

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**WEDNESDAY
FEBRUARY 22, 2006
5:00 P.M.**

AGENDA

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

Next City Council Ordinance No. 06-02

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 – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (b1), (3 cases)
- B. CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION, Government Code § 54956.9 (c), (1 case)

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

RECONVENE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENTATIONS AND PROCLAMATIONS

DUI – Mothers Against Drunk Driving (MADD) Awards

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 herein except those that are removed for separate action, which will be read separately.

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 8, 2006](#)

RECOMMENDED ACTION: That the City Council approve the minutes.

3. [PLANNING COMMISSION MEETING MINUTES, FEBRUARY 1, 2006](#)

RECOMMENDED ACTION: That the City Council receive and file.

4. [PLANNING COMMISSION ACTIONS, MEETING OF FEBRUARY 15, 2006](#)

RECOMMENDED ACTION: That the City Council receive and file.

5. YOUTH BOARD MEETING MINUTES, MEETING OF JANUARY 19, 2006

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. CLAIMS AND DEMANDS

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

8. [ADOPTION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT ADOPTING THE NATIONAL INCIDENT MANAGEMENT SYSTEM

9. [ADOPTION OF A RESOLUTION SUPPORTING THE WASTE MANAGEMENT COMMISSION'S RECOMMENDATION TO REDUCE THE AMOUNT OF RECYCLABLE SELF-HAUL WASTE DISPOSAL IN COUNTY LANDFILLS](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, SUPPORTING THE WASTE MANAGEMENT COMMISSION'S RECOMMENDATION TO REDUCE THE AMOUNT OF RECYCLABLE SELF-HAUL WASTE DISPOSAL IN COUNTY LANDFILLS

10. [AWARD OF CONTRACT FOR DESIGN SERVICES FOR THE CITY COUNCIL CHAMBERS RENOVATION PROJECT](#)

RECOMMENDED ACTION: That the City Council (1) award a contract to HMC Architects in an amount including reimbursable expenses for Architectural, Engineering, Audio/Visual, and Interior Design Services for the City Council Chambers; (2) that the City Manager or his designee may approve additional payment not to exceed ten percent of the contract amount for change orders and contingencies and (3) authorize the City Manager to execute the contract.

11. [MEMORANDUM OF UNDERSTANDING \(MOU\) FOR LYON PROPERTY MANAGEMENT COMPANY – MONARCH COVE APARTMENTS](#)

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

12. [REVIEW AND CONSIDERATION OF PROPOSED BICYCLE AND PEDESTRIAN TRAILS MASTER PLAN](#)

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,
APPROVING THE BICYCLE AND PEDESTRIAN TRAILS MASTER PLAN

UNFINISHED BUSINESS

13. [REIMBURSEMENT AGREEMENT – HEADLANDS RESERVE LLC COMMUNITY FACILITIES DISTRICT BOND FINANCE PROGRAM](#)

RECOMMENDED ACTION: That the City Council approve the Reimbursement Agreement between the City of Dana Point and Headlands Reserve LLC to guarantee advance funds to the City to defray administrative costs and outside consulting fees related to the formation of a proposed Community Facilities District 2006-1 (CFD) and subsequent issuance of special tax bonds in conjunction with the Headlands Development, and authorize the City Manager to execute the agreement.

14. [COMMUNITY FACILITIES DISTRICT - PROFESSIONAL SERVICES AGREEMENTS FOR CITY CONSULTANTS](#)

RECOMMENDED ACTION: That the City Council approve and authorize the City Manager to execute professional consultant agreements with Stephen G. White, MAI for real estate appraisal services, MuniFinancial for special tax services, and Empire Economics, Inc. for price point analysis and market absorption studies relative to the proposed Community Facilities District 2006-1 (CFD) associated with the Headlands Development. Authorize the City Manager to approve additional services as required per the terms of the respective agreements.

NEW BUSINESS

There is no New Business.

PUBLIC COMMENTS (Continued)

STAFF REPORTS

(City Manager Doug Chotkevys)

(City Attorney Patrick Muñoz)

COUNCIL REPORTS

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 March 8, 2006 at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

CERTIFICATION

I, Elizabeth Ehring, 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, February 17, 2006, at 5:00 p.m.

ELIZABETH EHRING, 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.