

CITY OF DANA POINT

**SPECIAL CITY
COUNCIL MEETING,
CITY COUNCIL
REGULAR MEETING
AND
ADJOURNED REGULAR
JOINT MEETING WITH
THE PLANNING
COMMISSION**



**WEDNESDAY
JUNE 28, 2006
5:00 P.M.**

AGENDA

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

Next City Council Ordinance No. 06-04

CALL TO ORDER

ROLL CALL OF CITY COUNCIL MEMBERS:

Lara Anderson, Mayor
Russell Chilton, Mayor Pro Tem
Diane L. Harkey, Council Member
James V. Lacy, Council Member
Wayne Rayfield, Council Member

CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Government Code § 54956.9 (a), (1 case)
1. Name of Case: Waterford Pointe Homeowners Association vs. the City of Dana Point and Orange County Sheriff-Coroner Department, Orange County Superior Court Case No. 06CC05447
- B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION, Government Code § 54957
- Title: City Attorney

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

RECONVENE CITY COUNCIL MEETING

CALL TO ORDER – 6:00 P. M.

JOINT MEETING WITH THE PLANNING COMMISSION TO CONTINUE DISCUSSION OF HOUSING SUMMIT

ROLL CALL OF CITY COUNCIL MEMBERS:

Lara Anderson, Mayor
Russell Chilton, Mayor Pro Tem
Diane L. Harkey, Council Member
James V. Lacy, Council Member
Wayne Rayfield, Council Member

ROLL CALL OF THE PLANNING COMMISSION MEMBERS:

J. Scott Schoeffel, Chairman
Steve Weinberg, Vice-Chairman
Liz Anderson-Fitzgerald, Commissioner
Norman Denton, Commissioner
April O' Connor, Commissioner

PLEDGE OF ALLEGIANCE

INVOCATION

UNFINISHED BUSINESS

1. **CONTINUATION OF HOUSING SUMMIT AND REVIEW OF DRAFT HOUSING ELEMENT**

RECOMMENDED ACTION: That the City Council and Planning Commission:

- A. Review attached action items developed in response to the City Council and Planning Commission comments raised at the May 10, 2006 joint meeting; and
- B. Consider proposed adoption schedule.

RECONVENE TO REGULAR CITY COUNCIL MEETING

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.

2. CLAIMS AND DEMANDS

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

3. [SECOND READING OF ORDINANCE RE: HEADLANDS RESERVE LLC COMMUNITY FACILITIES DISTRICT NO. 2006-1](#)

RECOMMENDED ACTION: That the City Council approve second reading and adoption of the following ordinance:

AN ORDINANCE OF COMMUNITY FACILITIES DISTRICT NO. 2006-1 OF THE CITY OF DANA POINT LEVYING SPECIAL TAXES WITHIN COMMUNITY FACILITIES DISTRICT NO. 2006-1 OF THE CITY OF DANA POINT

4. [RENEWAL OF TRANSIENT OCCUPANCY TAX INSURANCE FY06-07](#)

RECOMMENDED ACTION: That the City Council 1) ratify the renewal of the commercial property insurance and terrorism coverage policy obtained through Landmark American Insurance Company for protection of Transient Occupancy Tax revenues; 2) authorize a transfer of funds in FY 2006-07 from Reserve for Enhancement Account in the amount of \$13,167 to cover budget shortfall due to increase in premiums; and 3) authorize remittance of premium in the amount of \$48,167 for FY 2006-07.

5. [RESOLUTION IN SUPPORT OF THE SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION ACT OF 2006](#)

RECOMMENDED ACTION: That the City Council approve and adopt a resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT APPROVING THE SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION ACT OF 2006.

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 Hearings.

UNFINISHED BUSINESS

6. [REQUEST TO INITIATE A GENERAL PLAN AMENDMENT GPA05-01 TO CHANGE THE LAND USE DESIGNATION AT THE PROPERTY LOCATED 34202 DEL OBISPO](#)

RECOMMENDED ACTION: That the City Council consider authorizing the initiation of General Plan Amendment GPA05-01 based upon the information and discussion included in this report. The applicant's letter of request is provided as Supporting Document A.

NEW BUSINESS

7. [ACCEPTANCE OF AGREEMENTS FOR CONVEYANCE OF LANTERN BAY PARK AND MAINTENANCE LICENSE OF KEN SAMPSON OVERLOOK](#)

RECOMMENDED ACTION: That the City Council (1) approve subject agreements; (2) direct the City Manager to execute same; and (3) approve budget expenses described in the fiscal section.

PUBLIC COMMENTS (Continued)

ADJOURNMENT

The next Regular Meeting of the City Council will be July 12, 2006 at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

CERTIFICATION

I, Kathy Ward, Acting 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 Friday, June 23, 2006, at 5:00 p.m.

KATHY M. WARD, ACTING 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.