

CITY OF DANA POINT

CITY COUNCIL REGULAR MEETING



**TUESDAY
OCTOBER 21, 2025
5:00 P.M.**

MINUTES

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

Next City Council Ordinance No. 25-15

CALL TO ORDER

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

ROLL CALL OF CITY COUNCIL MEMBERS:

Matthew Pagano, Mayor
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; Captain Frank Gonzalez; Matthew Sinacori, Director of Public Works/City Engineer; Jeff Rosaler, Interim Director of Community Development; Danny Giometti, Senior Planner; Jaimie To, Economic Development & Housing Manager; Taelor Vonjaroschkapohl, Assistant Administrative Analyst; Terrie Ayers, Sr. Administrative Assistant.

CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (d)(2), (1 case)
- B. CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION, Government Code § 54956.9 (d)(4), (1 case)

Case Name: City of Huntington Beach, et al.v. Newsom, et al., No. 25-337 (US Supreme Court)

- C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Government Code § 54956.9 (d)(1), (1 case)

- a. ST Apartments vs. City of Dana Point; Orange County Superior Court Case No 30-2024-01397922

D. PUBLIC EMPLOYMENT, Government Code § 54957: Title: City Manager

E. CONFERENCE WITH LABOR NEGOTIATOR, Government Code § 54957.6
Agency Designated Representatives: City Manager
Unrepresented and Represented Employees: All positions in City

Mayor Pagano 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 Pagano reconvened the meeting at 6:00 PM.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Federico.

PRESENTATIONS AND PROCLAMATIONS

Local Hero Recognition - Thomas Alspaugh & Judah Ely

Mayor Pagano presented Certificates of Recognition to Thomas Alspaugh and Judah Ely for their heroic actions in aiding a surfer who was injured in the water.

READING OF ORDINANCE TITLES

City Clerk, Shayna Sharke, read four (4) Ordinance Titles.

CONSENT CALENDAR

IT WAS MOVED BY COUNCIL MEMBER FEDERICO, SECONDED BY MAYOR PAGANO, THAT THE RECOMMENDATIONS BE ACCEPTED FOR ALL ITEMS ON THE CONSENT CALENDAR WITH THE EXCEPTION OF ITEM 6.

The motion carried by the following vote:

AYES: Federico, Frost, Gabbard, Pagano

NOES: None

ABSENT: Villar

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, OCTOBER 7, 2025

APPROVED THE MINUTES.

3. PLANNING COMMISSION MEETING MINUTES, SEPTEMBER 22, 2025

RECEIVED AND FILED THE MINUTES.

4. CLAIMS AND DEMANDS

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

5. TREASURER'S REPORT

RECEIVED AND FILED THE TREASURER'S REPORT FOR AUGUST, 2025.

6. SECOND READING AND ADOPTION OF AN ORDINANCE APPROVING ZONE TEXT AMENDMENT ZTA25-0001 REPEALING CHAPTER 4.40 OF THE DANA POINT MUNICIPAL CODE AND ADDING SECTION 9.07.280 TO TITLE 9 OF THE DANA POINT MUNICIPAL CODE AND SUBMITTAL OF LOCAL COASTAL PROGRAM AMENDMENT LCPA25-0001 TO THE CALIFORNIA COASTAL COMMISSION

Item 6 was pulled by Staff.

Jeff Rosaler, Interim Director of Community Development, recommended that the item be continued to a future meeting.

Jeff Rosaler answered questions of the Council.

IT WAS MOVED BY COUNCIL MEMBER FEDERICO, SECONDED BY MAYOR PRO TEM GABBARD, THAT THE ITEM BE CONTINUED TO THE NOVEMBER 4, 2025 REGULAR CITY COUNCIL MEETING.

The motion carried by the following vote:

AYES: Federico, Frost, Gabbard, Pagano

NOES: None

ABSENT: Villar

7. ADOPTION OF THE CITY OF DANA POINT TITLE VI PLAN

THE CITY COUNCIL:

1) **ADOPTED RESOLUTION 25-10-21-01 ENTITLED:**

A RESOLUTION OF THE CITY OF DANA POINT, CALIFORNIA ADOPTING THE CITY OF DANA POINT TITLE VI PLAN

2) **AUTHORIZED THE CITY MANAGER OR HIS DESIGNEE TO SIGN AND SUBMIT ALL REQUIRED DOCUMENTATION TO CALTRANS TO REMAIN COMPLIANT WITH TITLE VI REQUIREMENTS.**

8. YOUTH BOARD APPOINTMENTS

APPOINTED SEVEN (7) BOARD MEMBERS TO THE DANA POINT YOUTH BOARD.

PUBLIC COMMENTS

Maria Elena Banks (Dana Point Arts & Culture) thanked the City Council and Staff for their support of the Dana Point Film Festival and highlighted the success of the Jaws movie screening at Baby Beach.

