
**CITY OF DANA POINT, CALIFORNIA
CITY COUNCIL REGULAR MEETING MINUTES
AUGUST 24, 2005**

CALL TO ORDER

The Regular Meeting of the City Council of the City of Dana Point, California, was called to order by Mayor Rayfield at 5:00 p.m. in the Dana Point City Council Chamber, 33282 Golden Lantern, Suite 210, Dana Point.

ROLL CALL

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

STAFF PRESENT: Douglas Chotkevys, City Manager; Patrick Muñoz, City Attorney; Sharie Apodaca, Director of Administrative Services; Elizabeth Ehling, City Clerk; Cathy Catlett, Assistant City Clerk; Kyle Butterwick, Director of Community Development; Kurth Nelson, Planning Consultant; John Tilton, City Architect/Planning Manager; Brad Fowler, Director of Public Works/City Engineer; Matt Sinacori, City Engineer; Mark Billings, Chief of Police; Shanna Wolf, Management Analyst; Kathy Ward, Executive Secretary.

CLOSED SESSION

City Attorney Muñoz 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 LEGAL COUNSEL – EXISTING LITIGATION, Government Code § 54956.9 (a), (2 cases)
 - 1. Name of Case: Diedrich Coffee, Inc. v. City of Dana Point, et al, Orange County Superior Court Case No. 05CC03529
 - 2. Name of Case: Surfrider Foundation and Sierra Club v. California Coastal Commission, Headlands Reserve, LLC and City of Dana Point, Superior Court of San Francisco County, Case No. CPF05505023

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Mayor Rayfield recessed the meeting into a Closed Session at 5:02 p.m. pursuant to Government Code Section 54956 et. seq.

RECONVENE CITY COUNCIL MEETING

Mayor Rayfield reconvened the meeting at 6:07 p.m. All Council Members were present.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by members of the Dana West Yacht Club Jr. Sailing Program.

INVOCATION

The Invocation was led by Gene Burrus.

PRESENTATIONS AND PROCLAMATIONS

Business of the Month

Management Analyst Wolf gave a Power Point presentation of Dana Point Hardware. Mayor Rayfield introduced owners Bill and Carolyn Sandberg and presented them with a Certificate of Recognition.

Community Center Access Project

City Engineer Sinacori gave a Power Point presentation of the Community Center Access Project currently underway.

Certificate of Recognition – Shane Soderlund

Mayor Rayfield introduced Shane Soderlund, former Dana Point Youth Board Member, and presented him with a Certificate of Recognition recognizing him for his scholastic accomplishments and dedicated service as one of the original members of the board.

CONSENT CALENDAR

Members of the public removed Items 19 and 20 from the Consent Calendar.

IT WAS MOVED BY COUNCIL MEMBER HARKEY, SECONDED BY MAYOR PRO TEM ANDERSON, THAT THE RECOMMENDATIONS BE ACCEPTED FOR ALL ITEMS LISTED ON THE CONSENT CALENDAR WITH THE EXCEPTION OF ITEMS 19 AND 20.

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The motion carried by the following vote:

AYES: Council Members Chilton, Harkey, Lacy,
Mayor Pro Tem Anderson and Mayor Rayfield
NOES: None
ABSENT: 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.

2. REGULAR MEETING MINUTES, JULY 13, 2005

RECEIVED AND FILED.

3. REGULAR MEETING MINUTES, JULY 27, 2005

RECEIVED AND FILED.

4. REGULAR MEETING MINUTES, AUGUST 10, 2005

RECEIVED AND FILED.

5. PLANNING COMMISSION MEETING MINUTES, MEETING OF JULY 6, 2005

RECEIVED AND FILED.

6. PLANNING COMMISSION MEETING MINUTES, MEETING OF JULY 20, 2005

RECEIVED AND FILED.

**7. PLANNING COMMISSION MEETING MINUTES, MEETING OF AUGUST 3,
2005**

RECEIVED AND FILED.

