

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**TUESDAY
JANUARY 15, 2008
5:00 P.M.**

AGENDA

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

Next City Council Ordinance No. 08-01

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 Year – Revo Bicycles and Espresso
Introduction of Nichole Chambers, Dana Point Chamber of Commerce
Recognition of January as Blood Donor Month
Relay for Life 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 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, DECEMBER 4, 2007](#)

RECOMMENDED ACTION: That the City Council approve the minutes.

3. [PLANNING COMMISSION MEETING MINUTES, NOVEMBER 27, 2007](#)

RECOMMENDED ACTION: That the City Council receive and file.

4. [PLANNING COMMISSION ACTIONS, MEETING OF JANUARY 8, 2008](#)

RECOMMENDED ACTION: That the City Council receive and file.

5. [YOUTH BOARD MEETING MINUTES, NOVEMBER 15, 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. [CITY TREASURER'S REPORT, NOVEMBER 2007](#)

RECOMMENDED ACTION: That the City Council receive and file the City Treasurer's Report for the month of November 2007

8. CLAIMS AND DEMANDS

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

9. [RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT TO ACCEPT FUNDING FROM THE COUNTY OF ORANGE INTEGRATED WASTE MANAGEMENT DEPARTMENT AND THE NEWLY CREATED REGIONAL RECYCLING AND WASTE DIVERSION GRANT PROGRAM](#)

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

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT TO ACCEPT FUNDING FROM THE COUNTY OF ORANGE INTEGRATED WASTE MANAGEMENT DEPARTMENT AND THE NEWLY CREATED REGIONAL RECYCLING AND WASTE DIVERSION GRANT PROGRAM.

10. [HISTORIC PRESERVATION AGREEMENT \(MILLS ACT\) FOR THE PROPERTY LOCATED AT 33905 EL ENCANTO](#)

RECOMMENDED ACTION: That the City Council authorize the Mayor to sign a Historic Property Preservation Agreement which would allow the property owner, Tomas A. Prietto, of the historic structure located at 33905 El Encanto, to participate in the State's Mills Act Program.

11. [HISTORIC PRESERVATION AGREEMENT \(MILLS ACT\) FOR THE PROPERTY LOCATED AT 33912 EL ENCANTO](#)

RECOMMENDED ACTION: That the City Council authorize the Mayor to sign a Historic Property Preservation Agreement which would allow the property owners, Jean Guluk and Philip Reichelsdorf, of the historic structure located at 33912 El Encanto, to participate in the State's Mills Act Program.

12. [HISTORIC PRESERVATION AGREEMENT \(MILLS ACT\) FOR THE PROPERTY LOCATED AT 24231 LA CRESTA DRIVE](#)

RECOMMENDED ACTION: That the City Council authorize the Mayor to sign a Historic Property Preservation Agreement which would allow the property owners, Mark Kofford and Jeannine Wills-Kofford, of the historic structure located at 24231 La Cresta Drive, to participate in the State's Mills Act Program.

13. [HISTORIC PRESERVATION AGREEMENT \(MILLS ACT\) FOR THE PROPERTY LOCATED AT 33959 CHULA VISTA](#)

RECOMMENDED ACTION: That the City Council authorize the Mayor to sign a Historic Property Preservation Agreement which would allow the property owners, Keith and Barbara Johannes, of the historic structure located at 33959 Chula Vista, to participate in the State's Mills Act Program.

14. [FY07 COMPREHENSIVE ANNUAL FINANCIAL REPORT](#)

RECOMMENDED ACTION: That the City Council receive and file the FY07 Comprehensive Annual Financial Report.

15. [RENEWAL OF ORANGE COUNTY FIRE AUTHORITY JOINT POWERS AUTHORITY AGREEMENT](#)

RECOMMENDED ACTION: That the City Council approve the First Amendment to the amended Joint Powers Authority Agreement – Orange County Fire Authority.

16. [AWARD OF CONTRACT TO VALLEY CREST LANDSCAPE DEVELOPMENT, INCORPORATED FOR THE CONSTRUCTION OF THE SEA TERRACE PARK PROJECT AS PART OF THE GENERAL PARK REHABILITATION PROGRAM](#)

RECOMMENDED ACTION: That the City Council (1) approve the contract documents entitled “Sea Terrace Park Project as part of the General Park Rehabilitation Program”; (2) award a contract to Valley Crest Landscape, Incorporated for construction of the Sea Terrace Park Project as part of the General Park Rehabilitation Program including Bid Schedules A, B-1, C-1 and D-1, 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.

17. [COASTAL RESOURCE MANAGEMENT AND PROTECTION FOR THE DANA POINT AND NIGUEL STATE MARINE CONSERVATION AREAS](#)

RECOMMENDED ACTION: That the City Council 1) authorize the City Manager to direct staff to participate in coastal resource management efforts within the Niguel and Dana Point State Marine Conservation Areas; 2) adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ELIMINATING THE POSITION TITLE OF PARKS COORDINATOR AND AUTHORIZING AND APPROVING THE POSITION TITLE, SALARY RANGE, AND CLASS SPECIFICATION FOR NATURAL RESOURCE PROTECTION OFFICER;

and 3) designate the Natural Resource Protection Officer as the City’s representative in collaborative management efforts with the State of California Department of Fish and Game for the Dana Point and Niguel State Marine Conservation Areas.

18. [COUNTY OF ORANGE CITY AID PROGRAM AGREEMENT FY08/09](#)

RECOMMENDED ACTION: That the City Council authorize the Mayor to execute three (3) original agreements as required for participation in the County’s Proposition 42 City Aid Program (CAP).

19. [CITY COUNCIL APPOINTED REPRESENTATIVES AND CITY COMMISSIONS, COMMITTEES, SUBCOMMITTEES AND TASK FORCES](#)

RECOMMENDED ACTION: That the City Council approve the Mayor's recommended changes to the Council Committee's list for outside agencies and the City's internal Committee, Subcommittees and Task Forces List.

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

There are no Unfinished Business items.

NEW BUSINESS

20. [PRESENTATION BY TRANSPORTATION CORRIDOR AGENCY](#)

21. [REORGANIZATION – CITY CLERK'S OFFICE](#)

RECOMMENDED ACTION: That the City Council discuss the organizational structure for the City Clerk position and direct staff to take action as deemed appropriate.

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 February 5, 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, January 11, 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.