

CITY OF DANA POINT

CITY COUNCIL REGULAR MEETING



TUESDAY
SEPTEMBER 17, 2024
5:00 P.M.

MINUTES

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

Next City Council Ordinance No. 24-09

CALL TO ORDER

The Regular Meeting of the City Council of the City of Dana Point, California, was called to order by Mayor Jamey M. Federico at 5:00 P.M. in the City Council Chambers, 33282 Golden Lantern, Dana Point.

ROLL CALL OF CITY COUNCIL MEMBERS:

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

STAFF PRESENT: Michael A. Killebrew, City Manager; Kelly Reenders, Assistant City Manager; Jennifer Farrell, Deputy City Attorney; Shayna Sharke, City Clerk; Sea Shelton, Director of Administrative Services; Captain Todd Hylton; Matthew Sinacori, Director of Public Works/City Engineer; Brenda Wisneski, Director of Community Development; Jeff Rosaler, Deputy Director of Community Services; Melissa Muraira, Recreation Manager; Ryan Haworth, Deputy City Clerk; Jaimie To, Sr. Management Analyst.

CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL - DISCUSSION OF 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)
 - a. Center For Natural Lands Management v City of Dana Point, Orange County Superior Court Case No: 30-2021-01219668 CU-OR-CJC
 - b. Travis Mellem vs. City of Dana Point et al; OCSC Case NO 30-2024-01377025-CU-WM-CJC

Mayor Federico recessed the meeting into a Closed Session at 5:01 PM. pursuant to Government Code Section 54957.

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

RECONVENE CITY COUNCIL MEETING

Mayor Federico reconvened the meeting at 6:05 P.M.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Villar.

PRESENTATIONS AND PROCLAMATIONS

Employee of the Quarter – Recreation Leaders

The Dana Point Recreation Team was presented with a Certificate of Recognition from Mayor Federico. Deputy Director of Community Services Jeff Rosaler and Recreation Manager Melissa Muraira expressed gratitude towards their team and each Recreation Staff Member stated their first and last name and received individual Certificates of Recognition from Mayor Federico.

READING OF ORDINANCE TITLES

There were no Ordinance titles.

CONSENT CALENDAR

IT WAS MOVED BY MAYOR FEDERICO, SECONDED BY COUNCIL MEMBER FROST, THAT THE RECOMMENDATIONS BE ACCEPTED FOR ALL ITEMS ON THE CONSENT CALENDAR.

The motion carried by the following vote:

AYES: Frost, Pagano, Villar, Federico

NOES: None

ABSENT: Gabbard

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 3, 2024

APPROVED THE MINUTES.

3. PLANNING COMMISSION MEETING MINUTES, JULY 22, 2024

RECEIVED AND FILED THE MINUTES.

4. FINANCIAL REVIEW COMMITTEE MINUTES, APRIL 30, 2024

RECEIVED AND FILED THE MINUTES.

5. CLAIMS AND DEMANDS

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

6. DEVELOPMENT UPDATE

RECEIVED AND FILED THE DEVELOPMENT UPDATE.

7. THIRD AMENDMENT OF PROFESSIONAL SERVICES AGREEMENT WITH LSA ASSOCIATES, INC. TO CONDUCT ENVIRONMENTAL REVIEW FOR THE DANA POINT HARBOR HOTELS PROJECT

AUTHORIZED THE CITY MANAGER TO EXECUTE A THIRD AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH LSA ASSOCIATES, INC. TO INCREASE THE PROJECT BUDGET AND CONTINUE WORK ON THE ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE DANA POINT HARBOR HOTELS PROJECT.

PUBLIC COMMENTS

Katherine Griffiths (Dana Point), Ryan Shippy (Dove Canyon), and Ron Wright (Dana Point) distributed a document to the City Council.

Ron Wright introduced their group. He discussed the parcels that they have listed for sale and potential uses of the land.

Ryan Shippy spoke about using the parcel of land for something that the City wants and needs.

Katherine Griffiths thanked the City Council and Staff for being welcoming and is looking forward to working with the community.

PUBLIC HEARINGS

8. ADMINISTRATIVE FEE FOR VEHICLE REMOVAL, IMPOUND, STORAGE, OR RELEASE

Sea Shelton Director of Administrative Services provided a staff report.

Mayor Federico opened the Public Hearing at 6:25 PM.

There were no public comments.

Mayor Federico closed the Public Hearing at 6:25 PM.

Discussion ensued.

IT WAS MOVED BY MAYOR FEDERICO, SECONDED BY COUNCIL MEMBER VILLAR, THAT THE CITY COUNCIL ADOPT **RESOLUTION 24-09-17-01** ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING AN UPDATED ADMINISTRATIVE FEE FOR VEHICLE REMOVAL, IMPOUND STORAGE OR RELEASE

The motion carried by the following vote:

AYES: Frost, Pagano, Villar, Federico

NOES: None

ABSENT: Gabbard

UNFINISHED BUSINESS

None.

