Policy requiring requests for proposals after the same contractor has been delivering the same goods and/or services for five continuous years.

13. **2017 SPECIAL EVENTS CALENDAR**

That the City Council:

1. Approve the Special Event calendar for 2017 and the recommended venues; and
2. Authorize the City Manager to execute the three separate Stage and Sound Contracts to Southern California Sound Stage and Lighting Corporation for the Festival of Whales Concert, Dana Point Summer Concert Series and Relay for Life.

14. **AMENDMENT OF CONSULTANT SERVICES AGREEMENT BY AND BETWEEN THE CITY AND VCA CODE GROUP**

RECOMMENDED ACTION: That the City Council authorize the Acting City Manager to execute an amendment (the "First Amendment") to the Agreement for to Consultant Services by and between the City of Dana Point and VCA Code Group, Inc.

15. **REPORT ON OFFER OF DEDICATION OF APN 691-192-15**

RECOMMENDED ACTION: That the City Council reject the Offer of Dedication, dated January 10, 2017, of the Sloped Property APN 691-192-15, by Lee Seng Tee and Betty Wu-Lee 2008 Dynasty Trust No. 1, No. 2 and No. 3.

16. **FINANCIAL REVIEW COMMITTEE MEMBER DESIGNATION AND UPDATE**

RECOMMENDED ACTION: That the City Council receive and file the name of a City Council Member appointee to the Financial Review Committee.

PUBLIC COMMENTS (Continued)

STAFF REPORTS

(Acting City Manager Mike Killebrew)

(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 March 7, 2017, 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, February 16, 2017, at 5:30 p.m.

KATHY M. WARD, CITY CLERK

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.