

CITY OF DANA POINT

CITY COUNCIL REGULAR MEETING



**TUESDAY
FEBRUARY 18, 2025
5:00 P.M.**

MINUTES

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

Next City Council Ordinance No. 25-04

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: Mike Killebrew, City Manager; Kelly Reenders, Assistant City Manager; Patrick Munoz, City Attorney; Shayna Sharke, City Clerk; Sea Shelton, Director of Administrative Services; Captain Todd Hylton; Matthew Sinacori, Director of Public Works/City Engineer; Brenda Wisneski, Director of Community Development; Ray Oropeza, Code Enforcement Supervisor; 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), (1 case)
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Government Code § 54956.9 (d)(1), (1 case)
 - a. Center For Natural Lands Management v City of Dana Point, Orange County Superior Court Case No: 30-2021-01219668 CU-OR-CJC

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 Frost.

PRESENTATIONS AND PROCLAMATIONS

Los Angeles Fire Relief Recognition – Commerce for a Cause

Mayor Pagano presented Certificates of Recognition to Vickie McMurchie with the Dana Point Chamber of Commerce, and Rob Wilson with Glasspar, for their efforts in Commerce for a Cause. Blake Melgren with Craft House, and Jorge Luhan with Luciana's, were also recognized for their efforts in Commerce for a Cause.

READING OF ORDINANCE TITLES

City Clerk, Shayna Sharke, read one (1) ordinance title.

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, FEBRUARY 4, 2025

APPROVED THE MINUTES.

3. PLANNING COMMISSION MEETING MINUTES, DECEMBER 9, 2024

RECEIVED AND FILED THE MINUTES.

4. CLAIMS AND DEMANDS

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

5. DEVELOPMENT UPDATE

RECEIVED AND FILED THE DEVELOPMENT UPDATE.

6. AWARD OF CONTRACT FOR THE 4th OF JULY AERIAL FIREWORKS DISPLAY AND BARGE SERVICES

AUTHORIZED THE CITY MANAGER TO EXECUTE TWO CONTRACTS FOR THE 4TH OF JULY FIREWORK SHOW:

- 1) A CONTRACT WITH GARDEN STATE FIREWORKS, INC FOR FIREWORKS AND;
- 2) A CONTRACT WITH CURTIN MARITIME FOR BARGE SERVICES.

7. AGREEMENT WITH ECS IMAGING, INC. FOR ELECTRONIC RECORDS MANAGEMENT SOFTWARE

THE CITY COUNCIL:

- 1) AUTHORIZED THE CITY MANAGER OR DESIGNEE TO ENTER INTO A CONTRACT WITH ECS IMAGING, INC. FOR THE PROCUREMENT OF LASERFICHE ELECTRONIC RECORDS MANAGEMENT SOFTWARE (ERMS), WHICH INCLUDES IMPLEMENTATION AND ONGOING SUPPORT, AT THE COSTS OUTLINED IN THE FISCAL IMPACT SECTION OF THIS REPORT; AND
- 2) AUTHORIZED THE CITY MANAGER, OR DESIGNEE, TO APPROVE ADDITIONAL SERVICES WORKFLOW IMPLEMENTATION SERVICES FROM ECS IMAGING, INC.; AND
- 3) APPROVED THE BUDGET ADJUSTMENT AS OUTLINED IN THE FISCAL IMPACT SECTION OF THE REPORT.

8. CLIENTFIRST TECHNOLOGIES CONTRACT AMENDMENT

THE CITY COUNCIL:

- 1) RATIFIED THE CITY MANAGER'S APPROVAL OF AN AGREEMENT WITH CLIENTFIRST FOR PROFESSIONAL SERVICES RELATED TO CENTRALSQUARE IMPROVEMENTS; AND
- 2) AUTHORIZED THE CITY MANAGER, OR DESIGNEE, TO EXECUTE A FIRST AMENDMENT TO THE CONTRACT WITH CLIENTFIRST.

9. SECOND AMENDMENT TO AGREEMENT WITH D.B. NEISH FOR PLANNING AND ADVOCACY SERVICES

APPROVED AN INCREASE IN THE NOT-TO-EXCEED AMOUNT FOR COASTAL DEVELOPMENT CONSULTING SERVICES WITH D.B. NEISH, INC.

