
**CITY OF DANA POINT, CALIFORNIA
CITY COUNCIL REGULAR ACTION AGENDA
August 19, 2008**

CALL TO ORDER

The Regular Meeting of the City Council of the City of Dana Point, California, was called to order by Mayor Bishop at 5:00 p.m. in the Dana Point City Council Chamber, 33282 Golden Lantern, Suite 210, Dana Point.

ROLL CALL OF CITY COUNCIL MEMBERS:

Present: Mayor Joel Bishop
Mayor Pro Tem Lisa A. Bartlett
Council Member Lara Anderson
Council Member Diane L. Harkey
Council Member Steven Weinberg

Absent: None

STAFF PRESENT: Douglas C. Chotkevys, City Manager; Patrick Munoz, City Attorney; Kathy M. Ward, City Clerk; Michael Killebrew, Director of Administrative Services; Kyle Butterwick, Director of Community Development; Brad Fowler, Director of Public Works and Engineering; Matthew Sinacori, City Engineer; Lt. Mark Levy, Chief of Police Services; Christy Teague, Economic Development Manager; Lynn Kelly, Management Analyst; Mike Rose, Emergency Services Manager; Kevin Evans, Director of Community Services and Parks; John Tilton, City Architect; Jennifer Anderson, Management Analyst; Jackie Littler, Executive Secretary; DyAnne Weamire, Administrative Secretary; and Bobbi Ogan, Deputy City Clerk.

CLOSED SESSION

City Attorney Munoz indicated that there was a need for a Closed Session as follows:

- A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, pursuant to Government Code § 54956.9 (b)(1) & (b)(3)(A) (3 cases)
- B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, pursuant to Government Code § 54956.9 (b)(1) & (b)(3)(C) (1 case: Scenic Drive)

RECESS OF CITY COUNCIL MEETING UNTIL 6:00 P.M.

RECONVENE CITY COUNCIL MEETING

Mayor Bishop reconvened the meeting at 6:00 p.m. All Council Members were present.

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CLOSED SESSION ANNOUNCEMENT

City Attorney Munoz stated that there was no announcement.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Planning Commissioner Liz Anderson-Fitzgerald.

INVOCATION

The Invocation was provided by Chaplain Bucky Weeks of South Coast Medical Center.

PRESENTATIONS AND PROCLAMATIONS

1. Business of the Month - The King's Club Barber Shop
2. Municipal Water District of Orange County - Water Hero Presentation

CONSENT CALENDAR

Staff removed Item No. 13 and Mayor Pro Tem Bartlett recused herself from Consent Calendar Item No. 14 due to a potential conflict of interest.

APPROVED BALANCE OF CONSENT CALENDAR. Vote = 5-0.

1. **WAIVE THE READING OF ORDINANCES AND APPROVE READING BY TITLE ONLY**

APPROVED 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, JULY 15, 2008**

APPROVED THE MINUTES

3. **PLANNING COMMISSION MEETING MINUTES, JUNE 24, 2008**

RECEIVED AND FILED.

4. **PLANNING COMMISSION MEETING MINUTES, JULY 8, 2008**

RECEIVED AND FILED.

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5. PLANNING COMMISSION MEETING MINUTES, JULY 22, 2008

RECEIVED AND FILED.

6. PLANNING COMMISSION ACTIONS, MEETING OF AUGUST 12, 2008

RECEIVED AND FILED.

7. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR

RECEIVED AND FILED.

8. CITY TREASURER'S REPORT, JUNE 2008

RECEIVED AND FILED THE CITY'S TREASURER REPORT FOR THE MONTH OF JUNE, 2008.

9. CLAIMS AND DEMANDS

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

10. DANA POINT YOUTH BOARD APPOINTMENTS

APPOINTED ELEVEN (11) MEMBERS AND SEVEN (7) AT-LARGE TO THE DANA POINT YOUTH BOARD.

11. DEPOSIT OF COMMUNITY FACILITIES DISTRICT BOND PROCEEDS IN THE LOCAL AGENCY INVESTMENT FUND

ADOPTED RESOLUTION NO. **08-08-19-01** ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AUTHORIZING THE DEPOSIT OF BOND PROCEEDS IN THE LOCAL AGENCY INVESTMENT FUND.

12. LANTERN BAY PARK IMPROVEMENTS

AUTHORIZED STAFF TO NEGOTIATE A CHANGE ORDER WITH VALLEY CREST LANDSCAPE, INC., THE CONTRACTOR BUILDING SEA TERRACE PARK FOR THE REHABILITATION OF MINOR LANDSCAPE AND MISCELLANEOUS IMPROVEMENTS AT LANTERN BAY PARK AND AUTHORIZED BUDGETED EXPENDITURES FOR THIS WORK AT LANTERN BAY PARK AS NOTED.

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13. TOURISM BUSINESS IMPROVEMENT DISTRICT

Staff had pulled Item No. 13 from the Consent Calendar.

