

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**MONDAY
APRIL 25, 2011
5:00 P.M.**

AGENDA

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

Next City Council Ordinance No. 11-03

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 – 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; Holistic Health v. City of Dana Point – 30-2011 00445008; Beach Cities Collective v. City of Dana Point - 30-2011 00444134.

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

RECONVENE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENTATIONS AND PROCLAMATIONS

Donate Life Month
California Department of Transportation 2010 Excellence in Transportation Award

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.

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, APRIL 11, 2011](#)

RECOMMENDED ACTION: That the City Council approve the minutes.

3. [PLANNING COMMISSION MEETING MINUTES, APRIL 4, 2011](#)

RECOMMENDED ACTION: That the City Council receive and file.

4. [PLANNING COMMISSION ACTIONS, MEETING OF APRIL 18, 2011](#)

RECOMMENDED ACTION: That the City Council receive and file.

5. [MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR](#)

RECOMMENDED ACTION: That the City Council receive and file.

6. [CLAIMS AND DEMANDS](#)

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

7. [PARTICIPATION IN ORANGE COUNTY SMALL CITY URBAN COUNTY PROGRAM](#)

RECOMMENDED ACTION: That the City Council 1) adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, TO PARTICIPATE IN THE SMALL CITY URBAN COUNTY PROGRAM THROUGH THE COUNTY OF ORANGE; and

2) authorize the City Manager to sign the Cooperative Agreement.

8. [PROFESSIONAL SERVICES AGREEMENT FOR SUPPLEMENTAL DEVELOPMENT COUNTER SERVICES](#)

RECOMMENDED ACTION: That the City Council authorize the City Manager to continue the Professional Services Agreement with Melad and Associates.

9. [PROFESSIONAL SERVICES AGREEMENT – ECONOMIC DEVELOPMENT STAFF SUPPORT PROVIDED BY THE DANA POINT CHAMBER OF COMMERCE](#)

RECOMMENDED ACTION: That the City Council authorize the City Manager to execute a professional services agreement with the Dana Point Chamber of Commerce to provide staff support and services to the City in support of the development and implementation of enhanced economic development activities.

10. [APPROVAL OF CONTRACT TO HOST A KANSAS CITY BARBEQUE SOCIETY BARBEQUE CHAMPIONSHIP CONTEST](#)

RECOMMENDED ACTION: That the City Council authorize the City Manager to negotiate and execute a one year agreement with Arlie Bragg to coordinate promotion and execution of a Kansas City Barbeque Society sanctioned event in Sea Terrace Park on September 23rd and 24th, 2011.

At this time, the City Clerk will read the title(s) of the ordinance(s) listed on the agenda.

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 Hearing items.

UNFINISHED BUSINESS

There are no Unfinished Business items.

NEW BUSINESS

11. [AFTER-ACTION REPORT ON FEMA GRADED EXERCISE AT SAN ONOFRE NUCLEAR GENERATING STATION \(SONGS\)](#)

RECOMMENDED ACTION: That the City Council receive and file this report on the recent emergency response exercise relating to the San Onofre Nuclear Generating Station.

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 May 9, 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, April 21, 2011, 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. In addition, Agenda related materials (including materials, if any, provided to the City Council after the Agenda was posted) may be reviewed in the office of the City Clerk during regular business hours or on the 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.