PUBLIC HEARINGS

9. EXTENSION OF URGENCY ORDINANCE 25-11: AN INTERIM MEASURE ADOPTING ACCESSORY DWELLING UNIT (ADU) REGULATIONS EXPRESSLY APPROVED BY THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD), AND PROHIBITING ADU/JADU USES CONFLICTING WITH THE CITY COUNCIL'S CONTEMPLATED ADOPTION OF ADU REGULATIONS EXPRESSLY APPROVED BY HCD

REPORT BY CITY COUNCIL DESCRIBING THE MEASURES TAKEN TO ALLEVIATE THE CONDITION THAT LED TO THE ADOPTION OF THE URGENCY ORDINANCE

Jeff Rosaler, Interim Director of Community Development, provided a Staff Report.

Mayor Pagano opened the Public Hearing at 6:13 PM.

There were no public comments.

Mayor Pagano closed the Public Hearing at 6:13 PM.

IT WAS MOVED BY COUNCIL MEMBER FROST, SECONDED BY MAYOR PRO TEM GABBARD, THAT THE CITY COUNCIL EXTEND URGENCY **ORDINANCE 25-11** ENTITLED:

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADOPTING AN INTERIM MEASURE RELATED TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS, AND PROHIBITING ADU/JADU USES CONFLICTING WITH THE CITY COUNCIL'S CONTEMPLATED ADOPTION OF ADU REGULATIONS EXPRESSLY APPROVED BY HCD

The motion carried by the following vote:

AYES: Federico, Frost, Gabbard, Pagano

NOES: None

ABSENT: Villar

10. EXTENSION OF URGENCY ORDINANCE 25-12: AN INTERIM MEASURE REPEALING ORDINANCE NO. 22-01, WHICH ADDED CHAPTER 9.72 (REGULATING SINGLE FAMILY RESIDENTIAL DUPLEXES), AND CHAPTER 7.37 (REGULATING URBAN LOT SPLITS) TO THE CITY OF DANA POINT MUNICIPAL CODE, AND PROHIBITING USES CONFLICTING WITH THE CITY COUNCIL'S CONTEMPLATED ADOPTION OF REGULATIONS REPEALING THE FORGOING WHICH WAS ADOPTED TO IMPLEMENT SB9 IN AS MUCH AS IT IS NO LONGER CONSISTENT WITH RELATED STATE LAW

REPORT BY CITY COUNCIL DESCRIBING THE MEASURES TAKEN TO ALLEVIATE THE CONDITION THAT LED TO THE ADOPTION OF THE URGENCY ORDINANCE

Jeff Rosaler, Interim Director of Community Development, provided a Staff Report.

Mayor Pagano opened the Public Hearing at 6:15 PM.

There were no public comments.

Mayor Pagano closed the Public Hearing at 6:15 PM.

IT WAS MOVED BY COUNCIL MEMBER FROST, SECONDED BY COUNCIL MEMBER FEDERICO, THAT THE CITY COUNCIL EXTEND URGENCY **ORDINANCE 25-12** ENTITLED:

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADOPTING AN INTERIM MEASURE REPEALING ORDINANCE NO. 22-01, WHICH ADDED CHAPTER 9.72 (REGULATING SINGLE FAMILY RESIDENTIAL DUPLEXES), AND CHAPTER 7.37 (REGULATING URBAN LOT SPLITS) TO THE CITY OF DANA POINT MUNICIPAL CODE, AND PROHIBITING USES CONFLICTING WITH THE CITY COUNCIL'S CONTEMPLATED ADOPTION OF REGULATIONS REPEALING THE FORGOING WHICH WERE ADOPTED TO IMPLEMENT SB9 IN AS MUCH AS IT IS NO LONGER CONSISTENT WITH RELATED STATE LAW

The motion carried by the following vote:

AYES: Federico, Frost, Gabbard, Pagano

NOES: None

ABSENT: Villar

11. EXTENSION OF URGENCY ORDINANCE 25-13: AN INTERIM MEASURE APPROVING ZONE TEXT AMENDMENT ZTA25-0001 REPEALING CHAPTER 4.40 OF THE DANA POINT MUNICIPAL CODE AND ADDING SECTION 9.07.280 TO TITLE 9 OF THE DANA POINT MUNICIPAL CODE, AND PROHIBITING USES CONFLICTING WITH THE CITY COUNCIL'S CONTEMPLATED ADOPTION OF THE FORGOING THEREBY ENSURING THE CITY'S ZONING REGULATIONS ARE CONSISTENT WITH STATE DENSITY BONUS LAW

REPORT BY CITY COUNCIL DESCRIBING THE MEASURES TAKEN TO ALLEVIATE THE CONDITION THAT LED TO THE ADOPTION OF THE URGENCY ORDINANCE

Jeff Rosaler, Interim Director of Community Development, provided a Staff Report.

Mayor Pagano opened the Public Hearing at 6:16 PM.

There were no public comments.

Mayor Pagano closed the Public Hearing at 6:16 PM.

Discussion ensued.

