

CITY OF DANA POINT

CITY COUNCIL REGULAR MEETING



TUESDAY
April 16, 2024
5:00 P.M.

MINUTES

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

Next City Council Ordinance No. 24-01

CALL TO ORDER

The Regular Meeting of the City Council of the City of Dana Point, California, was called to order by Mayor Jamey M. Federico at 5:00 P.M. in the City Council Chambers, 33282 Golden Lantern, Dana Point.

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

STAFF PRESENT: Patrick Munoz, City Attorney; Kelly Reenders, Assistant City Manager; Shayna Sharke, City Clerk; Captain Todd Hylton; Sea Shelton, Director of Administrative Services; Matthew Sinacori, Director of Public Works/City Engineer; Brenda Wisneski, Director of Community Development; Ray Oropeza, Code Enforcement Supervisor; Ryan Haworth, Deputy City Clerk; and Jaimie To, Senior Management Analyst.

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

Mayor Federico recessed the meeting into a Closed Session at 5:01 P.M. pursuant to Government Code Section 54957.

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

RECONVENE CITY COUNCIL MEETING

Mayor Federico reconvened the meeting at 6:00 P.M.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Villar.

INVOCATION

PRESENTATIONS AND PROCLAMATIONS

Festival of Whales Art Contest Winner – Calista Green

Mayor Federico and Melissa Muraira from the Dana Point Community Center presented Calista Green with a certificate and prize for winning the Festival of Whales Art Contest.

Business of the Quarter – Coffee Importers

Mayor Federico and Sarah D'Agostino from the County of Orange presented Jim Miller from Coffee Importers with a certificate for Business of the Quarter.

VFW Police of the Year – Deputy Edward Aguilar

Mayor Federico, Sarah D'Agostino from the County of Orange, and VFW Post 9934 Commander Rick Jauregui presented Deputy Edward Aguilar with a certificate for VFW Police of the Year.

VFW Firefighter of the Year – Shelly Appleby

Mayor Federico, Sarah D'Agostino from the County of Orange, and VFW Post 9934 Commander Rick Jauregui presented Shelly Appleby with a certificate for VFW Firefighter of the Year.

VFW EMT of the Year – Reserve Firefighter Conner Macleod

Mayor Federico, Sarah D'Agostino from the County of Orange, and VFW Post 9934 Commander Rick Jauregui presented Reserve Firefighter Conner Macleod with a certificate for VFW EMT of the Year.

READING OF ORDINANCE TITLES

City Clerk Shayna Sharke read one (1) Ordinance Title.

CONSENT CALENDAR

IT WAS MOVED BY MAYOR FEDERICO SECONDED BY COUNCIL MEMBER GABBARD, THAT THE RECOMMENDATIONS BE ACCEPTED FOR ALL ITEMS ON THE CONSENT CALENDAR.

The motion carried by the following vote:

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

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 19, 2024

APPROVED THE MINUTES.

3. PLANNING COMMISSION MEETING MINUTES, FEBRUARY 26, 2024

APPROVED THE MINUTES.

4. CITY TREASURER'S REPORT, FEBRUARY 2024

RECEIVED AND FILED THE CITY TREASURER'S REPORT, FEBRUARY 2024.

5. CLAIMS AND DEMANDS

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

6. DEVELOPMENT UPDATE WITH QUARTERLY REPORT

RECEIVED AND FILED THE DEVELOPMENT UPDATE WITH QUARTERLY REPORT.

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

ADOPTED ORDINANCE 24-01 ENTITLED:

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

ADOPTED RESOLUTION 24-04-16-01 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 AMP EVENT

AUTHORIZED THE CITY MANAGER TO SIGN THE CONTRACT WITH MARBO PRODUCTIONS FOR DOHENY VILLAGE RAMPS AND AMPS EVENT AND, APPROVE CHANGE ORDERS IF NECESSARY.

10. AWARD OF CONTRACT FOR CLASSIFICATION AND COMPENSATION STUDY

APPROVED AWARD OF A CONTRACT TO THE CONSULTING FIRM RALPH ANDERSON AND ASSOCIATES TO CONDUCT A COMPREHENSIVE CLASSIFICATION AND COMPENSATION STUDY FOR ALL CITY POSITIONS, AND AUTHORIZED THE CITY MANAGER TO SIGN THE CONTRACT AND APPROVE CHANGE ORDERS IF NECESSARY.

