

CITY OF DANA POINT

CITY COUNCIL REGULAR MEETING



**TUESDAY
MAY 15, 2018
5:00 P.M.**

REVISED 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 – EXISTING LITIGATION, Government Code § 54956.9 (d)(1), (1 case)

Name of Case: Bertha v. City of Dana Point, et al., Superior Court Case No. 30-2017-00932275

- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (d)(2), (2 cases: CVRA; City of Santa Ana – Homeless Issue)

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

RECONVENE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENTATIONS AND PROCLAMATIONS

Older Americans Month

READING OF ORDINANCE TITLES

At this time, the City Clerk will read the title(s) of the ordinance(s) listed on the agenda.

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. **[DANA POINT COMMUNITY WORKSHOP MINUTES, APRIL 25, 2018](#)**

RECOMMENDED ACTION: That the City Council approve the minutes.

3. **[REGULAR MEETING MINUTES, MAY 1, 2018](#)**

RECOMMENDED ACTION: That the City Council approve the minutes.

4. **[PLANNING COMMISSION MEETING MINUTES, APRIL 23, 2018](#)**

RECOMMENDED ACTION: That the City Council receive and file.

5. **[OCEAN WATER QUALITY SUBCOMMITTEE MEETING MINUTES, FEBRUARY 27, 2018](#)**

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. **[CLAIMS AND DEMANDS](#)**

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

8. **[QUARTERLY FINANCIAL REPORT, MARCH 2018](#)**

RECOMMENDED ACTION: That the City Council receive and file the City Financial Report and Management discussion for the quarter ended March 31, 2018.

9. **DANA POINT POLICE SERVICES MONTHLY REPORT**

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

10. **DEVELOPMENT UPDATE**

RECOMMENDED ACTION: That the City Council receive and file.

11. **GOVERNMENT FINANCE OFFICERS ASSOCIATION CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING FOR THE YEAR ENDED JUNE 30, 2017**

RECOMMENDED ACTION: That the City Council receive and file the Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting for the year ended June 30, 2017.

12. **SECOND READING AND ADOPTION OF AN ORDINANCE ADOPTING TRANSITION TO BY-DISTRICT ELECTIONS FOR CITY COUNCIL MEMBERS**

RECOMMENDED ACTION: That the City Council conduct a second reading, and adopt Ordinance No. 18-XX, adopting a five-district, by-district election system and election sequence for the City Council entitled:

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).

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 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.

- 13. [**MAYOR VICZOREK: RECEIVE STAFF REPORT ON STATUS OF HOMELESS TASK FORCE WORK PLAN**](#)
- 13A. [**COUNCIL MEMBER LEWIS: RECEIVE STAFF REPORT ON STATUS OF COMMUNITY SURVEY REGARDING DISTRICTING**](#)

PUBLIC HEARINGS

There are no Public Hearing Items.

UNFINISHED BUSINESS

14. BUDGET WORKSHOP

- 1. [**Draft Financial Policies \(Carried over from the meeting of May 1, 2018\)**](#)
 - a. 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.
- 2. [**Draft User Fee Schedule and User Fee Subsidy Recommendations**](#)
 - a. RECOMMENDED ACTION: That the City Council:
 - 1. Review and discuss Proposed User Fee Subsidy Recommendations and provide further direction to Staff; and
 - 2. Review and discuss the Draft User Fee Schedule and provide further direction to staff.

NEW BUSINESS

15. [AWARD OF CONTRACT FOR AUDIT SERVICES**](#)**

RECOMMENDED ACTION: That the City Council award a contract for audit services to the accounting firm Davis Farr LLP, covering the fiscal years ending June 30, 2018, 2019, and 2020, with the option to extend the agreement for two, one (1) year extensions and authorize the City Manager to execute the contract on the City's behalf.

16. ORANGE COUNTY SHERIFF'S DEPARTMENT CONTRACT FOR FY19

RECOMMENDED ACTION: That the City Council consider the Law Enforcement Services Agreement with the County of Orange for law enforcement services for the 2018-19 Fiscal Year and authorize the City Manager to execute the agreement upon approval.

PUBLIC COMMENTS (Continued)

STAFF REPORTS

(City Manager Mark Denny)

(City Attorney Patrick Muñoz)

ADJOURNMENT

The next Regular Meeting of the City Council will be June 5, 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 Thursday, May 10, 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.