8. PLANNING COMMISSION ACTIONS, MEETING OF JULY 20, 2005

RECEIVED AND FILED.

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9. PLANNING COMMISSION ACTIONS, MEETING OF AUGUST 3, 2005

RECEIVED AND FILED.

10. PLANNING COMMISSION ACTIONS, MEETING OF AUGUST 17, 2005

RECEIVED AND FILED.

11. YOUTH BOARD MEETING MINUTES, MEETING OF JULY 7, 2005

RECEIVED AND FILED.

12. YOUTH BOARD MEETING MINUTES, MEETING OF JULY 21, 2005

RECEIVED AND FILED.

13. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR

RECEIVED AND FILED.

14. CITY TREASURER'S REPORT, JUNE 2005

RECEIVED AND FILED THE CITY TREASURER'S REPORT FOR THE MONTH OF JUNE, 2005.

15. CITY TREASURER'S REPORT, JULY 2005

RECEIVED AND FILED THE CITY TREASURER'S REPORT FOR THE MONTH OF JULY, 2005.

16. CLAIMS AND DEMANDS

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

17. RATIFICATION FOR CHANGE OF FEDERAL LEGISLATURE ADVOCATE'S CONTRACT FIRM *[STRATEGIC PLAN: ACHIEVE TOTAL EXCELLENCE IN MUNICIPAL SERVICES AND CITY ADMINISTRATION/PLANNING WITH EXCELLENT CUSTOMER SERVICE AND COST-EFFECTIVENESS]*

APPROVED A REPLACEMENT CONSULTANT AGREEMENT TO CONTINUE FEDERAL LEGISLATIVE ADVOCACY SERVICES FROM MR. THANE YOUNG WITH HIS NEW FIRM, VAN SCOYOC ASSOCIATES.

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- 18. APPROVAL OF BUDGET AMENDMENTS FY 2005-06** *[STRATEGIC PLAN: ACHIEVE TOTAL EXCELLENCE IN MUNICIPAL SERVICES AND CITY ADMINISTRATION/PLANNING WITH EXCELLENT CUSTOMER SERVICE AND COST-EFFECTIVENESS]*

ADOPTED **RESOLUTION NO. 05-08-24-01**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING THE FISCAL YEAR 2005-06 BUDGET

AMENDING THE GENERAL FUND OPERATING BUDGET BY AUTHORIZING THE CARRYOVER AND RE-APPROPRIATION OF CERTAIN UNENCUMBERED FUND BALANCES FROM FY 2004-05 BUDGET TO THE FY 2005-06 BUDGET.

- 19. MODIFICATION OF THE RESIDENTIAL TOWN CENTER SUBCOMMITTEE MEMBERSHIP** *[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 a member of the public.

Council Members Chilton and Harkey recused themselves from discussion of this item due to potential conflicts of interest and left the Council Chamber.

City Manager Chotkevys presented the staff report.

Alex Lake, Oceanside, commercial property owner in Town Center, spoke of the need for Town Center property owners and businessmen on the Town Center Subcommittee.

Mary Jeffries, Dana Point, spoke regarding membership on the subcommittee to plan for the Town Center.

IT WAS MOVED BY COUNCIL MEMBER LACY, SECONDED BY MAYOR PRO TEM ANDERSON, TO ADOPT **RESOLUTION NO. 05-08-24-02**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, MODIFYING THE MEMBERSHIP OF THE TOWN CENTER SUBCOMMITTEE TO INCLUDE A MEMBER OF THE CITY'S PLANNING COMMISSION.

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

20. TOWN CENTER PUBLIC OUTREACH CONTRACT *[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 a member of the public.

Council Members Chilton and Harkey had recused themselves from discussion of this item due to potential conflicts of interest and were not in the Council Chamber.

City Manager Chotkevys presented the staff report.

Laurie Brumage, Dana Point, spoke in opposition to awarding the contract.