11. PERMIT FEE WAIVER FOR COFFEE IMPORTERS

WAIVED 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

Sarah D'Agostino (Supervisor Katrina Foley's Office) stated that Supervisor Foley's website that provides information on the Dana Point Harbor revitalization and added that OCTA staff has started a formal procurement process to live stream its meetings, and that Supervisor Foley will be the keynote speaker for June's Coffee Chat hosted by the Dana Point Chamber of Commerce.

PUBLIC HEARINGS

None.

UNFINISHED BUSINESS

12. POLICE SERVICES – DANA POINT COMMUNITY REPORT

Captain Hylton provided a Staff Report.

Discussion ensued.

RECEIVED AND FILED THE POLICE SERVICES – DANA POINT COMMUNITY REPORT.

NEW BUSINESS

13. CITY COUNCIL POLICY REVIEW SECTION 214

City Clerk Shayna Sharke provided a brief Staff Report.

Discussion ensued.

IT WAS MOVED BY COUNCIL MEMBER VILAR THAT THE CITY COUNCIL REVISED POLICY SECTION 214 TO INCLUDE REQUIREMENTS FOR A DRAFT OF LETTERS SENT ON BEHALF OF CITY COUNCIL IN THE STAFF REPORTS FOR DISCUSSION AND VOTE.

Discussion ensued.

THE MOTION FAILED DUE TO LACK OF A SECOND.

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

Director of Community Development Brenda Wisneski provided a Staff Report.

Discussion ensued.

RECEIVED, DIRECTED, DISCUSSED, AND ADVISED TO ADD PLAIN LANGUAGE EXAMPLES 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)

None.

COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED

Council Member Gabbard stated that he has turned in his list of meetings and that he attended the ACC-OC Advocacy Meeting in Sacramento and met with Assemblymember Mike Fong and State Senator Scott Wiener regarding state budget and housing laws.

Council Member Frost stated that he has turned in his list of meetings and attended the ACC-OC advocacy meeting in Sacramento and made comments on the upcoming housing laws and zoning changes coming from the State.

Council Member Villar stated that he has turned in his list of meetings attended.

Mayor Pro Tem Pagano stated that he has turned in his list of meetings attended.

Mayor Federico stated that he has turned in his list of meetings attended.

STAFF REPORTS

City Attorney Patrick Munoz stated that he had nothing to report.

Assistant City Manager Kelly Reenders mentioned the upcoming State of the City, Redo Market, General Plan Advisory Committee, Dana Point Film Festival, and Bike Safety Event.

Captain Todd Hylton mentioned that Dana Point Police Services and the Orange County Fire Authority will be hosting the Heroes Supporting Heroes event.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Federico adjourned the meeting at 7:32 P.M. He announced that the next Regular Meeting of the City Council will be May 7, 2024, 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 7, 2024

Meetings attended since March 20, 2024

Mayor Jamey Federico

04/15/2024 OCTA Real estate ad hoc
04/11/2024 TCA Board Meeting
04/10/2024 Women's Club fundraiser
04/10/2024 OCTA Finance Committee
04/08/2024 OCTA Board meeting
04/01/2024 OCTA RTP Committee
03/29/2024 Falck Ambulance

Mayor Pro Tem Matthew Pagano

04/01/2024 Bob Zasa

Council Member Mike Frost

02/07/2024 Harbor Groundbreaking
02/07/2024 OCFA
02/08/2024 TCA
02/15/2024 Dana Point Chamber
02/22/2024 TCA
02/22/2024 ACC-OC
02/22/2024 OCFA
02/26/2024 Ocean Institute
02/27/2024 TCA
02/28/2024 Sorrento Delegation
03/01/2024 Ocean Institute
03/07/2024 Dana Point Chamber
03/14/2024 TCA
03/21/2024 Rancho Mission Viejo
03/27/2024 TCA
03/28/2024 TCA
03/28/2024 ACC-OC
04/08/2024 ACC – OC (Sacramento)
04/11/2024 TCA

Council Member John Gabbard

03/21/2024 OCMVCD Board meeting
03/23/2024 Ocean Institute gala
03/28/2024 OCCOG Annual Conference, Nixon Library
03/30/2024 Easter egg hunt, Dana Point Community Center
04/02/2024 Niguel Shore Men's Club Speaker
04/04/2024 SCAG Regional Council, Los Angeles
4/8-4/9/2024 ACC-OC Sacramento advocacy trip
04/11/2024 OCMVCD Joint Committee meeting

Council Member Michael Villar

No meetings to report.