

# CITY OF DANA POINT

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## **CITY COUNCIL REGULAR MEETING**



**WEDNESDAY  
FEBRUARY 8, 2006  
5:00 P.M.**

## **AGENDA**

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

Next City Council Ordinance No. 06-02

## **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**

- 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)
- C. CONFERENCE WITH REAL PROPERTY NEGOTIATOR, Government Code § 54956.8 (1 case)

Property: Doheny House, 35101 Camino Capistrano, Capistrano Beach  
City Negotiators: Douglas Chotkevys, City Manager  
Patrick Muñoz, City Attorney  
Kyle Butterwick, Director of Community Development

Negotiating Parties: City of Dana Point and Paul Douglas & Carl Grewe, Doheny 3 LLC  
or other interested parties

Under Negotiation: Price and terms of agreement relating to property

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D. PUBLIC EMPLOYEE PERFORMANCE EVALUATION, Government Code § 54957

Title: City Clerk

**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

**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, JANUARY 25, 2006](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**3. [PLANNING COMMISSION MEETING MINUTES, MEETING OF JANUARY 18, 2006](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**4. [PLANNING COMMISSION ACTIONS, MEETING OF FEBRUARY 1, 2006](#)**

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. CLAIMS AND DEMANDS**

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

**7. CHARITABLE GRANT FUNDING APPLICATION**

RECOMMENDED ACTION: That the City Council approve net funding in the amount of \$3,850 in response to a request by the Lantern Village Association for charitable grant funding associated with the 2006 Ocean/Earth Day event to be held April 22, 2006; and that the \$5,000 in youth scholarships be funded from the \$50,000 annual grant provided to the Ocean Institute by the City for youth programs in the Dana Point community.

**8. ADOPTION OF A RESOLUTION OF THE CITY COUNCIL AUTHORIZING APPLICATION FOR FUNDS FOR THE TRANSPORTATION ENHANCEMENT ACTIVITY (TEA) PROGRAM UNDER THE 1998 TRANSPORTATION EQUITY ACT FOR THE 21<sup>ST</sup> CENTURY FOR MEDIAN AND SIDEWALK ENHANCEMENTS ON PACIFIC COAST HIGHWAY**

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

ADOPTION OF A RESOLUTION OF THE CITY COUNCIL AUTHORIZING APPLICATION FOR FUNDS FOR THE TRANSPORTATION ENHANCEMENT ACTIVITY (TEA) PROGRAM UNDER THE 1998 TRANSPORTATION EQUITY ACT FOR THE 21<sup>ST</sup> CENTURY FOR MEDIAN AND SIDEWALK ENHANCEMENTS ON PACIFIC COAST HIGHWAY AND (2) AUTHORIZE THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO SECURE AND ADMINISTER FUNDING

**9. ADOPTION OF A RESOLUTION APPROVING A NOTICE OF COMPLETION FOR THE CONSTRUCTION OF THE TRAFFIC SIGNAL IMPROVEMENTS AT VARIOUS INTERSECTIONS PROJECT, AS PART OF THE ANNUAL TRAFFIC SAFETY IMPROVEMENT PROGRAM**

RECOMMENDED ACTION: That the City Council (1) adopt a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AUTHORIZING APPROVING A NOTICE OF COMPLETION FOR THE CONSTRUCTION OF THE TRAFFIC SIGNAL IMPROVEMENTS AT VARIOUS INTERSECTIONS PROJECT, AS PART OF THE ANNUAL TRAFFIC SAFETY IMPROVEMENT PROGRAM;

and (2) direct staff to transfer project savings to the Capital Improvement Program Reserve Fund.

**10. FEDERAL GOVERNMENT REPRESENTATION AND CONSULTING SERVICES**

RECOMMENDED ACTION: That the City Council authorize the City Manager to annually renew Professional Services Agreements for Federal government representation and previously consulting services with Van Scoyoc Associates and Pearson & Pipkin, Inc., which have been budgeted by City Council.

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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**

### **11. CITY COUNCIL POLICY NUMBER 219 – MEDIA RELATIONS**

RECOMMENDED ACTION: That the City Council review the recommendation of the City Council Policy Review Task Force to adopt "new" Council Policy No. 219; provide input and additional revisions as deemed appropriate; and take formal action to approve the policy.

## **NEW BUSINESS**

There is no New Business.

## **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.

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## ADJOURNMENT

The next Regular Meeting of the City Council will be February 22, 2006 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, February 3, 2006, at 5:00 p.m.

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ELIZABETH EHRLING, 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.