

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**TUESDAY
May 21, 2024
5:00 P.M.**

AGENDA

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

Next City Council Ordinance No. 24-02

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:

Jamey M. Federico, Mayor
Matthew Pagano, Mayor Pro Tem
Mike Frost, Council Member
John Gabbard, 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. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Government Code § 54956.9 (d)(1), (2 cases)
 - 1. Name of Case: Center for Natural Lands Management v City of Dana Point, Orange County Superior Court Case No: 30-2021-01219668 CU-OR-CJC
 - 2. Name of Case: ST Apartments vs. City of Dana Point; OCSC Case NO 30-2024-01397922-CU-WM-CJC

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

RECONVENE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

PRESENTATIONS AND PROCLAMATIONS

OCFA – Quarterly Size Up

OC Power Authority

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. [STATE OF THE CITY MINUTES, APRIL 24, 2024](#)

RECOMMENDED ACTION: That the City Council approve the minutes.

3. [REGULAR MEETING MINUTES, MAY 7, 2024](#)

RECOMMENDED ACTION: That the City Council approve the minutes.

4. [PLANNING COMMISSION MEETING MINUTES, APRIL 22, 2024](#)

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

5. [FINANCIAL REVIEW COMMITTEE MEETING MINUTES, OCTOBER 30, 2024](#)

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

6. [FINANCIAL REVIEW COMMITTEE MEETING MINUTES, JANUARY 30, 2024](#)

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

7. CLAIMS AND DEMANDS

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

8. ORANGE COUNTY SHERIFF DEPARTMENT CONTRACT FOR FY 25

RECOMMENDED ACTION: That the City Council consider the Law Enforcement Services Agreement with the County of Orange for law enforcement services for Fiscal Year 2024-25 (FY25) and authorize the City Manager to execute the agreement.

9. DEVELOPMENT UPDATE

RECOMMENDED ACTION: That the City Council receive and file the Development Update.

10. CITY COUNCIL POLICY REVIEW – ADOPTING SERIES 100

RECOMMENDED ACTION: That the City Council adopt recommended revisions to City Council Policy Series 100.

11. FUNDING FOR TRAFFIC SIGNAL BATTERY BACK UP SYSTEM AUTOMATION

RECOMMENDED ACTION: That the City Council approve the budget adjustment as noted in the Fiscal Impact Section of the Report for automation of traffic signal battery back up system operations per City Policy.

12. SIXTH 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 – Sixth Amendment to Agreement for additional funding.

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

13. [ZONE CHANGE ZC23-0001 AND ZONE TEXT AMENDMENT ZTA07-01 TO ESTABLISH A PLANNED RESIDENTIAL DEVELOPMENT OVERLAY \(PRDO\) DISTRICT AND ASSOCIATED DEVELOPMENT STANDARDS AND THE ADOPTION OF THE ASSOCIATED MITIGATED NEGATIVE DECLARATION FOR THE LOT IDENTIFIED BY ASSESSOR'S PARCEL NUMBER 691-401-37 \(SOUTH OF CAMINO CAPISTRANO AND VIA CANON INTERSECTION\)](#)

RECOMMENDED ACTION: That the City Council:

- 1) Conduct a public hearing; and
- 2) Review and adopt a Resolution for the Mitigated Negative Declaration entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION (SCH NO. 20240311110) FOR THE ZONE CHANGE (ZC23-0001), ZONE TEXT AMENDMENT (ZTA07-01), TENTATIVE TRACT MAP TTM 16970, AND SITE DEVELOPMENT PERMIT SDP07-06 AT THE PARCEL IDENTIFIED BY ASSESSOR'S PARCEL NUMBER 691-401-37. (ACTION DOCUMENT A);

- 3) Introduce and hold the first reading of an Ordinance approving Zone Change ZC23-0001 and Zone Text Amendment ZTA07-01 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING ZONE CHANGE ZC23-0001 AND ZONE TEXT AMENDMENT ZTA07-01 ESTABLISHING A PLANNED RESIDENTIAL DEVELOPMENT OVERLAY DISTRICT BY CHANGING THE ZONING MAP FROM RESIDENTIAL SINGLE FAMILY 7 TO PLANNED RESIDENTIAL DEVELOPMENT PRD 28 AND ADDING DEVELOPMENT REGULATIONS FOR PRD 28 TO APPENDIX B OF THE DANA POINT ZONING CODE AT THE PARCEL IDENTIFIED BY ASSESSOR'S PARCEL NUMBER 691-401-37. (ACTION DOCUMENT B)

UNFINISHED BUSINESS

None.

NEW BUSINESS

14. [DAYLIGHTING OF AN ORDINANCE AMENDING DANA POINT MUNICIPAL CODE CHAPTER 14, STREETS AND SIDEWALK](#)

RECOMMENDED ACTION: That the City Council receive, discuss and advise on the proposed changes to portions of Chapter 14 of the Dana Point Municipal Code pertaining to Streets and Sidewalks 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)

ADJOURNMENT

The next Regular Meeting of the City Council will be June 4, 2024, 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 16, 2024, at 5:30 p.m.



SHAYNA SHARKE, CITY CLERK

5/16/2024
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.