

CITY OF DANA POINT

CITY COUNCIL REGULAR MEETING



**TUESDAY
JUNE 3, 2025
6:00 P.M.**

MINUTES

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

Next City Council Ordinance No. 25-09

CALL TO ORDER

The Regular Meeting of the City Council of the City of Dana Point, California, was called to order by Mayor Pro Tem Gabbard at 6:00 P.M. in the City Council Chambers, 33282 Golden Lantern, Dana Point.

ROLL CALL OF CITY COUNCIL MEMBERS:

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

STAFF PRESENT: Michael A. Killebrew, City Manager; Kelly Reenders, Assistant City Manager; Patrick Munoz, City Attorney; Shayna Sharke, City Clerk; Sea Shelton, Director of Administrative Services; Mike Rupley, Administrative Sergeant; Matthew Sinacori, Director of Public Works/City Engineer; Brenda Wisneski, Director of Community Development; Jeff Rosaler, Director of Community Services; Ryan Haworth, Deputy City Clerk.

CLOSED SESSION

None.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Frost.

PRESENTATIONS AND PROCLAMATIONS

Dana Point Youth Baseball – Tsunami 12U

Ryan Reich, Coach of the Dana Point Youth Baseball Team – Tsunami 12U, provided information about the team and each baseball player introduced themselves to City Council.

Boys and Girls Club Youth of the Year – Nevaeh Findlay

Mayor Pro Tem Gabbard presented a Certificate of Recognition to Nevaeh Findlay. She presented her speech to the City Council.

Principal of the Year - Kristen Nelson

Mayor Pro Tem Gabbard presented a Certificate of Recognition to RH Dana Principal, Kristen Nelson. Council Member Frost invited students from RH Dana Elementary School to read comments about Principal Nelson that he had collected from members of the community.

OCFA – Drowning Prevention Season

Cheyne Maule, OCFA Division Chief, spoke regarding drowning awareness and prevention, and received a Proclamation from Mayor Pro Tem Gabbard.

READING OF ORDINANCE TITLES

City Clerk, Shayna Sharke, read one (1) Ordinance Title.

CONSENT CALENDAR

IT WAS MOVED BY COUNCIL MEMBER 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: Federico, Frost, Gabbard

NOES: None

ABSENT: Villar, Pagano

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, MAY 6, 2025

APPROVED THE MINUTES.

3. PLANNING COMMISSION MEETING MINUTES, APRIL 14, 2025

RECEIVED AND FILED THE MINUTES.

4. PLANNING COMMISSION MEETING MINUTES, APRIL 28, 2025

RECEIVED AND FILED THE MINUTES.

5. FINANCIAL REVIEW COMMITTEE MEETING MINUTES, JANUARY 28, 2025

RECEIVED AND FILED THE MINUTES.

6. CLAIMS AND DEMANDS

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

7. TREASURER'S REPORT

RECEIVED AND FILED THE TREASURER'S REPORT.

8. CONTRACT WITH MARBO PRODUCTIONS FOR DOHENY VILLAGE RAMPS AND AMPS EVENT

AUTHORIZED THE CITY MANAGER OR HIS DESIGNEE TO CONTRACT WITH MARBO PRODUCTIONS TO INSTALL AND MANAGE A TEMPORARY SKATE COURSE IN DOHENY VILLAGE FOR THE RAMPS AND AMPS EVENT ON AUGUST 16, 2025.

9. GEOGRAPHIC INFORMATION SYSTEM (GIS) CONTRACT

RATIFIED THE CITY MANAGER'S APPROVAL OF AN AGREEMENT WITH JOSE RUEL DIRA FOR CONTRACT GEOGRAPHIC INFORMATION SYSTEM (GIS) SERVICES, APPROVED AN INCREASE TO THE NOT-TO-EXCEED AMOUNT FOR FISCAL YEAR 2024-25 (FY25), AND AUTHORIZED THE CITY MANAGER, OR DESIGNEE, TO EXTEND THE AGREEMENT FOR UP TO TWO ADDITIONAL ONE-YEAR TERMS.

10. CONTRACT ACCOUNTING SERVICES

RATIFIED THE CITY MANAGER'S APPROVAL OF AN AGREEMENT WITH EIDE BAILLY, LLP FOR CONTRACT ACCOUNTING SERVICES AND AMENDED THE AGREEMENT TO INCREASE THE NOT-TO-EXCEED AMOUNT.

