

# CITY OF DANA POINT

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## **CITY COUNCIL REGULAR MEETING**



**TUESDAY  
AUGUST 19, 2008  
5:00 P.M.**

## **AGENDA**

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

Next City Council Ordinance No. 08-10

### **CALL TO ORDER**

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

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

### **CLOSED SESSION**

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, pursuant to Government Code § 54956.9 (b)(1) & (b)(3)(A) (3 cases)
- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, pursuant to Government Code § 54956.9 (b)(1) & (b)(3)(C) (1 case: Scenic Drive)

**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 King's Club Barbershop  
Metropolitan Water District of Orange County – Water Hero Presentation

## **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 on the agenda.

### **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, JULY 15, 2008](#)**

RECOMMENDED ACTION: That the City Council approve the minutes.

### **3. [PLANNING COMMISSION MEETING MINUTES, JUNE 24, 2008](#)**

RECOMMENDED ACTION: That the City Council receive and file.

### **4. [PLANNING COMMISSION MEETING MINUTES, JULY 8, 2008](#)**

RECOMMENDED ACTION: That the City Council receive and file.

### **5. [PLANNING COMMISSION MEETING MINUTES, JULY 22, 2008](#)**

RECOMMENDED ACTION: That the City Council receive and file.

### **6. [PLANNING COMMISSION ACTIONS, MEETING OF AUGUST 12, 2008](#)**

RECOMMENDED ACTION: That the City Council receive and file.

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

RECOMMENDED ACTION: That the City Council receive and file.

### **8. [CITY TREASURER'S REPORT, JUNE 2008](#)**

RECOMMENDED ACTION: That the City Council receive and file the City Treasurer's Report for the month of June 2008

9. **CLAIMS AND DEMANDS**

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

10. **DANA POINT YOUTH BOARD APPOINTMENTS**

RECOMMENDED ACTION: That the City Council appoint eleven (11) Board Members and seven (7) Members At-Large to the Dana Point Youth Board.

11. **DEPOSIT OF COMMUNITY FACILITIES DISTRICT BOND PROCEEDS IN THE LOCAL AGENCY INVESTMENT FUND**

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AUTHORIZING THE DEPOSIT OF BOND PROCEEDS IN THE LOCAL AGENCY INVESTMENT FUND.

12. **LANTERN BAY PARK IMPROVEMENTS**

RECOMMENDED ACTION: That the City Council 1) authorize staff to negotiate a change order with Valley Crest Landscape, Inc., the contractor building Sea Terrace Park for the rehabilitation of minor landscape and miscellaneous improvements at Lantern Bay Park; and 2) authorize budgeted expenditures for this work at Lantern Bay Park, as noted in the fiscal Impact section.

13. **TOURISM BUSINESS IMPROVEMENT DISTRICT**

RECOMMENDED ACTION: That the City Council 1) authorize staff to continue to work with Dana Point hotels on formation of a Tourism Business Improvement District to promote Dana Point as an overnight destination; and 2) consider whether a Dana Point Tourism Business Improvement District should include all Dana Point hotel properties or only the four largest hotel properties.

14. **COOPERATIVE AGREEMENT WITH THE ORANGE COUNTY TRANSPORTATION AUTHORITY IN CONJUNCTION WITH THE RAIL HIGHWAY CROSSING ENHANCEMENT PROGRAM FOR BEACH ROAD**

RECOMMENDED ACTION: That the City Council 1) approve the draft cooperative agreement with the Orange County Transportation Authority (OCTA) included herein as Action Document 'A'; and 2) authorize the City Attorney/City Manager to be able to accept minor changes once the OCTA Board of Directors approves the final version of the document.

**15. ADOPTION OF A RESOLUTION APPROVING FINAL PARCEL MAP NO. 2006-260**

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 2006-260 TO ALLOW THE CONVERSION OF AN EXISTING DUPLEX APARTMENT ON VIA CATALINA TO CONDOMINIUMS AND THE CORRESPONDING REQUEST TO SUBDIVIDE THE AIRSPACE FOR CONDOMINIUM PURPOSES.

**16. AUTHORIZATION TO PURCHASE FURNITURE USING THE EXISTING COMPETITIVELY BID CONTRACT BETWEEN THE COUNTY OF ORANGE AND CORPORATE EXPRESS**

RECOMMENDED ACTION: That the City Council 1) approve staff's request to piggyback on the County of Orange's competitive bid process for the purchase of furniture for the "Community Development Renovation Project"; and 2) authorize staff to purchase the specified furniture using the contract pricing established in the competitively bid contract between the County of Orange and Corporate Express for Freestanding Furniture and Modular Systems.

**17. INFORMATION TECHNOLOGY MASTER PLAN REQUEST FOR PROPOSAL**

RECOMMENDED ACTION: That the City Council authorize the release of the City's Request for Proposal (RFP) to develop the City's Information Technology (IT) Master Plan.

## **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**

### **18. RE-APPROPRIATION OF CITIZENS OPTION FOR PUBLIC SAFETY (COPS) PROGRAM FUNDS FROM FY 2007/2008 – (AB 1913)**

RECOMMENDED ACTION: That the City Council conduct a Public Hearing and 1) adjust the FY 2008/09 budget with the re-appropriation of un-encumbered funds from the Citizens Option for Public Safety (COPS) program unspent monies remaining from the FY 2007/08 budget, to the Supplemental Law Enforcement Service Fund (SLESF) account, and 2) appropriate funds from the SLESF to implement the following programs:

- Approve funding for the School Resource Officer position for this school year.
- Approve funding for Project STOP (Stop Trashing Our Parks).

## **UNFINISHED BUSINESS**

There is no Unfinished Business.

## **NEW BUSINESS**

There is no New Business.

## **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 September 16, 2008, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, 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 and the Dana Point Library by Friday, August 15, 2008, 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.