

CITY OF DANA POINT

CITY COUNCIL REGULAR MEETING



**TUESDAY
JULY 15, 2025
5:00 P.M.**

AGENDA

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

Next City Council Ordinance No. 25-10

Public comment may be provided in-person, electronically, or by mail. Comments may be submitted via mail: City Clerk, 33282 Golden Lantern, Dana Point, CA 92629; or via email at comment@danapoint.org. To be provided to the City Council *prior* to the meeting, comments must be received by 4:00 P.M. on the day of the meeting. 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 are considered a public record and will be included in the meeting record.

CALL TO ORDER

ROLL CALL OF CITY COUNCIL MEMBERS:

Matthew Pagano, Mayor
John Gabbard, Mayor Pro Tem
Jamey M. Federico, Council Member
Mike Frost, 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), (5 cases)
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Government Code § 54956.9 (d)(1), (4 cases)
 - 1) Travis Mellem v. City of Dana Point, Orange County Superior Court Case No 30-2025-01476752
 - 2) Center For Natural Lands Management v City of Dana Point, Orange County Superior Court Case No: 30-2021-01219668
 - 3) California Housing Defense Fund, et al, v City of Dana Point, Orange County Superior Court Case No 30-2025-01483327

- 4) City of DP v. Sunshine Group LLC (Seaside Inn), Orange County Superior Court Case No. 30-2017- 00915900

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

RECONVENE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

PRESENTATIONS AND PROCLAMATIONS

Volunteer of the Quarter/CERT Graduates

OCFA – Wildfire Prevention Season

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. [REGULAR MEETING MINUTES, JUNE 3, 2025](#)

RECOMMENDED ACTION: That the City Council approve the minutes.

3. [PLANNING COMMISSION MEETING MINUTES, JUNE 9, 2025](#)

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

4. [TRAFFIC IMPROVEMENT SUBCOMMITTEE MEETING MINUTES, OCTOBER 8, 2024](#)

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

5. [CLAIMS AND DEMANDS](#)

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

6. TREASURER'S REPORT

RECOMMENDED ACTION: That the City Council receive and file the Treasurer's Report for May 2025.

7. AGREEMENT FOR AUTOMATED INSPECTION SCHEDULING – SELECTRON TECHNOLOGIES, INC.

RECOMMENDED ACTION: City Council authorize the City Manager, or designee, to execute an Amendment to the Master Services and Hosting Agreement (MSHA) with Selectron Technologies, Inc. This amendment will include an updated Scope of Work for a three-year term, with an option to renew for two additional years.

8. NOTICE TO VACATE AN EASEMENT FOR UTILITY PURPOSES AT 35802 VICTORIA BLVD (ASSESSOR PARCEL NUMBER 668-341-45)

RECOMMENDED ACTION: That the City Council adopt a resolution entitled:

A RESOLUTION OF THE DANA POINT CITY COUNCIL DECLARING ITS INTENT TO VACATE THE UTILITY EASEMENT AT 35802 VICTORIA BOULEVARD HIGHWAY (ASSESSOR PARCEL NUMBER 668-341-45) AS DEDICATED PER DOCUMENT RECORDED WITH THE COUNTY OF ORANGE JANUARY 12, 1965 IN BOOK 7377, PAGE 298

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 the proper procedure and hand them to the City Clerk. The City Clerk will see that they are distributed.

PUBLIC HEARINGS

9. 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 (PLN25-0003) 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

RECOMMENDED ACTION: That the City Council adopt the attached resolution to deny the appeal and uphold the Planning Commission's decision to uphold the Community Development Director's denial of Accessory Dwelling Unit (ADU) permit application PLN25-0003, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, DENYING THE APPEAL AND UPHOLDING THE PLANNING COMMISSION'S DECISION TO UPHOLD THE COMMUNITY DEVELOPMENT DIRECTOR'S DECISION TO DENY ACCESSORY DWELLING UNIT PERMIT (PLN25-0003) 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

The application seeks to convert an attached two-car garage into an ADU for the existing non-conforming multi-family dwelling residence at 33861 Malaga Drive.

10. ADMINISTRATIVE FEE FOR FALSE ALARMS

RECOMMENDED ACTION: That the City Council conduct a Public Hearing and Adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING AN UPDATED ADMINISTRATIVE FEE FOR FALSE ALARMS

11. 2025 WEED ABATEMENT PROGRAM

RECOMMENDED ACTION: That the City Council conduct a hearing on the Weed Abatement Cost Report, review the findings, and adopt the attached Resolution confirming the cost report and authorizing the collection of the weed abatement costs on the regular tax bill, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, CONFIRMING THE COST OF WEED ABATEMENT AND PROVIDING FOR THE COLLECTION ON THE REGULAR TAX BILL

UNFINISHED BUSINESS

12. POLICE SERVICES – DANA POINT COMMUNITY REPORT

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

NEW BUSINESS

13. PINES PARK RESTROOM SURVEY RESULTS

RECOMMENDED ACTION: Per City Council direction on July 16, 2024, Staff has gathered information related to restroom facilities at Pines Park through community survey results and preliminary conceptual plans. This is a receive and file informational presentation and report.

14. RESIDENTIAL CHICKEN KEEPING INFORMATIONAL PRESENTATION

RECOMMENDED ACTION: That the City Council receive and file the informational presentation and report.

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 agendized 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-agendized items may be presented as informational only.

STAFF REPORTS

(City Manager Michael Killebrew)
(City Attorney Patrick Muñoz)

UPCOMING EVENTS

- July 17 Symphony on the Go – Pines Park
- July 19 Bulky Item Clean Up Day – South Shores Church
- July 20 Concerts in the Park – Anthony Small / Small World & Family Style
- July 27 Concerts in the Park - Kelly Boyz & Vegas McGraw
- August 3 Concerts in the Park – Flock of 80s & Yachty by Nature
- August 10 Concerts in the Park – Wayward Sons & Queen Nation
- August 16 Ramps & Amps – Doheny Village
- August 17 Concerts in the Park – Sega Genacide & Tijuana Dogs

ADJOURNMENT

The next Regular Adjourned Meeting of the City Council will be August 12, 2025, 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 July 10, 2025, at 5:30 p.m.



SHAYNA SHARKE, CITY CLERK

7/10/2025
DATE

Agendas are 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.