

CITY OF DANA POINT

CITY COUNCIL REGULAR MEETING



**WEDNESDAY
OCTOBER 26, 2005
5:00 P.M.**

AGENDA

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

Next City Council Ordinance No. 05-08

CALL TO ORDER

ROLL CALL OF CITY COUNCIL MEMBERS:

Wayne Rayfield, Mayor
Lara Anderson, Mayor Pro Tem
Russell Chilton, Council Member
Diane Harkey, Council Member
James V. Lacy, Council Member

CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (b1), (3 cases)
- B. CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION, Government Code § 54956.9 (c), (1 case)

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

RECONVENE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

INVOCATION

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, OCTOBER 12, 2005

RECOMMENDED ACTION: That the City Council receive and file.

3. PLANNING COMMISSION MEETING MINUTES, MEETING OF OCTOBER 5, 2005

RECOMMENDED ACTION: That the City Council receive and file.

4. PLANNING COMMISSION ACTIONS, MEETING OF OCTOBER 19, 2005

RECOMMENDED ACTION: That the City Council receive and file.

5. YOUTH BOARD MEETING MINUTES, MEETING OF OCTOBER 6, 2005

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, SEPTEMBER 2005

RECOMMENDED ACTION: That the City Council receive and file the City Treasurer's Report for the month of September, 2005.

8. CLAIMS AND DEMANDS

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

ORAL REPORTS

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 the Public Comments 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

9. [AWARD OF CONTRACT TO HORIZONS, CCI FOR ADMINISTRATION AND POLICE SERVICES RENOVATION PROJECT](#) [STRATEGIC PLAN: ACHIEVE TOTAL EXCELLENCE IN MUNICIPAL SERVICES AND CITY ADMINISTRATION/PLANNING WITH EXCELLENT CUSTOMER SERVICE AND COST-EFFECTIVENESS]

RECOMMENDED ACTION: That the City Council 1) award a contract to Horizons CCI Services, Inc. for the construction of the Administration and Police Services Renovation Project at City Plaza, provided that the City Manager or his designee may approve additional payment not to exceed ten percent of this amount for change orders and contingencies; and

2) authorize the expenditures for various construction support and additional work necessary to complete these projects but not associated with this contract as outlined in the Fiscal Impact Section of the report.

10. [ADOPTION OF RESOLUTION APPROVING A RESIDENTIAL NEIGHBORHOOD TRAFFIC MANAGEMENT PLAN](#) [STRATEGIC PLAN: ACHIEVE TOTAL EXCELLENCE IN MUNICIPAL SERVICES AND CITY ADMINISTRATION/PLANNING WITH EXCELLENT CUSTOMER SERVICE AND COST-EFFECTIVENESS]

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING A RESIDENTIAL NEIGHBORHOOD TRAFFIC MANAGEMENT PLAN.

11. **CONSTRUCTION SCHEDULE FOR UPDATE PRESENTATION FOR CAPISTRANO BEACH STORM DRAIN PHASE II PROJECT** [STRATEGIC PLAN: MAINTAIN, MODERNIZE AND BEAUTIFY THE CITY'S INFRASTRUCTURE AND NEIGHBORHOODS]

RECOMMENDED ACTION: That the City Council receive and file this report relative to the construction schedule update report for the Master Plan of Drainage Project Phase II (Capistrano Beach).

12. **BALLOT MEASURE REGARDING EMINENT DOMAIN** [STRATEGIC PLAN: ACHIEVE TOTAL EXCELLENCE IN MUNICIPAL SERVICES AND CITY ADMINISTRATION/PLANNING WITH EXCELLENT CUSTOMER SERVICE AND COST-EFFECTIVENESS]

RECOMMENDED ACTION: That the City Council:

- 1) Discuss and consider the scheduling of a ballot measure, which if passed, would readopt Ordinance No. 05-07 (relating to the use of Eminent Domain) by a vote of the people. The impact would be that any future proposed modification or repeal of the existing City Ordinance would also require a vote of the people; and
- 2) Subject to City Council action, direct the City Attorney and staff to prepare the necessary documents to call an election for a ballot measure for a specified election date in 2006 (either April 11, June 6, or November 7, 2006) in accordance with required deadlines.

13. **COUNCIL POLICY NO. 116 – GRANT FUNDING** [STRATEGIC PLAN: ACHIEVE TOTAL EXCELLENCE IN MUNICIPAL SERVICES AND CITY ADMINISTRATION/PLANNING WITH EXCELLENT CUSTOMER SERVICE AND COST-EFFECTIVENESS]

RECOMMENDED ACTION: That the City Council approve Council Policy No. 116 as revised to provide a uniform application process for community based non-profit organization grant funding.

14. **PROPOSED CAMPAIGN FINANCE AND POLITICAL REFORM ORDINANCES** [STRATEGIC PLAN: ACHIEVE TOTAL EXCELLENCE IN MUNICIPAL SERVICES AND CITY ADMINISTRATION/PLANNING WITH EXCELLENT CUSTOMER SERVICE AND COST-EFFECTIVENESS]

RECOMMENDED ACTION: That the City Council continue to discuss and provide staff with further direction as to how it would like staff to proceed in analyzing and returning with recommendations relating to the proposed campaign finance and political reform Ordinances that were presented at the October 12, 2005 City Council meeting.

NEW BUSINESS

There is no New Business.

STAFF REPORTS

(Doug Chotkevys, City Manager)

(Patrick Muñoz, City Attorney)

COUNCIL REPORTS

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 November 9, 2005 at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

CERTIFICATION

I, Elizabeth Ehring, 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, October 21, 2005, at 5:00 p.m.

ELIZABETH EHRLING, CITY CLERK

DATE

Subscriptions to receive City Council Agendas on a regular basis are available through the City Clerk's Office. Agendas are also available on the City's website at www.danapoint.org.

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.