

CITY OF DANA POINT

CITY COUNCIL REGULAR MEETING



**WEDNESDAY
SEPTEMBER 28, 2005
5:00 P.M.**

AGENDA

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

Next City Council Ordinance No. 05-06

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

PRESENTATIONS AND PROCLAMATIONS

Orange County Transportation Authority (OCTA) Measure “M” Presentation by Supervisor Tom Wilson

Certificate of Recognition – Valerie Treaster, Chairperson of Pet Project Foundation

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, SEPTEMBER 14, 2005](#)

RECOMMENDED ACTION: That the City Council receive and file.

3. [PLANNING COMMISSION MEETING MINUTES, MEETING OF SEPTEMBER 7, 2005](#)

RECOMMENDED ACTION: That the City Council receive and file.

4. [PLANNING COMMISSION ACTIONS, MEETING OF SEPTEMBER 21, 2005](#)

RECOMMENDED ACTION: That the City Council receive and file.

5. [YOUTH BOARD MEETING MINUTES, MEETING OF SEPTEMBER 1, 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, AUGUST 2005](#)

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

8. CLAIMS AND DEMANDS

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

9. **ADOPTION OF RESOLUTION REVISING THE RECORDS RETENTION SCHEDULE FOR CERTAIN CITY DEPARTMENTS AS PROVIDED BY SECTION 34090 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA** *[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 REVISED RECORDS RETENTION SCHEDULES FOR CERTAIN CITY DEPARTMENTS AS PROVIDED BY SECTION 34090 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA.

10. **RE-APPROPRIATION OF CITIZENS OPTION FOR PUBLIC SAFETY (COPS) PROGRAM FUNDS FROM FY 2004/2005 – (AB 1913)** *[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.) Adjust the FY 2005/2006 budget with the re-appropriation of funds from the unencumbered Citizens Option for Public Safety (COPS) Program unspent monies remaining from the FY 2004/2005 budget, to the Supplemental Law Enforcement Service Fund (SLESF) account; and

2.) Appropriate funds from the FY 2005/06 SLESF to implement the following programs: the School Resource Officer position for this school year; and Project STOP (Stop Thrashing Our Parks).

11. **HISTORIC PRESERVATION AGREEMENT (MILLS ACT) FOR THE PROPERTY LOCATED AT 33901 EL ENCANTO** *[STRATEGIC PLAN: EVALUATE LAND USE ISSUES TO ENSURE THAT THE GOALS OF THE GENERAL PLAN REFLECT THE COMMUNITY'S VISION AND MISSION]*

RECOMMENDED ACTION: That the City Council authorize the Mayor to sign a Historic Property Preservation Agreement which would allow the property owner, Catherine Wilkinson, of the historic structure located at 33901 El Encanto, to participate in the State's Mills Act Program.

12. **AWARD OF CONTRACT TO PRINT THE CITY OF DANA POINT QUARTERLY RECREATION BROCHURE/CITY GUIDE** *[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 1.) Two (2) year contract with B & Z Printing, Inc. to print the City of Dana Point Quarterly Recreation Brochure/City Guide; and 2.) Option one-year extension based on mutual agreement by both parties.

13. **FIRST READING AND INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA AMENDING SECTION 14.01.540 OF THE DANA POINT MUNICIPAL CODE, PAVING SPECIFICATIONS FOR ROADWAY RESURFACING** *[STRATEGIC PLAN: MAINTAIN, MODERNIZE AND BEAUTIFY THE CITY'S INFRASTRUCTURE AND NEIGHBORHOODS]*

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 AMENDING SECTION 14.01.540 OF THE DANA POINT MUNICIPAL CODE, PAVING SPECIFICATIONS FOR ROADWAY RESURFACING.

14. **HEALTH BENEFIT ALLOWANCE MODIFICATIONS FOR REPRESENTED AND NON-REPRESENTED CLASSIFICATIONS** *[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, MODIFYING HEALTH BENEFIT PLAN ALLOWANCES FOR ALL ELIGIBLE REPRESENTED AND NON-REPRESENTED CLASSIFICATIONS.

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. 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

15. REVIEW AND APPROVE THE PROPOSED PARKS, RECREATION, AND OPEN SPACE MASTER PLAN, APPENDIX, AND AMENDMENTS [STRATEGIC PLAN: PROVIDE, ACQUIRE AND RETAIN OPEN SPACE, PARKS, RECREATIONAL FACILITIES, GREENBELTS AND TRAILS, AND COMMUNITY SERVING PROPERTY]

RECOMMENDED ACTION: That the City Council:

- 1.) Review and approve the proposed Park, Recreation, and Open Space Master Plan; appendix, amendments, and modifications as approved at a duly noticed public hearing of the Planning Commission; and make changes as deemed necessary; and
- 2.) Approve and adopt a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING THE PROPOSED PARKS, RECREATION, AND OPEN SPACE MASTER PLAN, APPENDIX, AND AMENDMENTS; and
- 3.) Consider the recommendations of the Sea Terrace Park & Library Subcommittee as noted in the report.

UNFINISHED BUSINESS

16. ESTABLISH ECONOMIC DEVELOPMENT PROGRAM [STRATEGIC PLAN: FOSTER A VIBRANT BUSINESS CLIMATE]

RECOMMENDED ACTION: The Town Center Subcommittee recommends to the Dana Point City Council that rather than organizing a Dana Point Marketing Council at this time, the City Council direct staff to:

- 1.) Hire an Interim Economic Development Manager and then develop a formal Economic Development Program (EDP) and return with the appropriate staffing profile and hiring recommendation to support the long-term development of the Program. The EDP would involve the formulation of a formal economic development strategy to market the City as well as to assist with business development in Dana Point; and
- 2.) While the Interim Economic Development Manager and staff are developing an EDP for the City, staff should be exploring opportunities to partner with the Harbor Association to market Dana Point as an upscale visitor destination that can be implemented immediately; and
- 3.) In addition, direct staff to pursue, as a part of the EDP, a more regional approach with the Tri-City area Cities towards marketing South County as a visitor destination.

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 agendized 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-agendized items may be presented as informational only.

ADJOURNMENT

The next Regular Meeting of the City Council will be October 12, 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, September 23, 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.