

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**TUESDAY
JULY 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. 08-09

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

OCTA's Presentation of the South Orange County Major Investment Study (SOCMIS)
Business of the Month – Jack Randall Photography and Video

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, JUNE 17, 2008

RECOMMENDED ACTION: That the City Council approve the minutes.

3. PLANNING COMMISSION MEETING MINUTES, JUNE 10, 2008

RECOMMENDED ACTION: That the City Council receive and file.

4. PLANNING COMMISSION ACTIONS, MEETING OF JULY 8, 2008

RECOMMENDED ACTION: That the City Council receive and file.

5. YOUTH BOARD MEETING MINUTES, JUNE 5, 2008

RECOMMENDED ACTION: That the City Council receive and file.

6. OCEAN WATER QUALITY MINUTES, MAY 13, 2008

RECOMMENDED ACTION: That the City Council receive and file.

7. CHARITABLE GRANT SUBCOMMITTEE DRAFT MINUTES, JUNE 10, 2008

RECOMMENDED ACTION: That the City Council receive and file.

8. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR

RECOMMENDED ACTION: That the City Council receive and file.

9. CITY TREASURER'S REPORT, MAY 2008

RECOMMENDED ACTION: That the City Council receive and file the City Treasurer's Report for the month of May 2008.

10. CLAIMS AND DEMANDS

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

11. **AWARD OF CONTRACT TO MJ CONTRACTORS, INC. FOR THE CONSTRUCTION OF THE COMMUNITY DEVELOPMENT RENOVATION PROJECT**

RECOMMENDED ACTION: That the City Council 1) approve the contract documents entitled "Community Development Renovation Project"; 2) award a contract to MJ Contractors, Inc. for construction of the Community Development Renovation Project; 3) authorize expenditures for construction management services, furniture and interior fixtures for the project as noted in the fiscal impact section; and 4) authorize the City Manager or his designee to sign and administer subject contract and associated expenditures and approve additional payment not-to-exceed fifteen percent of the contract award amount for changes orders and contingencies.

12. **STATUS REPORT ON PCH WIDENING PROJECT INCLUDING PEDESTRIAN ACCESSWAY TILE DESIGN**

RECOMMENDED ACTION: That the City Council receive and file this report.

13. **CITY COUNCIL POLICY 116 – CHARITABLE GRANT REQUESTS**

RECOMMENDED ACTION: That the City Council approve a revision to City Council Policy 116 – Charitable Grant Requests.

14. **NOTICE OF INTENT TO VACATE AN EASEMENT FOR PUBLIC ROADWAY PURPOSES OF AN ALLEY GENERALLY LOCATED WEST OF DOHENY PARK ROAD BETWEEN VICTORIA BOULEVARD AND DOMINGO AVENUE**

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, DECLARING ITS INTENT TO VACATE AN EASEMENT FOR PUBLIC ROADWAY PURPOSES OF AN ALLEY GENERALLY LOCATED WEST OF DOHENY PARK ROAD BETWEEN VICTORIA BOULEVARD AND DOMINGO AVENUE.

15. **ADOPTION OF RESOLUTION APPROVING FINAL TRACT MAP NO. 16730, AND THE ACCOMPANYING SUBDIVISION IMPROVEMENT AGREEMENT**

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING FINAL TRACT MAP NO. 16730, AND THE ACCOMPANYING SUBDIVISION IMPROVEMENT AGREEMENT.

16. **APPROPRIATION OF AB2766 FUNDS FOR POLICE BICYCLES**

RECOMMENDED ACTION: That the City Council approve an appropriation from the AB2877 Fund to fund the purchase of two new bicycles for the Bicycles Patrol/Community Policing Unit.

17. APPROVAL OF TREE TRIMMING CONTRACT WITH WEST COAST ARBORISTS

RECOMMENDED ACTION: That the City Council 1) approve staff's request to piggyback on the City of San Fernando's competitive bid process for tree maintenance services, 2) award a four year contract to West Coast Arborists in an amount not-to-exceed the Council approved budget for tree maintenance, and 3) authorize the City Manager to execute the agreement.

18. SECOND READING AND ADOPTION OF ZONING CODE UPDATE PROGRAM - ZONE TEXT AMENDMENT ZTA08-0004

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING ZONE TEXT AMENDMENT ZTA08-0004, REVISING THE CITY OF DANA POINT ZONING ORDINANCE TO CORRECT INCONSISTENCIES, AND PROVIDE CLARIFICATION TO EXISTING REGULATIONS GOVERNING "ALCOHOLIC BEVERAGE OUTLETS", AND CLARIFY REQUIRED LANDSCAPING STANDARDS FOR RESIDENTIAL DISTRICTS.

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

19. [2008 WEED ABATEMENT PROGRAM \(FF #0240-50/WEED ABATEMENT/CONTROL/WEED ABATEMENT PROGRAM/2008\)](#)

RECOMMENDED ACTION: That the City Council conduct a hearing on the Weed Abatement Cost Report and thereafter, adopt the following Resolution confirming the Cost Report and providing for the collection on the regular tax bill entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, CONFIRMING THE COST OF ABATEMENT AND PROVIDING FOR THE COLLECTION ON THE REGULAR TAX BILL.

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 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.

ADJOURNMENT

The next Regular Meeting of the City Council will be August 19, 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, July 11, 2008, 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.