

CITY OF DANA POINT

CITY COUNCIL REGULAR MEETING



**TUESDAY
JUNE 20, 2017
5:00 P.M.**

AGENDA

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

Next City Council Ordinance No. 17-04

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), (1 case)
- B. CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION, Government Code § 54956.9 (c), (1 case)
- C. PUBLIC EMPLOYMENT, Government Code § 54957 (b)(1): City Manager Appointment

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

RECONVENE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENTATIONS AND PROCLAMATIONS

Dana Point Artist Barbara Ross – California State Senate Art Contest
Presentation to City of Dana Point – Orange Section APA 2017 Outstanding Planning Award for Urban Design for the Linear Park Project

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. [SPECIAL MEETING MINUTES, JUNE 1, 2017](#)

RECOMMENDED ACTION: That the City Council approve the minutes.

3. [REGULAR MEETING MINUTES, JUNE 6, 2017](#)

RECOMMENDED ACTION: That the City Council approve the minutes.

4. [CONTINUED REGULAR MEETING MINUTES, JUNE 8, 2017](#)

RECOMMENDED ACTION: That the City Council approve the minutes.

5. [CONTINUED REGULAR MEETING MINUTES, JUNE 13, 2017](#)

RECOMMENDED ACTION: That the City Council approve the minutes.

6. [PLANNING COMMISSION MEETING MINUTES, MAY 22, 2017](#)

RECOMMENDED ACTION: That the City Council receive and file.

7. [PLANNING COMMISSION ACTIONS, MEETING OF JUNE 12, 2017](#)

RECOMMENDED ACTION: That the City Council receive and file.

8. [FINANCIAL REVIEW COMMITTEE MEETING MINUTES, MAY 24, 2017](#)

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

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

11. 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

12. PUBLIC HEARING AND ADOPTION OF A RESOLUTION TO ADOPT THE PROPOSED OPERATING AND CAPITAL IMPROVEMENT BUDGETS FOR FISCAL YEARS 2017-2018 AND 2018-2019; ADOPT A RESOLUTION TO ESTABLISH THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2017-2018; ADOPT A RESOLUTION SUPPORTING RENEWED MEASURE M2 ELIGIBILITY PACKAGE; AND AUTHORIZE CLOSING SPECIFIC EXISTING CIP PROJECTS IN FISCAL YEAR 2016-2017

That the City Council:

1) Conduct a Public Hearing to review the City of Dana Point Proposed Operating and Capital Improvement Budgets for Fiscal Years 2017-2018 (FY18) and 2018-2019 (FY19);

2) Adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA ADOPTING AN OPERATING AND CAPITAL IMPROVEMENT BUDGET FOR THE CITY OF DANA POINT FOR FISCAL YEARS 2017-2018 AND 2018-2019;

3) Adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2017-2018;

4) Adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA ADOPTING THE SEVEN YEAR CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2017-18 THROUGH FISCAL YEAR 2023-24 AND CERTIFYING COMPLIANCE AS REQUIRED BY THE OCTA RENEWED MEASURE M (M2) PROGRAM;

5) Adopt necessary Renewed Measure M2 eligibility documentation to the Orange County Transportation Authority (OCTA);

6) Authorize closing of specific, existing CIP projects by amending the Fiscal Year 2016-2017 (FY17) budget; and

7) Discuss Financial Review Committee recommendation from the June 13, 2017 meeting, to post implementation of the City Vehicle Leasing Program Contracts with Enterprise FM Trust, Inc. and Enterprise Fleet Management, Inc. until further research and analysis is conducted by the FRC members; and

8) Discuss Financial Review Committee recommendation from the June 13, 2017 meeting, to direct staff to evaluate City Attorney's costs, compare legal costs and the legal services model with the neighboring cities, and prepare recommendations including a possibility of recruiting a full-time in-house counsel.

UNFINISHED BUSINESS

13. [ARTS AND CULTURE COMMISSION INTERVIEWS](#)

RECOMMENDED ACTION: That the City Council conduct interviews and consider appointments to fill two expiring terms on the Arts and Culture Commission.

14. [DOHENY VILLAGE PLAN UPDATE](#)

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

NEW BUSINESS

15. [PRESENTATION FROM CHIEF CHILTON REGARDING HOMELESS ON HILLSIDES AND NEIGHBORHOODS](#)

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

16. [HOTEL DEVELOPMENT UPDATE](#)

RECOMMENDED ACTION: That the City Council receive and file a status report concerning hotel development activity within the City.

17. 2017 COMMUNITY SURVEY

RECOMMENDED ACTION: That the City Council:

- 1) approve a Contract Agreement with FM3 for a 2017 Community Survey; and
- 2) authorize the City Manager to execute the Agreement; and
- 3) provide direction to staff regarding the “current issues” questions in the survey.

18. CITY COUNCIL ATTENDANCE AT CITY COMMISSION/COMMITTEE/BOARD MEETINGS

RECOMMENDED ACTION: That the City Council discuss Policy 205 regarding the attendance of City Council Members at Planning Commission or other Commission/Committee/Board meetings.

19. LANTERN DISTRICT ECONOMIC DEVELOPMENT UPDATE

RECOMMENDED ACTION: That the City Council receive and file.

20. CONSIDERATION OF EMPLOYMENT CONTRACT FOR CITY MANAGER

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 July 18, 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, June 15, 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.