

Received on 11/15/22

EXPARTE COMMUNICATION DISCLOSURE FORM  
Filed by Commissioner Donne Brownsey

1) Name or description of project: Nov 16, 2022 Item 13 b. City of Dana Point STR

2) Date and time of receipt of communication:  
Nov 14, 2022 at 3:00pm-3:45pm

3) Location of communication  
On Zoom

4) Identity of person(s) initiating communication:  
David Niesh

5) Identity of person(s) on whose behalf communication was made:  
City of Dana Point, his client

6) Identity of persons(s) receiving communication:  
Donne Brownsey

7) Identity of all person(s) present during the communication:  
Brownsey and Niesh

Complete, comprehensive description of communication content:

Niesh stated that the City is the applicant, the Mayor and City Attorney will be presenting at the hearing. He presented briefly the background on the issue and that the Council had been working on this matter for 15 years. There is a particularly vocal group of opponents who opposed STRs.

The City agrees with the staff report except for Condition 5 which indemnifies the Commission from legal fees associated with defending the permit. I explained that this is a boiler plate condition and that I supported the condition. Niesh understood.

Date November 15, 2022



---

Signature of Commissioner Donne Brownsey

## EX PARTE COMMUNICATION DISCLOSURE FORM

Filed by Commissioner: Meagan Harmon

- 1) Name or description of project: A-5-DPT-22-0038 (STRs)
- 2) Time of receipt of communication: November 13, 2022 at 3:30pm
- 3) Location of communication: Telephone  
(If not in person, include the means of communication, e.g., telephone, e-mail, etc.)
- 4) Identity of person(s) initiating communication:  
Dave Neish
- 5) Identity of person(s) on whose behalf communication was made:  
City of Dana Point
- 6) Identity of persons(s) receiving communication:  
Meagan Harmon
- 7) Identity of all person(s) present during the communication:  
Dave Neish

Complete, comprehensive description of communication content (attach complete set of any text or graphic material presented):

I spoke on the phone with Mr. Neish, representative of the City of Dana Point. He shared their perspective that they are in agreement with the staff report in all ways EXCEPT for the condition related to reimbursing the Coastal Commission for all costs associated with any litigation that may arise out of the CDP. He indicated that this liability was too large and that it is not something the city can take on. He also shared that they city has worked very hard to put this policy together, and that everyone would like to see it move forward. Mr. Neish does not recall another similar policy that had a condition like this one and thinks it is not necessary in this case. He would like the matter approved without that condition related to reimbursement.

Nov. 13, 2022  
Date

  
Signature of Commissioner

**TIMING FOR FILING OF DISCLOSURE FORM:** File this form with the Executive Director within seven (7) days of the ex parte communication, if the communication occurred seven or more days in advance of the Commission hearing on the item that was the subject of the communication. If the communication occurred within seven (7) days of the hearing, provide the information orally on the record of the proceeding and provide the Executive Director with a copy of any written material that was part of the communication. This form may be filed with the Executive Director in addition to the oral disclosure.