

CITY OF DANA POINT

CITY COUNCIL REGULAR MEETING



**TUESDAY
MARCH 19, 2024
5:00 P.M.**

AGENDA

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

Next City Council Ordinance No. 24-01

Public comment may be provided in-person, electronically, or by mail. Comments may be submitted via mail Attn: City Clerk, 33282 Golden Lantern, Dana Point, CA 92629; or via email at comment@danapoint.org. In order to be provided to the City Council *prior* to the meeting, comments must be received by 4:00P.M. on the day of the meeting. All written comments should include the date of the meeting as well as reference to the Agenda Item number, if applicable. Written comments will not be read aloud during the meeting but will be included in the meeting record.

CALL TO ORDER

ROLL CALL OF CITY COUNCIL MEMBERS:

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

CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (d)(2), (2 cases)
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Government Code § 54956.9 (d)(1), (1 case)

Name of Case: Center for Natural Lands Management v City of Dana Point, Orange County Superior Court Case No: 30-2021-01219668 CU-OR-CJC

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

RECONVENE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

PRESENTATIONS AND PROCLAMATIONS

Certificate of Recognition – Margaret Lang

Volunteer of the Quarter – Wayne and Debbie Yost

READING OF ORDINANCE TITLES

At this time, the City Clerk will read the title(s) of the ordinance(s) listed on the agenda.

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.

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 and that further reading of such ordinances be waived.

2. [REGULAR MEETING MINUTES, MARCH 5, 2024](#)

RECOMMENDED ACTION: That the City Council approve the minutes.

3. [CLAIMS AND DEMANDS](#)

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

4. [DEVELOPMENT UPDATE](#)

RECOMMENDED ACTION: That the City Council receive and file the Development Update.

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 thirty 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

None.

UNFINISHED BUSINESS

5. 2023 ANNUAL HOUSING ELEMENT PROGRESS REPORT

RECOMMENDED ACTION: That the City Council receive and file the 2023 Annual Housing Element Progress Report.

6. LANTERN DISTRICT COMMUNITY BENEFIT DISTRICT PETITION

RECOMMENDED ACTION: That the City Council authorize the City Manager to sign the petition to establish the Lantern District Community Benefit District on behalf of the City of Dana Point.

7. AGREEMENT FOR ENGINEERING ASSOCIATED WITH PROCESSING THE FIRST PHASE OF THE CHULA VISTA UNDERGROUNDING ASSESSMENT DISTRICT

RECOMMENDED ACTION: That the City Council authorize the City Manager to sign a Standard Consultant Services Agreement with NV5, Incorporated for assessment district engineering for the initial phase of the Chula Vista Undergrounding Assessment District as outlined in the City Council Policy.

8. INTRODUCTION OF AN ORDINANCE AMENDING DANA POINT MUNICIPAL CODE CHAPTER 5.42, PERTAINING TO SMALL WIRELESS FACILITY BUSINESS REGULATIONS

RECOMMENDED ACTION: That the City Council:

- 1) Introduce and hold the First Reading of an Ordinance titled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA AMENDING IN ITS ENTIRETY CHAPTER 5.42 OF THE DANA POINT MUNICIPAL CODE PERTAINING TO SMALL WIRELESS FACILITY BUSINESS REGULATIONS; and

- 2) Direct Staff to schedule a second reading and adoption of the proposed Ordinance amending Chapter 5.42.

NEW BUSINESS

None.

PUBLIC COMMENTS (Continued)

COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED

The City Council may discuss, act upon or seek consensus on matters described under Council Reports only if: they are agendized 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-agendized items may be presented as informational only.

STAFF REPORTS

(City Manager Michael Killebrew)

(City Attorney Patrick Muñoz)

ADJOURNMENT

The next Regular Meeting of the City Council will be April 2, 2024, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

CERTIFICATION

I, Shayna Sharke, 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 and www.danapoint.org by March 14, 2024, at 5:30 p.m.



SHAYNA SHARKE, CITY CLERK

March 14, 2024
DATE

Subscriptions to receive City Council Agendas on a regular basis are available through the City Clerk's Office. Agendas are also available on the City's website at www.danapoint.org. In addition, Agenda related materials (including materials, if any, provided to the City Council after the Agenda was posted) may be reviewed in the office of the City Clerk during regular business hours or on the website at www.danapoint.org.

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.