
**CITY OF DANA POINT, CALIFORNIA
CITY COUNCIL REGULAR MEETING MINUTES
JULY 28, 2004**

CALL TO ORDER

The Regular Meeting of the City Council of the City of Dana Point, California, was called to order by Mayor Snyder at 4:34 p.m. in the Dana Point City Council Chamber, 33282 Golden Lantern, Suite 210, Dana Point.

ROLL CALL

PRESENT: Joe Snyder, Mayor
James V. Lacy, Mayor Pro Tem
Russell Chilton, Council Member
William L. Ossenmacher, Council Member
Wayne Rayfield, Council Member – *arrived at 4:40 p.m.*

STAFF PRESENT: Douglas Chotkevys, City Manager; Patrick Munoz, City Attorney; Sharon Street, Director of Public Affairs/City Clerk; Cathy Catlett, Assistant City Clerk; Kyle Butterwick, Director of Community Development; Larry Pierce, Interim Director of Public Works and Engineering Services; Brenda Chase, Associate Planner; Matt Sinacori, Deputy City Engineer; and Mark Long, Administrative Sergeant.

CLOSED SESSION

City Attorney Munoz indicated there was a need for a Closed Session as follows:

- 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)
- C. CONFERENCE WITH REAL PROPERTY NEGOTIATOR, Government Code § 54956.8 (1 case)
 - Property: Marinita Homeowners' Association
 - City Negotiators: Douglas Chotkevys, City Manager
Patrick Munoz, City Attorney
Kyle Butterwick, Director of Community Development
 - Negotiating Parties: City of Dana Point and Marinita Homeowners' Association or other interested parties
 - Under Negotiation: Price and terms of agreement relating to property

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D. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION,
Government Code § 54956.9(a), (3 cases)

1. Name of Case: Hamilton v. City Council of the City of Dana Point, California, Superior Court for the State of California, County of Orange – Central Justice Center, Case No. 04CC05259
2. Name of Case: Headlands Reserve LLC and M.H. Sherman Co. v. the City of Dana Point, et al, Orange County Superior Court Case No. 798758, Court of Appeals Case No. G024366
3. Name of Case: City of Dana Point v. Warren & Does 1 - 50, Orange County Superior Court Case No. 04CC07344

E. PUBLIC EMPLOYEE PERFORMANCE EVALUATION – Government Code § 54957.6

Title: Director of Public Affairs/City Clerk

Mayor Snyder recessed the meeting into a Closed Session at 4:37 p.m. pursuant to Government Code Section 54956 et. seq.

RECONVENE CITY COUNCIL MEETING

Mayor Snyder reconvened the meeting at 6:57 p.m. All Council Members were present.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Matthew Atkinson, Eagle Scout.

INVOCATION

The Invocation was led by Pastor Ty Guy of South Shores Church.

PRESENTATIONS AND PROCLAMATIONS

1. Presentation to Dana Point Library
John Dunham, Dana Point Branch Librarian, was in attendance to receive a presentation to the Dana Point Library of approximately 263 DVDs.

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2. Featured Business of the Month – Tutor & Spunky's Deli
 Present to receive a certificate were Tom Blake, Teresa Gonzalez,
 Ashley Frigo, and Debbie Patchen.

3. Memorial Tribute to Jerre Hayes
 Present were Mark Long, Administrative Sergeant, and Volunteers in
 Police Service (VIPS).

CONSENT CALENDAR

Items 8, 10, 11, and 12, were removed from the Consent Calendar by the public. Item 17 was removed by Staff.

IT WAS MOVED BY MAYOR PRO TEM LACY, SECONDED BY COUNCIL MEMBER RAYFIELD, THAT THE RECOMMENDATIONS BE ACCEPTED FOR ALL ITEMS LISTED ON THE CONSENT CALENDAR WITH THE EXCEPTION OF ITEMS 8, 10, 11, and 12.

The motion carried by the following vote:

AYES: Council Members Chilton, Ossenmacher, Rayfield, Mayor Pro Tem
 Lacy, and Mayor Snyder
NOES: None
ABSENT: None
ABSTAIN: None

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.

MAYOR SNYDER REQUESTED THAT THE CITY CLERK READ TITLES OF THE ORDINANCES. CITY CLERK SHARON STREET READ THE TITLES OF ORDINANCES.

