

CITY OF DANA POINT

CITY COUNCIL REGULAR MEETING



**TUESDAY
JANUARY 21, 2025
5:00 P.M.**

AGENDA

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

Next City Council Ordinance No. 25-01

Public comment may be provided in-person, electronically, or by mail. Comments may be submitted via mail: City Clerk, 33282 Golden Lantern, Dana Point, CA 92629; or via email at comment@danapoint.org. To be provided to the City Council *prior* to the meeting, comments must be received by 4:00 P.M. on the day of the meeting. 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 are considered a public record and will be included in the meeting record.

CALL TO ORDER

ROLL CALL OF CITY COUNCIL MEMBERS:

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

CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL - LITIGATION STRATEGY REVIEW INCLUDING POTENTIAL DISCUSSION OF ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (d)(2), (3 cases) AND THE FOLLOWING EXISTING LITIGATION, Government Code 54956.9 (d)(1), (6 cases)
 - a. City of DP v. Sunshine Group LLC (Seaside Inn), Orange County Superior Court Case No. 30-2017- 00915900
 - b. Concerned Residents of Dana Point vs. City of Dana Point Case No. 2019- 01117892-CU-TT-CXC
 - c. Center For Natural Lands Management v City of Dana Point, Orange County Superior Court Case No: 30-2021-01219668 CU-OR-CJC

- d. Mitchell Carr vs. City of Dana Point, County of Orange (1973115) (Ironshore Claim No.: SANCAS000317850) (AWNAC Ref. No.: 2021007664) (AWAC Ref. No.: 2021007660)
- e. City of Dana Point v. Paul Frederic Meyers, Trustee of the Meyers Family Trust, Orange County Superior Court Case No: 30-2022-01301502-CU-PT-CJC
- f. Name of Case: ST Apartments vs. City of Dana Point; OCSC Case NO 30-2024-01397922-CU-WM-CJC

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

RECONVENE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

PRESENTATIONS AND PROCLAMATIONS

Employee of the Quarter – Robin Gray, Records Coordinator

Candy Cane Lanes Home Decorating Contest Awards

Trauma Intervention Program Proclamation

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, DECEMBER 3, 2024](#)

RECOMMENDED ACTION: That the City Council approve the minutes.

3. [PLANNING COMMISSION MEETING MINUTES, NOVEMBER 25, 2024](#)

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

4. CLAIMS AND DEMANDS

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

5. TREASURER'S REPORT

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

6. DEVELOPMENT UPDATE

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

7. SECOND READING AND ADOPTION OF AN ORDINANCE AMENDING DANA POINT MUNICIPAL CODE CHAPTER 4.04, FIREWORKS

RECOMMENDED ACTION: That the City Council hold a second reading and adopt an Ordinance of the City of Dana Point entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA AMENDING IN ITS ENTIRETY DANA POINT MUNICIPAL CODE CHAPTER 4.04, FIREWORKS

8. INFINITY TECHNOLOGIES CONTRACT AMENDMENT

RECOMMENDED ACTION: That the City Council authorize the City Manager, or designee, to execute a Sixth Amendment to the Original Agreement with Infinity Technologies for Information Technology Management Services adjusting the monthly IT management services fee.

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

9. ZONE TEXT AMENDMENT ZTA22-0002/LCPA23-0001 RELATED TO COMPLIANCE WITH STATE HOUSING LAW

RECOMMENDED ACTION: That the City Council:

- 1) Conduct a public hearing;
- 2) Review and forward adopted modifications to the California Coastal Commission for final certification by adopting a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADOPTING THE CALIFORNIA COASTAL COMMISSION'S SUGGESTED MODIFICATIONS TO LOCAL COASTAL PROGRAM AMENDMENT LCPA23-0001 FOR AMENDMENTS REQUIRED TO COMPLY WITH STATE HOUSING LAW, AND REQUESTING SUBMITTAL TO AND FINAL CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION; AND

- 3) Introduce and hold the first reading of an Ordinance adopting the suggested modifications approved by the California Coastal Commission for Zone Text Amendment ZTA22-0002 as part of Local Coastal Program Amendment LCPA23-0001 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADOPTING ZONE TEXT AMENDMENT ZTA22-0002 WITH THE CALIFORNIA COASTAL COMMISSION'S SUGGESTED MODIFICATIONS TO AMEND THE DANA POINT ZONING CODE TO COMPLY WITH STATE HOUSING LAW AS PART OF LOCAL COASTAL PROGRAM AMENDMENT LCPA23-0001 FOR APPROVAL AND CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION

10. GENERAL PLAN AMENDMENT GPA24-0001, ZONE TEXT AMENDMENT ZTA24-0002, AND LOCAL COASTAL PROGRAM AMENDMENT LCPA24-0001; AMENDMENT TO THE HEADLANDS DEVELOPMENT AND CONSERVATION PLAN (HDGP) TO REPLACE THE TERMS "FUNICULAR" AND "INCLINED ELEVATOR" WITH "STRAND TRANSIT SYSTEM (STS)"

RECOMMENDED ACTION: That the City Council:

- 1) Conduct a public hearing; and
- 2) Approve the attached resolution adopting the General Plan Amendment GPA24-0001 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING OF GENERAL PLAN AMENDMENT GPA24-0001, TO AMEND THE HEADLANDS DEVELOPMENT AND CONSERVATION PLAN (HDGP), TO REPLACE THE TERMS "FUNICULAR" AND "INCLINED ELEVATOR" WITH "STRAND TRANSIT SYSTEM" (STS) TO PROVIDE FLEXIBILITY FOR A FUTURE REPLACEMENT TRANSPORTATION SYSTEM

- 3) Introduce and hold the first reading of an Ordinance approving Zone Text Amendment ZTA24-0002 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING ZONE TEXT AMENDMENT ZTA24-0002 AMENDING THE HEADLANDS DEVELOPMENT AND CONSERVATION PLAN TO REPLACE THE TERMS “FUNICULAR” AND “INCLINED ELEVATOR” TO “STRAND TRANSIT SYSTEM” (STS) TO PROVIDE FLEXIBILITY FOR A FUTURE REPLACEMENT TRANSPORTATION SYSTEM, AND SUBMISSION AS PART OF LOCAL COASTAL PROGRAM AMENDMENT LCPA24-0001 FOR APPROVAL AND CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION

- 4) Adopt a Resolution approving Local Coastal Program Amendment LCPA24-0002 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING LOCAL COASTAL PROGRAM AMENDMENT LCPA24-0001, WHICH AMENDS THE HEADLANDS DEVELOPMENT AND CONSERVATION PLAN WITH GENERAL PLAN AMENDMENT GPA24-0001 AND ZONING TEXT AMENDMENT ZTA24-0002, AS LOCAL COASTAL PROGRAM AMENDMENT LCPA24-0001 FOR APPROVAL AND CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION

UNFINISHED BUSINESS

11. POLICE SERVICES QUARTERLY REPORT

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

12. 2024 COMMUNITY SURVEY RESULTS

RECOMMENDED ACTION: That the City Council receive a presentation from FM3 Research on the 2024 Dana Point Community Survey.

13. STRATEGIC PLAN REVIEW – PERFORMANCE MEASURES

RECOMMENDED ACTION: That the City Council receive an update from Staff on the City’s 2025 Strategic Plan Measurements and provide direction on any necessary amendments to the Plan or its measures.

NEW BUSINESS

14. RECRUITMENT FOR THE PLANNING COMMISSION AND TRAFFIC IMPROVEMENT SUBCOMMITTEE

RECOMMENDED ACTION: That the City Council:

- 1) Direct Staff to proceed with the recruitment for the Planning Commission and Traffic Improvement Subcommittee; and
- 2) Appoint two members of the City Council to a subcommittee to interview the applicants and recommend appointments for Council approval;

OR

- 3) Reappoint any/or all members of the Planning Commission or Subcommittee to the Traffic Improvement Subcommittee and Planning Commission.

15. CITY COUNCIL APPOINTED REPRESENTATIVES ON CITY AND OUTSIDE AGENCY BOARDS AND DISSOLUTION OF OCEAN WATER QUALITY SUBCOMMITTEE

RECOMMENDED ACTION: That the City Council:

- 1) Approve appointments of the City Council representatives to outside agencies;
- 2) Approve appointments to City committees, subcommittees and task forces; and
- 3) Direct Staff to notify affected agencies as necessary; and
- 4) Adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, DESIGNATING AND APPOINTING ITS REPRESENTATIVE TO THE ORANGE COUNTY FIRE AUTHORITY'S BOARD OF DIRECTORS

- 5) Dissolve the Ocean Water Quality Subcommittee by adopting a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, DISSOLVING THE OCEAN WATER QUALITY SUBCOMMITTEE

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)

UPCOMING EVENTS

- January 25 Farmers Market and Craft Vendors, La Plaza
- January 26 Low-Cost Pet Vaccines and Microchip, Dana Point Community Center
- February 1 Farmers Market and Craft Vendors, La Plaza

ADJOURNMENT

The next Regular Meeting of the City Council will be February 4, 2025, 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 January 16, 2025, at 5:30 p.m.



SHAYNA SHARKE, CITY CLERK

1/16/2025
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.