Mary Jeffries, Dana Point, spoke in opposition to awarding the contract.

Linda Brame, Dana Point, spoke in opposition to awarding the contract.

IT WAS MOVED BY MAYOR PRO TEM ANDERSON, SECONDED BY COUNCIL MEMBER LACY, TO APPROVE EXTENSION OF THE TOWN CENTER PUBLIC OUTREACH CONTRACT WITH KATHY BARNUM AGENCY, INC. THROUGH JANUARY 31, 2006 FOR PROFESSIONAL PUBLIC RELATIONS AND OUTREACH SERVICES RELATED TO THE TOWN CENTER PLAN; AND AUTHORIZE AN EXPENDITURE FROM THE RESERVE FOR SERVICE ENHANCEMENT FUND FOR ASSOCIATED COSTS.

The motion carried by the following vote:

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

Council Members Chilton and Harkey returned to the Council Chamber.

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PUBLIC COMMENTS

Mayor Rayfield opened the meeting for public comments.

Colleen Traphagen, Dana Point, spoke regarding Dana Point's future and the Committee to Take Back Dana Point.

Robert Traphagen, Dana Point, spoke regarding the Committee to Take Back Dana Point, which is inactive at the present time, and the Dana Point Marina Mobile Home Estates.

Alex Lake, Oceanside, spoke regarding "pedestrian-friendly" business areas.

Celia Kutcher, Capistrano Beach, submitted a "no seawall" petition consisting of approximately 1,062 signatures, protesting what is being done to Strands Beach.

Pepi Weitzman, Mission Viejo, spoke regarding the Dana Point Marina Mobile Home Estates.

John Chaffetz, Dana Point, spoke regarding the need for maintenance of a green strip by the sidewalk on Golden Lantern between Del Prado and Dana Harbor Drive.

Terry Walsh, Dana Point, Co-President of the Dana Point/Capistrano Beach Historical Society, spoke regarding the 2005 Home Tour.

Gene Leff, Dana Point, spoke regarding what he considers to be the adverse impact of the dust, noise and Saturday construction on the Headlands.

Linda Culver, Dana Point, spoke regarding the Dana Point Marina Mobile Home Estates.

Mary Jeffries, Dana Point, spoke in opposition to the City's timeshare ordinance.

Walt Webb, Capistrano Beach, spoke regarding the Town Center.

North McKinnon, Dana Point, spoke regarding Saturday construction noise on the Headlands.

Leslie Zampino, Dana Point, spoke regarding the Dana Point Marina Mobile Home Estates.

Ingrid McGuire, Dana Point, spoke regarding the relinquishment of Pacific Coast Highway and landscaping of medians.

Bonny Pitkin, Dana Point, spoke regarding the Dana Point Marina Mobile Home Estates.

Dr. Jim Seitz, Dana Point, spoke regarding the Dana Point Marina Mobile Home Estates and submitted copies of a recent news article regarding the Estates.

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Lourdes Carrillo, Dana Point, spoke regarding the Dana Point Marina Mobile Home Estates.

Mayor Rayfield declared a recess at 8:02 p.m. and reconvened the meeting at 8:23 p.m. All Council Members were present.

ORAL REPORTS

Director of Community Development Butterwick summarized highlights of a pilot program initiated by the City for the month of August 2005 offering housing assistance funds to residents of Dana Point. Funds are designated for residents that have been displaced or relocated from existing residences in Dana Point through forced relocation. Under this program, the City's collected housing in-lieu fees are to be utilized to promote affordable housing opportunities in the City of Dana Point. Certain income limitations determine eligibility and funds can be utilized for a variety of housing assistance options. This pilot program is being conducted by the City on a temporary limited basis. An update to the City's Housing Element is scheduled in the upcoming months and, dependent upon the success of this trial period, the program may be expanded and used in other capacities in conjunction with the City's Housing Element.

