

# CITY OF DANA POINT

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**CITY COUNCIL  
REGULAR  
MEETING**



**TUESDAY  
MAY 6, 2008  
5:00 P.M.**

## **AGENDA**

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

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Next City Council Ordinance No. 08-05

### **CALL TO ORDER**

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

Joel Bishop, Mayor  
Lisa A. Bartlett, Mayor Pro Tem  
Lara Anderson, Council Member  
Diane L. Harkey, Council Member  
Steven H. Weinberg, Council Member

### **CLOSED SESSION**

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (b)(1) & (3)(A), (1 case)
- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (b)(1), (2 cases: Makar General Plan Amendment; Evans Brown Act Allegations)

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

### **RECONVENE CITY COUNCIL MEETING**

### **PLEDGE OF ALLEGIANCE**

### **INVOCATION**

### **PRESENTATIONS AND PROCLAMATIONS**

Business of the Month – Royal Cleaners  
Certificates of Recognition for OCSD Medal of Valor Recipients  
Proclamation for OCFA Battalion Chief Steve Whitaker

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## 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.

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

**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 15, 2008](#)**

RECOMMENDED ACTION: That the City Council approve the minutes.

**3. [PLANNING COMMISSION MEETING MINUTES, APRIL 8, 2008](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**4. [PLANNING COMMISSION ACTIONS, MEETING OF APRIL 22, 2008](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**5. [MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**6. [TRAFFIC IMPROVEMENT COMMISSION MINUTES, MARCH 19, 2008](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**7. [CITY TREASURER'S REPORT, MARCH 2008](#)**

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

**8. CLAIMS AND DEMANDS**

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

**9. [EIGHTH AMENDMENT TO EMPLOYMENT AGREEMENT FOR CITY MANAGER DOUGLAS C. CHOTKEVYS](#)**

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RECOMMENDED ACTION: That the City Council approve the Eighth Amendment to the Employment Agreement for the City Manager and authorize the Mayor to execute the Agreement on behalf of the City.

10. [PROFESSIONAL SERVICES AGREEMENT FOR SUPPLEMENTAL STRUCTURAL PLAN REVIEW SERVICES](#)

RECOMMENDED ACTION: That the City Council authorize the City Manager to continue the Professional Services Agreement with Wynn Engineering, Incorporated.

11. [ADOPTION OF RESOLUTION APPROVING FINAL TRACT MAP NO. 15924, THE REQUIRED LANDSCAPE AND MAINTENANCE AGREEMENT, AND THE ACCOMPANYING SUBDIVISION IMPROVEMENT AGREEMENT](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING FINAL TRACT MAP NO. 15924, THE REQUIRED LANDSCAPE AND MAINTENANCE AGREEMENT, AND THE ACCOMPANYING SUBDIVISION IMPROVEMENT AGREEMENT.

12. [SECOND READING AND ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA ADDING ARTICLE 9 TO THE DANA POINT MUNICIPAL CODE INCLUDING SECTIONS 14.01.780 THROUGH 14.01.950, ENTITLED "CONSTRUCTION OF CABLE COMMUNICATIONS SYSTEMS"](#)

RECOMMENDED ACTION: That the City Council hold second reading and adopt an Ordinance entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADDING ARTICLE 9, INCLUDING SECTIONS 14.01.780 THROUGH 14.01.950, ENTITLED "CONSTRUCTION OF CABLE COMMUNICATIONS SYSTEMS".

13. [COUNTY PROPOSITION 1B TRANSPORTATION FUNDING](#)

RECOMMENDED ACTION: That the City Council authorize the Mayor to execute an agreement as required by OC Public Works to receive \$500,000 in Proposition 1B funding from the County of Orange Board of Supervisors for the PCH Widening Project at Del Obispo.

14. [INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, MODIFYING CHAPTER 12.14 OF THE DANA POINT MUNICIPAL CODE ADDRESSING NECESSARY CODE REVISIONS FOR PREFERENTIAL PARKING DISTRICTS CITYWIDE](#)

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RECOMMENDED ACTION: That the City Council introduce and hold first reading of an Ordinance entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, MODIFYING CHAPTER 12.14 OF THE DANA POINT MUNICIPAL CODE ADDRESSING NECESSARY CODE REVISIONS FOR PREFERENTIAL PARKING DISTRICTS CITYWIDE.

15. [AUTHORIZATION TO PROCEED WITH STRIPING ADJUSTMENTS ON TWO ARTERIAL STREETS, NAMELY PACIFIC COAST HIGHWAY AND DOHENY PARK ROAD, PURSUANT TO SECTION 21950 OF THE CALIFORNIA VEHICLE CODE](#)

RECOMMENDED ACTION: That the City Council 1) accept the deletion/relocation of crosswalk in the easterly leg of the intersection at Pacific Coast Highway (PCH) and Del Obispo/Dana Point Harbor Drive pursuant to California Vehicle Code Section 21950 and the previously City Council approved project plan entitled "Pacific Coast Highway Congestion Relief Project"; 2) accept the deletion/relocation of the crosswalk from the easterly leg of the intersection at Pacific Coast Highway (PCH) and Crystal Lantern Drive to the westerly leg pursuant to California Vehicle Code Section 21950 and the previously City Council approved project plan entitled "Pacific Coast Highway Congestion Relief Project"; and 3) authorize the deletion of the mid-block crosswalk in the southerly leg of the intersection at Doheny Park Road and Domingo Avenue, which occurred in 2007, pursuant to California Vehicle Code Section 21950.

16. [AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE NEXT PHASE OF CITY HALL RENOVATION](#)

RECOMMENDED ACTION: That the City Council authorize staff to advertise for bids for the next phase of City Hall renovation.

## **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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## **PUBLIC HEARINGS**

There are no Public Hearings.

## **UNFINISHED BUSINESS**

### **17. STORAGE OF VEHICLES ON PUBLIC STREETS**

RECOMMENDED ACTION: That the City Council receive and file this report on the Traffic Improvement Commission's ordinance modification recommendation concerning the storage of vehicles on public streets.

### **18. 2008 ABATEMENT PROGRAM, AUTHORIZATION TO ABATE WEEDS**

RECOMMENDED ACTION: That the City Council hear any objections regarding weed abatement and thereafter adopt one of the two resolutions as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, OVERRULING OBJECTIONS AND PROCEEDING WITH WEED ABATEMENT; OR

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, HEARING NO OBJECTIONS AND PROCEEDING WITH WEED ABATEMENT.

## **NEW BUSINESS**

There are no New Business items.

## **PUBLIC COMMENTS (Continued)**

## **STAFF REPORTS**

(City Manager Doug Chotkevys)

(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.

## **ADJOURNMENT**

The next Regular Meeting of the City Council will be May 20, 2008, 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 Friday, May 2, 2008, at 5:00 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.