

Reviewed By:	
DH	X
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CITY OF DANA POINT
AGENDA REPORT

DATE: FEBRUARY 20, 2007

TO: CITY MANAGER/CITY COUNCIL

FROM: BRAD FOWLER, DIRECTOR OF PUBLIC WORKS AND ENGINEERING SERVICES

SUBJECT: ESTABLISHMENT OF THE TRAFFIC IMPROVEMENT COMMISSION

RECOMMENDED ACTION:

That the City Council (1) adopt a resolution (Action Document A) entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ESTABLISHING A DANA POINT TRAFFIC IMPROVEMENT COMMISSION

(Action Document A); (2) approve the application, included as Supporting Document B; and (3) direct staff to advertise for interested residents to serve on the Commission.

ISSUE:

Whether to approve the subject resolution and establish the Traffic Improvement Commission and disestablish the current Traffic Improvement Subcommittee.

HISTORY:

At the January 8, 2007 City Council meeting, the City Council directed staff to agendize the establishment of a Dana Point Traffic Improvement Commission. Staff has prepared the necessary resolution to establish the Commission per Dana Point Municipal Code Chapter 2.06. The City Council is required to adopt this resolution to establish the Commission along with an ordinance modification provided separately.

The Dana Point Municipal Code, Chapter 2.06, provides general provisions governing Boards and Commissions and is included as Supporting Document C for reference.

As directed, the attached resolution is written to provide the newly formed Traffic Improvement Commission with guidelines for their activities. The five citizen members would act somewhat more autonomously than the previous Traffic Improvement Subcommittee which acted in an advisory capacity only. Specific guidelines on activities have been provided in the Resolution. Budget items requiring Council approval would remain the purview of the City Council.

DISCUSSION:

The City Council approved Resolution 07-02-06-05 on February 6, 2007, establishing the Traffic Improvement Commission. Notably, Council amended the draft resolution presented by staff to, among other things, adjust the appeals process when reviewing the companion ordinance amendment. The attached document contains the written version of the amended resolution which includes the revisions for appropriate fees and an appeal process that is the same as the Planning Commission. The amendments to the original draft resolution can be found on page 5, section 6.

Supporting Document B provides the advertisement for members for two-year terms. It is recommended that the two Subcommittee Members who have expressed continued interest, Linda Brame and Rod Howorth serve on the Commission, utilizing their original applications and simply updating their financial conflict of interest forms.

NOTIFICATION/FOLLOW-UP:

Linda Brame
Rod Howorth

STRATEGIC PLAN IMPLEMENTATION:

Under the Strategic Planning Initiative to maintain, modernize and beautify the City's infrastructure and neighborhoods.

FISCAL IMPACT:

Similar to the Traffic Improvement Subcommittee, staff will budget a like amount of funds for contract Traffic Engineer and Sheriff Department time in the upcoming budget cycle without increase.

ALTERNATIVE ACTIONS:

1. Retain Traffic Improvement Subcommittee.
2. Disestablish the Subcommittee and establish no Commission.
3. Provide alternative direction to modify the recommendation.

ACTION DOCUMENTS:

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A. [Resolution](#) - Establishing a Dana Point Traffic Improvement Commission..... 4

SUPPORTING DOCUMENTS:

B. Traffic Improvement Subcommittee [application](#) for appointment..... 7
C. [Municipal](#) Code, Chapter 2.06 8

RESOLUTION NO.**A RESOLUTION OF THE CITY OF THE CITY COUNCIL OF THE CITY OF
DANA POINT, CALIFORNIA, ESTABLISHING A DANA POINT TRAFFIC IMPROVEMENT
COMMISSION**

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. Establishment of Commission

Subject to Chapter 2.06 of the Dana Point Municipal Code, there is hereby created a Commission which shall be known as the "Dana Point Traffic Improvement Commission". This supersedes Dana Point Resolution 07-02-06-05 dated February 6, 2007.

SECTION 2. Meetings

Traffic Improvement Commission meetings shall be open to the public and Notice of same published in such a manner and form as is required by appropriate State Law and the Dana Point Municipal Code.

