

RESOLUTION NO. 26-08-17-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, RECOGNIZING THE APPOINTED COUNCILMEMBERS AND THEREFORE CANCELLING THE NOVEMBER 3, 2026 GENERAL MUNICIPAL ELECTION FOR CITY COUNCIL MEMBERS FROM DISTRICTS 1, 2 AND 3, PURSUANT TO CALIFORNIA ELECTIONS CODE SECTION 10229

THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, on June 6, 2026, pursuant under the provisions of the laws relating to General Law cities in the State of California, the City Council adopted Resolution 26-06-02-01, calling for a General Municipal Election to be held on Tuesday, November 3, 2026 for the purpose of electing one City Council Member for each District 1, 2, and 3; and

WHEREAS at the close of the nomination period on Friday, August 7, 2026, only one person filed nomination papers in District 1; only one person filed nomination papers in District 2; and only one person filed nomination papers in District 3 to run for the office of City Council Member; and

WHEREAS, there are, therefore, not more candidates than offices to be elected for the City of Dana Point City Council District 1, 2, and 3 for the November 3, 2026 election; and

WHEREAS, pursuant to Section 10229 of the California Elections Code, on August 12, 2026 a notice certifying these facts and the courses available to the City Council was published in the Orange County Register, as reflected by Exhibit A attached hereto and incorporated by reference herein; and

WHEREAS, based on the above facts, pursuant to Section 10229 of the California Elections Code the City Council took the following course of action at a Special Meeting on August 17, 2026:

- 1) Appoint to the office the persons who have been nominated such that they shall serve a term as if elected at a municipal election for the office:
 - a. District 1 – John Gabbard
 - b. District 2 – Matthew Pagano
 - c. District 3 – Hydee Riggs

WHEREAS, an appointment in lieu of an election could result in an estimated cost savings to the City of between \$27,488 and \$32,787; and

WHEREAS, if the City Council makes an appointment pursuant to Section 10229 of the California Elections Code, the Elections Official shall not accept for filing any statement of write-in candidacy for City Council Member from the appointed Districts;

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. That the above recitals are true and correct.

SECTION 2. Pursuant to Section 10229 of the California Elections Code, the following action is taken:

The City Council of the City of Dana Point hereby cancels the holding of a General Municipal Election, previously called to be held on Tuesday, November 3, 2026 for the City Council Districts 1, 2, and 3.

PASSED, APPROVED AND ADOPTED this 17th day of August 2026.



JOHN GABBARD, MAYOR

ATTEST:



SHAYNA SHARKE
CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF DANA POINT)

I, Shayna Sharke, City Clerk of the City of Dana Point, do hereby certify that the foregoing Resolution No. 26-08-17-01 was duly adopted and passed at a special meeting of the City Council on the 17th day of August 2026, by the following roll-call vote, to wit:

AYES: Federico, Frost, Pagano, Villar, Gabbard

NOES: None

ABSENT: None

ABSTAIN: None



SHAYNA SHARKE, CITY CLERK

EXHIBIT A

See Proof on Next Page

THE ORANGE COUNTY
REGISTER

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0011806737

Shayna Sharke
33282 Golden Lantern, Suite 203
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**PROOF OF PUBLICATION
(2015.5 C.C.P.)**

**STATE OF CALIFORNIA
County of Orange**

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not party to or interested in the above-entitled matter. I am the principal clerk of the printer of The Orange County Register, a newspaper of general circulation, printed and published in the City of Irvine*, County of Orange, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of County of Orange, State of California, under the date of November 19, 1905, Case No.A-21046. The notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

08/12/2026

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Dated at Irvine, California

On this 12th day of August, 2026.



Signature

CITY OF DANA POINT

**CITY CLERK'S CERTIFICATION THAT THERE ARE NOT MORE CANDIDATES THAN
OFFICES TO BE ELECTED IN DISTRICT 1, 2, AND 3 AT THE NOVEMBER 3, 2026
GENERAL MUNICIPAL ELECTION FOR THE CITY OF DANA POINT**

NOTICE IS HEREBY GIVEN pursuant to Section 10229 of the Elections Code of the State of California, relating to the General Municipal Election in the City of Dana Point to be held on Tuesday, November 3, 2026, that:

As of the close of the nomination period on Friday, August 7, 2026 at 4:30PM, only one person has filed nomination papers to fill the City Council seat for each District Number 1, 2, and 3. Therefore, there are no more candidates than offices to be elected for City of Dana Point Districts 1, 2, and 3.

The persons so nominated are:

District 1 – John Gabbard
District 2 – Matthew Pagano
District 3 – Hydee Riggs

Because of the above facts, Section 10229 of the Elections Code allows the City Council to take one of the following courses of action:

- 1.) Appoint to the office the person(s) who has/have been nominated.
- 2.) Appoint to the office any eligible voter if no one else has been nominated.
- 3.) Hold the election if either no one or only one person has been nominated.

At a Special City Council meeting to be held on Monday, August 17, 2026, at 5:00 p.m. in the Council Chamber of Dana Point City Hall, 33282 Golden Lantern, Dana Point, CA, the City Council will consider whether to make an appointment and cancel the election for those offices or direct an election to be held. The person(s) appointed, if any, shall qualify and take office and serve exactly as if elected at a municipal election for the office.

If the City Council makes appointment(s) pursuant to Section 10229 of the Elections Code, the Elections Official shall not accept for filing any statement of write-in candidacy for City Council Member from those District(s) which is submitted after the appointment is made.

If by the 75th day before the General Municipal Election, no person has been appointed to those office(s) pursuant to (1) or (2) above, the election for the District(s) shall be held. If an appointment is made to those offices, the General Municipal Election for those Districts will be cancelled.

SHAYNA SHARKE, CITY CLERK
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