

# CITY OF DANA POINT

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## **CITY COUNCIL REGULAR MEETING**



**TUESDAY  
MARCH 20, 2007  
5:00 P.M.**

## **AGENDA**

**Location: Dana Point Community Center, 34052 Del Obispo, Dana Point, California 92629**

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Next City Council Ordinance No. 07-04

### **CALL TO ORDER**

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

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

### **CLOSED SESSION**

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION, Government Code § 54957

Title: City Manager

### **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 – The Feed Barn

Certificate of Recognition - Dana Point VFW Post 9934 – Patriot Pen Recipient Daniel Anvari

## 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 herein except those that are removed for separate action, which will be read separately.

**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, MARCH 6, 2007**

RECOMMENDED ACTION: That the City Council approve the minutes.

**3. PLANNING COMMISSION MEETING MINUTES, FEBRUARY 27, 2007**

RECOMMENDED ACTION: That the City Council receive and file.

**4. PLANNING COMMISSION ACTIONS, MEETING OF MARCH 13, 2007**

RECOMMENDED ACTION: That the City Council receive and file.

**5. YOUTH BOARD MEETING MINUTES, FEBRUARY 15, 2007**

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. COUNCIL POLICY NO. 116 – GRANT FUNDING AND FORMATION OF CHARITABLE GRANT SUBCOMMITTEE**

RECOMMENDED ACTION: That the City Council:

- A. Approve the Council Grant Policy Task Force's recommended revisions to Council Policy No. 116 – Charitable Grant Requests effective FY 07-08.

- B. Approve and adopt a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ESTABLISHING A CHARITABLE GRANT SUBCOMMITTEE;

- C. Direct the City Clerk to advertise for vacancies on the Charitable Grant Subcommittee to fill three public seats.

**9. PROPOSED SUPPORT FOR SENATE BILL 1000**

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, IN SUPPORT OF SENATE BILL 1000 (SB1000) SUBSTANCE ABUSE ADULT RECOVERY MAINTENANCE FACILITIES

and authorize the Mayor and City Manager to send correspondence in support of SB 1000. Staff also recommends the Council authorize an expenditure to fund legislative advocacy efforts associated with this bill.

**10. CITY CLERK DEPARTMENT REORGANIZATION**

RECOMMENDED ACTION: That the City Council:

1. Authorize the reclassification of two existing positions and addition of one new part-time position in the City Clerks Department to maintain high quality customer service and internal operations upon the pending retirement and resignation of two current staff members.
2. Authorize that the current Assistant City Clerk and Management Analyst in the City Clerks Department may retain their current position titles and salaries temporarily to assist in the recruitment, training and transitioning in of the new positions.
3. Adopt a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AUTHORIZING AND APPROVING THE NEW POSITION TITLE, SALARY RANGE, AND CLASS SPECIFICATION FOR DEPUTY CITY CLERK.

4. Adopt a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AUTHORIZING AND APPROVING THE NEW POSITION TITLE, SALARY RANGE, AND CLASS SPECIFICATION FOR CITY CLERK SPECIALIST.

5. Adopt a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AUTHORIZING AND APPROVING THE NEW POSITION TITLE, SALARY RANGE, AND CLASS SPECIFICATION FOR RECORDS ASSISTANT.

11. **HOA INLET FILTER INSTALLATION PILOT PROGRAM MOU IMPLEMENTATION AND AUTHORIZATION OF FUNDS**

RECOMMENDED ACTION: That the City Council 1) approve the proposed HOA Inlet Filter Installation Pilot Program Memorandum of Understanding (MOU) and authorize the City Manager to execute the MOU with the Monarch Bay HOA; and (2) authorize funds to fund the purchase and installation of inlet filters at Monarch Bay HOA.

12. **PROPOSED AMENDMENT TO SKATEBOARDING ORDINANCE**

RECOMMENDED ACTION: That the City Council conduct first reading and introduce an ordinance entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING CHAPTER 4.02 OF THE MUNICIPAL CODE ENTITLED "ROLLERSKATING, SKATEBOARDING, AND BICYCLING PROHIBITED IN CERTAIN DESIGNATED AREAS."

13. **2007 WEED ABATEMENT PROGRAM**

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, DECLARING WEEDS A PUBLIC NUISANCE AND INITIATING ABATEMENT PROCEEDINGS.

Further, by minute order, authorize staff to release bid packets to contractors to abate weeds in the City.

14. **TRESPASSING ON PRIVATE PROPERTY**

RECOMMENDED ACTION: That the City Council:

1. Conduct first reading and introduce an ordinance entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADDING CHAPTER 11.50 ENTITLED "TRESPASSES UPON PRIVATE PROPERTY PROHIBITED" TO TITLE 11 (PEACE, MORALS, AND SAFETY) TO THE DANA POINT MUNICIPAL CODE;

2. Conduct first reading and introduce an ordinance entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, REPEALING CHAPTER 5.06 ENTITLED "SOLICITATION OF

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EMPLOYMENT OR BUSINESS FROM PUBLIC STREETS PROHIBITED" FROM TITLE  
5 (BUSINESS REGULATIONS) OF THE DANA POINT MUNICIPAL CODE.

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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.

## **PUBLIC HEARINGS**

There are no Public Hearings.

## **UNFINISHED BUSINESS**

### **15. PLANNING COMMISSION APPOINTMENTS**

RECOMMENDED ACTION: That the City Council:

1. Consider appointments to fill three expiring terms and alternate seat(s) on the Dana Point Planning Commission; and
2. Conduct first reading and introduce an ordinance entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING SECTIONS 2.06.050, 2.06.060 AND 2.06.070 OF THE MUNICIPAL CODE, AND ADDING SECTION 2.07.016 TO THE MUNICIPAL CODE REGARDING PLANNING COMMISSION ALTERNATES AND PLANNING COMMISSION TERM LIMITS

## **NEW BUSINESS**

There are no New Business items.

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## **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 April 3, 2007 at 5:00 p.m. in the Dana Point Community Center located at 34052 Del Obispo, 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, the Dana Point Library and the Dana Point Community Center by Friday, March 16, 2007, 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.