2. **REGULAR MEETING MINUTES, JUNE 23, 2004**

RECEIVED AND FILED.

3. **PLANNING COMMISSION MEETING MINUTES, JUNE 16, 2004**

RECEIVED AND FILED.

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4. **PLANNING COMMISSION ACTIONS, MEETING OF JULY 7, 2004** (0120-10)

RECEIVED AND FILED.

5. **MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR**
(0100-10)

RECEIVED AND FILED.

6. **CITY TREASURER'S REPORT, MAY 2004**

RECEIVED AND FILED.

7. **CLAIMS AND DEMANDS** (0300-30)

RECEIVED AND FILED.

8. **AWARD OF CONTRACT FOR EMERGENCY AMBULANCE SERVICE**
[STRATEGIC PLAN: ACHIEVE TOTAL EXCELLENCE IN MUNICIPAL SERVICES AND CITY ADMINISTRATION/PLANNING WITH EXCELLENT CUSTOMER SERVICE AND COST-EFFECTIVENESS]

This Item was removed from the Consent Calendar by the public.

City Manager Chotkevys gave a staff report. There were no questions from Council Members.

Mayor Snyder opened the meeting for Public Comments.

Paul Krey, Dana Point, spoke regarding the importance of competitive bidding.

Jim Ignacio, Irvine, on behalf of Bruce Herren, founder of Doctors Ambulance, spoke in favor of the award of contract.

Council discussion ensued.

IT WAS MOVED BY COUNCIL MEMBER RAYFIELD, SECONDED BY COUNCIL MEMBER CHILTON, THAT THE CONTRACT FOR EMERGENCY AMBULANCE SERVICES FOR THE EXCLUSIVE OPERATING AREA #39 (DANA POINT) TO BE AWARDED TO HERREN ENTERPRISES, INC. DBA – DOCTORS AMBULANCE SERVICE; AND AUTHORIZE THE CITY MANAGER TO EXECUTE AN EXCLUSIVE OPERATING AREA AGREEMENT WITH DOCTORS AMBULANCE SERVICE.

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The motion carried by the following vote:

AYES: Council Members Chilton, Rayfield, Mayor Pro Tem Lacy, and Mayor Snyder
NOES: Council Member Ossenmacher
ABSENT: None
ABSTAIN: None

9. **AMENDMENT TO THE CONTRACT BETWEEN THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS) AND THE CITY OF DANA POINT** *[STRATEGIC PLAN: ACHIEVE TOTAL EXCELLENCE IN MUNICIPAL SERVICES AND CITY ADMINISTRATION/PLANNING WITH EXCELLENT CUSTOMER SERVICE AND COST-EFFECTIVENESS]*

CONDUCTED A SECOND READING AND ADOPTED **ORDINANCE NO. 04-03** ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF DANA POINT AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

10. **AMENDMENT TO CHAPTER 2.05 OF THE DANA POINT MUNICIPAL CODE RELATING TO CAMPAIGN FINANCE** *[STRATEGIC PLAN: ACHIEVE TOTAL EXCELLENCE IN MUNICIPAL SERVICES AND CITY ADMINISTRATION/PLANNING WITH EXCELLENT CUSTOMER SERVICE AND COST-EFFECTIVENESS]*

This Item was removed from the Consent Calendar by the public.

City Manager Chotkevys requested that City Attorney Munoz provide a staff report. There were no questions from Council Members.

Mayor Snyder opened the meeting for Public Comments.

James Slark, Dana Point, spoke regarding campaign contributions in the City of Dana Point.

Council discussion ensued.

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IT WAS MOVED BY COUNCIL MEMBER OSSENMACHER, SECONDED BY MAYOR PRO TEM LACY, THAT THE CITY COUNCIL ADOPT **ORDINANCE NO. 04-04** ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING CHAPTER 2.05 OF THE DANA POINT MUNICIPAL CODE RELATING TO CAMPAIGN FINANCE

The motion carried by the following vote:

AYES: Council Members Chilton, Ossenmacher, Rayfield, Mayor Pro Tem Lacy, and Mayor Snyder
NOES: None
ABSENT: None
ABSTAIN: None

11. **SECOND READING AND ADOPTION OF REGULATIONS PERTAINING TO FRACTIONAL OWNERSHIP DEVELOPMENT** [*STRATEGIC PLAN: EVALUATE LAND USE ISSUES TO ENSURE THAT THE GOALS OF THE GENERAL PLAN REFLECT THE COMMUNITY'S VISION*]

This Item was removed from the Consent Calendar by the public.

