

CITY OF DANA POINT

CITY COUNCIL REGULAR MEETING



**TUESDAY
NOVEMBER 4, 2025
5:00 P.M.**

AGENDA

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

Next City Council Ordinance No. 25-15

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), (1 case)
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Government Code § 54956.9 (d)(1), (3 cases)
 - a. City of Dana Point v. Sunshine Group LLC (Seaside Inn), Orange County Superior Court Case No. 30-2017- 00915900
 - b. ST Apartments vs. City of Dana Point; Orange County Superior Court Case No 30-2024-01397922
 - c. Center For Natural Lands Management v City of Dana Point, Orange County Superior Court Case No: 30-2021-01219668

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

RECONVENE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

PRESENTATIONS AND PROCLAMATIONS

None.

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, OCTOBER 21, 2025

RECOMMENDED ACTION: That the City Council approve the minutes.

3. PLANNING COMMISSION MEETING MINUTES, SEPTEMBER 22, 2025

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

4. CLAIMS AND DEMANDS

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

5. TREASURER'S REPORT

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

6. QUARTERLY FINANCIAL REPORT

RECOMMENDED ACTION: That the City Council receive and file the Quarterly Financial Report for the period ending September 2025.

7. ANNUAL REVIEW OF INVESTMENT POLICY

RECOMMENDED ACTION: That the City Council approve the City's Statement of Safekeeping and Investment of Public Funds Policy ("Investment Policy").

8. MEASURE M2 EXPENDITURE REPORT FOR FISCAL YEAR 2024-2025

RECOMMENDED ACTION: That the City Council:

1) Adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, CONCERNING THE MEASURE M (M2) EXPENDITURE REPORT FOR THE CITY OF DANA POINT FOR FISCAL YEAR 2024-2025; and

2) Direct Staff to submit the adopted Resolution and M2 Expenditure Report for Fiscal Year 2024-2025 for the City of Dana Point to the Orange County Transportation Authority (OCTA) to maintain eligibility in the Measure M (M2) program.

3) Authorize the Mayor to sign the Resolutions on behalf of the City.

9. FIRST AMENDMENT TO AGREEMENT WITH CSG CONSULTANTS FOR PROFESSIONAL SERVICES

RECOMMENDED ACTION: That the City Council:

1) Ratify the City Manager's approval of an agreement with CSG Consultants for Plan Checks, Permit Technicians and Inspections; and

2) Authorize the City Manager, or designee to execute a First Amendment to extend the agreement termination date to October 28, 2026, with authorization for two additional one-year extensions, and to increase the not-to-exceed amount.

10. CONSULTANT SERVICES AGREEMENT WITH WEST COAST CIVIL, INCORPORATED TO PROVIDE PLANS, SPECIFICATIONS, AND CONSTRUCTION COST ESTIMATE (PS&E SERVICES) FOR THE ANNUAL ROADWAY RESURFACING PROJECT CIP #1361

RECOMMENDED ACTION: That the City Council:

1) Approve a Consultant Services Agreement with West Coast Civil, Inc. for preparation of design documents for the Annual Roadway Resurfacing Project CIP #1361, and authorize the City Manager, or designee, to sign the Agreement on behalf of the City; and

2) Fund the work effort from CIP #1361 "FY25 Roadway Resurfacing – Overlay/Asphalt Repairs" per the Fiscal Impact Section.

11. SECOND READING AND ADOPTION OF 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 FOR APPROVAL AND CERTIFICATION

RECOMMENDED ACTION: That due to non-substantive changes rather than adopt the subject Ordinance, the City Council hold a new first reading and re-introduce an Ordinance entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA ADOPTING ZTA25-0001, REPEALING CHAPTER 4.40 OF THE DANA POINT MUNICIPAL CODE AND ADDING SECTION 9.07.280, ENTITLED "DENSITY BONUS APPLICATION REQUIREMENTS AND PROCESSING" TO TITLE 9 OF THE DANA POINT MUNICIPAL CODE AND SUBMITTING THE ASSOCIATED LOCAL COASTAL PROGRAM AMENDMENT LCPA25-0001 TO THE CALIFORNIA COASTAL COMMISSION FOR APPROVAL AND CERTIFICATION

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

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

12. INTRODUCTION OF AN ORDINANCE AMENDING DANA POINT MUNICIPAL CODE TITLE 10 AS IT RELATES TO ANIMAL CONTROL, WELFARE AND LICENSING REQUIREMENTS

RECOMMENDED ACTION: That the City Council introduce and hold the first reading of an Ordinance entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA
AMENDING IN ITS ENTIRETY TITLE 10 OF THE DANA POINT MUNICIPAL CODE
PERTAINING TO ANIMAL CONTROL, WELFARE AND LICENSING REQUIREMENTS

13. ADOPTION OF MEMORANDUM OF UNDERSTANDING WITH DANA POINT EMPLOYEES' ASSOCIATION (DPEA) AND ADOPTION OF CERTAIN COMPENSATION AND BENEFITS FOR NON-REPRESENTED EMPLOYEES

RECOMMENDED ACTION: That the City Council:

1) Adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE OF DANA POINT, CALIFORNIA, ADOPTING
A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF DANA POINT AND THE
DANA POINT EMPLOYEES' ASSOCIATION

2) Adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE OF DANA POINT, CALIFORNIA, ADOPTING
CERTAIN COMPENSATION AND BENEFITS FOR NON-REPRESENTED EMPLOYEES

14. LANTERN BAY PARK IMPROVEMENT PLANS

RECOMMENDED ACTION: That the City Council receive and file the report, or direct staff to proceed
with park upgrades and refresh.

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

Farmers Market and Craft Fair Every Saturday – La Plaza
11/11/2025 Veterans Day Service – Strands Vista Park
City Hall Offices Closed
11/22/2025 Senior Thanksgiving Luncheon – Community Center

11/27/2025 Turkey Trot
City Hall Offices Closed
11/28/2025 City Hall Offices Closed

ADJOURNMENT

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.

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 October 30, 2025, at 5:30 p.m.



SHAYNA SHARKE, CITY CLERK

10/30/2025
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.