PUBLIC HEARINGS

- 21. APPEAL OF THE PLANNING COMMISSION'S DENIAL OF VARIANCE VO4-03 AND SITE DEVELOPMENT PERMIT SDP05-21 (M) FOR A NEW SINGLE-FAMILY DWELLING AT 25205 MANZANITA DRIVE** *[STRATEGIC PLAN: EVALUATE LAND USE ISSUES TO ENSURE THAT THE GOALS, POLICIES AND PROGRAMS OF THE GENERAL PLAN REFLECT THE COMMUNITY'S VISION AND MISSION]*

City Manager Chotkevys introduced Director of Community Development Butterwick and City Architect/Planning Manager Tilton, who presented the staff report along with a Power Point presentation depicting the subject property.

Mayor Rayfield opened the Public Hearing.

City Attorney Muñoz noted that a box of materials lodged with the City Clerk's Department by the applicant would be part of the record. (The box contains one set of copies of City records.)

Chuck Krolkowski, Irvine, representing appellant David M. Tabatabaee, reviewed the basis of the filing of the appeal of this project and presented a Power Point presentation of the proposed project.

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Bruce Baker, Dana Point, adjoining property owner to the subject site, spoke in support of the project as long as terms of the verbal agreement that he had with the property owner regarding hours of construction, placement of a dust shield, no construction on Saturdays, and providing notice prior to drilling for caissons and heavy pounding were met.

Hearing no further requests to speak, Mayor Rayfield closed the Public Hearing.

IT WAS MOVED BY COUNCIL MEMBER LACY, SECONDED BY COUNCIL MEMBER CHILTON (AS AMENDED) TO DIRECT STAFF TO BRING BACK A RESOLUTION GRANTING THE APPEAL AND OVER-RIDING THE PLANNING COMMISSION'S DENIAL OF VARIANCE V04-03 TO ALLOW A NEW 2,930 SQUARE FOOT, TWO-STORY SINGLE-FAMILY DWELLING AND ATTACHED 412 SQUARE FOOT GARAGE THAT EXCEEDS THE MAXIMUM ALLOWABLE HEIGHT OF 26 FEET AND A MINOR SITE DEVELOPMENT PERMIT SDP05-21(M) FOR RETAINING WALLS AS HIGH AS 12 FEET ON A 4,507 SQUARE FOOT LOT IN THE RESIDENTIAL SINGLE FAMILY (RSF 22) ZONING DISTRICT AT 25205 MANZANITA DRIVE. STAFF TO EVALUATE CONDITIONS COMPARABLE TO THE PROMISES MADE TO THE ADJACENT HOMEOWNER, INCLUDING THOSE REGARDING DUST SHIELDS AND HOURS OF CONSTRUCTION, FOR INCLUSION IN THE RESOLUTION.

The motion carried by the following vote:

AYES:	Council Members Chilton, Lacy, Mayor Pro Tem Anderson and Mayor Rayfield
NOES:	Council Member Harkey
ABSENT:	None

UNFINISHED BUSINESS

22. DANA POINT CITY MOTTO CONTEST *[STRATEGIC PLAN: ACHIEVE TOTAL EXCELLENCE IN MUNICIPAL SERVICES AND CITY ADMINISTRATION/ PLANNING WITH EXCELLENT CUSTOMER SERVICE AND COST-EFFECTIVENESS]*

City Manager Chotkevys provided an overview of the contest.

Management Analyst Wolf presented the staff report. Youth Board Members Rachel Marie Strader and Ali Montes were present in the audience.

Mayor Rayfield declared a recess at 9:25 p.m. and reconvened the meeting at 9:38 p.m. All Council Members were present.

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IT WAS MOVED BY MAYOR PRO TEM ANDERSON, SECONDED BY COUNCIL MEMBER LACY, TO, AFTER REVIEW AND DISCUSSION OF THE "TOP TEN" LIST OF SUGGESTED MOTTOES FROM THE YOUTH BOARD, SELECT "HARBORING THE GOOD LIFE" AS THE CITY'S MOTTO.

