

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**TUESDAY
FEBRUARY 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. 08-03

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

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

Business of the Month – Blue Lantern Inn
Introduction of OCFA Station 29 Search and Rescue Dog
Presentation by Dana Point Historical Society
Presentation In Support of the Orange County Public Library “The Big Read”

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 5, 2008](#)

RECOMMENDED ACTION: That the City Council approve the minutes.

3. [PLANNING COMMISSION MEETING MINUTES, JANUARY 22, 2008](#)

RECOMMENDED ACTION: That the City Council receive and file.

4. [PLANNING COMMISSION ACTIONS, MEETING OF FEBRUARY 12, 2008](#)

RECOMMENDED ACTION: That the City Council receive and file.

5. [YOUTH BOARD MEETING MINUTES, JANUARY 17, 2008](#)

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 OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA ADDING CHAPTER 14.20 AND SECTION 14.20.010 TO THE MUNICIPAL CODE REGARDING AUTHORIZATION TO APPROVE CITY PROJECT PLANS, STREET SIGNING AND STRIPING PLANS INCLUDING PAVEMENT MARKINGS, TRAFFIC WORK ORDER REQUESTS, TRAFFIC CONTROL PLANS, AND OTHER IMPROVEMENT PLANS.](#)

RECOMMENDED ACTION: That the City Council hold second reading and adopt an Ordinance entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADDING CHAPTER 14.20 AND SECTION 14.20.010 TO TITLE 14 (STREETS AND SIDEWALKS) OF THE DANA POINT MUNICIPAL CODE CONCERNING AUTHORIZATION TO APPROVE CITY PROJECT PLANS, STREET SIGNING AND STRIPING PLANS INCLUDING PAVEMENT MARKINGS, TRAFFIC WORK ORDER REQUESTS, TRAFFIC CONTROL PLANS, AND OTHER IMPROVEMENT PLANS.

9. **AWARD OF CONTRACT TO C.S. LEGACY CONSTRUCTION, INC. FOR THE CONSTRUCTION OF THE PACIFIC COAST HIGHWAY ROADWAY IMPROVEMENTS PROJECT**

RECOMMENDED ACTION: That the City Council 1) approve the contract documents entitled "Pacific Coast Highway Roadway Improvements Project"; 2) award a contract to C.S. Legacy Construction, Inc. for construction of the Pacific Coast Highway Roadway Improvements Project, provided that the City Manager or his designee signs and administers subject contract and may approve additional payment not-to-exceed fifteen percent of this amount for change orders and contingencies; and 3) authorize expenditures for construction management services, soils and material testing, and construction design support for the project as noted in the Fiscal Impact Section.

10. **DANA POINT GRAND PRIX BIKE RACE AND OTHER SPECIAL EVENTS**

RECOMMENDED ACTION: That the City Council authorize the use of Del Prado for the Dana Point Grand Prix Bike Race course and receive and file this report.

11. **AGREEMENT WITH THE COUNTY OF ORANGE TO EXTEND THE LIBRARY OPERATING HOURS AT THE DANA POINT LIBRARY TO INCLUDE SUNDAYS**

RECOMMENDED ACTION: That the City Council 1) approve an agreement with the County of Orange and the Orange County Public Library to extend the operating hours of the Dana Point Library to include Sundays from 11:00 a.m. to 5:00 p.m. and 2) authorize the City Manager to execute the agreement.

12. **APPROVAL TO HIRE A CONSULTANT TO DEVELOP CONCEPTUAL DRAWINGS AND PREPARE COST ESTIMATES TO CREATE A MEMORIAL WALKWAY AT PINES PARK**

RECOMMENDED ACTION: That the City Council 1) approve hiring a consultant to develop conceptual drawings and prepare cost estimates to create a Memorial Walkway at Pines Park; and 2) authorize the City Manager to enter into a contractual agreement with RJM design Group.

13. **PROPOSITION 1B TRANSPORTATION GRANT FUNDING, PROJECT IDENTIFICATION**

RECOMMENDED ACTION: That the City Council 1) adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, TO APPROVE A LIST OF PROJECTS AND ACCEPT PROPOSITION 1B FUNDING FROM THE STATE OF CALIFORNIA DEPARTMENT OF FINANCE TO BE USED ON ELIGIBLE TRANSPORTATION PROJECTS WITHIN THE CITY OF DANA POINT.

and 2) direct staff to seek grant funds under the program.

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

14. [AWARD OF CONTRACT TO PALP, INC., DBA EXCEL PAVING COMPANY FOR THE CONSTRUCTION OF THE PACIFIC COAST HIGHWAY CONGESTION RELIEF PROJECT](#)

RECOMMENDED ACTION: That the City Council 1) approve the contract documents entitled "Pacific Coast Congestion Relief Project"; 2) approve the Fourth Amendment to the Agreement with Psomas for additional design services required to finalize the contract documents, and authorize the City Manager to execute the Amendment; 3) award a contract to Palp, Inc., DBA Excel Paving Company for construction of the Pacific Coast Highway Congestion Relief Project, provided that the City Manager or his designee signs and administers subject contract and may approve additional payment not-to-exceed nine percent of this amount for change orders and contingencies; and 3) authorize expenditures for construction management services, soils and material testing, and construction design support for the project as noted in the Fiscal Impact Section; and 5) authorize listed funding transfers to Capital Improvement Program Project #1111 as noted in the Fiscal Impact Section.

NEW BUSINESS

There are 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 March 4, 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 15, 2008, 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.