

CITY OF DANA POINT

CITY COUNCIL REGULAR MEETING



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

MINUTES

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

Next City Council Ordinance No. 25-02

CALL TO ORDER

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

ROLL CALL OF CITY COUNCIL MEMBERS:

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

STAFF PRESENT: Kelly Reenders, Assistant City Manager; Patrick Munoz, City Attorney; Shayna Sharke, City Clerk; Sea Shelton, Director of Administrative Services; Mike Rupley, Administrative Sergeant; Matthew Sinacori, Director of Public Works/City Engineer; Brenda Wisneski, Director of Community Development; Chris Johnson, Principal Planner; Jeff Rosaler, Director of Community Services; Larry Meyerhofer, Emergency Services Coordinator; Ryan Haworth, Deputy City Clerk; Jaimie To, Sr. Management Analyst.

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

Mayor Pagano reconvened the meeting at 6:00 PM.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Federico.

PRESENTATIONS AND PROCLAMATIONS

Business of the Quarter – Bovee Roofing

Mayor Pagano presented Tracy Bovee and Sean Bovee from Bovee Roofing with a Certificate of Recognition as Business of the Quarter.

Los Angeles Fire Relief Recognition – Teri Cronin, Mary Cronin, Mike Gordon, and Damian Collins

Mayor Pagano presented Certificates of Recognition to Teri Cronin, Mary Cronin, Mike Gordon, and Damian Collins for their efforts in organizing the LA Fire Relief donation drive.

OCFA Quarterly Update

Chief Cheyne Maule presented a video from the OCFA on the Quarterly Size Up and shared fourth-quarter statistics for Dana Point.

READING OF ORDINANCE TITLES

City Clerk, Shayna Sharke, read three (3) ordinance titles.

CONSENT CALENDAR

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

The motion carried by the following vote:

AYES: Federico, Frost, Gabbard, Villar, Pagano

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, JANUARY 21, 2025

APPROVED THE MINUTES.

3. YOUTH BOARD MEETING MINUTES, NOVEMBER 20, 2024

RECEIVED AND FILED THE MINUTES.

4. CLAIMS AND DEMANDS

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

5. FINANCIAL REVIEW COMMITTEE MINUTES, OCTOBER 29, 2024

RECEIVED AND FILED THE MINUTES.

6. TREASURER'S REPORT

RECEIVED AND FILED THE TREASURER'S REPORT FOR DECEMBER, 2024.

7. QUARTERLY FINANCIAL REPORT FOR QUARTER ENDED DECEMBER 31, 2024

RECEIVED AND FILED THE REPORT.

8. TEMPORARY STAFFING SERVICES CONTRACT

THE CITY COUNCIL:

- 1) RATIFIED THE CITY MANAGER'S APPROVAL OF AN AGREEMENT WITH APPLEONE FOR TEMPORARY STAFFING SERVICES AND INCREASING THE NOT TO EXCEED AMOUNT; AND
- 2) AUTHORIZED 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

HELD A SECOND READING AND ADOPTED **ORDINANCE 25-02** 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 (HDCP) TO REPLACE THE TERMS "FUNICULAR" AND "INCLINED ELEVATOR" WITH "STRAND TRANSIT SYSTEM (STS)"

HELD A SECOND READING AND ADOPTED **ORDINANCE 25-03** 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

None.

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

Brenda Wisneski, Director of Community Development, and Matthew Sinacori, Director of Public Works/City Engineer, provided a staff report.

Mayor Pagano opened the Public Hearing at 6:47 PM.

Scott Skinner (San Clemente) spoke regarding his opposition of the City's Site Development Permit process for ADU applicants.

Mayor Pagano closed the Public Hearing at 6:50 PM.

Discussion ensued.

IT WAS MOVED BY COUNCIL MEMBER FEDERICO, SECONDED BY COUNCIL MEMBER FROST, THAT THE CITY COUNCIL:

1) INTRODUCE AND HOLD THE FIRST READING OF ORDINANCE 25-XX 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

2) ADOPT RESOLUTION 25-02-04-01 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

The motion carried by the following vote:

AYES: Federico, Frost, Gabbard, Villar, Pagano

NOES: None

ABSENT: None

NEW BUSINESS

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

Mayor Pagano moved Item 15 up on the agenda.

Jeff Rosaler, Director of Community Services, provided a staff report.

Donna Kalez (Dana Wharf Sportfishing) requested the City Council's support in drafting a letter to the Department of Fish and Game concerning sand bass.

