

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**TUESDAY
APRIL 18, 2023
6:00 P.M.**

REVISED AGENDA

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

Next City Council Ordinance No. 23-03

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

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

RECONVENE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENTATIONS AND PROCLAMATIONS

VFW Honors

Police Officer of the Year – Deputy Blake Blaney
Fire Fighter of the Year – Captain Corey Gallup
Emergency Medical Technician of the Year – Senior Reserve Officer Jason Smigel

Staff Retirement Honors

Ted Harris, Code Enforcement Officer
Sherry Murphy, Recreation Manager

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, MARCH 21, 2023](#)**

RECOMMENDED ACTION: That the City Council approve the minutes.

3. **[SPECIAL MEETING MINUTES, APRIL 11, 2023](#)**

RECOMMENDED ACTION: That the City Council approve the minutes.

4. **[PLANNING COMMISSION MEETING MINUTES, MARCH 13, 2023](#)**

RECOMMENDED ACTION: That the City Council receive and file.

5. **[YOUTH BOARD MEETING MINUTES, FEBRUARY 16, 2023](#)**

RECOMMENDED ACTION: That the City Council receive and file.

6. **[ARTS AND CULTURE COMMISSION MINUTES, FEBRUARY 8, 2023](#)**

RECOMMENDED ACTION: That the City Council receive and file.

7. **CLAIMS AND DEMANDS**

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

8. **TREASURER'S REPORT**

RECOMMENDED ACTION: That the City Council receive and file the Treasurer's Report for the month of March, 2023.

9. **DEVELOPMENT UPDATE AND QUARTERLY REPORT**

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

10. **RECRUITMENT FOR THE ARTS AND CULTURE COMMISSION**

RECOMMENDED ACTION: That the City Council direct Staff to proceed with recruitment for three Arts and Culture Commissioners.

11. **ADOPTION OF AN ORDINANCE AMENDING 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 second reading and adopt an Ordinance of the City of Dana Point (Action Document A) as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA AMENDING IN ITS ENTIRETY TITLE 10 OF THE DANA POINT MUNICIPAL CODE PERTAINING TO ANIMAL CONTROL, WELFARE AND LICENSING REQUIREMENTS.

12. **THIRD AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH MICHAEL BAKER INTERNATIONAL FOR PREPARATION OF THE VICTORIA BOULEVARD SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT**

RECOMMENDED ACTION: That the City Council authorize the City Manager to execute the contract amendment with Michael Baker International – Third Amendment to Agreement for additional funding, with a revised not-to-exceed contract amount, and an extension to December 31, 2023.

13. **JACOB GREEN & ASSOCIATES CONTRACT AMENDMENT FOR FY24 AND FY25**

RECOMMENDED ACTION: That the City Council authorize the City Manager to execute a First Amendment to extend the term of the Original Agreement with Jacob Green & Associates for FY24 and FY25 and increase the not-to-exceed amount as explained in the Fiscal Impact section.

14. [WEST COAST ARBORIST CONTRACT AMENDMENT AND EMERGENCY REPLACEMENT OF CITY-WIDE TREES](#)

RECOMMENDED ACTION: That the City Council:

1. Authorize the City Manager to execute a Third Amendment to the Original Agreement with West Coast Arborist, Inc., to:
 - a. Ratify an increase to the not to exceed amount for Fiscal Year 2023; and
 - b. Extend the contract an additional one-year term to begin July 1, 2023 for annual tree maintenance services with a not to exceed amount included in report, plus an additional 10% contingency; and
2. Approve a budget adjustment included in the Fiscal Impact section of this report to fund emergency costs for removal and replacement of trees City-wide, and for additional tree and shrub trimming located within Lot Q of the Community Facilities District No. 2006-1.

15. [FIRST AMENDMENT TO SERVICE AGREEMENT WITH GRANICUS, LLC FOR WEBSITE REDESIGN AND HOSTING SERVICES](#)

RECOMMENDED ACTION: That the City Council ratify the First Amendment to the Agreement with Granicus, LLC for the enhancement of the City's website design and hosting services.

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

UNFINISHED BUSINESS

NEW BUSINESS

16. [LONG TERM FINANCIAL PLAN AND POLICY UPDATE](#)

RECOMMENDED ACTION: That the City Council receive the Long-Term Financial Plan update and recommend referral to the Financial Review Committee.

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 May 2, 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 Friday, April 14, 2023, at 5:30 p.m.



SHAYNA SHARKE, CITY CLERK

4/14/2023

DATE

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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.