IT WAS MOVED BY COUNCIL MEMBER FROST, SECONDED BY COUNCIL MEMBER FEDERICO, THAT THE CITY COUNCIL EXTEND URGENCY **ORDINANCE 25-13** ENTITLED:

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADOPTING AN INTERIM MEASURE APPROVING ZONE TEXT AMENDMENT ZTA25-0001 REPEALING CHAPTER 4.40 OF THE DANA POINT MUNICIPAL CODE, AND ADDING SECTION 9.07.280 TO TITLE 9 OF THE DANA POINT MUNICIPAL CODE, AND PROHIBITING USES CONFLICTING WITH THE CITY COUNCIL'S CONTEMPLATED ADOPTION OF THE FORGOING THEREBY ENSURING THE CITY'S ZONING REGULATIONS ARE CONSISTENT WITH STATE DENSITY BONUS LAW

The motion carried by the following vote:

AYES: Federico, Frost, Gabbard, Pagano

NOES: None

ABSENT: Villar

UNFINISHED BUSINESS

None.

NEW BUSINESS

12. PERMIT FEE WAIVER FOR THE LOCAL NON-PROFIT DANA POINT WOMEN'S CLUB APPLICATION FOR A VARIANCE

Danny Giometti, Senior Planner, provided a Staff Report.

Toni Nelson (Dana Point Women's Club) thanked the City Council for its ongoing support and spoke in support of the recommended action.

Danny Giometti answered questions of the City Council.

Discussion ensued.

IT WAS MOVED BY COUNCIL MEMBER FEDERICO, SECONDED BY COUNCIL MEMBER FROST, THAT THE CITY COUNCIL APPROVE A WAIVER OF THE PERMIT FEES ASSOCIATED WITH THE VARIANCE ENTITLEMENT AND POSTAGE COSTS FOR THE DANA POINT WOMEN'S CLUB (DPWC).

The motion carried by the following vote:

AYES: Federico, Frost, Gabbard, Pagano

NOES: None

ABSENT: Villar

13. APPOINTMENT OF NEW CITY MANAGER AND APPROVAL OF RELATED EMPLOYMENT AGREEMENT

Mayor Pagano and Mayor Pro Tem Gabbard provided a Subcommittee Report.

Patrick Munoz, City Attorney, provided information regarding the City Manager employment agreement.

Discussion ensued.

IT WAS MOVED BY MAYOR PRO TEM GABBARD, SECONDED BY MAYOR PAGANO, THAT THE CITY COUNCIL APPOINT ASSISTANT CITY MANAGER/DIRECTOR OF ECONOMIC DEVELOPMENT KELLY REENDERS AS CITY MANAGER AND AUTHORIZE THE MAYOR TO EXECUTE A CITY MANAGER EMPLOYMENT AGREEMENT, EFFECTIVE DECEMBER 31, 2025.

The motion carried by the following vote:

AYES: Federico, Frost, Gabbard, Pagano

NOES: None

ABSENT: Villar

COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED

Council Member Federico stated that he has turned in his list of meetings and had nothing to report.

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, spoke regarding his experience at the League of California Cities 2025 Conference, and welcomed Kelly Reenders as the future City Manager.

Mayor Pagano stated that he has turned in his list of meetings and announced upcoming events around Dana Point.

STAFF REPORTS

City Manager, Mike Killebrew, congratulated the City Council on their decision to select Kelly Reenders as the future City Manager.

City Attorney, Patrick Munoz, congratulated Kelly Reenders on her appointment as the future City Manager.

Kelly Reenders thanked the City Council for the opportunity to serve as the future City Manager. She also thanked Mike Killebrew for his guidance and leadership, along with her colleagues and City Staff for their support.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Pagano adjourned the meeting at 6:37 PM. He announced that the next Regular Meeting of the City Council will be November 4, 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 NOVEMBER 4, 2025

Meetings attended since October 8, 2025

Mayor Pagano

07/23/2025 Frisby Cellars Ribbon Cutting
07/31/2025 Hoffman Brothers Statue
08/14/2025 Ritz Carlton Spa Ribbon Cutting
08/15/2025 Met with DHHS Football Booster Chair
08/16/2025 Ramps and Amps
08/24/2025 DP Chamber Classic
09/04/2025 Library Ribbon Cutting
09/09/2025 FRC
09/11/2025 Lincoln Club
09/12/2025 DHHS Football game
09/14/2025 Pet Project Foundation GALA
09/18/2025 Special City Council Meeting
10/07/2025 Niguel Shores Mens Club breakfast
10/08/2025 I Heart Yoga Ribbon Cutting
10/09/2025 Dana Point Dermatology Ribbon Cutting
10/13/2025 Subcommittee to discuss City Manager

Mayor Pro Tem Gabbard

10/08/2025 League of Cal Cities Conference
10/09/2025 League of Cal Cities Conference
10/10/2025 League of Cal Cities Conference
10/13/2025 City manager position discussion
10/14/2025 OCCOG Executive Meeting
10/16/2025 OCMVCD Board of Director Meeting
10/19/2025 OCCOG Executive Meeting
10/20/2025 Joint MPO Coordination Meeting with SCAG and SANDAG

Council Member Mike Frost

Council Member Federico

10/10/2025 OCTA Briefing
10/11/2025 OCTA Bus Rodeo
10/13/2025 OCTA Board Meeting
10/15/2025 ACC-OC Executive Committee

Council Member Michael Villar