IT WAS MOVED BY COUNCIL MEMBER FROST, SECONDED BY MAYOR PRO TEM GABBARD, 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

The motion carried by the following vote:

AYES: Federico, Frost, Gabbard, Villar, Pagano

NOES: None

ABSENT: None

UNFINISHED BUSINESS

12. GENERAL PLAN UPDATE STATUS

Brenda Wisneski, Director of Community Development, introduced Collin Drukker from PlaceWorks.

Collin Drukker (PlaceWorks), Chris Johnson, Principal Planner, and Steve Brown (Fehr & Peers) presented on Phase Two of the General Plan Update.

Shawna Schaffner (Executive Officer of CAA Planning) stated her concerns regarding the General Plan Update and suggested that Monarch Bay Plaza would benefit from redevelopment.

Therea Morrison (Newport Beach) stated her concerns about the General Plan Update and requested that the City Council include direction for phase two of the GPU goals and policies related to future redevelopment in Monarch Bay Plaza.

Sean Nicholas (Dana Point) voiced his concerns about the General Plan Update.

Discussion ensued.

THE CITY COUNCIL RECEIVED AND FILED THE GENERAL PLAN UPDATE.

NEW BUSINESS

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

Larry Meyerhofer, Emergency Services Coordinator, and Patrick Marchman (Jacob Green & Associates) presented Dana Point's Local Hazard Mitigation Plan.

Discussion ensued.

IT WAS MOVED BY COUNCIL MEMBER FEDERICO, SECONDED BY MAYOR PRO TEM GABBARD, THAT THE COUNCIL ADOPT **RESOLUTION 25-02-04-02** 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

The motion carried by the following vote:

AYES: Federico, Frost, Gabbard, Villar, Pagano

NOES: None

ABSENT: None

14. CALL FOR ARTISTS – COMMUNITY CENTER MURAL

Jeff Rosaler, Director of Community Services, provided a staff report.

Discussion ensued.

IT WAS MOVED BY COUNCIL MEMBER FEDERICO, SECONDED BY COUNCIL MEMBER VILLAR, THAT THE CITY COUNCIL APPROVE THE CALL TO ARTISTS FOR THE CREATION OF AN OUTDOOR MURAL AT THE DANA POINT COMMUNITY CENTER.

The motion carried by the following vote:

AYES: Federico, Frost, Gabbard, Villar, Pagano

NOES: None

ABSENT: None

PUBLIC COMMENTS (Continued)

None.

COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED

Council Member Federico stated that he has turned in his list of meetings and had nothing to report.

Council Member Villar stated that he has turned in his list of meetings and had nothing to report.

Council Member Frost stated that he will turn in his list of meetings and had nothing to report.

Mayor Pro Tem Gabbard stated that he has turned in his list of meetings and had nothing to report.

Mayor Pagano stated that he has turned in his list of meetings and highlighted the upcoming events in Dana Point.


STAFF REPORTS

Assistant City Manager, Kelly Reenders, stated that Dana Point restaurants raised \$28,000 during the last fundraiser for LA Fire Relief and highlighted the Commerce for Cause fundraiser taking place that evening.

City Attorney, Patrick Munoz, stated that in Closed Session, it was moved by Council Member Federico, seconded by Mayor Pro Tem Gabbard, that the City initiate litigation against the property at 32371 Caribbean for operating as a residential treatment facility without a license. The motion passed unanimously 5-0.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Pagano adjourned the meeting at 8:07 PM in honor of John Aguilar and Melvin Joseph Weibel. He announced that the next Regular Meeting of the City Council will be February 18, 2025 at 6:00 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 FEBRUARY 18, 2025

Meetings attended since January 22, 2025

Mayor Pagano

01/22/2025 DP Historical Society Annual Meeting
01/24/2025 Ribbon Cutting at Bruster's Ice Cream
01/27/2025 Disaster Council Meeting
01/28/2025 Financial Review Committee
01/29/2025 Meeting with Supervisor Foley
01/29/2025 Ribbon Cutting at Under Pressure Homework Helper

Mayor Pro Tem Gabbard

01/23/2025 OCCOG Board of Directors
01/29/2025 Supervisor Foley Elected Officials Meeting
01/29/2025 Dana Point Library Tour with County Librarian and Supervisor Foley
02/03/2025 5th Marines Support Group Heritage Park Memorial
02/03/2025 OCCOG Executive Management Committee

Council Member Mike Frost

01/23/2025 TCA
01/23/2025 ACC/OC
01/24/2025 MBSR at RH Dana Elementary
01/29/2025 TCA
02/04/2025 OCFA

Council Member Federico

01/22/2025 OCTA Finance
01/22/2025 ACC-OC Board
01/27/2025 OCTA Board

Council Member Michael Villar

No meetings attended.