

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**TUESDAY
OCTOBER 16, 2007
5:00 P.M.**

AGENDA

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

Next City Council Ordinance No. 07-09

CALL TO ORDER

ROLL CALL OF CITY COUNCIL MEMBERS:

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

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

RECONVENE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENTATIONS AND PROCLAMATIONS

Presentation of the Helen Putnam Award for the Ozone Treatment Plant – Ben Wong, League of California Cities will be presenting.

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, OCTOBER 2, 2007

RECOMMENDED ACTION: That the City Council approve the minutes.

3. PLANNING COMMISSION MEETING MINUTES, SEPTEMBER 11, 2007

RECOMMENDED ACTION: That the City Council receive and file.

4. PLANNING COMMISSION MEETING MINUTES, SEPTEMBER 25, 2007

RECOMMENDED ACTION: That the City Council receive and file.

5. PLANNING COMMISSION ACTIONS, MEETING OF OCTOBER 9, 2007

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. CONSULTING AGREEMENT TO ASSIST IN DEVELOPING A STRATEGY FOR POTENTIALLY RELOCATING THE DANA POINT POST OFFICE DISTRIBUTION CENTER

RECOMMENDED ACTION: That the City Council 1) authorize the City Manager to execute the attached consulting agreement with Platinum Advisors, and 2) approve the appropriation from the General Fund's unappropriated fund balance.

9. 2007 SALARY RANGES FOR REPRESENTED AND NON-REPRESENTED EMPLOYEE CLASSIFICATIONS

RECOMMENDED ACTION: That the City Council:

1. Adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ESTABLISHING SALARY RANGES FOR REPRESENTED AND NON-REPRESENTED CLASSIFICATIONS; AND

2. Authorize 4.0% merit pool funding limit for both represented and non-represented employee groups.

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 counter in the Council Chamber foyer. 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

There are no Unfinished Business items.

NEW BUSINESS

10. NEED FOR WATER CONSERVATION, STORAGE AND RECLAIMED WATER SERVICE EXPANSION FOR IRRIGATION DUE TO DROUGHT AND DWINDLING IMPORTED WATER SUPPLIES

RECOMMENDED ACTION: That the City Council recognize and support prudent efforts by City staff and the South Coast Water District to help the City reduce water consumption, improve water storage capacity and develop alternative sources of water supply to help avoid water rationing.

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.

CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (c)

1 case: Transient Occupancy Tax – Class Action Lawsuit re: Online Bookings

- B. CONFERENCE WITH LABOR NEGOTIATOR, Government Code § 54957.6

Agency Designated Representatives: City Manager
Unrepresented and Represented Employees: All positions in City

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

Name of Case: Craig Daniel, Carol Daniel, Chris Neria and Stacy Neria v. the City of Dana Point, Superior Court of the State of California, County of Orange – Central District, Case No. #06CC10395

ADJOURNMENT

The next Regular Meeting of the City Council will be November 6, 2007, 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, October 12, 2007, at 5:00 p.m.

KATHY M. WARD, 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.