

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**MONDAY
FEBRUARY 23, 2009
5:00 P.M.**

AGENDA

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

Next City Council Ordinance No. 09-02

CALL TO ORDER

ROLL CALL OF CITY COUNCIL MEMBERS:

Lisa A. Bartlett, Mayor
Steven H. Weinberg, Mayor Pro Tem
Lara Anderson, Council Member
Joel Bishop, Council Member
Scott Schoeffel, 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

February Business of the Month – Dana Point Physical Therapy
Certificate of Recognition for Wayne Rayfield
Recognition of the 2008 Deputy of the Year – Deputy Steven J. Hoffman
MADD 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, FEBRUARY 9, 2009

RECOMMENDED ACTION: That the City Council approve the minutes.

3. YOUTH BOARD MEETING MINUTES, JANUARY 15, 2009

RECOMMENDED ACTION: That the City Council receive and file.

4. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR

RECOMMENDED ACTION: That the City Council receive and file.

5. CLAIMS AND DEMANDS

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

6. LANTERN BAY PARK LANDSCAPE IMPROVEMENTS

RECOMMENDED ACTION: That the City Council 1) authorize staff to negotiate a change order with Valley Crest Landscape, Inc. for the rehabilitation and improvement of landscaping at Lantern Bay Park; and 2) authorize budgeted expenditures for this work as noted in the Fiscal Impact section.

7. 2009 DANA POINT SUMMER CONCERT SERIES

RECOMMENDED ACTION: That the City Council approve the relocation of the Dana Point Summer Concert Series from Pines Park to Lantern Bay Park.

8. AWARD OF CONTRACT FOR THE 2009 4TH OF JULY AERIAL FIREWORKS DISPLAY AND BARGE CONTRACT

RECOMMENDED ACTION: That the City Council approve the following for the 2009 Fourth of July aerial fireworks display:

1. Contract with Pyro-Spectaculars, Inc. for the aerial display;
2. Contract with Pacific Tugboat Service to provide a tug and barge to be used as the staging area for the fireworks display; and
3. Authorize the City Manager to execute the agreements.

9. **SECOND READING AND ADOPTION OF A MUNICIPAL CODE AMENDMENT REVISING SECTION 2.06.075 RELATING TO VACANCIES OF CITY COMMISSION SEATS**

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, AMENDING SECTION 2.06.075 OF THE DANA POINT MUNICIPAL CODE RELATING TO VACANCIES CREATED ON CITY COMMISSIONS

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

10. **FIRST READING OF AN ORDINANCE ADDING A CHAPTER TO THE MUNICIPAL CODE REGULATING FALSE ALARMS**

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADDING CHAPTER 11.60 "ALARM SYSTEMS, FALSE ALARMS," TO THE DANA POINT MUNICIPAL CODE TO REGULATE SECURITY SYSTEM ALARMS AND AUTHORIZING THE CHARGING OF CERTAIN FEES FOR RESPONSE TO FALSE ALARMS.

UNFINISHED BUSINESS

There are no Unfinished Business items.

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 March 9, 2009, 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 Thursday, February 19, 2009, 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.