City Manager Chotkevys provided a staff report and introduced Director of Community Development Butterwick, who provided a detailed presentation.

Council questions ensued.

Mayor Snyder opened the meeting for Public Comments.

Linda Brame, Dana Point, spoke in opposition to the proposed ordinance.

Richard Brame, Dana Point, spoke in opposition to the proposed ordinance.

Mary Jeffries, Dana Point, spoke in opposition to the proposed ordinance.

Terry Goller, Dana Point, spoke in opposition to the proposed ordinance.

Dick Mackaig, Dana Point, spoke in opposition to the proposed ordinance.

Dave Busk, Ladera Ranch, property owner in Dana Point, spoke in favor of the proposed ordinance.

Carol Parker, Capistrano Beach, spoke in favor of the proposed ordinance.

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Ralph Parker, Capistrano Beach, spoke in favor of the proposed ordinance.

David Faylor, Dana Point, spoke in favor of the proposed ordinance.

Paul Krey, Dana Point, spoke in opposition to the proposed ordinance.

Greg Powers, Dana Point, spoke in favor of the proposed ordinance.

Tom Matthews, of Culbertson, Adams & Associates, representing Paul and Beth Dudas, spoke in favor of the proposed ordinance.

Sean Finnegan, Laguna Niguel, representing Makar Properties, spoke in favor of the proposed ordinance.

Paul Dudas, San Clemente, spoke in favor of the proposed ordinance.

Bob Fairbanks, Dana Point, spoke in opposition to the proposed ordinance.

Pat Fairbanks, Dana Point, spoke regarding noticing of the proposed ordinance.

Carol Hoffman, Newport Beach, representing a Dana Point property owner, spoke in favor of the proposed ordinance.

Jack Oltman, Dana Point, expressed concerns regarding increased traffic and increase in persons that may occur with fractional ownership.

Mayor Snyder **recessed** the meeting at 8:50 p.m.

The meeting was **reconvened** by Mayor Snyder at 9:19 p.m.

Council discussion ensued.

It was moved by Council Member Rayfield to have a well-advertised public forum and to continue the item until after the public forum. The motion died for lack of a second.

IT WAS MOVED BY COUNCIL MEMBER CHILTON, SECONDED BY MAYOR PRO TEM LACY, THAT THE CITY COUNCIL ADOPT **ORDINANCE NO. 04-05** ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING A ZONE TEXT AMENDMENT ZTA04-01 AND LOCAL COASTAL PROGRAM AMENDMENT LCPA04-01 ESTABLISHING FRACTIONAL OWNERSHIP DEVELOPMENT STANDARDS

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The motion carried by the following vote:

AYES: Council Members Chilton, Mayor Pro Tem Lacy, and Mayor Snyder
NOES: Council Members Ossenmacher, Rayfield
ABSENT: None
ABSTAIN: None

12. **ADOPTION OF RESOLUTION DESIGNATING SEVERAL INTERSECTIONS CITYWIDE AS ALL-WAY STOP CONTROL INTERSECTIONS AND AUTHORIZING THE INSTALLATION OF STOP SIGNS** [*STRATEGIC PLAN: MAINTAIN, MODERNIZE AND BEAUTIFY THE CITY'S INFRASTRUCTURE AND NEIGHBORHOODS*]

This item was removed from the Consent Calendar by the public.

City Manager Chotkevys provided a staff report.

There were no questions from Council.

Mayor Snyder opened the meeting for Public Comments.

Larry Winters, Dana Point, spoke in favor of the proposed resolution.

Bob Sears, Dana Point, expressed his opinion that not all intersections need a stop sign.

Dale Langley, Capistrano Beach, spoke in favor of the proposed resolution.

Bill Steinriede, Dana Point, stated that some stop signs in Thunderbird area were not necessary.

Council discussion ensued.

