

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**TUESDAY
MAY 16, 2023
5:00 P.M.**

AGENDA

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

Next City Council Ordinance No. 23-04

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) (2 cases)
- B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION, Government Code § 54957
 - a. Title: City Manager

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

RECONVENE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENTATIONS AND PROCLAMATIONS

Teacher of the Year – Maria Arbelo, Grade 3

Business of the Quarter – Delahunt

OC Human Relations Annual Report

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, MAY 2, 2023](#)**

RECOMMENDED ACTION: That the City Council approve the minutes.

3. **[CLAIMS AND DEMANDS](#)**

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

4. **[TREASURER'S REPORT, APRIL 2023](#)**

RECOMMENDED ACTION: That the City Council receive and file the Treasurer's Report for April 2023.

5. **[DEVELOPMENT UPDATE](#)**

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

6. **[SECOND AMENDMENT TO CONTRACT AGREEMENT BETWEEN ALL CITY MANAGEMENT SERVICES, INC. AND THE CITY OF DANA POINT FOR SCHOOL CROSSING GUARD SERVICES](#)**

RECOMMENDED ACTION: That the City Council authorize the City Manager to execute the Second Amendment of a Contract Agreement between All City Management Services, Inc. and the City of Dana Point for School Crossing Guard Services for Fiscal Year 2023-24.

7. [CITY COUNCIL AMENDED APPOINTED REPRESENTATIVE TO ORANGE COUNTY MOSQUITO AND VECTOR CONTROL DISTRICT](#)

RECOMMENDED ACTION: That the City Council:

1. Approve appointment of Council Member John Gabbard to Orange County Mosquito and Vector Control; and
2. Direct Staff to notify affected agencies as necessary.

8. [CONSIDERATION OF RESOLUTION 2023-05-16-XX OF THE CITY COUNCIL OF THE CITY OF DANA POINT CONSENTING TO THE INCLUSION OF THE PROPERTY LOCATED AT 34862 PACIFIC COAST HIGHWAY, DANA POINT, CALIFORNIA IN THE CSCDA OPEN PACE PROGRAM; AND OTHER MATTERS RELATED THERETO](#)

RECOMMENDED ACTION: That the Council adopt Resolution 2023-05-16-XX authorizing the City's participation in the California Statewide Communities Development Authority (CSCDA) Property Assessed Clean Energy (PACE) Program so that CSCDA can provide financing for the installation of Improvements on the property located at 34862 Pacific Coast Highway, Dana Point, California, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA CONSENTING TO THE INCLUSION OF THE PROPERTY LOCATED 34862 PACIFIC COAST HIGHWAY, DANA POINT, CALIFORNIA IN THE CSCDA OPEN PACE PROGRAM; AUTHORIZING THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY TO ACCEPT AN APPLICATION FROM THE OWNER OF SUCH PROPERTY, CONDUCT CONTRACTUAL ASSESSMENT PROCEEDINGS AND LEVY CONTRACTUAL ASSESSMENTS ON SUCH PROPERTY; AND AUTHORIZING RELATED ACTIONS

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

9. [**FISCAL YEARS 2023-24 AND 2024-25 BUDGET WORKSHOP - CONTINUED**](#)

RECOMMENDED ACTION: That the City Council:

- A. Conduct a Workshop to discuss the City of Dana Point Proposed Operating and Capital Improvement Budgets for Fiscal Years 2023-2024 ("FY24") and 2024-2025 ("FY25"); and,
- B. Review, revise or provide other direction to Staff in regards to the FY24 and FY25 Proposed Budget.

NEW BUSINESS

10. [**SHORT-TERM RENTAL PERMIT DATA**](#)

RECOMMENDED ACTION: That the City Council receive and discuss current Short Term Rental (STR) program data including number of residential units, existing STR permits and recent STR applications.

11. [**DPMC UPDATE TITLE 13.04 PARKS AND RECREATIONAL FACILITIES - DAYLIGHTING**](#)

RECOMMENDED ACTION: That the City Council receive, direct, discuss and advise on the proposed changes to Title 13.04 (Parks and Recreational Facilities Regulations) of the Dana Point Municipal Code as part of the comprehensive review of the City's Municipal Code.

12. [**ORANGE COUNTY SHERIFF'S DEPARTMENT CONTRACT FOR FY24**](#)

RECOMMENDED ACTION: That the City Council consider the Law Enforcement Services Agreement with the County of Orange for law enforcement services for Fiscal Year 2023-24 (FY24) and authorize the City Manager to execute the agreement; and, authorize the City Manager to execute amendments to the Agreement in an amount not to exceed the related Council approved budget.

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)

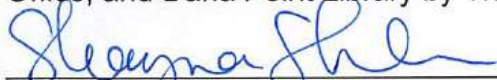
(City Attorney Patrick Muñoz)

ADJOURNMENT

The next Regular Meeting of the City Council will be June 6, 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, May 11, 2023, at 5:30 p.m.


SHAYNA SHARKE, CITY CLERK

5/11/2023
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.