

CITY OF DANA POINT

CITY COUNCIL REGULAR MEETING



**TUESDAY
APRIL 18, 2023
6:00 P.M.**

MINUTES

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

Next City Council Ordinance No. 23-04

CALL TO ORDER

The Regular Meeting of the City Council of the City of Dana Point, California, was called to order by Mayor Mike Frost at 6:00 p.m. in the City Council Chambers, 33282 Golden Lantern, Dana Point.

ROLL CALL OF CITY COUNCIL MEMBERS:

Mike Frost, Mayor
Jamey M. Federico, Mayor Pro Tem
John Gabbard, Council Member
Matthew Pagano, Council Member
Michael Villar, Council Member

STAFF PRESENT: Michael A. Killebrew, City Manager; Kelly Reenders, Assistant City Manager; Patrick Munoz, City Attorney; Shayna Sharke, City Clerk; Captain Todd Hylton; Sea Shelton, Director of Administrative Services; Brenda Wisneski, Director of Community Development; Matthew Sinacori, Director of Public Works/City Engineer; James Shadle, Director of General Services; Jeff Rosaler, Deputy Director of Community Services; Belinda Deines, Principal Planner, and Jaimie To, Senior Management Analyst.

CLOSED SESSION

There was no Closed Session.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pro Tem Federico.

INVOCATION

There was no Invocation.

PRESENTATIONS AND PROCLAMATIONS

Staff Retirement Honors

Mayor Frost presented Ted Harris (Code Enforcement Officer) with a Certificate of Recognition for his years of service at the City. Community Development Director Brenda Wisneski presented a City Tile to Ted and thanked him for his service.

Mayor Frost presented Sherry Murphy (Recreation Manager) with a Certificate of Recognition for her years of service at the City. Assistant City Manager Kelly Reenders presented a City Tile to Sherry and thanked her for her service. Wayne Yost (VFW Post 9934) thanked Sherry for her hard work.

VFW Honors

Mayor Frost, Fire Chief Cheyne Maule and VFW District 2 Senior Vice-Commander Wayne Yost presented a Certificate of Recognition to Reserve Firefighter Jason Smigel for the OCFA EMT of the Year.

Mayor Frost, Fire Chief Cheyne Maule and VFW District 2 Senior Vice-Commander Wayne Yost presented a Certificate of Recognition to Captain Corey Gallup for the Veterans of Foreign Wars, Dana Point Post 9934 Firefighter of the Year.

Mayor Frost, Captain Todd Hylton and VFW District 2 Senior Vice-Commander Wayne Yost presented a Certificate of Recognition to Deputy Blake Blaney for the Veterans of Foreign Wars, Dana Point Post 9934 and District 2 Law Enforcement Officer of the Year.

READING OF ORDINANCE TITLES

City Clerk Shayna Sharke read one (1) ordinance title.

CONSENT CALENDAR

IT WAS MOVED BY MAYOR FROST, SECONDED BY MAYOR PRO TEM FEDERICO, THAT THE RECOMMENDATIONS BE ACCEPTED FOR ALL ITEMS ON THE CONSENT CALENDAR.

The motion carried by the following vote:

AYES: Council Member Gabbard, Council Member Pagano, Council Member Villar, Mayor Pro Tem Federico, and Mayor Frost

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 AND THAT FURTHER READING OF SUCH ORDINANCES BE WAIVED.

2. REGULAR MEETING MINUTES, MARCH 21, 2023

APPROVED THE MINUTES.

3. SPECIAL MEETING MINUTES, APRIL 11, 2023

APPROVED THE MINUTES.

4. PLANNING COMMISSION MEETING MINUTES, MARCH 13, 2023

RECEIVED AND FILED.

5. YOUTH BOARD MEETING MINUTES, FEBRUARY 16, 2023

RECEIVED AND FILED.

6. ARTS AND CULTURE COMMISSION MINUTES, FEBRUARY 8, 2023

RECEIVED AND FILED.

7. CLAIMS AND DEMANDS

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

8. TREASURER'S REPORT

RECEIVED AND FILED THE TREASURER'S REPORT FOR THE MONTH OF MARCH, 2023.

9. DEVELOPMENT UPDATE AND QUARTERLY REPORT

RECEIVED AND FILED THE REPORT.

10. RECRUITMENT FOR THE ARTS AND CULTURE COMMISSION

DIRECTED STAFF TO PROCEED WITH RECRUITMENT FOR THREE ARTS AND CULTURE COMMISSIONERS.

11. ADOPTION OF AN ORDINANCE AMENDING DANA POINT MUNICIPAL CODE TITLE 10 AS IT RELATES TO ANIMAL CONTROL, WELFARE AND LICENSING REQUIREMENTS

HELD A SECOND READING AND ADOPTED ORDINANCE 22-03 OF THE CITY OF DANA POINT AS FOLLOWS:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA AMENDING IN ITS ENTIRETY TITLE 10 OF THE DANA POINT MUNICIPAL CODE PERTAINING TO ANIMAL CONTROL, WELFARE AND LICENSING REQUIREMENTS.

12. THIRD AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH MICHAEL BAKER INTERNATIONAL FOR PREPARATION OF THE VICTORIA BOULEVARD SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT

AUTHORIZED THE CITY MANAGER TO EXECUTE THE CONTRACT AMENDMENT WITH MICHAEL BAKER INTERNATIONAL – THIRD AMENDMENT TO AGREEMENT FOR ADDITIONAL FUNDING, WITH A REVISED NOT-TO-EXCEED CONTRACT AMOUNT, AND AN EXTENSION TO DECEMBER 31, 2023.

