

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**TUESDAY
MARCH 7, 2023
5:00 P.M.**

AGENDA

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

Next City Council Ordinance No. 23-02

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

CALL TO ORDER

ROLL CALL OF CITY COUNCIL MEMBERS:

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

CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (d)(2) (1 case)

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

RECONVENE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENTATIONS AND PROCLAMATIONS

Pacific Pocket Mouse

Trauma Intervention Program

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, FEBRUARY 7, 2023**

RECOMMENDED ACTION: That the City Council approve the minutes.

3. **PLANNING COMMISSION MEETING MINUTES, FEBRUARY 13, 2023**

RECOMMENDED ACTION: That the City Council receive and file.

4. **YOUTH BOARD MEETING MINUTES, JANUARY 5, 2023**

RECOMMENDED ACTION: That the City Council receive and file.

5. **CLAIMS AND DEMANDS**

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

6. **ADOPT AN ORDINANCE AMENDING DANA POINT MUNICIPAL CODE TITLE 12**

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA AMENDING IN ITS ENTIRETY TITLE 12 OF THE DANA POINT MUNICIPAL CODE PERTAINING TO THE REGULATION OF VEHICLES AND TRAFFIC

7. **CONSIDERATION OF A RESOLUTION TO ADOPT AMENDMENTS TO THE EXCLUSIVE SOLID WASTE HANDLING AGREEMENT AND THE AGREEMENT FOR THE COLLECTION OF TEMPORARY WASTE WITH CR&R INCORPORATED**

That the City Council:

- 1) Adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, APPROVING THE FIFTH AMENDMENT TO THE AGREEMENTS BETWEEN THE CITY OF DANA POINT AND CR&R INCORPORATED FOR SOLID WASTE HANDLING SERVICES AND THE COLLECTION AND HANDLING OF TEMPORARY WASTE; and

- 2) Authorize the Mayor to sign the Resolution on behalf of the City.

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

8. [**RESOLUTION TO UPDATE FEES ASSOCIATED WITH ANIMAL SERVICES AND UPDATE THE DANA POINT MUNICIPAL CODE TITLE 10 AS IT RELATES TO ANIMAL CONTROL, WELFARE AND LICENSING REQUIREMENTS**](#)

RECOMMENDED ACTION: That the City Council:

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING THE FEE SCHEDULE FOR ANIMAL SERVICES PROVIDED BY THE COASTAL ANIMAL SERVICES AUTHORITY; and

- 2) Receive, discuss, and advise on the proposed changes to Title 10 (Animal Control, Welfare and Licensing Requirements) of the Dana Point Municipal Code as part of the comprehensive review of the City's Municipal Code.

9. [FEE SCHEDULE FOR COASTAL DEVELOPMENT PERMIT APPLICATIONS TO ALLOW HOMEOWNER ASSOCIATIONS TO REGULATE SHORT TERM RENTALS](#)

RECOMMENDED ACTION: That the City Council conduct a Public Hearing and adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING A FEE SCHEDULE FOR COASTAL DEVELOPMENT PERMIT APPLICATIONS TO ALLOW HOMEOWNER ASSOCIATIONS TO REGULATE SHORT TERM RENTALS.

10. [FEE SCHEDULE FOR PROCESSING PRELIMINARY APPLICATIONS FOR HOUSING DEVELOPMENT IN ACCORDANCE WITH SENATE BILL 330](#)

RECOMMENDED ACTION: That the City Council conduct a Public Hearing and adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING A FEE SCHEDULE FOR PROCESSING PRELIMINARY APPLICATIONS FOR HOUSING DEVELOPMENT IN ACCORDANCE WITH SENATE BILL 330.

UNFINISHED BUSINESS

11. [APPOINTMENTS TO THE TRAFFIC IMPROVEMENT SUBCOMMITTEE](#)

RECOMMENDED ACTION: That the City Council conduct interviews and consider appointments to fill three (3) vacancies on the Dana Point Traffic Improvement Subcommittee.

NEW BUSINESS

12. [MID-FISCAL YEAR 2022-23 BUDGET STATUS REPORT](#)

RECOMMENDED ACTION: That the City Council:

- 1) Receive and file the Mid-Fiscal Year 2022-23 Budget Status Report and authorize the budget amendments detailed within this report; and
- 2) Authorize the City Manager to make an Additional Discretionary Payment in the amount of \$2.0 million to CalPERS towards the City's "Classic" pension plan unfunded liability; and
- 3) Adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ESTABLISHING SALARY RANGES FOR REPRESENTED AND NON-REPRESENTED CLASSIFICATIONS AND ADOPTING NEW JOB TITLES AND CLASS SPECIFICATIONS.

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)

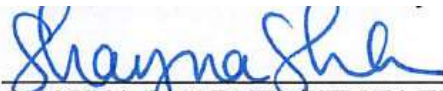
(City Attorney Patrick Muñoz)

ADJOURNMENT

The next Regular Meeting of the City Council will be March 21, 2023, 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, the Dana Point Post Office, and the Capistrano Beach Post Office, and Dana Point Library by Thursday, March 2, 2023, at 5:30 p.m.



SHAYNA SHARKE, CITY CLERK

3/2/23

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.