SECTION 3. Staff Assistance

The City Manager will allocate adequate necessary technical and clerical assistance to the Commission subject to the City's priorities and workload. Currently, the City Council has identified that the Chief of Police or his designee and the Traffic Engineer will staff the Commission.

SECTION 4. Duties of the Commission

The duties of the Dana Point Traffic Improvement Commission shall be to work efficiently with staff to implement improvements, generally, as determined by the City Manager for:

- Traffic control devices on public streets, such as stop signs;
- Parking on public streets and property;
- Minor traffic calming measures, such as speed humps, in accordance with the City Traffic Management Policy;
- Public transportation access;
- Street sweeping;

- Traffic regulations relating to vehicular and bicycle safety;
- Concerns and complaints or requested studies that may be addressed to the Commission by the City Council or City Manager.

It is expected that Public Works will continue to implement actions within Departmental authority to improve transportation or quickly resolve transportation related public inquiries or complaints. Further, the City Council will retain exclusive purview over Capital Improvement Projects or those projects requiring additional budget authority to the Public Works operating budget. The Commission will annually prepare a summary of issues and actions taken by the Commissioners.

SECTION 5. The Commission shall meet on an as-needed basis, at the discretion of the Director of Public Works and consultation with the Chairman, but no more often than once per month.

SECTION 6. Appeals of Traffic Improvement Commission decisions may be made to the City Council in accordance with the Dana Point Municipal Code. Fees for appeals will be \$250 for a single location issue and \$500 for a multiple location issue.

SECTION 7. Membership shall consist of five Dana Point resident members, who are registered voters, who will be appointed by the City Council.

SECTION 8. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Dana Point at its regular meeting held on the _____ day of _____, 2007.

By: _____
DIANE L. HARKEY, MAYOR

ATTEST:

By: _____
KATHY M. WARD, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF DANA POINT)

I, Kathy M. Ward, City Clerk of the City of Dana Point, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. _____, and was passed and adopted by the City Council of the City of Dana Point, California, at a regular meeting thereof, held on the 6th day of February, 2007, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

KATHY M. WARD, CITY CLERK

Supporting Document B – Traffic Improvement Subcommittee Application for Appointment



City of Dana Point TRAFFIC IMPROVEMENT SUBCOMMITTEE APPLICATION FOR APPOINTMENT

Qualification Requirements: (a) Resident of Dana Point (b) Registered Voter

Name: _____ Home Phone: _____
 Address: _____ City: _____ Zip: _____
 Occupation: _____ Years lived in Dana Point: _____
 Employer: _____ Work Phone: _____
 Address: _____ City: _____ Zip: _____

1) Are you a registered voter in the City of Dana Point? _____ Yes _____ No
 2) Have you ever been convicted of a crime other than a traffic violation? _____ Yes _____ No
 If yes, please describe: _____
 3) Have you ever filed for bankruptcy? _____ Yes _____ No If yes, what year? _____

Educational Background/Degrees: _____

Licenses or Special Certificates held: _____

List any Orange County or other city committees or commissions on which you have served, and the year of service: _____

List your past community involvement and organizations to which you belong (professional, technical, community service): _____

Briefly state why you wish to serve on the Traffic Improvement Subcommittee, and why you believe you are qualified for tl
(Use additional paper if necessary.) _____

References:

1. _____
 2. _____
 3. _____

I certify that all statements made in this application and attachments are true and complete to the best of my knowledge. I authorize the City of Dana Point to make investigations and inquiries, limited to the requirements for this position, including of my employment, education, character, financial and other related matters, as they relate to the requirements of this position. I hereby release all persons from any liability in responding to inquiries in connection with my application. I understand that any false or misleading information given in my application or at any step in the selection process will subject me to disqualification or dismissal. I understand that I am required to abide by all rules and regulations of the City of Dana Point.