PUBLIC COMMENTS

Mike Kelly (Dana Point) spoke against the proposed lithium battery storage facility in San Juan Capistrano.

Mary Herron (Dana Point) spoke against the proposed lithium battery storage facility in San Juan Capistrano and provided a handout to Council.

PUBLIC HEARINGS

11. APPEAL OF THE PLANNING COMMISSION'S DECISION TO DENY THE APPEAL AND UPHOLD THE COMMUNITY DEVELOPMENT DIRECTOR'S DENIAL OF ACCESSORY DWELLING UNIT PERMIT APPLICATION (PLN25-0010) TO CONVERT AN ATTACHED TWO-CAR GARAGE INTO AN ACCESSORY DWELLING UNIT IN CONJUNCTION WITH AN EXISTING NON-CONFORMING MULTI-FAMILY DWELLING LOCATED AT 33861 MALAGA DRIVE

Mayor Pro Tem Gabbard opened the Public Hearing at 6:41 PM.

Public comments were received via email.

Discussion ensued.

IT WAS MOVED BY COUNCIL MEMBER FROST, SECONDED BY COUNCIL MEMBER FEDERICO, THAT THE CITY COUNCIL CONTINUE THE ITEM TO A DATE CERTAIN OF JULY 15, 2025.

The motion carried by the following vote:

AYES: Federico, Frost, Gabbard

NOES: None

ABSENT: Villar, Pagano

12. ADOPTION OF FISCAL YEAR 2025-2026 (FY26) AND 2026-2027 (FY27) PROPOSED OPERATING AND CAPITAL IMPROVEMENT BUDGETS

Sea Shelton, Director of Administrative Services, provided a staff report.

Mayor Pro Tem Gabbard opened the Public Hearing at 6:47 PM.

There were no public comments.

Mayor Pro Tem Gabbard closed the Public Hearing at 6:47 PM.

Discussion ensued.

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

1) ADOPT RESOLUTION 25-06-03-01 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADOPTING AN OPERATING AND CAPITAL IMPROVEMENT BUDGET FOR THE CITY OF DANA POINT FOR FISCAL YEARS 2025-2026 AND 2026-2027;

2) APPROVE THE FISCAL YEAR 2025-2026 BUDGET CALENDAR; and

3) **ADOPT RESOLUTION 25-06-03-02 ENTITLED:**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING AND ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2025-2026; and

4) **ADOPT THE LONG-TERM FINANCIAL PLAN UPDATE FOR FISCAL YEARS 2026 – 2031**

The motion carried by the following vote:

AYES: Federico, Frost, Gabbard

NOES: None

ABSENT: Villar, Pagano

UNFINISHED BUSINESS

13. APPROVAL AND AUTHORIZATION TO SUBMIT THE REQUIRED FY25/26 MEASURE M2 ELIGIBILITY SUBMITTAL ITEMS TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY

Matthew Sinacori, Director of Public Works/City Engineer, provided a staff report.

Discussion ensued.

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

1) **ADOPT RESOLUTION 25-06-03-03 ENTITLED:**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT CONCERNING THE STATUS AND UPDATE OF THE CIRCULATION ELEMENT, AND MITIGATION FEE PROGRAM FOR THE MEASURE M (M2) PROGRAM; and,

2) **ADOPT RESOLUTION 25-06-03-04 ENTITLED:**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT CONCERNING THE STATUS AND UPDATE OF THE PAVEMENT MANAGEMENT PLAN FOR THE MEASURE M2 (M2) PROGRAM; and

3) **APPROVE THE SEVEN-YEAR CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FY 2025-26 THROUGH FY 2031-32 AND CERTIFY COMPLIANCE, AS REQUIRED BY THE ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA), RENEWED MEASURE M2 (M2) PROGRAM AS PROVIDED IN SUPPORTING DOCUMENT C; and**

4) **AUTHORIZE STAFF TO FORWARD THE NECESSARY RENEWED MEASURE M2 ELIGIBILITY DOCUMENTATION TO THE OCTA.**

The motion carried by the following vote:

AYES: Federico, Frost, Gabbard

NOES: None

ABSENT: Villar, Pagano

14. STRATEGIC PLAN REVISED UPDATE - DAYLIGHTING

Kelly Reenders, Assistant City Manager, provided a staff report.

Discussion ensued.

THE CITY COUNCIL PROVIDED RECOMMENDATIONS TO STAFF ON PROPOSED REVISIONS TO THE CITY OF DANA POINT STRATEGIC PLAN.