IT WAS MOVED BY COUNCIL MEMBER STEVEN WEINBERG, SECONDED BY COUNCIL MEMBER LARA ANDERSON, TO AUTHORIZE STAFF TO CONTINUE TO WORK WITH DANA POINT HOTELS ON FORMATION OF A TOURISM BUSINESS IMPROVEMENT DISTRICT TO PROMOTE DANA POINT AS AN OVERNIGHT DESTINATION.

The motion carried by the following vote:

AYES: Mayor Joel Bishop, Mayor Pro Tem Lisa A. Bartlett, Council Member Lara Anderson, Council Member Diane L. Harkey, and Council Member Steven Weinberg

NOES: None

14. COOPERATIVE AGREEMENT WITH THE ORANGE COUNTY TRANSPORTATION AUTHORITY IN CONJUNCTION WITH THE RAIL HIGHWAY CROSSING ENHANCEMENT PROGRAM FOR BEACH ROAD

Mayor Pro Tem Bartlett recused herself from this item due to a potential conflict of interest.

APPROVED THE DRAFT COOPERATIVE AGREEMENT WITH THE ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA) AND AUTHORIZED THE CITY ATTORNEY AND CITY MANAGER TO BE ABLE TO ACCEPT MINOR CHANGES ONCE THE OCTA BOARD OF DIRECTORS APPROVED THE FINAL VERSION OF THE DOCUMENT.

15. ADOPTION OF A RESOLUTION APPROVING FINAL PARCEL MAP NO. 2006-260

ADOPTED RESOLUTION NO. **08-08-19-02** ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 2006-260 TO ALLOW THE CONVERSION OF AN EXISTING DUPLEX APARTMENT ON VIA CATALINA TO CONDOMINIUMS AND THE CORRESPONDING REQUEST TO SUBDIVIDE THE AIRSPACE FOR CONDOMINIUM PURPOSES.

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16. AUTHORIZATION TO PURCHASE FURNITURE USING THE EXISTING COMPETITIVELY BID CONTRACT BETWEEN THE COUNTY OF ORANGE AND CORPORATE EXPRESS

APPROVED STAFF'S REQUEST TO PIGGYBACK ON THE COUNTY OF ORANGE'S COMPETITIVE BID PROCESS FOR THE PURCHASE OF FURNITURE FOR THE COMMUNITY DEVELOPMENT RENOVATION PROJECT AND AUTHORIZED STAFF TO PURCHASE THE SPECIFIED FURNITURE USING THE CONTRACT PRICING ESTABLISHED IN THE COMPETITIVELY BID CONTRACT BETWEEN THE COUNTY OF ORANGE AND CORPORATE EXPRESS FOR FREESTANDING FURNITURE AND MODULAR SYSTEMS.

17. INFORMATION TECHNOLOGY MASTER PLAN REQUEST FOR PROPOSAL

AUTHORIZED THE RELEASE OF THE CITY'S REQUEST FOR PROPOSAL (RFP) TO DEVELOP THE CITY'S INFORMATION TECHNOLOGY (IT) MASTER PLAN.

PUBLIC COMMENTS

Brad Gross
Robert Traphagen
Bob Becker
Dr. Jim Seitz
Joanna Adrian

PUBLIC HEARINGS

18. RE-APPROPRIATION OF CITIZENS OPTION FOR PUBLIC SAFETY (COPS) PROGRAM FUNDS FROM FY 2007/2008 - (AB 1913)

IT WAS MOVED BY COUNCIL MEMBER DIANE L. HARKEY, SECONDED BY MAYOR PRO TEM LISA A. BARTLETT, TO CONDUCT A PUBLIC HEARING AND ADJUST THE FY 2008/09 BUDGET WITH THE RE-APPROPRIATION OF UN-ENCUMBERED FUNDS FROM THE CITIZENS OPTION FOR PUBLIC SAFETY (COPS) PROGRAM UNSPENT MONIES REMAINING FROM THE FY 2007/09 BUDGET TO THE SUPPLEMENTAL LAW ENFORCEMENT SERVICE FUND (SLESF) ACCOUNT AND APPROPRIATE FUNDS FROM THE SLESF TO IMPLEMENT THE FOLLOWING PROGRAMS:

- APPROVE FUNDING FOR THE SCHOOL RESOURCE OFFICER POSITION FOR THIS SCHOOL YEAR.

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- APPROVE FUNDING FOR PROJECT STOP (STOP TRASHING OUR PARKS).

The motion carried by the following vote:

AYES: Mayor Joel Bishop, Mayor Pro Tem Lisa A. Bartlett, Council Member Lara Anderson, Council Member Diane L. Harkey, and Council Member Steven Weinberg

NOES: None

UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

There was no New Business.

PUBLIC COMMENTS

There were no additional Public Comments.

STAFF REPORTS

COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Bishop declared the meeting adjourned at 7:21 p.m. and announced that the next Regular Meeting of the City Council will be September 16, 2008 at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.