IT WAS MOVED BY COUNCIL MEMBER OSSENMACHER, SECONDED BY COUNCIL MEMBER RAYFIELD, THAT THE CITY COUNCIL ADOPT **RESOLUTION NO. 04-07-28-02** ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, DESIGNATING SEVERAL INTERSECTIONS CITYWIDE AS ALL-WAY STOP CONTROL INTERSECTIONS AND AUTHORIZING THE INSTALLATION OF STOP SIGNS

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The motion carried by the following vote:

AYES: Council Members Chilton, Ossenmacher, Rayfield, Mayor Pro
Tem Lacy, and Mayor Snyder
NOES: None
ABSENT: None
ABSTAIN: None

13. **2004 WEED ABATEMENT PROGRAM** [*STRATEGIC PLAN: MAINTAIN, MODERNIZE AND BEAUTIFY THE CITY'S INFRASTRUCTURE AND NEIGHBORHOODS*]

ADOPTED **RESOLUTION NO. 04-07-28-01** ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, CONFIRMING THE COST OF ABATEMENT AND PROVIDING FOR THE COLLECTION ON THE REGULAR TAX BILL

14. **CITY COUNCIL GRANT RECOMMENDATION (OSSENMACHER)** [*STRATEGIC PLAN: PROMOTE CULTURAL ARTS AND HUMAN SERVICES*]

APPROVED THE RECOMMENDED GRANT FUNDING BY COUNCIL MEMBER OSSENMACHER AS LISTED WITHIN THE STAFF REPORT (MATERIALS FOR DANA POINT LIBRARY) PER CITY COUNCIL POLICY 116.

15. **AUTHORIZE DESIGN AND MANAGEMENT SERVICES FOR THE ANNUAL ROADWAY RESURFACING PROJECT, FISCAL YEAR 2004/2005** [*STRATEGIC PLAN: MAINTAIN, MODERNIZE AND BEAUTIFY THE CITY'S INFRASTRUCTURE AND NEIGHBORHOODS*]

(1) AUTHORIZED AN EXPENDITURE TO PROVIDE PROFESSIONAL ENGINEERING DESIGN AND MANAGEMENT SERVICES FOR THE ANNUAL ROADWAY RESURFACING PROJECT, FISCAL YEAR 2004/2005; (2) AUTHORIZED A PURCHASE ORDER TO GOFFMAN MCCORMICK AND URBAN (GMU) FOR GEOTECHNICAL/PAVEMENT EVALUATION SERVICES FOR THE ANNUAL ROADWAY RESURFACING PROJECT, FISCAL YEAR 2004/2005; AND (3) AUTHORIZED ADVERTISEMENT FOR CONSTRUCTION BIDS ONCE THE DESIGN IS COMPLETE.

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16. **RECEIVE AND FILE THE RESOLUTION ADOPTED BY THE DESIGNATED GROWTH MANAGEMENT AREA NUMBER 11 ELECTED OFFICIALS FOR THE USE OF GROWTH MANAGEMENT AREA (GMA) NUMBER 11 FUNDING** *[STRATEGIC PLAN: MAINTAIN, MODERNIZE AND BEAUTIFY THE CITY'S INFRASTRUCTURE AND NEIGHBORHOODS]*

(1) RECEIVED AND FILED THE RESOLUTION ADOPTED BY THE DESIGNATED ELECTED OFFICIALS FOR THE USE OF GROWTH MANAGEMENT AREA (GMA) NUMBER 11 FUNDING; (2) BASED ON THE APPROVED RESOLUTION, AUTHORIZED STAFF TO REMOVE FUNDS IN GMA #11 REVENUE FROM THE TOWN CENTER PHASE III PROJECT; AND (3) TRANSFERRED THAT REVENUE TO THE ANNUAL TRAFFIC SAFETY IMPROVEMENT PROGRAM, FY 03/04 FOR INTERSECTION MODIFICATIONS AT THE INTERSECTION OF STONEHILL DRIVE AND CAMINO CAPISTRANO.

17. **REORGANIZATION – CITY CLERK OFFICE** *[STRATEGIC PLAN: ACHIEVE TOTAL EXCELLENCE IN MUNICIPAL SERVICES AND CITY ADMINISTRATION/PLANNING WITH EXCELLENT CUSTOMER SERVICE AND COST-EFFECTIVENESS]*

This item was removed from the Consent Calendar by staff.

