

CITY OF DANA POINT

CITY COUNCIL REGULAR MEETING



**TUESDAY
MAY 6, 2025
5:00 P.M.**

AGENDA

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

Next City Council Ordinance No. 25-08

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 – 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), (2 cases)
 - a. Center For Natural Lands Management v City of Dana Point, Orange County Superior Court Case No: 30-2021-01219668 CU-OR-CJC
 - b. City of DP v. Sunshine Group LLC (Seaside Inn), Orange County Superior Court Case No. 30-2017- 00915900
- C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION, Government Code § 54957

Title: City Manager

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

RECONVENE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

PRESENTATIONS AND PROCLAMATIONS

Community Service Recognition – SOS Club

National Small Business Week

Business of the Quarter – aPizza Doho

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, APRIL 15, 2025](#)

RECOMMENDED ACTION: That the City Council approve the minutes.

3. [REGULAR MEETING MINUTES – STATE OF THE CITY, APRIL 23, 2025](#)

RECOMMENDED ACTION: That the City Council approve the minutes.

4. [PLANNING COMMISSION MEETING MINUTES, MARCH 24, 2025](#)

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

5. [CLAIMS AND DEMANDS](#)

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

6. TREASURER'S REPORT

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

7. QUARTERLY FINANCIAL REPORT

RECOMMENDED ACTION: That the City Council receive and file the Quarterly Financial Report.

8. CONTRACT AGREEMENT FOR CROSSING GUARD SERVICES

RECOMMENDED ACTION: That the City Council:

- 1) Award a contract to All City Management Services, Inc. and the City of Dana Point for School Crossing Guard Services for Fiscal Years 2025-26 and 2026-27 and authorize the City Manager, or designee to execute the contract; and
- 2) Authorize the City Manager to extend the contract for up to three additional one-year terms, with annual adjustments based on the Consumer Price Index (CPI).

9. PROFESSIONAL SERVICES AGREEMENT FOR PUBLIC RELATIONS AND COMMUNICATION SERVICES

RECOMMENDED ACTION: That the City Council authorize and direct the City Manager to execute a Professional Services Agreement for public relations and communications services with Spaulding Thompson and Associates for a period of one year, with two optional one-year extensions with a not-to-exceed amount as described in the fiscal impact section.

10. SECOND READING AND ADOPTION OF AN ORDINANCE AMENDING DANA POINT MUNICIPAL CODE CHAPTER 8.42.010 AND ADOPTING THE FIRE HAZARD SEVERITY MAP

RECOMMENDED ACTION: That the City Council hold a second reading and introduce an Ordinance entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING DANA POINT MUNICIPAL CODE CHAPTER 8.42.010 AND ADOPTING THE FIRE HAZARD SEVERITY MAP

11. CITY COUNCIL POLICY UPDATE – ADOPTING SERIES 211-221

RECOMMENDED ACTION: That the City Council adopt revisions to the City Council Policies 211-221.

12. PROFESSIONAL SERVICES AGREEMENT WITH MICHAEL BAKER INTERNATIONAL FOR PREPARATION OF THE HEADLANDS CONSERVATION PARK TRAIL ENVIRONMENTAL IMPACT REPORT

RECOMMENDED ACTION: That the City Council ratify the existing agreement with Michael Baker International (MBI) and authorize the City Manager to execute a First Amendment to it for the preparation of an Environmental Impact Report (EIR).

13. AWARD OF CONTRACT FOR INFORMATION TECHNOLOGY MANAGEMENT SERVICES

RECOMMENDED ACTION: That the City Council authorize the City Manager, or designee, to execute a Professional Services Agreement with Acorn Technology Services for Information Technology Management Services.

14. ORANGE COUNTY SHERIFF'S DEPARTMENT CONTRACT FOR FY26

RECOMMENDED ACTION: That the City Council consider the Law Enforcement Services Agreement with the County of Orange for law enforcement services for Fiscal Year 2025-26 (FY26) and authorize the City Manager to execute the agreement.

15. AWARD OF CONTRACT FOR FY25 RESIDENTIAL AND ARTERIAL SLURRY SEAL FY24/25 PROJECT (CIP #1363) AND THE ARTERIAL SLURRY SEAL FY24/25 PROJECT (CIP #1362)

RECOMMENDED ACTION: That the City Council:

- 1) Approve the award of a Contract to Roy Allan Slurry Seal, Inc. for the construction of the Residential Slurry Seal FY 24/25 Project (CIP #1363); and
- 2) Approve the award of a Contract to Roy Allan Slurry Seal, Inc. for the construction of the Arterial Slurry Seal FY 24/25 Project (CIP #1362); and
- 3) Authorize the City Manager or his designee to sign and administer the subject Contracts and approve additional payment for change orders and contingencies as outlined in the Fiscal Impact Section; and
- 4) Authorize the City Manager to sign a Standard Consultant Services Agreement with GMU Geotechnical for materials observation and testing services as outlined in the Fiscal Impact Section.