NEW BUSINESS

9. **FISCAL YEAR 2023-24 (FY24) 4TH QUARTER FINANCIAL REPORT; PROPOSED FY25 CARRY-OVER BUDGET ADJUSTMENTS; FINANCIAL POLICY UPDATES; HEALTH PLAN PROVISIONS FOR CALENDAR YEAR 2025; AND SALARY RANGES FOR REPRESENTED AND NON-REPRESENTED EMPLOYEE CLASSIFICATIONS; AND AMENDMENTS TO CITY'S CONFLICT OF INTEREST CODE**

Sea Shelton Director of Administrative Services provided a staff report.

Discussion ensued.

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

- 1) RECEIVE AND FILE THE FY24 FINANCIAL REPORT FOR THE QUARTER ENDED JUNE 30, 2024; AND
- 2) AMEND THE FY2024-25 ("FY25") BUDGET BY AUTHORIZING THE CARRY-OVER AND APPROPRIATION OF ENCUMBERED AND UNENCUMBERED FUNDS FROM FY24 TO FY25, AND AUTHORIZE THE FY25 REVENUE AND EXPENDITURE ADJUSTMENTS, AS DETAILED IN THIS REPORT; AND
- 3) APPROVE AMENDED FINANCIAL POLICY #231 – INFRASTRUCTURE ASSET MANAGEMENT POLICY AND RESCIND FINANCIAL POLICY #234 – COMMUNITY INVESTMENT ACCOUNT; AND

4) **ADOPT RESOLUTION 24-09-17-02 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; AND

5) **ADOPT RESOLUTION 24-09-17-03 ENTITLED:**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING THE CITY'S CONFLICT OF INTEREST CODE; AND

6) **ADOPT RESOLUTION 24-09-17-04 ENTITLED:**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, MODIFYING HEALTH BENEFIT PLAN ALLOWANCES FOR ELIGIBLE REPRESENTED AND ELIGIBLE NON-REPRESENTED CLASSIFICATIONS.

The motion carried by the following vote:

AYES: Frost, Pagano, Villar, Federico

NOES: None

ABSENT: Gabbard

PUBLIC COMMENTS (Continued)

None.

COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED

Council Member Villar stated that he turned in his list of meetings and mentioned the upcoming City events and recommended that the public attend the Día de los Muertos event on November 2nd.

Council Member Frost stated that he will turn in his list of meetings. He provided an update from OCFA, stating that the Airport Fire that burned 25,000 acres is now 30% contained. He relayed that Ashley Keene, Dana Point Art and Culture Ambassador, has a brother who lost his house in the fire. They are currently staying with the Killer Dana Family and invited the community to show them support.

Mayor Pro Tem Pagano stated that he has turned in his list of meetings and shared that while he was waiting for his flight at the airport someone spoke to him about how great the Concerts in the Park event was.

Mayor Federico stated that the Dana Point Trolleys will run on weekends through the end of September and announced the upcoming events occurring around Dana Point for September and October.

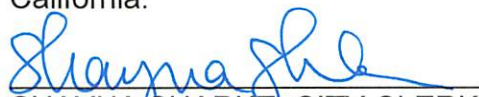
STAFF REPORTS

Deputy City Attorney Jennifer Farrell had nothing to report.

City Manager Michael A. Killebrew had nothing to report.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Federico adjourned the meeting at 6:45 PM. He announced that the next Regular Meeting of the City Council will be October 1, 2024, 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 OCTOBER 15, 2024

Meetings attended since September 4, 2024

Mayor Jamey Federico

09/09/2024 OCTA Board
09/17/2024 OCTA Legal Briefing

Mayor Pro Tem Matthew Pagano

09/06/2024 CASA Classic Golf Tournament
09/11/2024 Financial Review Committee

Council Member Mike Frost

09/06/2024 CASA
09/07/2024 Fish For Life
09/09/2024 OCHFT
09/10/2024 Financial Review Committee
09/12/2024 TCA
09/13/2024 Ocean Institute Maritime Festival
09/14/2024 Ocean Institute Maritime Festival
09/15/2024 Ocean Institute Maritime Festival

Council Member John Gabbard

09/05/2024 SCAG Regional Council
09/06/2024 CASA 2024 golf classic
09/09/2024 OCCOG Executive Committee
09/16/2024 ACCOC DC Advocacy Trip
09/17/2024 ACCOC DC Advocacy Trip

Council Member Michael Villar

09/05/2024 3Q Community Engagement Panel Meeting
09/15/2024 Presentation by CUSD Board Member Amy Hanacek
09/17/2024 Meeting with Principal Rebecca Bailey Palisades Elementary School