10. SECOND READING AND ADOPTION OF AN ORDINANCE RELATED TO ZONE TEXT AMENDMENT ZTA24-0001 TO MODIFY ZONING CODE SECTION 9.07.210 RELATED TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

HELD A SECOND READING AND ADOPTED **ORDINANCE 25-04** 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

PUBLIC COMMENTS

Ziad Mahshi (Owner of 2nd Hand Treasures) voiced concern about traffic around his business and safety issues on Doheny Park Road.

Mary Herron (Dana Point) provided a handout to City Council and voiced her support for AB303. She also voiced her opposition to the construction of lithium battery facilities in residential areas.

PUBLIC HEARINGS

11. WEED ABATEMENT

Ray Oropeza, Code Enforcement Supervisor, provided a staff report.

Mayor Pagano opened the Public Hearing at 6:17 PM.

There were no public comments.

Mayor Pagano closed the Public Hearing at 6:17 PM.

Discussion ensued.

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

1) ADOPT RESOLUTION 25-02-18-01 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, DECLARING WEEDS A PUBLIC NUISANCE AND INITIATING ABATEMENT PROCEEDINGS; and,

2) ADOPT RESOLUTION 25-02-18-02 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AUTHORIZING WEED ABATEMENT ON PROPERTIES THAT FAIL TO CONTROL WEEDS WITHIN THE PRESCRIBED TIMEFRAME.

The motion carried by the following vote:

AYES: Federico, Frost, Gabbard, Villar, Pagano

NOES: None

ABSENT: None

UNFINISHED BUSINESS

None.

NEW BUSINESS

12. PROPOSAL FOR CONCERT EVENT AT SEA TERRACE PARK

Kelly Reenders, Assistant City Manager, introduced the team from SiteSix Productions.

Rick Erkeneff, Joe Muller, and John Reese from SiteSix Productions gave a presentation on The Good Life concert and answered questions from City Council.

Discussion ensued.

IT WAS MOVED BY COUNCIL MEMBER FEDERICO, SECONDED BY COUNCIL MEMBER VILLAR, THAT THE CITY COUNCIL AUTHORIZE STAFF TO ISSUE A PERMIT FOR THE PROPOSED CONCERT AT SEA TERRACE PARK THAT ADDRESSES THE SPIRIT OF THE CONCERNS STATED BY CITY COUNCIL AND CONSIDERS MITIGATIONS TO NEIGHBORING BUSINESSES

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 asked Staff to look into options for a new mural that would reflect a tribute to the Indigenous Acjachemen people of Dana Point.

Council Member Frost stated that he will turn in his list of meetings and recommended involving Staff and Art Ambassadors in the proposed mural project mentioned by Council Member Villar.

Mayor Pro Tem Gabbard stated that he has turned in his list of meetings and shared his experience representing the City during his trip to Dana Point's Sister City, Sorrento, Italy for the 1400th anniversary of Saint Antonino's death. He also presented Council with a commemorative coin gifted to him by the City of Sorrento.

Mayor Pagano stated that he has turned in his list of meetings and requested that Staff review the City's Municipal Code on allowing hens for eggs.

STAFF REPORTS

City Manager, Mike Killebrew, highlighted the upcoming Festival of Whales event on the weekend of March 7th through 9th.

City Attorney, Patrick Munoz, stated that he has nothing to report.

Mayor Pagano announced upcoming events that will be occurring around Dana Point.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Pagano adjourned the meeting at 7:10 PM. He announced that the next Regular Meeting of the City Council will be March 4, 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 MARCH 4, 2025

Meetings attended since February 5, 2025

Mayor Pagano

02/07/2025 Ethics Training with Patrick Munoz

Mayor Pro Tem Gabbard

02/06/2025 OC Park Commission
02/12/2025 Feast of Sant Antonino - Sorrento, IT
02/13/2025 Feast of Sant Antonino - Sorrento, IT
02/14/2025 Feast of Sant Antonino - Sorrento, IT
02/15/2025 Feast of Sant Antonino - Sorrento, IT
02/18/2025 LOSSAN Board

Council Member Mike Frost

02/03/2025 5th Marine Regiment
02/07/2025 Ron Wright Real Estate Services
02/12/2025 Dana Hills Football Discussion
02/13/2025 TCA Combined Meeting

Council Member Federico

02/07/2025 OCTA Executive Briefing
02/10/2025 OCTA Board Meeting
02/12/2025 OCTA Finance Committee
02/17/2025 OCTA Railway site visit with Congressman Min in San Clemente

Council Member Michael Villar

No meetings attended.