18. **RENEWAL OF AGREEMENT D02-073 FOR WATER QUALITY ORDINANCE IMPLEMENTATION FROM THE COUNTY OF ORANGE FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) AS NEEDED AUTHORIZED INSPECTOR SERVICES** *[STRATEGIC PLAN: RESTORE AND MAINTAIN THE INTEGRITY OF OUR OCEAN WATERS AND BEACHES]*

(1) APPROVED AMENDMENT NO. 1 FOR THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) WATER QUALITY ORDINANCE IMPLEMENTATION AGREEMENT NO. D02-073 WITH THE COUNTY OF ORANGE TO PROVIDE AS NEEDED AUTHORIZED INSPECTOR SERVICE; (2) AUTHORIZED THE CITY MANAGER TO EXECUTE THE AGREEMENT; AND (3) DESIGNATED THE CITY MANAGER TO AUTHORIZE ALL SERVICES ASSOCIATED WITH THE AGREEMENT.

19. **APPROVAL OF CONSULTANT SERVICES AGREEMENT WITH HARRIS AND ASSOCIATES FOR DESIGN OF MISCELLANEOUS STORM DRAIN REPAIRS IN CAPISTRANO BEACH** *[STRATEGIC PLAN: MAINTAIN, MODERNIZE AND BEAUTIFY THE CITY'S INFRASTRUCTURE AND NEIGHBORHOODS]*

(1) APPROVED THE ESTABLISHMENT OF A NEW CAPITAL IMPROVEMENT PROGRAM (CIP) PROJECT FOR MISCELLANEOUS STORM DRAIN REPAIRS IN CAPISTRANO BEACH; (2) TRANSFERRED FUNDS FROM THE UNDESIGNATED GENERAL FUND RESERVES TO THE NEWLY ESTABLISHED PROJECT; (3) AUTHORIZED AN EXPENDITURE FOR A

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LIMITED GEOTECHNICAL INVESTIGATION OF THE CAMINO CAPISTRANO AREA IMPACTED BY THIS PROJECT; (4) APPROVED A CONSULTANT SERVICES AGREEMENT WITH HARRIS AND ASSOCIATES FOR DESIGN SERVICES FOR MISCELLANEOUS STORM DRAIN REPAIRS ALONG CAMINO CAPISTRANO, PROVIDED THAT THE CITY MANAGER MAY APPROVE ADDITIONAL SERVICES; AND (5) AUTHORIZED THE CITY MANAGER TO EXECUTE THE AGREEMENT.

20. **AUTHORIZATION OF AN ADDITIONAL EXPENDITURE FOR CONSULTING SERVICES FOR NEGOTIATIONS RELATED TO THE RELINQUISHMENT OF PACIFIC COAST HIGHWAY FROM THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION TO THE CITY OF DANA POINT** *[STRATEGIC PLAN: MAINTAIN, MODERNIZE AND BEAUTIFY THE CITY'S INFRASTRUCTURE AND NEIGHBORHOODS]*

(1) AUTHORIZED AN EXPENDITURE TO FUND ADDITIONAL CONSULTING SERVICES FOR NEGOTIATIONS RELATED TO THE RELINQUISHMENT OF PACIFIC COAST HIGHWAY FROM THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS); AND (2) APPROVED THE TRANSFER OF FUNDS FROM THE UNDESIGNATED GENERAL RESERVES TO THE APPROPRIATE ACCOUNT TO FUND THE ADDITIONAL CONSULTING SERVICES.

ORAL REPORTS

There were no Oral Reports.

PUBLIC COMMENTS

Mayor Snyder opened Public Comments.

Kimberly Whitney, Dana Point, expressed concern regarding traffic on Crystal Lantern and suggested some remedies.

Terri Habecker, Dana Point, expressed concern regarding safety issues on Crystal Lantern.

Joe Katich, Dana Point, expressed concerns regarding traffic and speed of vehicles on Crystal Lantern.

Liz Anderson Fitzgerald, Dana Point, thanked City Council for the Weed Abatement Program.

Paul Krey, Dana Point, remarked on the General Plan and the Strategic Plan.

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Greg Powers, Dana Point, commented upon the presentation by the County of Orange to the Dana Point Planning Commission.

John Kessler, Dana Point, expressed concerns with traffic and speed on Crystal Lantern.

John Lynch, Dana Point, expressed concerns with safety issues regarding traffic on Crystal Lantern.

Mayor Snyder closed Public Comments.

PUBLIC HEARINGS

21. **ANNEXATION TO THE ACAPULCO PREFERENTIAL PARKING DISTRICT OF BLUE LANTERN, ALTA VISTA, AND A PORTION OF PRISCILLA DRIVE, CHELTAM WAY, NOTTINGHAM WAY, AND SHERWOOD WAY** *[STRATEGIC PLAN: MAINTAIN, MODERNIZE AND BEAUTIFY THE CITY'S INFRASTRUCTURE AND NEIGHBORHOODS]*

This item was removed from the Consent Calendar by the public.