The motion carried by the following vote:

AYES: Council Members Chilton, Harkey, Lacy,
Mayor Pro Tem Anderson and Mayor Rayfield.
NOES: None
ABSENT: None

Mayor Rayfield recognized Dana Point resident David Kokx, the contest winner who had submitted the selected motto.

23. FESTIVAL OF WHALES 2006 *[STRATEGIC PLAN: ACHIEVE TOTAL EXCELLENCE IN MUNICIPAL SERVICES AND CITY ADMINISTRATION/ PLANNING WITH EXCELLENT CUSTOMER SERVICE AND COST-EFFECTIVENESS]*

City Manager Chotkevys presented the staff report.

IT WAS MOVED BY MAYOR PRO TEM ANDERSON, SECONDED BY COUNCIL MEMBER LACY, TO RECEIVE AND FILE THE REPORT AND AUTHORIZE THE CITY TO ACT AS FACILITATOR OF THE 2006 FESTIVAL OF WHALES.

The motion carried by the following vote:

AYES: Council Members Chilton, Harkey, Lacy,
Mayor Pro Tem Anderson and Mayor Rayfield.
NOES: None
ABSENT: None

24. ADOPTION OF A RESOLUTION RESERVING FUNDS FOR THE MAINTENANCE OF PACIFIC COAST HIGHWAY *[STRATEGIC PLAN: MAINTAIN, MODERNIZE AND BEAUTIFY THE CITY'S INFRASTRUCTURE AND NEIGHBORHOODS]*

City Manager Chotkevys presented the staff report.

IT WAS MOVED BY COUNCIL MEMBER HARKEY, SECONDED BY COUNCIL MEMBER LACY, TO ADOPT **RESOLUTION NO. 05-08-24-03**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, RESERVING FUNDS FOR THE MAINTENANCE OF PACIFIC COAST HIGHWAY AS PART OF THE RELINQUISHMENT OF PACIFIC COAST

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*HIGHWAY BETWEEN THE WEST EDGE OF THE SAN JUAN CREEK BRIDGE
AND THE NORTHERN CITY LIMIT.*

The motion carried by the following vote:

AYES: Council Members Chilton, Harkey, Lacy,
Mayor Pro Tem Anderson and Mayor Rayfield.
NOES: None
ABSENT: None

**25. AMENDMENTS TO STRATEGIC PLAN [STRATEGIC PLAN: ACHIEVE TOTAL
EXCELLENCE IN MUNICIPAL SERVICES AND CITY
ADMINISTRATION/PLANNING WITH EXCELLENT CUSTOMER SERVICE AND
COST-EFFECTIVENESS]**

City Manager Chotkevys presented the staff report.

IT WAS MOVED BY MAYOR PRO TEM ANDERSON, SECONDED BY COUNCIL
MEMBER CHILTON, TO, AFTER REVIEW OF THE PROPOSED REVISIONS TO
THE CITY OF DANA POINT STRATEGIC PLAN, DIRECT STAFF TO FINALIZE
THE DOCUMENT FOR PUBLICATION AND DISSEMINATION, WITH THE
FOLLOWING AMENDMENT TO PAGE 22, STRATEGIC PLAN INITIATIVE
NUMBER VIII:

FIFTH BULLET ITEM UNDER "ENSURE INTEGRITY OF FINANCIAL
OPERATIONS" MODIFIED TO READ:

- DEVELOP AND IMPLEMENT A CAPITAL IMPROVEMENT
PROGRAM EXPENDITURE POLICY AND/OR RESERVE POLICY

BY ADDING TEXT AS ABOVE (UNDERLINED AND IN ITALICS).