13. JACOB GREEN & ASSOCIATES CONTRACT AMENDMENT FOR FY24 AND FY25

AUTHORIZED THE CITY MANAGER TO EXECUTE A FIRST AMENDMENT TO EXTEND THE TERM OF THE ORIGINAL AGREEMENT WITH JACOB GREEN & ASSOCIATES FOR FY24 AND FY25 AND INCREASE THE NOT-TO-EXCEED AMOUNT AS EXPLAINED IN THE FISCAL IMPACT SECTION.

14. WEST COAST ARBORIST CONTRACT AMENDMENT AND EMERGENCY REPLACEMENT OF CITY-WIDE TREES

THE CITY COUNCIL:

1. AUTHORIZED THE CITY MANAGER TO EXECUTE A THIRD AMENDMENT TO THE ORIGINAL AGREEMENT WITH WEST COAST ARBORIST, INC., TO:
 - A. RATIFIED AN INCREASE TO THE NOT TO EXCEED AMOUNT FOR FISCAL YEAR 2023; AND
 - B. EXTENDED THE CONTRACT AN ADDITIONAL ONE-YEAR TERM TO BEGIN JULY 1, 2023 FOR ANNUAL TREE MAINTENANCE SERVICES WITH A NOT TO EXCEED AMOUNT INCLUDED IN REPORT, PLUS AN ADDITIONAL 10% CONTINGENCY; AND
2. APPROVED A BUDGET ADJUSTMENT INCLUDED IN THE FISCAL IMPACT SECTION OF THIS REPORT TO FUND EMERGENCY COSTS FOR REMOVAL AND REPLACEMENT OF TREES CITY-WIDE, AND FOR ADDITIONAL TREE AND SHRUB TRIMMING LOCATED WITHIN LOT Q OF THE COMMUNITY FACILITIES DISTRICT NO. 2006-1.

15. FIRST AMENDMENT TO SERVICE AGREEMENT WITH GRANICUS, LLC FOR WEBSITE REDESIGN AND HOSTING SERVICES

RATIFIED THE FIRST AMENDMENT TO THE AGREEMENT WITH GRANICUS, LLC FOR THE ENHANCEMENT OF THE CITY'S WEBSITE DESIGN AND HOSTING SERVICES.

PUBLIC COMMENTS

Brent Neumeyer (Capistrano Beach) spoke regarding the Victoria Boulevard Apartments EIR and distributed a document regarding the EIR analysis to the City Council.

PUBLIC HEARINGS

There were no Public Hearings.

UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

16. LONG TERM FINANCIAL PLAN AND POLICY UPDATE

Director of Administrative Services Sea Shelton provided a staff report and answered questions of the Council.

IT WAS MOVED BY MAYOR FROST, SECONDED BY COUNCIL MEMBER PAGANO, THAT THE CITY COUNCIL RECOMMEND REFERRAL OF THE LONG-TERM FINANCIAL PLAN UPDATE TO THE FINANCIAL REVIEW COMMITTEE, TO BE BROUGHT BACK TO COUNCIL ON JUNE 6, 2023 WITH ANY UPDATES AND FINAL ADOPTION.

The motion carried by the following vote:

AYES: Council Member Gabbard, Council Member Pagano, Council Member Villar, Mayor Pro Tem Federico, and Mayor Frost

NOES: None

ABSENT: None

COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED

Council Member Gabbard turned in his list of meetings attended to the City Clerk and stated he was in Sacramento last week.

Council Member Pagano stated he will turn in his list of meetings attended to the City Clerk.

Council Member Villar turned in his list of meetings attended to the City Clerk and stated he received an email from a resident regarding short-term rentals and asked staff to analyze and estimate the balance of available and possible short-term rentals inside and outside of the coastal zone and bring that estimate back to Council.

Mayor Pro Tem Federico turned in his list of meetings attended to the City Clerk and invited residents to the ribbon cutting on April 21st for the new kennels at CASA San Clemente/Dana Point paid for by the Pet Project Foundation.

Mayor Frost stated he will turn in his list of meetings attended to the City Clerk and reminded the community about the State of the City on April 26th and the REDO Market on April 30th.

STAFF REPORTS

City Manager Michael A. Killebrew stated he had nothing to report.

City Attorney Patrick Munoz stated he had nothing to report.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Frost adjourned the meeting at 6:46 p.m. in honor of Bob Frey. He announced that the next Regular Meeting of the City Council will be May 2, 2023, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.



SHAYNA SHARKE

CITY CLERK

APPROVED AT THE MEETING OF MAY 2, 2023

Meetings attended since March 21, 2023

Mayor Mike Frost

Mayor Pro Tem Jamey M. Federico

03/22/2023 OCTA Finance Committee
03/27/2023 OCTA Board Meeting
04/03/2023 CASA Board Meeting
04/03/2023 OCTA Regional Transportation Planning Committee
04/07/2023 Meeting with Laguna Cliffs Marriott Ownership
04/10/2023 OCTA Board Meeting
04/12/2023 CIP/Facilities Subcommittee
04/12/2023 OCTA Finance Committee

Council Member John Gabbard

03/31/2023 Lunch with Supervisor Foley
03/31/2023 Senator Nguyen Huntington Beach Office Grand Opening
04/04/2023 SONGS Task Force Meeting
04/06/2023 Lincoln Club – Tulsi Gabbard
04/08/2023 Sea Canyon Easter Egg Hunt
04/12/2023 – 04/14/2023 Cal Cities Leadership Summit – Sacramento
04/14/2023 Dana Point Wine Festival
04/15/2023 Boys and Girls Club of Capo Valley Bocce Ball Championship
04/18/2023 Niguel Shores Men's Club

Council Member Matthew Pagano

Council Member Michael Villar

04/11/2023 Meet and Greet with CUSD Board of Trustees
04/30/2023 Meeting with Dana Point Homeless Task Force