

CITY OF DANA POINT

CITY COUNCIL REGULAR MEETING



**TUESDAY
MARCH 6, 2018
5:00 P.M.**

AGENDA

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

Next City Council Ordinance No. 18-03

CALL TO ORDER

ROLL CALL OF CITY COUNCIL MEMBERS:

Richard A. Viczorek, Mayor
Joseph L. Muller, Mayor Pro Tem
Debra Lewis, Council Member
John A. Tomlinson, Council Member
Paul N Wyatt, Council Member

CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (d)(2), (2 cases)
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Government Code § 54956.9 (d)(1)(1 case)
Bertha v. City of Dana Point, et al., Superior Court Case No. 30-2017-00932275
- C. CONFERENCE WITH REAL PROPERTY NEGOTIATOR, Government Code § 54956.8

Location: APN: 682-023-01
Agency Negotiator: Mark Denny, City Manager
Negotiating Parties: City of Dana Point and County of Orange
Under Negotiation: Price and terms of agreement relating to property

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

RECONVENE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENTATIONS AND PROCLAMATIONS

STEM Presentation by R.H. Dana Principal Christina Portillo
Presentation to Chief of Police, Lt. Russ Chilton

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 20, 2018](#)**

RECOMMENDED ACTION: That the City Council approve the minutes.

3. **[ADJOURNED REGULAR MEETING STRATEGIC PLAN WORKSHOP MINUTES, FEBRUARY 13, 2018](#)**

RECOMMENDED ACTION: That the City Council approve the minutes.

4. **[PLANNING COMMISSION MEETING MINUTES, FEBRUARY 12, 2018](#)**

RECOMMENDED ACTION: That the City Council receive and file.

5. **[YOUTH BOARD MEETING MINUTES, JANUARY 18, 2018](#)**

RECOMMENDED ACTION: That the City Council receive and file.

6. **[YOUTH BOARD MEETING MINUTES, FEBRUARY 1, 2018](#)**

RECOMMENDED ACTION: That the City Council receive and file.

7. **[HOMELESS TASK FORCE MEETING MINUTES, NOVEMBER 27, 2017](#)**

RECOMMENDED ACTION: That the City Council receive and file.

8. **[HOMELESS TASK FORCE MEETING MINUTES, JANUARY 29, 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. **CLAIMS AND DEMANDS**

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

11. **CITY TREASURER'S REPORT, JANUARY 2018**

RECOMMENDED ACTION: That the City Council receive and file the City Treasurer's Report for the month of January 2018.

12. **AWARD OF CONTRACT FOR CITY-WIDE CUSTODIAL SERVICES**

RECOMMENDED ACTION: That the City Council:

- 1) Award a contract to System4 Southern California, Inc. for daily cleaning and custodial services at all City Facilities; and
- 2) Authorize the City Manager to execute the contract including the option of four, one year extensions.

13. **ADOPTION OF A RESOLUTION APPROVING THE CITY'S REVISED EMERGENCY PLAN**

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA,
ADOPTING THE REVISED CITY OF DANA POINT EMERGENCY PLAN.

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

14. **PUBLIC HEARING TO TAKE INPUT REGARDING POTENTIAL TRANSITION TO BY-DISTRICT ELECTIONS FOR CITY COUNCIL MEMBERS**

RECOMMENDED ACTION: That the City Council receive and discuss public input regarding the composition of the City's yet to be formed voting districts pursuant to Elections Code Section 10010(a)(1).

UNFINISHED BUSINESS

15. **FINANCIAL REVIEW COMMITTEE CHARTER UPDATE**

RECOMMENDED ACTION: That the City Council review and possibly amend the City's Financial Review Committee Charter as established by Resolution 17-03-07-01.

NEW BUSINESS

16. **ANNUAL REVIEW OF INVESTMENT POLICY**

RECOMMENDED ACTION: That the City Council approve the City's Statement of Safekeeping and Investment of Public Funds Policy ("Investment Policy").

17. **COUNCIL MEMBER LEWIS: ROBERT'S RULES OF ORDER (Carried Over from February 20, 2018)**

RECOMMENDED ACTION: That the City Council clarify that Robert's Rules of Order apply to City Council meetings and agree upon Webster's New World Robert's Rules of Order Simplified and Applied as a source of reference.

PUBLIC COMMENTS (Continued)

STAFF REPORTS

(City Manager Mark Denny)

(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.

18. **COUNCILMEMBER LEWIS: RECEIVE STAFF REPORT ON STATUS OF CITY OPEN DATA/OPEN GOVERNMENT INITIATIVE**
19. **MAYOR VICZOREK: RECEIVE STAFF REPORT ON STATUS OF HOMELESS TASK FORCE WORK PLAN**
20. **MAYOR PRO TEM MULLER: DISCUSS SHORT TERM RENTALS**

ADJOURNMENT

The next Regular Meeting of the City Council will be March 20, 2018, 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 Tuesday, February 27, 2018, 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.