The motion carried by the following vote:

AYES: Council Members Chilton, Harkey, Lacy,
Mayor Pro Tem Anderson and Mayor Rayfield.
NOES: None
ABSENT: None

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NEW BUSINESS

- 26. INTRODUCTION AND FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA AMENDING SECTION 12.08.020 OF THE DANA POINT MUNICIPAL CODE TO ADDRESS A NUMERICAL INCONSISTENCY REGARDING STORAGE OF VEHICLES IN PUBLIC STREETS AND PUBLICLY OWNED PROPERTY, AND SECTION 12.08.028 REGARDING PARKING RESTRICTIONS ON NARROW STREETS [STRATEGIC PLAN: MAINTAIN, MODERNIZE AND BEAUTIFY THE CITY'S INFRASTRUCTURE AND NEIGHBORHOODS]**

City Manager Chotkevys introduced Director of Public Works and Engineering Services Fowler, who presented the staff report.

IT WAS MOVED BY MAYOR RAYFIELD, SECONDED BY MAYOR PRO TEM ANDERSON, TO INTRODUCE AND HOLD FIRST READING OF AN ORDINANCE ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA AMENDING SECTIONS 12.08.020 AND 12.08.028 OF THE DANA POINT MUNICIPAL CODE.

The motion carried by the following vote:

AYES: Council Members Chilton, Harkey, Lacy,
Mayor Pro Tem Anderson and Mayor Rayfield.
NOES: None
ABSENT: None

- 27. AMENDMENTS TO CITY'S CONFLICT OF INTEREST CODE [STRATEGIC PLAN: ACHIEVE TOTAL EXCELLENCE IN MUNICIPAL SERVICES AND CITY ADMINISTRATION/PLANNING WITH EXCELLENT CUSTOMER SERVICE AND COST-EFFECTIVENESS]**

City Manager Chotkevys introduced City Attorney Muñoz, who presented the staff report.

IT WAS MOVED BY COUNCIL MEMBER HARKEY, SECONDED BY MAYOR PRO TEM ANDERSON, TO ADOPT A RESOLUTION ENTITLED: *A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING THE CONFLICT OF INTEREST CODE.*

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SUBSTITUTE MOTION WAS MADE BY COUNCIL MEMBER LACY, SECONDED BY COUNCIL MEMBER CHILTON (as amended), TO DIRECT STAFF TO BRING THIS ITEM BACK AT THE NEXT COUNCIL MEETING, PROVIDING MORE INFORMATION FOR COUNCIL DISCUSSION AND CONSIDERATION. DIRECTION GIVEN REGARDING DESIGNATING SUBCOMMITTEE MEMBERS NOT TO BE SUBJECT TO DISQUALIFICATION BUT REQUIRED TO FILE FINANCIAL DISCLOSURES BE INCLUDED.

The substitute motion carried by the following vote:

AYES: Council Members Chilton, Lacy,
Mayor Pro Tem Anderson and Mayor Rayfield.
NOES: Council Member Harkey
ABSENT: None

STAFF REPORTS

There were no Staff Reports.

COUNCIL REPORTS

Council Member Chilton noted he was pleased with the selected City Motto.

Council Member Harkey noted the Harbor Environmental Impact Report would be ready for public viewing at the end of September.

Council Member Harkey reported that Scott Blum of Buy.Com has stated he is willing to finance a skate park in the City of Dana Point.

Council Member Harkey reported on her recent visit to the Sheriff's Training Facility in Orange and remarked she was quite impressed with the training that Sheriff Officers are put through.

Council Member Harkey provided an update on the work being done by the Residential Building Height Task Force, which should be submitting recommendations to the Planning Commission soon.

Council Member Harkey noted that the portion of Pines Park recently purchased by the City has not yet been dedicated to the City and requested staff to investigate this matter.

Council Member Harkey stated the Historical Society's Home Tour, "Puttin' on the Ritz – Then and Now," would be held on October 2, 2005, featuring the Dolph House and residences in Ritz Cove.

