

# CITY OF DANA POINT

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**CITY COUNCIL  
REGULAR  
MEETING**



**TUESDAY  
MAY 6, 2008  
5:00 P.M.**

## **ACTION AGENDA**

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

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Next City Council Ordinance No. 08-05

### **CALL TO ORDER**

**5:00 P.M.**

### **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**

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (b)(1) & (3)(A), (1 case)
- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (b)(1), (2 cases: Makar General Plan Amendment; Evans Brown Act Allegations)

**5:01 P.M. RECESS OF CITY COUNCIL MEETING UNTIL 6:00 P.M.**

**6:00 P.M. RECONVENE CITY COUNCIL MEETING**

### **CLOSED SESSION ANNOUNCEMENT**

City Attorney Muñoz stated that there was no announcement.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Lou Penrose, District Director for Congressman John Campbell's Office.

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## INVOCATION

The Invocation was provided by Father Steve Sallot of St. Edwards Catholic Church.

## PRESENTATIONS AND PROCLAMATIONS

Business of the Month – Royal Cleaners  
Certificates of Recognition for OCSD Medal of Valor Recipients  
Proclamation for OCFA Battalion Chief Steve Whitaker

## CONSENT CALENDAR

Staff removed Item No. 12 and Mayor Pro Tem Bartlett removed Item No. 9 from the Consent Calendar.

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, APRIL 15, 2008**

APPROVED THE MINUTES.

**3. PLANNING COMMISSION MEETING MINUTES, APRIL 8, 2008**

RECEIVED AND FILED.

**4. PLANNING COMMISSION ACTIONS, MEETING OF APRIL 22, 2008**

RECEIVED AND FILED.

**5. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR**

RECEIVED AND FILED.

**6. TRAFFIC IMPROVEMENT COMMISSION MINUTES, MARCH 19, 2008**

RECEIVED AND FILED.

**7. CITY TREASURER'S REPORT, MARCH 2008**

RECEIVED AND FILED THE CITY TREASURER'S REPORT FOR THE MONTH OF MARCH.

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**8. CLAIMS AND DEMANDS**

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

**9. EIGHTH AMENDMENT TO EMPLOYMENT AGREEMENT FOR CITY MANAGER DOUGLAS C. CHOTKEVYS**

Mayor Pro Tem Bartlett removed this item from the Consent Calendar.

APPROVED THE EIGHTH AMENDMENT TO THE EMPLOYMENT AGREEMENT FOR THE CITY MANAGER WITH AMENDMENTS AND AUTHORIZED THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY.

Vote = 5-0

**10. PROFESSIONAL SERVICES AGREEMENT FOR SUPPLEMENTAL STRUCTURAL PLAN REVIEW SERVICES**

AUTHORIZED THE CITY MANAGER TO CONTINUE THE PROFESSIONAL SERVICES AGREEMENT WITH WYNN ENGINEERING, INCORPORATED.

**11. ADOPTION OF RESOLUTION APPROVING FINAL TRACT MAP NO. 15924, THE REQUIRED LANDSCAPE AND MAINTENANCE AGREEMENT, AND THE ACCOMPANYING SUBDIVISION IMPROVEMENT AGREEMENT**

Adopted **Resolution 08-05-06-01** entitled:

*A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING FINAL TRACT MAP NO. 15924, THE REQUIRED LANDSCAPE AND MAINTENANCE AGREEMENT, AND THE ACCOMPANYING SUBDIVISION IMPROVEMENT AGREEMENT.*

**12. SECOND READING AND ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA ADDING ARTICLE 9 TO THE DANA POINT MUNICIPAL CODE INCLUDING SECTIONS 14.01.780 THROUGH 14.01.950, ENTITLED "CONSTRUCTION OF CABLE COMMUNICATIONS SYSTEMS"**

Staff removed this item from the Consent Calendar.

City Manager Chotkevys asked that this item be deferred until the next regular City Council meeting to allow staff to review correspondence that had been received.

