

CITY OF DANA POINT

CITY COUNCIL REGULAR MEETING



**WEDNESDAY
JULY 12, 2006
5:00 P.M.**

AGENDA

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

Next City Council Ordinance No. 06-05

CALL TO ORDER

ROLL CALL OF CITY COUNCIL MEMBERS:

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

CLOSED SESSION

There are no Closed Session items.

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 – Salon Surreal

Presentation by Mission Hospital's Vice President of Marketing Paula Serios Regarding the Hospital Expansion and the Widening of Crown Valley Parkway

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, JUNE 14, 2006](#)

RECOMMENDED ACTION: That the City Council approve the minutes.

3. [ADJOURNED REGULAR JOINT MEETING WITH THE PLANNING COMMISSION MINUTES, JUNE 28, 2006](#)

RECOMMENDED ACTION: That the City Council approve the minutes.

4. [PLANNING COMMISSION MEETING MINUTES, JUNE 7, 2006](#)

RECOMMENDED ACTION: That the City Council receive and file.

5. [PLANNING COMMISSION MEETING MINUTES, JUNE 21, 2006](#)

RECOMMENDED ACTION: That the City Council receive and file.

6. [PLANNING COMMISSION ACTIONS, MEETING OF JUNE 21, 2006](#)

RECOMMENDED ACTION: That the City Council receive and file.

7. [PLANNING COMMISSION ACTIONS, MEETING OF JULY 5, 2006](#)

RECOMMENDED ACTION: That the City Council receive and file.

8. [YOUTH BOARD MEETING MINUTES, JUNE 1, 2006](#)

RECOMMENDED ACTION: That the City Council receive and file.

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

RECOMMENDED ACTION: That the City Council receive and file.

10. CITY TREASURER'S REPORT, MAY 2006

RECOMMENDED ACTION: That the City Council receive and file the City Treasurer's Report for the month of May 2006.

11. CLAIMS AND DEMANDS

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

12. REVISED PERSONNEL RULES AND REGULATIONS

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING PERSONNEL POLICIES AND ADOPTING A REVISED CITY OF DANA POINT PERSONNEL RULES AND REGULATIONS

13. UNATTENDED ANIMALS – CODE REVISION

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 10.08.070 OF THE DANA POINT MUNICIPAL CODE RELATING TO UNATTENDED ANIMALS

14. ADOPTION OF A RESOLUTION APPROVING A NOTICE OF COMPLETION FOR THE ADMINISTRATION AND POLICE SERVICES RENOVATION PROJECT

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 NOTICE OF COMPLETION FOR THE CONSTRUCTION OF THE ADMINISTRATION AND POLICE SERVICES RENOVATION PROJECT

15. CHARITABLE GRANT FUNDING APPLICATIONS

RECOMMENDED ACTION: That the City Council approve grant funding totaling \$13,500 to the following organizations:

Dana Point Lighthouse Society	\$ 8,500
Pet Project Foundation	\$ 5,000

16. DANA POINT YOUTH BOARD APPOINTMENTS

RECOMMENDED ACTION: That the City Council appoint eleven (11) Board Members and two (2) Members At-Large to the Dana Point Youth Board.

17. CIVIL FINES FOR VIOLATIONS OF THE CITY'S STORM WATER AND URBAN RUNOFF POLLUTION CONTROLS ORDINANCE REVISION

RECOMMENDED ACTION: That the City Council amend the current code to adjust civil fines for violations of the City's Storm Water and Urban Runoff Pollution Controls (Water Quality Ordinance) (DPMC Chapter 15.10).

18. BUDGET FUNDS IN SUPPORT OF THE EPIDEMIOLOGY MICROBIAL SOURCE TRACKING STUDY AT DOHENY STATE PARK BEACH AND SAN JUAN CREEK

RECOMMENDED ACTION: That the City Council (1) authorize funds from the Undesignated General Fund, in the amount not to exceed \$500,000 during FY 06-07 and FY 07-08 to provide required matching funds to support Southern California Coastal Water Research Project (SCCWRP) for the Epidemiology and Microbial Source Tracking Study for Doheny State Park Beach

19. RECLASSIFICATION OF BUILDING/FACILITIES MAINTENANCE WORKER POSITION

RECOMMENDED ACTION: That the City Council consider reclassifying the Building/Facilities Maintenance Worker position to the Building/Facilities Worker III class specification, effective August 1, 2006, to more appropriately represent the position's scope of work.

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

20. [INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA AMENDING SECTION 11.10.014 OF THE MUNICIPAL CODE TO ADDRESS RECENT CHANGES IN PERMITTED WORK HOURS ON PUBLIC STREETS](#)

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA AMENDING SECTION 11.10.014 OF THE MUNICIPAL CODE TO ADDRESS RECENT CHANGES IN PERMITTED WORK HOURS ON PUBLIC STREETS.

21. [APPEAL OF PLANNING COMMISSION DECISION APPROVING VARIANCE V05-08 TO ALLOW A NEW SINGLE-FAMILY RESIDENCE TO EXCEED THE MAXIMUM ALLOWABLE BUILDING HEIGHT BY 5-FEET; A COASTAL DEVELOPMENT PERMIT CDP05-25 FOR DEVELOPMENT IN THE COASTAL ZONE, AND A MINOR SITE DEVELOPMENT PERMIT SDP05-65\(M\) FOR RETAINING WALLS UP TO 6 FEET IN HEIGHT IN THE RESIDENTIAL SINGLE FAMILY \(RSF7\) ZONING DISTRICT AT 34142 CHULA VISTA](#)

RECOMMENDED ACTION: That the City Council take action to:

Deny the appeal and uphold the planning commission's approval of variance V05-08 to allow a new single-family residence to exceed the maximum allowable building height by 5-feet; a coastal development permit CDP05-25 for development in the coastal zone, and a minor site development permit SDP05-65(M) for retaining walls up to 6 feet in height in the residential single family (RSF7) zoning district at 34142 Chula Vista.

UNFINISHED BUSINESS

22. [2006 WEED ABATEMENT PROGRAM](#)

RECOMMENDED ACTION: That the City Council conduct a hearing on the Weed Abatement Cost Report and thereafter, adopt the following resolution confirming the Cost Report and providing for the collection on the regular tax bill:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, CONFIRMING THE COST OF ABATEMENT AND PROVIDING FOR THE COLLECTION ON THE REGULAR TAX BILL

NEW BUSINESS

23. [SOUTH ORANGE COUNTY MAJOR INVESTMENT STUDY POLICY WORKING GROUP, OCTA, ELECTED OFFICIAL REPRESENTATION](#)

RECOMMENDED ACTION: That the City Council select a member to represent the City on the South Orange County Major Investment Study (SOCMIS) Policy Working Group

PUBLIC COMMENTS (Continued)

STAFF REPORTS

(City Manager Doug Chotkevys)

(City Attorney Patrick Muñoz)

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

In order to allow for summer vacation schedules, the next Regular Meeting of the City Council will be August 9, 2006 at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California. As a special note, the August 9, 2006 City Council meeting could change to account for a mandatory Ethics training session or a Joint Meeting of the City Council and Planning Commission to receive the recommendations from the Town Center Subcommittee concerning the Town Center Specific Plan.

CERTIFICATION

I, Kathy M. Ward, Acting 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, July 7, 2006, at 5:00 p.m.

KATHY M. WARD, ACTING 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.