

CITY OF DANA POINT

CITY COUNCIL REGULAR MEETING



**TUESDAY
OCTOBER 3, 2023
5:00 P.M.**

MINUTES

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

Next City Council Ordinance No. 23-07

CALL TO ORDER

The Regular Meeting of the City Council of the City of Dana Point, California, was called to order by Mayor Mike Frost at 5:00 p.m. in the City Council Chambers, 33282 Golden Lantern, Dana Point.

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

STAFF PRESENT: Kelly Reenders, Assistant City Manager, Jennifer Farrell, Deputy City Attorney; Shayna Sharke, City Clerk; Captain Todd Hylton; Sea Shelton, Director of Administrative Services; Matthew Sinacori, Director of Public Works/City Engineer; Brenda Wisneski, Director of Community Development; Jeff Rosaler, Deputy Director of Community Services; Belinda Deines, Principal Planner; and Jaimie To, Senior Management Analyst.

CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (d)(2), (1 case)
- B. CONFERENCE WITH LABOR NEGOTIATOR, Government Code § 54957.6

Agency Designated Representatives: Assistant City Manager / Director of Admin. Services
Unrepresented and Represented Employees: All positions in City

Mayor Frost recessed the meeting into a Closed Session at 5:00 p.m. pursuant to Government Code Section 54957.

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

RECONVENE CITY COUNCIL MEETING

Mayor Frost reconvened the meeting at 6:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Villar.

INVOCATION

PRESENTATIONS AND PROCLAMATIONS

OCFA Fire Prevention Week

Mayor Frost presented OCFA Battalion Chief Reid Gibson with a proclamation.

Arts and Humanities Month

The Dana Point Arts and Culture Ambassadors introduced themselves, their new website danapoint-arts.com, and the upcoming art and history trolley tour. Mayor Frost presented the group with a proclamation for Arts and Humanities Month.

READING OF ORDINANCE TITLES

City Clerk Shayna Sharke read one (1) Ordinance title.

CONSENT CALENDAR

IT WAS MOVED BY MAYOR 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: Council Member Gabbard, Council Member Pagano, Council Member Villar, Mayor Pro Tem Federico, and Mayor Frost

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, SEPTEMBER 19, 2023

APPROVED THE MINUTES.

3. PLANNING COMMISSION MEETING MINUTES, AUGUST 28, 2023

RECEIVED AND FILED THE MINUTES.

4. FINANCIAL REVIEW COMMITTEE MINUTES, APRIL 25, 2023

RECEIVED AND FILED THE MINUTES.

5. CLAIMS AND DEMANDS

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

6. TREASURER'S REPORT

RECEIVED AND FILED THE TREASURER'S REPORT FOR AUGUST, 2023.

7. FIRST AMENDMENT TO AGREEMENT WITH JACOB GREEN & ASSOCIATES FOR ON-CALL PLANNING CONSULTING SERVICES

- 1) RATIFIED PROFESSIONAL SERVICES AGREEMENT AND APPROVE FIRST AMENDMENT WITH JACOB GREEN & ASSOCIATES FOR ON-CALL PLANNING CONSULTING SERVICES; AND
- 2) AUTHORIZED THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE FIRST AMENDMENT TO THE AGREEMENT.
- 3) AUTHORIZED THE BUDGET ADJUSTMENT INCLUDED IN THE FISCAL IMPACT SECTION OF THIS REPORT.

8. CONSULTANT SERVICES AGREEMENT WITH WESTLAND GROUP, INCORPORATED FOR DESIGN SURVEYING FOR FUNICULAR RAIL SYSTEM AND ANNUAL ROADWAY RESURFACING FY 2021-22 AS-BUILTS

APPROVED A CONSULTANT SERVICES AGREEMENT WITH WESTLAND GROUP, INCORPORATED FOR TOPOGRAPHIC SURVEYING SERVICES NEEDED FOR THE FUNICULAR RAIL SYSTEM AND ANNUAL ROADWAY RESURFACING FY 2021-22 AS-BUILTS, AND AUTHORIZE THE CITY MANAGER OR DESIGNEE TO SIGN THE AGREEMENT.

PUBLIC COMMENTS

Girl Scout Troup 7574 thanked the General Services Department for their support with their NASA grant application to obtain a moon tree for the community.

Josh Baker (Marbros Seaside Villas HOA) voiced concerns regarding the Stonehill widening project, including parking and noise, and thanked staff for being responsive to concerns.

Jonathan Meyer and Leanne Geiss (DHHS Booster Club) thanked the community for their support of DHHS football and invited community members to attend the Honor the Valor event on Friday, October 6th, and Community Night on Friday, October 13th.

PUBLIC HEARINGS

None.

UNFINISHED BUSINESS

9. PROFESSIONAL SERVICES AGREEMENT FOR PLACEWORKS TO UPDATE THE DANA POINT GENERAL PLAN LAND USE ELEMENT AND CIRCULATION ELEMENT

Principal Planner Belinda Deines provided a staff report.

Discussion ensued.