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**13. COUNTY PROPOSITION 1B TRANSPORTATION FUNDING**

AUTHORIZED THE MAYOR TO EXECUTE AN AGREEMENT AS REQUIRED BY OC PUBLIC WORKS TO RECEIVE \$500,000 IN PROPOSITION 1B FUNDING FROM THE COUNTY OF ORANGE BOARD OF SUPERVISORS FOR THE PCH WIDENING PROJECT AT DEL OBISPO.

**14. INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, MODIFYING CHAPTER 12.14 OF THE DANA POINT MUNICIPAL CODE ADDRESSING NECESSARY CODE REVISIONS FOR PREFERENTIAL PARKING DISTRICTS CITYWIDE**

INTRODUCED FOR FIRST READING OF AN ORDINANCE ENTITLED:

*AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, MODIFYING CHAPTER 12.14 OF THE DANA POINT MUNICIPAL CODE ADDRESSING NECESSARY CODE REVISIONS FOR PREFERENTIAL PARKING DISTRICTS CITYWIDE.*

**15. AUTHORIZATION TO PROCEED WITH STRIPING ADJUSTMENTS ON TWO ARTERIAL STREETS, NAMELY PACIFIC COAST HIGHWAY AND DOHENY PARK ROAD, PURSUANT TO SECTION 21950 OF THE CALIFORNIA VEHICLE CODE**

ACCEPTED THE DELETION/RELOCATION OF CROSSWALK IN THE EASTERLY LEG OF THE INTERSECTION AT PACIFIC COAST HIGHWAY (PCH) AND DEL OBISPO/DANA POINT HARBOR DRIVE PURSUANT TO CALIFORNIA VEHICLE CODE SECTION 21950 AND THE PREVIOUSLY CITY COUNCIL APPROVED PROJECT PLAN ENTITLED "PACIFIC COAST HIGHWAY CONGESTION RELIEF PROJECT"; ACCEPTED THE DELETION/RELOCATION OF THE CROSSWALK FROM THE EASTERLY LEG OF THE INTERSECTION AT PACIFIC COAST HIGHWAY (PCH) AND CRYSTAL LANTERN DRIVE TO THE WESTERLY LEG PURSUANT TO CALIFORNIA VEHICLE CODE SECTION 21950 AND THE PREVIOUSLY CITY COUNCIL APPROVED PROJECT PLAN ENTITLED "PACIFIC COAST HIGHWAY CONGESTION RELIEF PROJECT"; AND AUTHORIZED THE DELETION OF THE MID-BLOCK CROSSWALK IN THE SOUTHERLY LEG OF THE INTERSECTION AT DOHENY PARK ROAD AND DOMINGO AVENUE, WHICH OCCURRED IN 2007, PURSUANT TO CALIFORNIA VEHICLE CODE SECTION 21950.

**16. AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE NEXT PHASE OF CITY HALL RENOVATION**

AUTHORIZED STAFF TO ADVERTISE FOR BIDS FOR THE NEXT PHASE OF CITY HALL RENOVATION.

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## **PUBLIC COMMENTS**

Robert Traphagen  
Dr. James Seitz  
Judy Rice  
Ingrid McGuire  
Karin Schnell

## **PUBLIC HEARINGS**

There were no Public Hearings.

## **UNFINISHED BUSINESS**

### **17. STORAGE OF VEHICLES ON PUBLIC STREETS**

RECEIVED AND FILED THE REPORT ON THE TRAFFIC IMPROVEMENT COMMISSION'S ORDINANCE MODIFICATION RECOMMENDATION CONCERNING THE STORAGE OF VEHICLES ON PUBLIC STREETS.

### **18. 2008 ABATEMENT PROGRAM, AUTHORIZATION TO ABATE WEEDS**

Adopted **Resolution 08-05-06-02** entitled:

*A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, HEARING NO OBJECTIONS AND PROCEEDING WITH WEED ABATEMENT.*

Vote = 5-0

## **NEW BUSINESS**

There were no New Business items.

## **PUBLIC COMMENTS (Continued)**

There were no additional Public Comments.

## **STAFF REPORTS**

## **COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED**

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## **ADJOURNMENT**

There being no further business before the City Council at this session, Mayor Bishop declared the meeting adjourned at 7:31 p.m. and announced that the next Regular Meeting of the City Council will be May 20, 2008, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.