

# CITY OF DANA POINT

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**CITY COUNCIL  
REGULAR  
MEETING**



**TUESDAY  
MARCH 4, 2008  
5:00 P.M.**

## **AGENDA**

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

Next City Council Ordinance No. 08-04

### **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. 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 PROCLAMATIONS**

Business of the Month – Purple Feet  
Presentation from Mothers Against Drunk Drivers (MADD)  
Presentation to Aileen Hawkins

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## 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, FEBRUARY 19, 2008](#)**

RECOMMENDED ACTION: That the City Council approve the minutes.

**3. [PLANNING COMMISSION MEETING MINUTES, FEBRUARY 12, 2008](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**4. [PLANNING COMMISSION ACTIONS, MEETING OF FEBRUARY 26, 2008](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**5. [YOUTH BOARD MEETING MINUTES, FEBRUARY 7, 2008](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**6. [TRAFFIC IMPROVEMENT COMMISSION MINUTES, JANUARY 16, 2008](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**7. [INVESTMENT REVIEW COMMITTEE MINUTES, NOVEMBER 30, 2007](#)**

RECOMMENDED ACTION: That the City Council receive and file.

**8. [INVESTMENT REVIEW COMMITTEE DRAFT MINUTES, FEBRUARY 21, 2008](#)**

RECOMMENDED ACTION: That the City Council receive and file.

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

RECOMMENDED ACTION: That the City Council receive and file.

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10. **CITY TREASURER'S REPORT, JANUARY 2008**

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

11. **CLAIMS AND DEMANDS**

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

12. **ADOPTION OF A RESOLUTION APPROVING A NOTICE OF COMPLETION FOR THE CONSTRUCTION OF THE SUNSET PARK PLAYGROUND PROJECT AS PART OF THE GENERAL PARK REHABILITATION 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, APPROVING A NOTICE OF COMPLETION FOR THE CONSTRUCTION OF THE SUNSET PARK PLAYGROUND PROJECT AS PART OF THE GENERAL PARK REHABILITATION PROGRAM.

And (2) direct staff to transfer all project savings to the Lantern Bay Park Deferred Maintenance Program (CIP #1208).

13. **SURVEY FOR UTILITIES UNDERGROUND ASSESSMENT DISTRICT USAGE**

RECOMMENDED ACTION: That the City Council approve conducting a survey of property owners to assess the demand for establishment of Utilities Underground Assessment Districts.

14. **TRI-CITY TROLLEY APPLICATION FOR FUNDING TO ORANGE COUNTY TRANSPORTATION AUTHORITY**

RECOMMENDED ACTION: That the City Council adopt a resolution supporting the Tri-City Trolley Funding Application to Orange County Transportation Authority (OCTA) for the cities of Dana Point, San Clemente and San Juan Capistrano entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA IN SUPPORT OF THE APPLICATION TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR IMPLEMENTATION FUNDING OF THE TRI-CITY TROLLEY PROGRAM FOR THE CITIES OF DANA POINT, SAN CLEMENTE, AND SAN JUAN CAPISTRANO.

15. **UPDATE - STORAGE OF VEHICLES ON PUBLIC STREETS**

RECOMMENDED ACTION: That the City Council receive and file this status report on the recent issue concerning the storage of vehicles on public streets.

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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**

### **16. [ZONING CODE UPDATE PROGRAM - ZONE TEXT AMENDMENT ZTA08-0001](#)**

RECOMMENDED ACTION: That the City Council conduct a Public Hearing and introduce a first reading of an Ordinance entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING ZONE TEXT AMENDMENT ZTA08-0001, REVISING THE CITY OF DANA POINT ZONING ORDINANCE TO CORRECT INCONSISTENCIES, SIMPLIFY THE REVIEW PROCESS, AND LIMIT EXTENSIONS OF DISCRETIONARY PERMITS.

## **UNFINISHED BUSINESS**

There are no Unfinished Business items.

## **NEW BUSINESS**

### **17. [PROPOSED ANNEXATION OF LOWER ROSAN RANCH PROPERTY TO THE CITY OF SAN JUAN CAPISTRANO](#)**

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT TO ENDORSE IN CONCEPT THE CITY OF SAN JUAN CAPISTRANO'S PROPOSAL TO ANNEX A .99 ACRE PROPERTY FROM THE CITY OF DANA POINT TO THE CITY OF SAN JUAN CAPISTRANO WITH A RESULTING CHANGE IN THE BOUNDARY OF THE CITY

## **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 March 18, 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, February 29, 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.