

# CITY OF DANA POINT

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## CITY COUNCIL REGULAR MEETING



**TUESDAY  
FEBRUARY 4, 2025  
5:00 P.M.**

## AGENDA

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

Next City Council Ordinance No. 25-02

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](mailto: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 - DISCUSSION OF ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (d)(2), (2 cases)
- B. CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION, Government Code § 54956.9 (c), (1 case)

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

## RECONVENE CITY COUNCIL MEETING

## PLEDGE OF ALLEGIANCE

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## PRESENTATIONS AND PROCLAMATIONS

Business of the Quarter – Bovee Roofing

Los Angeles Fire Relief Recognition - Teri Cronin, Mike Gordon, Damian Collins, Vickie McMurchie

OCFA Quarterly Update

## 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, JANUARY 21, 2025](#)

RECOMMENDED ACTION: That the City Council approve the minutes.

### 3. [YOUTH BOARD MEETING MINUTES, NOVEMBER 20, 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. [FINANCIAL REVIEW COMMITTEE MEETING MINUTES, OCTOBER 29, 2024](#)

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

### 6. [TREASURER'S REPORT](#)

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

### 7. [QUARTERLY FINANCIAL REPORT FOR QUARTER ENDED DECEMBER 31, 2024](#)

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

**8. TEMPORARY STAFFING SERVICES CONTRACT**

RECOMMENDED ACTION: That the City Council:

- 1) Ratify the City Manager's approval of an agreement with AppleOne for Temporary Staffing Services and increasing the not to exceed amount; and
- 2) Authorize the City Manager to contract with AppleOne for additional temporary services if needed.

**9. SECOND READING AND ADOPTION OF AN ORDINANCE RELATED TO THE CALIFORNIA COASTAL COMMISSION SUGGESTED MODIFICATIONS TO LOCAL COASTAL PROGRAM AMENDMENT LCPA23-0001/ZONE TEXT AMENDMENT ZTA22-0002 FOR AMENDMENTS REQUIRED TO COMPLY WITH STATE HOUSING LAW**

RECOMMENDED ACTION: City Council hold a second reading and adopt an Ordinance 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 ZONING ORDINANCE IN COMPLIANCE WITH STATE HOUSING LAWS AS PART OF LOCAL COASTAL PROGRAM AMENDMENT LCPA23-0001 FOR APPROVAL AND CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION

**10. SECOND READING AND ADOPTION OF AN ORDINANCE RELATED TO ZONE TEXT AMENDMENT ZTA24-0002 AND LOCAL COASTAL PROGRAM AMENDMENT LCPA24-0001 TO AMEND 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 hold a second reading and adopt an Ordinance for Zone Text Amendment ZTA24-0002 and Local Coastal Program Amendment LCPA24-0001 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

**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 the proper procedure and hand them to the City Clerk. The City Clerk will see that they are distributed.

## **PUBLIC HEARINGS**

### **11. ZONE TEXT AMENDMENT ZTA24-0001 TO MODIFY ZONING CODE SECTION 9.07.210 RELATED TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS**

RECOMMENDED ACTION: That the City Council:

- 1) Conduct a public hearing;
- 2) Introduction of an Ordinance entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING ZONE TEXT AMENDMENT ZTA24-0001 TO MODIFY THE ZONING CODE RELATED TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS; and

- 3) Adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT APPROVING ZONE TEXT AMENDMENT ZTA24-0001 TO MODIFY THE ZONING CODE RELATED TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND ADOPTING FINDINGS DETERMINING THE ACCESSORY DWELLING UNIT REGULATIONS ARE CONSISTENT WITH STATE LAW

## **UNFINISHED BUSINESS**

### **12. GENERAL PLAN UPDATE STATUS**

RECOMMENDED ACTION: That the City Council receive and file the General Plan update.

## **NEW BUSINESS**

### **13. ADOPTION OF THE CITY OF DANA POINT'S LOCAL HAZARD MITIGATION PLAN**

RECOMMENDED ACTION: That the City Council adopt a resolution approving the Dana Point Local Hazard Mitigation Plan entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADOPTING THE DANA POINT LOCAL HAZARD MITIGATION PLAN (LHMP) AS REQUIRED BY THE FEDERAL DISASTER MITIGATION AND COST REDUCTION ACT OF 2000 AND ADOPTING THE LHMP INTO THE SAFETY ELEMENT OF THE GENERAL PLAN IN ACCORDANCE WITH THE REQUIREMENTS OF ASSEMBLY BILL 2140

**14. CALL FOR ARTISTS – COMMUNITY CENTER MURAL**

RECOMMENDED ACTION: That the City Council approve the Call to Artists for the creation of an outdoor mural at the Dana Point Community Center.

**15. LETTER OF CONCERN TO THE CALIFORNIA FISH AND GAME COMMISSION REGARDING PROPOSED AMENDMENTS TO REGULATIONS FOR THE RECREATIONAL BARRED SAND BASS FISHERY**

RECOMMENDED ACTION: That the City Council authorize the City Manager to send a letter of concern from the Mayor to the California Fish and Game Commission regarding the proposed amendments to the regulations for the recreational barred sand bass fishery.

**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 agendaized 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-agendaized items may be presented as informational only.

**STAFF REPORTS**

(City Manager Michael Killebrew)  
(City Attorney Patrick Muñoz)

**UPCOMING EVENTS**

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|---------------|---|
| • February 8  | Dana Point Nature Interpretive Center Whale Walk & Talk |
| • February 8  | Farmers Market and Craft Vendors, La Plaza              |
| • February 15 | Farmers Market and Craft Vendors, La Plaza              |
| • February 17 | Presidents Day – City Hall Offices Closed               |

**ADJOURNMENT**

The next Regular Meeting of the City Council will be February 18, 2025, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

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## 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](http://www.danapoint.org) by January 30, 2025, at 5:30 p.m.



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SHAYNA SHARKE, CITY CLERK

1/30/2025  
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](http://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](http://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.