

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**TUESDAY
JULY 1, 2014
5:00 P.M.**

AGENDA

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

Next City Council Ordinance No. 14-04

CALL TO ORDER

ROLL CALL OF CITY COUNCIL MEMBERS:

Lisa A. Bartlett, Mayor
Steven H. Weinberg, Mayor Pro Tem
William P. Brough, Council Member
Carlos N. Olvera, Council Member
J. Scott Schoeffel, Council Member

CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Government Code § 54956.9 (a), (1 case)

Name of Case: Superior Court Case No. 30-2010-00352093; The People of State of California ex rel. The City of Dana Point v. The Point Alternative Care, Inc., et al.

- B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION, Government Code § 54957

Title: City Manager

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

RECONVENE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENTATIONS AND PROCLAMATION

Business of the Month – Doheny Village Car Wash
Employee of the Month – Kurth Nelson

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.

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 17, 2014

RECOMMENDED ACTION: That the City Council approve the minutes.

3. PLANNING COMMISSION MEETING MINUTES, JUNE 9, 2014

RECOMMENDED ACTION: That the City Council receive and file.

4. PLANNING COMMISSION ACTIONS, MEETING OF JUNE 23, 2014

RECOMMENDED ACTION: That the City Council receive and file.

5. TRAFFIC IMPROVEMENT SUBCOMMITTEE MINUTES, APRIL 16, 2014

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. CLAIMS AND DEMANDS

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

8. SECOND READING AND ADOPTION OF AN ORDINANCE MODIFICATION FOR THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA AMENDING SECTION 13.04.050 (CARE OF THE NATURAL RESOURCES), PARKS AND RECREATIONAL FACILITIES REGULATIONS, OF THE MUNICIPAL CODE IN THE HEADLANDS NATURAL OPEN-SPACE ENVIRONMENTALLY SENSITIVE HABITAT PARK AREAS

RECOMMENDED ACTION: That the City Council hold a second reading and adoption of an Ordinance entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING SECTION 13.04.050 (CARE OF NATURAL RESOURCES), PARKS AND RECREATIONAL FACILITIES REGULATIONS, OF THE MUNICIPAL CODE IN THE HEADLANDS NATURAL OPEN-SPACE ENVIRONMENTALLY SENSITIVE HABITAT PARK AREAS.

9. [APPROVAL OF CONTRACT AMENDMENT FOR ADDITIONAL AS-NEEDED CAPITAL IMPROVEMENT PROGRAM DESIGN SERVICES WITH ATKINS NORTH AMERICA, INC.](#)

RECOMMENDED ACTION: That the City Council 1) approve a contract amendment with Atkins North America, Incorporated for additional as-needed Public Works design services, and 2) authorize the City Manager or his Designee to execute the contract amendments.

10. [STREAMLINING FUTURE BUILDING PERMITS](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, REDEFINING THE COMBINED BUILDING PERMIT TERM AND DEFINITION TO STREAMLINE THE BUILDING PERMIT PROCESS.

11. [INSTALLATION OF THREE BOCCE BALL COURTS AT LANTERN BAY PARK](#)

RECOMMENDED ACTION: That the City Council 1) approve the project; 2) transfer requested funds from the Park Development Fund (account 21-905) and into CIP Fund 1; and 3) award the contract to Athletic Field Specialists.

12. [AMENDMENT OF CONSULTANT SERVICES AGREEMENT WITH LSA ASSOCIATES, INC. FOR ENVIRONMENTAL SERVICES RELATED TO A PROPOSED PROJECT LOCATED AT 34202 DEL OBISPO STREET](#)

RECOMMENDED ACTION: That the City Council approve an amendment to the Agreement for Consultant Services by and between the City of Dana Point and LSA Associates, Inc. (LSA), and authorize the City Manager to execute the Second Amendment.

At this time, the City Clerk will read the title(s) of the ordinance(s) listed on the agenda.

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

13. [2014 WEED ABATEMENT PROGRAM](#)

RECOMMENDED ACTION: That the City Council conduct a Public Hearing on the Weed Abatement Cost Report and, thereafter, adopt a Resolution confirming the Cost Report and providing for the collection on the regular tax bill entitled:

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

UNFINISHED BUSINESS

There are no Unfinished Business items.

NEW BUSINESS

14. [KEEPING OF CHICKENS IN RESIDENTIAL AREAS](#)

RECOMMENDED ACTION: That the City Council receive, discuss and provide direction to staff.

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 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 September 16, 2014, 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 Thursday, June 26, 2014, at 5:00 p.m.

KATHY M. WARD, CITY CLERK

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.