Signature: _____ Date: _____

RETURN TO: City Clerk's Department, City of Dana Point
33282 Golden Lantern, Suite 203
Dana Point, California 92629
(949) 248-3500

Supporting Document C – Municipal Code, Chapter 2.06

2.06.010 Commissions Established.

There shall be established within the City a Planning Commission. The City Council may establish by Resolution such other boards or commissions as it deems necessary.

2.06.020 Number of Members.

Unless otherwise specifically provided, each board or commission shall consist of five (5) members.

2.06.030 Qualifications.

Unless otherwise specifically provided by law, or by Ordinance or Resolution of the City Council, all members of boards and commissions of the City shall, at all times during their incumbencies, be bona fide residents and, with the exception of the Dana Point Youth Board, be registered voters of the City. No member of any board or commission shall be a City employee, nor shall any person be a member of more than one board or commission at any one time. (Amended by Ord. 00-02, 2/22/00)

2.06.040 Applications.

The City Clerk shall maintain all applications submitted to the City for board or commission positions for a period of two (2) years.

2.06.050 Appointment.

Members and alternates of each board and commission shall be appointed, and may be removed, by a majority of the City Council. The chairperson of the board or commission shall be selected by a majority of the membership of that board or commission. The City Council may select one (1) or more alternates for each board or commission. Alternates shall not become members of the designated board or commission except by the filling of a vacancy pursuant to Section 2.06.070. (Amended by Ord. 93-11, 5/25/93)

2.06.060 Term.

The term of each board or commission member, other than the Youth Board members and Planning Commission members, shall be two (2) years with staggered terms. Planning Commissioners shall serve four (4) year staggered terms. The term of the Youth Board members shall be one year; term to expire on the last day of August. With the exception of the Youth Board, terms shall expire on the last day of March designated year or until such time as the City Council appoints a successor. At the completion of any term, a board or commission member may be reappointed pursuant to the procedures set forth in Section 2.06.050 of this Chapter. (Amended by Ord. 93-11, 5/25/93; Ord. 94-18, 11/8/94; Ord. 00-02, 2/22/00; Ord. 01-04, 3/27/01; amended by Ord. 06-01, 1/25/06)

2.06.070 Vacancies.

If vacancies in any board or commission occur other than by expiration of term, such vacancy shall be filled by the alternate selected by the City Council during the most recent selection process. Any alternate appointed pursuant to a vacancy shall serve the remaining term of the seat being filled. Vacancies which occur when no alternate is available for appointment to the remaining term shall be filled in a manner determined by the City Council or shall remain vacant until the last day of March. (Amended by Ord. 93-11, 5/25/93; Ord. 97-09, 9/9/97; amended by Ord. 06-01, 1/25/06)

2.06.075 Vacancy Upon Acceptance of Other Elective or Appointive Office.

Whenever a member of a permanent City board or commission is appointed or elected to a permanent advisory or elective office of another governmental agency, the office held by said member shall be immediately and automatically rendered vacant. The City Clerk shall thereafter immediately notify the City Council of the fact of this vacancy, and the vacancy may be filled in the manner provided by law. No vacancy shall be created by reason of a board or commission member's acceptance of a limited term or ad hoc advisory committee position for another governmental agency. (Added by Ord. 91-08, 4/23/91)

2.06.080 Meetings/Quorum.

The City Council shall establish meeting schedules for each board and commission by Resolution. A quorum of three (3) shall be required for the transaction of any business. A quorum of six (6) shall be required for any business undertaken by the Dana Point Youth Board. (Amended by Ord. 00-02, 2/22/00)

2.06.090 Absence From Meetings.

Any Commission member that misses three (3) regular meetings in a calendar year shall be removed from office by a majority vote of the City Council. (Amended by Ord. 97-08, 9/9/97)

2.06.100 Compensation.

Unless otherwise required by law, board and commission members shall receive no compensation, except that Planning Commission members shall receive a one hundred fifty dollar (\$150.00) per month stipend. (Amended by Ord. 99-11, 8/10/99; Ord. 01-05, 8/28/01; Ord. 02-05, 3/26/02)