

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**TUESDAY
JUNE 19, 2007
5:00 P.M.**

AGENDA

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

Next City Council Ordinance No. 07-08

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

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

Capistrano Valley Community Foundation Presentation
R. H. Dana Elementary School Booster Club 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 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 5, 2007](#)

RECOMMENDED ACTION: That the City Council approve the minutes.

3. [PLANNING COMMISSION MEETING MINUTES, MAY 22, 2007](#)

RECOMMENDED ACTION: That the City Council receive and file.

4. [PLANNING COMMISSION ACTIONS, MEETING OF JUNE 12, 2007](#)

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. [APPROVE AMENDMENT NO. 11 TO CONTRACT AGREEMENT NO. C-8-0370 WITH ORANGE COUNTY TRANSIT AUTHORITY TO PROVIDE SENIOR TRANSPORTATION SERVICES TO THE DEL OBISPO COMMUNITY/SENIOR CENTER THROUGH JUNE 30, 2008](#)

RECOMMENDED ACTION: That the City Council approve Amendment No. 11 to the existing Agreement No. C-8-0370 with Orange County Transit Authority for senior transportation to the Del Obispo Community/Senior Center through June 30, 2008 and authorize the City Manager to execute the agreement.

8. **SECOND READING AND ADOPTION OF AB 2987 – THE STATE VIDEO FRANCHISE LAW ORDINANCE**

RECOMMENDED ACTION: That the City Council conduct second reading and adopt an ordinance entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, IMPLEMENTING AB 2987 WITHIN THE CITY REGARDING VIDEO FRANCHISE FEES, CUSTOMER SERVICE AND OTHER VIDEO-RELATED MATTERS

9. **2007-2008 LAW ENFORCEMENT SERVICES AGREEMENT**

RECOMMENDED ACTION: That the City Council approve the Law Enforcement Services Agreement with the County of Orange for law enforcement services for the 2007-2008 fiscal year and authorize the Mayor to execute the agreement.

10. **RENEWAL OF TRANSIENT OCCUPANCY TAX INSURANCE FY 07-08**

RECOMMENDED ACTION: That the City Council ratifies the renewal of the business interruption insurance including terrorism coverage obtained through Landmark American Insurance Company (Landmark) for protection of Transient Occupancy Tax revenues for the policy period of June 17, 2007 to June 17, 2008 at a premium of \$60,164.35.

11. **APPROVAL OF A CONTRACT AMENDMENT FOR ADDITIONAL DESIGN SERVICES FOR THE PACIFIC COAST HIGHWAY CONGESTION RELIEF PROJECT (CIP#1111)**

RECOMMENDED ACTION: That the City Council (1) approve a contract amendment with Psomas for additional design services for the Pacific Coast Highway widening project, providing additional authority not to exceed ten percent for contingencies, if needed; and (2) authorize the City Manager to execute the contract amendment and any work contingency.

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

12. [ADOPTION OF OPERATING AND CAPITAL IMPROVEMENT BUDGET FOR FISCAL YEARS 2007-2008 AND 2008-2009](#)

RECOMMENDED ACTION: That the City Council:

A. Adopt a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADOPTING AN OPERATING AND CAPITAL IMPROVEMENT BUDGET FOR THE CITY OF DANA POINT FOR FISCAL YEARS 2007-2008 AND 2008-2009; AND, ADOPTING THE SEVEN-YEAR CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FISCAL YEARS 2007-2008 THROUGH 2013-2014 AS REQUIRED BY OCTA/MEASURE M GROWTH MANAGEMENT PROGRAM; and

B. Authorize the Director of Public Works and Engineering Services to forward the Seven Year CIP document to the Orange County Transportation Authority (OCTA); and

C. Adopt a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADOPTING NEW CLASS SPECIFICATIONS AND SALARY RANGES FOR THE BUDGETED POSITIONS OF BUILDING INSPECTOR, CHIEF BUILDING INSPECTOR, COMMUNITY SERVICES & PARKS DIRECTOR, PARKS COORDINATOR, PRINCIPAL ENGINEER, SENIOR BUILDING INSPECTOR, SENIOR CONSTRUCTION INSPECTOR, SENIOR PERMIT TECHNICIAN, AND SENIOR STRUCTURAL ENGINEER.

NEW BUSINESS

There is no New Business items.

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 July 3, 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, June 15, 2007, 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.