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Council Member Lacy reported on the inaugural meeting of the Library and Sea Terrace Park Subcommittee held earlier today. The next meeting of the subcommittee will be on September 26, 2005 and community involvement is encouraged.

Council Member Lacy noted a special election in Orange County would be held on November 8, 2005 that would include Orange County Measures B, C, D and E. Measure D, which Council Member Lacy is supporting, would provide six percent of Proposition 172 revenues to help fire safety and firefighters and is not a tax increase. This Measure, if passed, would help paramedic response times and assist with replacement of aging firefighting equipment.

Council Member Lacy reported on his attendance at a recent fundraiser Texas Hold 'Em Poker Tournament. Chief of Police Services Lt. Billings was the winner of the tournament.

Mayor Pro Tem Anderson reported that the Dana Point Yacht Club would be holding their annual Richard Henry Dana Charity Regatta and Fundraiser benefiting the Cystic Fibrosis Foundation, which would include a Texas Hold 'Em Poker Tournament to be held on September 8th. On September 10th, the Regatta, a Casino Night, a silent and live auction and Island Buffet would be held.

Mayor Pro Tem Anderson congratulated City staff on receiving a planning award from the Planning Center for "Innovative Use of Technology" based upon a Power Point draft design guidelines for improving the look and feel of Dana Point's neighborhoods.

Mayor Pro Tem Anderson stated she and Council Member Chilton had been presented with a League of California Cities certificate recognizing their completion of requirements for the Mayors and Council Members Academy Leadership Level.

Mayor Pro Tem Anderson reported on the Open House at the San Clemente/Dana Point Animal Shelter to be held this Saturday, August 27th from 10 a.m. to 3 p.m. Featured will be vaccinations, microchips, and amnesty for Dana Point and San Clemente residents with unlicensed pets.

Mayor Pro Tem Anderson, the City's representative to the Foothill Eastern Transportation Corridor Agency, reported that dates for the public hearing and Board meeting to select the preferred route for the Foothill South Extension have been set for November 2, 2005 (most likely at the Mission Viejo City Hall) and November 10, 2005. The times of the meetings have not been finalized at this time and she will report back with further information as it becomes available.

Mayor Rayfield reminded everyone that the concert scheduled for Sunday, August 28th, would be the last in this year's Concert in the Park series in Dana Point. The concert will be held at 4:30 p.m. in Pines Park. The Capistrano Beach Civic Association will meet at 3:00 p.m. in Pines Park before the concert.

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Mayor Rayfield reported that over two hundred cases of West Nile Virus have been reported in California, with two deaths in Riverside County and the virus found in San Clemente. Mayor Rayfield reminded everyone to dispose of any standing water around their homes.

Mayor Rayfield reported the Town Center Subcommittee will meet on Thursday, September 15th at 6:00 p.m. in order to make the meeting more accessible to business owners or business property owners. A briefing session will be held the following day, Friday, September 16th at 8:00 a.m. to inform business owners or business property owners on the progress of the subcommittee.

Mayor Rayfield reported that on September 17, 2005, the State will conduct its annual Coastal and Intercoastal Watershed Cleanup Event at Salt Creek Beach and Watershed. Volunteers are needed to assist with the cleanup.

Mayor Rayfield spoke of Kim Tilley of the Dana Point Harbor Association, who was recently diagnosed with cancer. In October, a walk to raise funds to fight breast cancer will be held. Donna Kalez of Dana Wharf Sportfishing will participate in the walk with Kim. Anyone desiring to walk and/or sponsor their walk can obtain information at Dana Wharf Sportfishing.

Mayor Rayfield wished everyone a happy and safe Labor Day.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Rayfield declared the meeting adjourned at 10:49 p.m.

The next Regular Meeting of the City Council will be September 14, 2005 at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

ELIZABETH EHRLING
CITY CLERK

APPROVED AT THE MEETING OF SEPTEMBER 14, 2005