

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**MONDAY
JANUARY 10, 2011
5:00 P.M.**

AGENDA

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

Next City Council Ordinance No. 11-01

CALL TO ORDER

ROLL CALL OF CITY COUNCIL MEMBERS:

Scott Schoeffel, Mayor
Lara Anderson, Mayor Pro Tem
Lisa A. Bartlett, Council Member
William P. Brough, Council Member
Steven H. Weinberg, Council Member

CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (b1), (3 cases)
- B. CONFERENCE WITH LABOR NEGOTIATOR, Government Code § 54957.6

Agency Designated Representatives: City Manager
Unrepresented and Represented Employees: All positions in City

- C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Government Code § 54956.9 (a), Name of cases: City of Dana Point v. Holistic Health - 30-201000352106; City of Dana Point v. Beach Cities Collective – 30-201000352103; City of Dana Point v. The Point Alternative Care - 30-201000352093

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

RECONVENE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENTATIONS AND PROCLAMATIONS

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 13, 2010**

RECOMMENDED ACTION: That the City Council approve the minutes.

3. **PLANNING COMMISSION MEETING MINUTES, DECEMBER 6, 2010**

RECOMMENDED ACTION: That the City Council receive and file.

4. **PLANNING COMMISSION ACTIONS, MEETING OF DECEMBER 20, 2010**

RECOMMENDED ACTION: That the City Council receive and file.

5. **YOUTH BOARD MEETING MINUTES, DECEMBER 2, 2010**

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 2010**

RECOMMENDED ACTION: That the City Council receive and file the City Treasurer's Report for the month of November 2010.

8. **CLAIMS AND DEMANDS**

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

9. [INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA AMENDING CHAPTER 12.08.050 OF THE MUNICIPAL CODE TO ADDRESS PARKING OF COMMERCIAL AND RECREATIONAL VEHICLES ON PUBLIC STREETS IN THE CITY OF DANA POINT](#)

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA AMENDING CHAPTER 12.08.050 OF THE DANA POINT MUNICIPAL CODE TO ADDRESS PARKING OF COMMERCIAL AND RECREATIONAL VEHICLES ON PUBLIC STREETS.

10. [APPROVAL OF MEMORANDUM OF UNDERSTANDING \(MOU\) WITH THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR THE TRAFFIC LIGHT SYNCHRONIZATION PROGRAM \(TLSP\)](#)

RECOMMENDED ACTION: That the City Council 1) approve the Memorandum of Understanding (MOU) with the Orange County Transportation Authority (OCTA) and 2) authorize the City Manager to execute the MOU, and approve any subsequent amendments.

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

11. [ANNUAL REVIEW OF THE GENERAL GOVERNMENT FACILITIES AND TRANSPORTATION FACILITIES DEVELOPMENT IMPACT FEES](#)

RECOMMENDED ACTION: That the City Council conduct a Public Hearing and adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, REAFFIRMING THE APPLICATION OF THE GENERAL GOVERNMENT FACILITIES AND TRANSPORTATION FACILITIES DEVELOPMENT IMPACT FEE PROGRAM FOR ALL NEW DEVELOPMENT LOCATED WITHIN THE CITY OF DANA POINT FOR THE 2009-2010 FISCAL YEAR.

UNFINISHED BUSINESS

There are no Unfinished Business items.

NEW BUSINESS

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

RECOMMENDED ACTION: That the City Council:

- 1) Consider appointments of City Council representatives to outside agencies;
- 2) Consider appointments to City committees, subcommittees and task forces; and
- 3) Direct staff to take action as deemed appropriate.

13. [APPOINTMENTS TO PLANNING COMMISSION](#)

RECOMMENDED ACTION: That the City Council direct staff to proceed with the recruitment/appointment of Planning Commission members.

14. [ADOPTION OF A RESOLUTION ADDING TERMS OF SERVICE FOR THE TRAFFIC IMPROVEMENT SUBCOMMITTEE](#)

RECOMMENDED ACTION: That the City Council adopt a Resolution adding terms of service for the Traffic Improvement Subcommittee entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADDING TERMS OF SERVICE FOR THE TRAFFIC IMPROVEMENT SUBCOMMITTEE.

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 January 24, 2011, 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, January 6, 2011, 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.