City Manager Chotkevys gave a staff report.

Staff responded to Council questions.

Mayor Snyder opened the Public Hearing at 10:34 p.m.

Milt Rouse, Dana Point, teacher at Dana Hills High School, spoke requesting that a task force be appointed to study the issue.

Sarah Rodgers, Dana Point, spoke in opposition to the proposed resolution.

Holden Slusher, San Juan Capistrano, requested a postponement of the decision and the formation of a commission to study the issue.

Clinton Hillson, Dana Point, spoke in favor of the proposed resolution.

Robert Palmer, Dana Point, spoke in favor of the proposed resolution.

Carolyn Williams, Mission Viejo, Principal of Dana Hills High School, requested a postponement of the decision in order to study the issue, and the appointment of a committee.

Council engaged in discussion with Ms. Williams.

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At this time Mayor Snyder noted the time was 11:00 p.m. and asked Council's pleasure regarding proceeding or continuing.

Council discussion ensued.

Council Member Rayfield moved to continue the Public Hearing to the meeting of Aug 25, 2004. Mayor Pro Tem Lacy seconded the motion.

Council Member Chilton made a substitute motion, seconded by Council Member Rayfield, to accept the remainder of the testimony and continue the hearing to the August 25, 2004 meeting.

After further discussion, consensus was to finish the item that evening.

Mayor Snyder announced that all motions were off the floor and there is no vote, and went forward with the remainder of public comments.

Diane Harkey, Dana Point, noted the need for a long-term solution.

David Faylor, Dana Point, expressed concerns with visitors getting ticketed.

Jody Vaughn, Laguna Niguel, President of the PTSA at Dana Hills High School, expressed her desire for a compromise.

Mike Petersen, Dana Point, noted that buses are inconvenient for after-school activities.

Laura Petersen, Dana Point, requested that a committee be formed to study the issue.

Mayor Snyder closed the Public Hearing at 11:21 p.m.

Council discussion ensued.

IT WAS MOVED BY COUNCIL MEMBER CHILTON, SECONDED BY COUNCIL MEMBER OSSENMACHER, THAT THE CITY COUNCIL ADOPT **RESOLUTION NO. 04-07-28-03** ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING RESOLUTION NO. 99-09-28-02 TO ANNEX THE FOLLOWING STREETS AS PART OF THE ACAPULCO PREFERENTIAL PARKING DISTRICT:

- (a) Blue Lantern from Selva Drive to Stonehill Drive*
- (b) Alta Vista from Blue Lantern to cul-de-sac*
- (c) Priscilla Drive from Esther Court to Golden Lantern*

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- (d) Cheltam Way between Golden Lantern and Stonehill Drive*
- (e) Nottingham Way between Cheltam Way and Sherwood Way*
- (f) Sherwood Way between Nottingham Way and Cheltam Way*

The motion carried by the following vote:

AYES: Council Members Chilton, Ossenmacher, Mayor Pro Tem Lacy, and Mayor Snyder
NOES: Council Member Rayfield
ABSENT: None
ABSTAIN: None

UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

22. **ADOPTION OF A RESOLUTION APPROVING AN EASEMENT DEED AND AGREEMENT WITH THE COUNTY OF ORANGE REGARDING ACCESS ACROSS ASSESSOR PARCEL NUMBER 668-251-02, KNOWN AS THE DEL OBISPO YARD** *[STRATEGIC PLAN: MAINTAIN, MODERNIZE AND BEAUTIFY THE CITY'S INFRASTRUCTURE AND NEIGHBORHOODS]*

This item was removed from the Consent Calendar by the Public. It was not heard due to the lateness of the hour.

STAFF REPORTS

There were no Staff Reports.

COUNCIL REPORTS

There were no Council Reports.

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ADJOURNMENT

Due to the lateness of the hour, Mayor Snyder declared the meeting adjourned at 11:35 p.m.

The next Regular Meeting of the City Council will be August 25, 2004 at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

SHARON STREET
DIRECTOR OF PUBLIC AFFAIRS/CITY CLERK

APPROVED AT MEETING OF AUGUST 25, 2004