15. AMENDMENT OF DANA POINT MUNICIPAL CODE TITLE 5, BUSINESS REGULATIONS AND CHAPTER 4.02 TO DEFINE ELECTRIC BIKES OR SCOOTERS

Brenda Wisneski, Director of Community Development, provided a staff report.

Discussion ensued.

IT WAS MOVED BY COUNCIL MEMBER FROST, SECONDED BY MAYOR PRO TEM GABBARD, THAT THE CITY COUNCIL INTRODUCE AND HOLD A FIRST READING OF **ORDINANCE 25-XX** ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING DANA POINT MUNICIPAL CODE TITLE 5, BUSINESS REGULATIONS AND CHAPTER 4.02 TO DEFINE ELECTRIC BIKES OR SCOOTERS

The motion carried by the following vote:

AYES: Federico, Frost, Gabbard

NOES: None

ABSENT: Villar, Pagano

NEW BUSINESS

16. COMMUNITY CENTER MURAL CONTRACT

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

Lovisa Kjerrgren (Laguna Beach) introduced herself as one of the artists that had submitted a proposal for the project. She offered to answer any questions about her submittal.

Discussion ensued.

IT WAS MOVED BY COUNCIL MEMBER FEDERICO, SECONDED BY COUNCIL MEMBER FROST, THAT THE CITY COUNCIL SELECT A FINAL PROPOSAL AND AUTHORIZE THE CITY MANAGER TO CONTRACT WITH LOVISA KJERRGREN.

The motion carried by the following vote:

AYES: Federico, Frost, Gabbard

NOES: None

ABSENT: Villar, Pagano

COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED

Council Member Federico stated that he has turned in his list of meetings and discussed the stance of the Association of California Cities – Orange County (ACC-OC) against the proposed battery storage facility in San Juan Capistrano.

Council Member Frost stated that he will turn in his list of meetings and had nothing to report.

Mayor Pro Tem Gabbard stated that he has turned in his list of meetings and mentioned the advocacy efforts of the boards and committees that Council Members are appointed to. He also announced upcoming events in Dana Point.

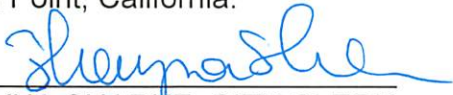
STAFF REPORTS

City Manager, Mike Killebrew, stated that he had nothing to report.

City Attorney, Patrick Munoz, stated that he had nothing to report.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Pro Tem Gabbard adjourned the meeting at 7:10 PM. He announced that the next Regular Meeting of the City Council will be June 17, 2025 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 JUNE 17, 2025

Meetings attended since May 7, 2025

Mayor Pagano

Mayor Pro Tem Gabbard

05/07/2025 OCMVCD Joint Committee meeting, Garden Grove
05/07/2025 Supervisor Nguyen office opening, Santa Ana
05/08/2025 City Selection Committee meeting, City of Orange
05/15/2025 OCMVCD Board meeting, Garden Grove
05/16/2025 OCCOG Ad hoc Budget meeting
05/19/2025 LOSSAN Board meeting, Los Angeles
05/22/2025 Mayor/City Manager performance discussion
05/22/2025 OCCOG Board meeting, Irvine
05/23/2025 Roth Capital meeting
05/26/2025 Memorial Day Ceremony, Pines Park
05/27/2025 CALCOG Board meeting, Sacramento
05/29/2025 Senator Strickland office opening, Huntington Beach
05/30/2025 Ozone plant tour, Monarch Beach
06/02/2025 OCCOG Executive Management Committee meeting

Council Member Mike Frost

Council Member Federico

05/07/2025 OCTA Environmental Oversight Committee
05/07/2025 DPWC Cocktails for a Cause
05/12/2025 OCTA Board Meeting
05/14/2025 OCTA Finance Committee
05/15/2025 Assembly Member Davies' PAR1111/1121 Community Update
05/20/2025 OCTA EOC Restoration Tour
05/21/2025 ACC-OC Board Meeting
05/21/2025 OCTA Exec Briefing
05/26/2025 VFW Memorial Day
05/27/2025 OCTA Board Meeting
05/28/2025 OCTA Finance Committee
06/02/2025 OCTA Executive Committee
06/02/2025 OCTA Regional Transportation Planning Committee
06/02/2025 Meeting with Supervisor Don Wagner & OCTA CEO

Council Member Michael Villar

No meetings attended.