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

16. RESOLUTION DECLARING RESULTS OF MAJORITY PROTEST PROCEEDING TO RENEW THE DANA POINT TOURISM BUSINESS IMPROVEMENT DISTRICT

RECOMMENDED ACTION: That the City Council:

- 1) Conduct a Public Hearing, declaring the results of the majority protest proceeding;
- 2) Adopt a Resolution entitled:

A RESOLUTION OF THE City Council OF THE City OF Dana Point, CALIFORNIA DECLARING RESULTS OF MAJORITY PROTEST PROCEEDINGS AND RENEWING THE Dana Point TOURISM Business Improvement DISTRICT (DPTBID)

- 3) Authorize the City Manager to execute an Operating Agreement between the City of Dana Point and Dana Point Resorts Association Inc. dba Visit Dana Point to provide tourism related services on behalf of the Dana Point Tourism Business Improvement District (DPTBID).

17. HISTORIC PRESERVATION AGREEMENT (MILLS ACT) FOR THE PROPERTY LOCATED AT 26805 CALLE REAL

RECOMMENDED ACTION: That the City Council:

- 1) Conduct a Public Hearing and adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING A MILLS ACT AGREEMENT FOR THE PROPERTY LOCATED AT 26805 CALLE REAL; and

- 2) Authorize the Mayor to sign a Historic Property Preservation Agreement to allow the historic structure's property owner at 26805 Calle Real to participate in the State's Mills Act Program.

18. HISTORIC PRESERVATION AGREEMENT (MILLS ACT) FOR THE PROPERTY LOCATED AT 34862 COAST HIGHWAY (EL CAMINANTE BAR & BUNGALOWS)

RECOMMENDED ACTION: That the City Council:

- 1) Conduct a Public Hearing and adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING A MILLS ACT AGREEMENT FOR THE PROPERTY LOCATED AT 34862 COAST HIGHWAY; and

- 2) Authorize the Mayor to sign a Historic Property Preservation Agreement which would allow the historic structure's property owner at 34862 Coast Highway (El Caminante Bar & Bungalows) to participate in the State's Mills Act Program.

UNFINISHED BUSINESS

19. SHORT-TERM RENTAL PROGRAM REVIEW

RECOMMENDED ACTION: That the City Council:

- 1) Authorize Staff to issue permits outside the Coastal Zone for Homestay, Primary, Multi-Family Homestay permits (115 permit cap, 15 relevant applicants on waitlist), pursuant to Dana Point Municipal Code Section 5.38; and
- 2) Authorize the City Manager to enter into a contract with Deckard Technologies to support enforcement activities; and
- 3) Direct Staff to continue providing annual reports to the City Council on the Short-Term Rental Program.

NEW BUSINESS

20. STRATEGIC PLAN UPDATE - DAYLIGHTING

RECOMMENDED ACTION: That the City Council review, discuss and provide recommendations to staff on proposed revisions to the City of Dana Point Strategic Plan.

21. FISCAL YEARS 2025-26 AND 2026-27 BUDGET WORKSHOP

RECOMMENDED ACTION: That the City Council:

- 1) Conduct a Workshop to discuss the City of Dana Point Proposed Operating and Capital Improvement Budgets for Fiscal Years 2025-26 ("FY26") and 2026-27 ("FY27"); and,
- 2) Review, revise or provide other direction to Staff in regard to the FY26 and FY27 Proposed Budget.

22. DAYLIGHTING OF AN ORDINANCE AMENDING DANA POINT MUNICIPAL CODE TITLE 5, BUSINESS REGULATIONS AND CHAPTER 4.02 TO DEFINE ELECTRIC BIKES OR SCOOTERS

RECOMMENDED ACTION: That the City Council review, discuss and provide direction on the proposed changes to Dana Point Municipal Code Title 5, Business Regulations and Chapter 4.02,

which defines electric bikes or scooters, as part of the comprehensive review of the City's Municipal Code.

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

- May 10 Farmers Market and Craft Vendors – La Plaza
- May 15 Organic Market with the Ecology Center – Amber Lantern
- May 17 Monarch Butterfly Habitat Workday – Dana Woods Park
- May 17 Farmers Market and Craft Vendors – La Plaza
- May 23 Non-Profit Symposium – Community Center
- May 24 Farmers Market and Craft Vendors – La Plaza
- May 26 Memorial Day Ceremony – Pines Park
City Hall Offices Closed
- May 31 Farmers Market and Craft Vendors – La Plaza

ADJOURNMENT

The next Regular Meeting of the City Council will be May 20, 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 May 1, 2025, at 5:30 p.m.



SHAYNA SHARKE, CITY CLERK

5/1/2025
DATE

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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.