

CITY OF DANA POINT

CITY COUNCIL REGULAR MEETING



**TUESDAY
NOVEMBER 4, 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

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; Ray Oropeza, Code Enforcement Supervisor; Taelor Vonjaroschkapohl, Assistant Administrative Analyst; Ryan Haworth, Deputy City Clerk.

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

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 Frost.

PRESENTATIONS AND PROCLAMATIONS

None.

READING OF ORDINANCE TITLES

City Clerk, Shayna Sharke, read two (2) Ordinance Titles.

CONSENT CALENDAR

Item 8 was pulled by Council Member Federico.

IT WAS MOVED BY COUNCIL MEMBER FEDERICO, SECONDED BY COUNCIL MEMBER FROST, THAT THE RECOMMENDATIONS BE ACCEPTED FOR ALL ITEMS ON THE CONSENT CALENDAR WITH THE EXCEPTION OF ITEM 8.

The motion carried by the following vote:

AYES: Federico, Frost, Gabbard, Villar, Pagano

NOES: None

ABSENT: None

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 21, 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 SEPTEMBER, 2025.

6. QUARTERLY FINANCIAL REPORT

RECEIVED AND FILED THE QUARTERLY FINANCIAL REPORT FOR THE PERIOD ENDING SEPTEMBER 2025.

7. ANNUAL REVIEW OF INVESTMENT POLICY

APPROVED THE CITY'S STATEMENT OF SAFEKEEPING AND INVESTMENT OF PUBLIC FUNDS POLICY.

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

Item 8 was pulled by Council Member Federico.

Council Member Federico provided additional context regarding eligibility requirements, funding sources, and the use of funds for Measure M (M2).

IT WAS MOVED BY COUNCIL MEMBER FEDERICO, SECONDED BY MAYOR PRO TEM GABBARD, THAT THE CITY COUNCIL:

1) ADOPT RESOLUTION 25-11-04-01 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

THE CITY COUNCIL:

- 1) RATIFIED THE CITY MANAGER'S APPROVAL OF AN AGREEMENT WITH CSG CONSULTANTS FOR PLAN CHECKS, PERMIT TECHNICIANS AND INSPECTIONS; and
- 2) AUTHORIZED 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

THE CITY COUNCIL:

- 1) APPROVED A CONSULTANT SERVICES AGREEMENT WITH WEST COAST CIVIL, INC. FOR PREPARATION OF DESIGN DOCUMENTS FOR THE ANNUAL ROADWAY RESURFACING PROJECT CIP #1361, AND AUTHORIZED THE CITY MANAGER, OR DESIGNEE, TO SIGN THE AGREEMENT ON BEHALF OF THE CITY; and
- 2) FUNDED 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

DUE TO NON-SUBSTANTIVE CHANGES RATHER THAN ADOPT THE SUBJECT ORDINANCE, THE CITY COUNCIL HELD A NEW FIRST READING AND RE-INTRODUCED **ORDINANCE 25-XX** 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

Joy Rosello (Dana Point) expressed concern about a nuisance business and parking issues in her neighborhood.

Richard Alonzo and Wayne Yost (VFW Post 9934) thanked the City Council for their continued support and shared details about the upcoming Veterans Day Ceremony.

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

Ray Oropeza, Code Enforcement Supervisor, provided a Staff Report.

Discussion ensued.

Jennifer Stinett (CASA General Manager) answered questions of the City Council.

IT WAS MOVED BY COUNCIL MEMBER VILLAR, SECONDED BY COUNCIL MEMBER FEDERICO, THAT THE CITY COUNCIL INTRODUCE AND HOLD THE FIRST READING OF **ORDINANCE 25-XX** 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

The motion carried by the following vote:

AYES: Federico, Frost, Gabbard, Villar, Pagano

NOES: None

ABSENT: None

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

Sea Shelton, Director of Administrative Services, provided a Staff Report.

Sea Shelton answered questions of the City Council.

Discussion ensued.

IT WAS MOVED BY MAYOR PAGANO, SECONDED BY COUNCIL MEMBER VILLAR, THAT THE CITY COUNCIL:

1) **ADOPT RESOLUTION 25-11-04-02 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 RESOLUTION 25-11-04-03 ENTITLED:**

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

The motion carried by the following vote:

AYES: Federico, Frost, Gabbard, Villar, Pagano

NOES: None

ABSENT: None

14. LANTERN BAY PARK IMPROVEMENT PLANS

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

Jeff Rosaler answered questions of the City Council.

Discussion ensued.

IT WAS MOVED BY MAYOR PRO TEM GABBARD, SECONDED BY COUNCIL MEMBER VILLAR, THAT THE CITY COUNCIL DIRECT STAFF TO PROCEED WITH PARK UPGRADES AND REFRESH

The motion carried by the following vote:

AYES: Federico, Frost, Gabbard, Villar, Pagano

NOES: None

ABSENT: None

COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED

Council Member Federico stated that he had nothing to report.

Council Member Villar stated that he has turned in his list of meetings, thanked Staff for their work on the Día de los Muertos event, and highlighted its success.

Council Member Frost stated that he will turn in his list of meetings and commented on the success of the Día de los Muertos event.

Mayor Pro Tem Gabbard stated that he has turned in his list of meetings. He spoke about his experience at the CalCOG (California Association of Councils of Governments) Housing Policy Conference, his meeting with HCD (California Department of Housing and Community Development), an upcoming SCAG (Southern California Association of Governments) vote regarding block grant funding, and an upcoming RHNA (Regional Housing Needs Allocation) meeting to discuss numbers for the next cycle.

Mayor Pagano stated that he will turn in his list of meetings and spoke about the success of the Halloween Spooktacular and Día de los Muertos events.

STAFF REPORTS

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

City Manager, Mike Killebrew, thanked Staff and volunteers for their work on the Día de los Muertos event.

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 18, 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 18, 2025

Meetings attended since October 22, 2025

Mayor Pagano

Mayor Pro Tem Gabbard

10/23/2025 OCCOG Board of Director's Meeting
10/25/2025 Halloween Spooktacular and Trunk or Treat
10/27/2025 CALCOG Housing Policy, Conference
10/28/2025 HCD Meeting with Paul McDougall and Dave Zisser
10/29/2025 Plaque Presentation at Palisades Gazebo
11/03/2025 OCCOG Executive Management Committee
11/03/2025 SCAG Meeting with Kome Ajise

Council Member Mike Frost

Council Member Federico

10/22/2025 OCTA finance
10/25/2025 City Trunk or Treat
10/27/2025 OCTA board
10/29/2025 Palisades Plaque Presentation
10/30/2025 5th Marines Birthday Ball
11/01/2025 Dia De Los Muertos
11/03/2025 OCTA Exec and RTP

Council Member Michael Villar

No meetings attended.