

# CITY OF DANA POINT

**CITY COUNCIL  
REGULAR  
MEETING**



**TUESDAY  
MAY 1, 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)

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

### **RECONVENE CITY COUNCIL MEETING**

### **PLEDGE OF ALLEGIANCE**

### **INVOCATION**

### **PRESENTATIONS AND PROCLAMATIONS**

Presentation by Rick Howard, O.C. Mosquito and Vector Control District

### **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, APRIL 17, 2018**

RECOMMENDED ACTION: That the City Council approve the minutes.

**3. DANA POINT COMMUNITY WORKSHOP MINUTES, APRIL 9, 2018**

RECOMMENDED ACTION: That the City Council approve the minutes.

**4. PLANNING COMMISSION MEETING MINUTES, MARCH 26, 2018**

RECOMMENDED ACTION: That the City Council receive and file.

**5. YOUTH BOARD MEETING MINUTES, FEBRUARY 15, 2018**

RECOMMENDED ACTION: That the City Council receive and file.

**6. YOUTH BOARD MEETING MINUTES, MARCH 22, 2018**

RECOMMENDED ACTION: That the City Council receive and file.

**7. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR**

RECOMMENDED ACTION: That the City Council receive and file.

**8. CLAIMS AND DEMANDS**

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

**9. CITY TREASURER'S REPORT, MARCH 2018**

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

**10. AMENDMENT OF A CONTRACT FOR STORM WATER BEST MANAGEMENT PRACTICE (BMP) MAINTENANCE SERVICES AND AS-NEEDED SPILL RESPONSE**

RECOMMENDED ACTION: That the City Council authorize the City Manager to process an amendment to the Agreement with United Storm Water, Inc. for Storm Water Best Management Practice (BMP) Maintenance Services and As-Needed Spill Response based on a recent Request for Proposal process.

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.

## **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.

## **PUBLIC HEARINGS**

### **11. FIRST READING OF ORDINANCE ADOPTING TRANSITION TO BY-DISTRICT ELECTIONS FOR CITY COUNCIL MEMBERS**

RECOMMENDED ACTION: That the City Council introduce for first reading either Ordinance No. 18-XX (Action Document A), or Ordinance No. 18-XX (Action Document B), adopting a by-district election system and election sequence for the City Council entitled:

#### Action Document A

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA ESTABLISHING AND IMPLEMENTING BY-DISTRICT ELECTIONS (GOV. CODE § 34886 & ELEC. CODE §10010);

#### Action Document B:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA ESTABLISHING AND IMPLEMENTING BY-DISTRICT ELECTIONS AND AN AT-LARGE MAYOR (GOV. CODE § 34886 & ELEC. CODE §10010).

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## UNFINISHED BUSINESS

There are no Unfinished Business items.

## NEW BUSINESS

### 12. BUDGET WORKSHOP

RECOMMENDED ACTION: That the City Council receive and discuss a presentation by the City Actuary in regards to the Employee Pension Plans.

### 13. DRAFT FINANCIAL POLICIES

RECOMMENDED ACTION: That the City Council consider drafts of City financial policies covering: Long-Term Financial Plan, Operating Budget, Reserves, Infrastructure Asset Management and Facilities Asset Management; and, provide input to staff.

### 14. AWARD OF CONTRACT FOR THE COMMUNITY CENTER RENOVATION PROJECT 2018

RECOMMENDED ACTION: That the City Council:

- 1) Award a contract to Optima RPM, Incorporated for the Community Center Renovation Project 2018;
- 2) Authorize the City Manager or his designee to sign the contract documents and to approve additional expenditures for change orders, contingencies, and other project costs as noted in the Fiscal Impact Section; and
- 3) Allocate funds, including a 10% contingency, in the Facilities Improvement Fund (Fund 12) to pay for the project.

## PUBLIC COMMENTS (Continued)

## STAFF REPORTS

(City Manager Mark Denny)

(City Attorney Patrick Muñoz)

## ADJOURNMENT

The next Regular Meeting of the City Council will be May 15, 2018, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

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## 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 Wednesday, April 25, 2018, 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.