

# CITY OF DANA POINT

**CITY COUNCIL  
REGULAR  
MEETING**



**TUESDAY  
FEBRUARY 5, 2019  
5:00 P.M.**

## **REVISED AGENDA**

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

Next City Council Ordinance No. 19-01

### **CALL TO ORDER**

### **ROLL CALL OF CITY COUNCIL MEMBERS:**

Joseph L. Muller, Mayor  
Paul N Wyatt, Mayor Pro Tem  
Jamey M. Federico, Council Member  
Debra Lewis, Council Member  
Richard A. Viczorek, Council Member

### **CLOSED SESSION**

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Government Code § 54956.9 (d)(1), (1 case)

Name of Case: *Laguna Beach Sober Living, LLC, and Donna's House, Inc. v. City of Dana Point* (No case number at this time)

- B. 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**

OCTA Proclamation

Presentation from Lt. Colonel Rusty Tuten, USMC, Commander Task Force Lion

## 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 and that further reading of such ordinances be waived.

### 2. **[REGULAR MEETING MINUTES, JANUARY 15, 2019](#)**

RECOMMENDED ACTION: That the City Council approve the minutes.

### 3. **[PLANNING COMMISSION MEETING MINUTES, DECEMBER 10, 2018](#)**

RECOMMENDED ACTION: That the City Council receive and file.

### 4. **[ARTS AND CULTURE COMMISSION MEETING MINUTES, SEPTEMBER 19, 2018](#)**

RECOMMENDED ACTION: That the City Council receive and file.

### 5. **[ARTS AND CULTURE COMMISSION MEETING MINUTES, NOVEMBER 14, 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. **[CITY TREASURER'S REPORT, DECEMBER 2018](#)**

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

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

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

9. [APPROVAL OF BOTH A COOPERATIVE AGREEMENT C-8-1992 WITH THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR 2018 PROJECT "V" COMMUNITY-BASED TRANSIT/CIRCULATORS GRANT FUNDS AND A CONTRACT AMENDMENT WITH LAZ PARKING CALIFORNIA, LLC TO EXTEND THE SERVICE TERM OF THE DANA POINT TROLLEY PROGRAM](#)

RECOMMENDED ACTION: That the City Council approve (1) the Cooperative Agreement with Orange County Transportation Authority (OCTA) authorizing the Mayor to sign the Agreement and; (2) approve a Second Amendment with LAZ Parking California, LLC, previously known as Professional Parking, Incorporated to extend the trolley services years and; (3) authorize the City Manager to sign the Second Amendment; and (4) authorize the use of Coastal Transit Funds and AB2766 funds for the City's portion of funding for the Dana Point Trolley Program.

10. [2019 SPECIAL EVENTS CALENDAR](#)

RECOMMENDED ACTION: That the City Council 1) approve the 2019 Special Event Calendar for 2019 and the recommended venues and; 2) authorize the City Manager to execute two contracts with Southern California Sound Stage & Lighting Corporation for A) Festival of Whales Concert and B) Concerts in the Park.

11. [ADOPTION OF A RESOLUTION OF THE DANA POINT CITY COUNCIL ESTABLISHING A POLICY ON LIGHTING PUBLIC SPACES FROM PRIVATE PROPERTY](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ESTABLISHING A POLICY ON LIGHTING PUBLIC SPACES FROM PRIVATE PROPERTY

12. [QUARTERLY FINANCIAL REPORT, DECEMBER 2018](#)

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

## **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.

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## **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**

There are no Public Hearings.

## **UNFINISHED BUSINESS**

### **13. LONG TERM FINANCIAL PLAN / BUDGET PRIORITIES – WORKSHOP FACILITIES PROJECT PRIORITIES & BUDGET PROCESS UPDATE**

RECOMMENDED ACTION: That the City Council discuss and consider referring the updated draft list of Facilities projects to the City Council Capital Projects Subcommittee (“CIP Committee”) for review and recommendations on funding priorities.

## **NEW BUSINESS**

### **14. STRATEGIC PLAN REVIEW – PERFORMANCE MEASURES**

RECOMMENDED ACTION: That the City Council receive an update from staff on the City’s Strategic Plan.

## **PUBLIC COMMENTS (Continued)**

## **STAFF REPORTS**

(City Manager Mark Denny)

(City Attorney Patrick Muñoz)

## **ADJOURNMENT**

The next Regular Meeting of the City Council will be February 19, 2019, 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, January 31, 2019, 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.