IT WAS MOVED BY MAYOR FROST, SECONDED BY COUNCIL MEMBER GABBARD THAT THE CITY COUNCIL:

- 1) APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF DANA POINT AND PLACEWORKS FOR PREPARATION OF UPDATES TO THE LAND USE AND CIRCULATION ELEMENTS WITH ASSOCIATED ENVIRONMENTAL REVIEW; AND
- 2) AUTHORIZE A BUDGET APPROPRIATION FROM THE GENERAL PLAN UPDATE SET ASIDE AS DETAILED IN THE FISCAL IMPACT SECTION OF THIS REPORT.

The motion carried by the following vote:

AYES: Council Member Gabbard, Council Member Pagano, Council Member Villar, Mayor Pro Tem Federico, and Mayor Frost

NOES: None

ABSENT: None

10. INTRODUCTION OF ORDINANCE AMENDING DANA POINT MUNICIPAL CODE TITLE 1: GENERAL PROVISIONS AND TITLE 2: ADMINISTRATION AND PERSONNEL

City Clerk Shayna Sharke provided a staff report.

IT WAS MOVED BY MAYOR FROST, SECONDED BY MAYOR PRO TEM FEDERICO, THAT THE CITY COUNCIL:

- 1) INTRODUCE AND HOLD THE FIRST READING OF AN ORDINANCE OF THE CITY OF ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA AMENDING IN ITS ENTIRETY TITLE 1 PERTAINING TO GENERAL PROVISIONS AND

TITLE 2 PERTAINING TO ADMINISTRATION AND PERSONNEL OF THE DANA POINT MUNICIPAL CODE

- 3) DIRECT STAFF TO SCHEDULE A SECOND READING AND ADOPTION OF THE PROPOSED ORDINANCE.

The motion carried by the following vote:

AYES: Council Member Gabbard, Council Member Pagano, Council Member Villar, Mayor Pro Tem Federico, and Mayor Frost

NOES: None

ABSENT: None

11. POLICE SERVICES – DANA POINT COMMUNITY REPORT

Captain Todd Hylton provided a staff report.

Discussion ensued.

THE CITY COUNCIL RECEIVED AND FILED THE REPORT.

NEW BUSINESS

12. MOU WITH CAPISTRANO UNIFIED SCHOOL DISTRICT FOR AN AFTER-SCHOOL PROGRAM AT PALISADES ELEMENTARY SCHOOL

Deputy Director of Community Services Jeff Rosaler provided a staff report.

Discussion ensued.

IT WAS MOVED BY MAYOR FROST, SECONDED BY COUNCIL MEMBER VILLAR THAT THE CITY COUNCIL AUTHORIZE THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) WITH CAPISTRANO UNIFIED SCHOOL DISTRICT (CUSD) FOR AN AFTER-SCHOOL PROGRAM AT PALISADES ELEMENTARY SCHOOL TO BE OPERATED BY CITY STAFF.

The motion carried by the following vote:

AYES: Council Member Gabbard, Council Member Pagano, Council Member Villar, Mayor Pro Tem Federico, and Mayor Frost

NOES: None

ABSENT: None

PUBLIC COMMENTS (Continued)

COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED

Council Member Gabbard stated that he turned in his list of meetings attended.

Council Member Pagano stated that he turned in his list of meetings attended.

Council Member Villar stated that he turned in his list of meetings attended.

Mayor Pro Tem Federico stated that he turned in his list of meetings attended.

Mayor Frost stated that he turned in his list of meetings attended. He encouraged the Council to attend the DHHS Football Honor the Valor event on October 6th.

STAFF REPORTS

Assistant City Manager Kelly Reenders invited the community to upcoming October events, including the Prado Square Halloween Festival, Art & History Trolley Tour, pumpkin decorating contest for kids, Bulky Item drop off day, and Halloween Spooktacular & Trunk or Treat.

Deputy City Attorney Jennifer Farrell stated she had nothing to report.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Frost adjourned the meeting at 7:39 p.m. He announced that the next Regular Meeting of the City Council will be October 17, 2023, at 5:00 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 NOVEMBER 7, 2023

Meetings attended since September 19, 2023

Mayor Mike Frost

09/20/2023 OCHFT Meeting
09/21/2023 Coastal Cities Group Leadership Committee Meeting
09/27/2023 TCA Joint Toll Operations Committee Meeting
09/27/2023 ACC-OC Special Briefing
09/28/2023 ACC-OC Legislative & Regulatory Meeting

Mayor Pro Tem Jamey M. Federico

09/19/2023 OCTA 5th District Mayor Forum
10/02/2023 OCTA Regional Transportation Planning Committee

Council Member John Gabbard

09/22/2023 CASA Golf Tournament
09/23/2023 Laguna Hills Spanish Heritage Day
09/24/2023 REDO Market
09/27/2023 SCAG Regional Representative Meeting
09/28/2023 OCCOG Board of Directors Meeting
09/28/2023 OCFA Board of Directors Meeting

Council Member Matthew Pagano

08/24/2023 Cal Cities
09/11/2023 Mermaid Ball

Council Member Michael Villar

No meetings to report.