

CITY OF DANA POINT

CITY COUNCIL REGULAR MEETING



TUESDAY
April 16, 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), (2 cases)
 - 1. 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
 - 2. Name of Case: Travis Mellem vs. City of Dana Point et al; OCSC Case NO 30-2024-01377025-CU-WM-CJC

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

RECONVENE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

PRESENTATIONS AND PROCLAMATIONS

Festival of Whales Art Contest Winner – Calista Green

Business of the Quarter – Coffee Importers

VFW Police of the Year – Deputy Edward Aguilar

VFW Firefighter of the Year – Shelly Appleby

VFW EMT of the Year – Reserve Firefighter Conner Macleod

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 19, 2024](#)

RECOMMENDED ACTION: That the City Council approve the minutes.

3. [PLANNING COMMISSION MEETING MINUTES, FEBRUARY 26, 2024](#)

RECOMMENDED ACTION: That the City Council approve the minutes.

4. [CITY TREASURER'S REPORT, FEBRUARY 2024](#)

RECOMMENDED ACTION: That the City Council receive and file the City Treasurer's Report, February 2024.

5. [CLAIMS AND DEMANDS](#)

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

6. DEVELOPMENT UPDATE WITH QUARTERLY REPORT

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

7. SECOND READING AND ADOPTION OF AN ORDINANCE AMENDING DANA POINT MUNICIPAL CODE CHAPTER 5.42 PERTAINING TO SMALL WIRELESS FACILITY BUSINESS REGULATIONS

RECOMMENDED ACTION: That the City Council hold a second reading and adopt 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

8. BIENNIAL CAMPAIGN CONTRIBUTION AND EXPENDITURE LIMITS ADJUSTMENT

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADJUSTING THE CAMPAIGN CONTRIBUTION AND CAMPAIGN LOAN LIMITS TO REFLECT CHANGES IN THE CONSUMER PRICE INDEX, AS REQUIRED BY SECTION 2.05.058 OF THE DANA POINT MUNICIPAL CODE

9. CONTRACT WITH MARBO PRODUCTIONS FOR DOHENY VILLAGE RAMPS AND AMPS EVENT

RECOMMENDED ACTION: That the City Council authorize the City Manager or his designee to contract with Marbo Productions to install and manage a professional, temporary skate course in Doheny Village for a second consecutive year, that will take place August 17, 2024.

10. AWARD OF CONTRACT FOR CLASSIFICATION AND COMPENSATION STUDY

RECOMMENDED ACTION: That the City Council authorize the City Manager, or designee, to execute a contract for professional services with the consulting firm Ralph Anderson and Associates to conduct a comprehensive classification and compensation study for all City positions.

11. PERMIT FEE WAIVER FOR COFFEE IMPORTERS

RECOMMENDED ACTION: That the City Council waive permit fees for Coffee Importers to submit an application for a Coastal Development Permit to establish a café at the Ocean Institute located at 24200 Dana Point Harbor Drive.

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

12. POLICE SERVICES – DANA POINT COMMUNITY REPORT

RECOMMENDED ACTION: That the City Council receive and file the report.

NEW BUSINESS

13. CITY COUNCIL POLICY REVIEW SECTION 214

RECOMMENDED ACTION: That the City Council review and discuss City Council Policy Section 214.

14. DAYLIGHTING OF AN ORDINANCE AMENDING DANA POINT MUNICIPAL CODE CHAPTER 11.10, NOISE CONTROL

RECOMMENDED ACTION: That the City Council receive, direct, discuss and advise on the proposed changes to portions of Chapter 11.10 of the Dana Point Municipal Code pertaining to Noise Control as part of the comprehensive review of the City's Municipal Code.

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 16, 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 April 11, 2024, at 5:30 p.m.



SHAYNA SHARKE, CITY CLERK

4/11/2024
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.