

CITY OF DANA POINT

CITY COUNCIL REGULAR MEETING



**TUESDAY
MARCH 17, 2026
5:00 P.M.**

MINUTES

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

Next City Council Ordinance No. 26-03

CALL TO ORDER

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

ROLL CALL OF CITY COUNCIL MEMBERS:

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

STAFF PRESENT: Kelly Reenders, 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; Jonathan Lightfoot, Director of Community Development; Garrett Wank, Associate Planner; Melissa Muraira, Deputy Community Services Director; Jaimie To, Economic Development & Housing Manager; Ryan Haworth, Deputy City Clerk.

CLOSED SESSION

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

B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR, Government Code § 54956.8

Location: Doheny Park Road between Las Vegas Avenue and Camino Capistrano
Agency Negotiator: Rutan and Tucker
Negotiating Parties: City of Dana Point and Various Property Owners
Under Negotiation: Price and terms of agreement relating to property

C. CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION, Government Code § 54956.9 (d)(4), (1 case)

a. California Coastal Commission

D. PUBLIC EMPLOYEE PERFORMANCE EVALUATION, Government Code § 54957

a. Title: City Manager

Mayor Gabbard recessed the meeting into 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 Gabbard reconvened the meeting at 6:00 PM.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pro Tem Frost.

CLOSED SESSION REPORT

Patrick Munoz, City Attorney, reported that during Closed Session under anticipated litigation, the City Council considered an action taken by the California Coastal Commission last week related to a cease-and-desist order on an enforcement item.

A motion was made by Council Member Federico, seconded by Mayor Pro Tem Frost, to authorize a writ of mandate to challenge the Coastal Commission's jurisdiction.

The motion carried by the following vote:

AYES: Federico, Frost, Pagano, Villar, Gabbard
NOES: None
ABSENT: None

PRESENTATIONS AND PROCLAMATIONS

Business of the Quarter – Paradise Nails

Mayor Gabbard presented a Certificate of Recognition to Diane Ho and Thai Nguyen of Paradise Nails for Business of the Quarter.

READING OF ORDINANCE TITLES

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

CONSENT CALENDAR

IT WAS MOVED BY COUNCIL MEMBER VILLAR, SECONDED BY COUNCIL MEMBER FEDERICO, THAT THE RECOMMENDATIONS BE ACCEPTED FOR ALL ITEMS ON THE CONSENT CALENDAR.

The motion carried by the following vote:

AYES: Federico, Frost, Pagano, Villar, Gabbard

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, FEBRUARY 17, 2026

APPROVED THE MINUTES.

3. SPECIAL MEETING MINUTES, FEBRUARY 24, 2026

APPROVED THE MINUTES.

4. PLANNING COMMISSION MEETING MINUTES, FEBRUARY 9, 2026

RECEIVED AND FILED THE MINUTES.

5. FINANCIAL REVIEW COMMITTEE MEETING MINUTES, OCTOBER 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 FROM JANUARY, 2026.

8. QUARTERLY FINANCIAL REPORT FOR QUARTER ENDED DECEMBER 31, 2025

RECEIVED AND FILED THE QUARTERLY FINANCIAL REPORT.

9. AMENDMENT TO AGREEMENT WITH MCCi FOR ELECTRONIC RECORDS MANAGEMENT SOFTWARE

AUTHORIZED THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE FIRST AMENDMENT TO THE AGREEMENT WITH MCCi FOR LASERFICHE ELECTRONIC RECORDS MANAGEMENT SOFTWARE (ERMS) TO INCREASE CLOUD STORAGE CAPACITY, BASED ON THE PRICING IN THE FISCAL IMPACT SECTION AND INCLUDING A CONTINGENCY OF UP TO 15% TO ACCOMMODATE POTENTIAL CHANGES IN STORAGE REQUIREMENTS.

10. SECOND READING AND ADOPTION OF AN ORDINANCE AMENDING DANA POINT MUNICIPAL CODE CHAPTER 6.14

HELD A SECOND READING AND ADOPTED **ORDINANCE 26-03** OF THE CITY OF DANA POINT ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA AMENDING CHAPTER 6.14 OF THE DANA POINT MUNICIPAL CODE

11. SECOND READING AND ADOPTION OF AN ORDINANCE OF AN ORDINANCE BANNING THE SALE AND DISTRIBUTION OF KRATOM PRODUCTS

HELD A SECOND READING AND ADOPTED **ORDINANCE 26-04** OF THE CITY OF DANA POINT ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADDING CHAPTER 5.41 (PROHIBITION OF THE SALE AND DISTRIBUTION OF KRATOM) TO TITLE 5 OF THE DANA POINT MUNICIPAL CODE

12. SALES TAX CONSULTANT AGREEMENT

AUTHORIZED THE CITY MANAGER, OR DESIGNEE, TO EXECUTE A MASTER SERVICES AGREEMENT WITH HINDERLITER, DE LLAMAS AND ASSOCIATES TO PROVIDE SALES AND USE TAX CONSULTING, ANALYSIS, AND AUDIT RECOVERY SERVICES.

13. WISE INFRASTRUCTURE SYSTEM ENTERPRISE (WISE) AGREEMENT WITH THE COUNTY OF ORANGE

THE CITY COUNCIL:

- 1) APPROVED THE WISE AGREEMENT WITH THE COUNTY OF ORANGE FOR MUNICIPAL SOLID WASTE DISPOSAL RATES AND SERVICES; and

- 2) AUTHORIZED THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY AND MAKE MINOR MODIFICATIONS AS NECESSARY.

PUBLIC COMMENTS

None.

PUBLIC HEARINGS

14. (CONTINUED FROM JANUARY 20, 2026 MEETING) APPEAL OF THE PLANNING COMMISSION'S DECISION TO APPROVE VARIANCE V25-0001 AND SITE DEVELOPMENT PERMIT SDP25-0010 TO ALLOW THE DEVELOPMENT OF A THREE-STORY, SINGLE-FAMILY DWELLING AT 33911 CALLE LA PRIMAVERA

Mayor Gabbard continued the Public Hearing from January 20, 2026 at 6:09 p.m.

Alyssa Gonzalez, Senior Planner, provided a Staff Report.

There were no public comments.

Mayor Gabbard closed the Public Hearing at 6:10 P.M.

IT WAS MOVED BY MAYOR PRO TEM FROST, SECONDED BY COUNCIL MEMBER FEDERICO, THAT THE CITY COUNCIL ADOPT **RESOLUTION 26-03-17-01** ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, UPHOLDING THE APPEAL AND OVERTURNING THE PLANNING COMMISSION'S DECISION TO APPROVE VARIANCE V25-0001 AND SITE DEVELOPMENT PERMIT SDP25-0010 TO ALLOW THE DEVELOPMENT OF A THREE STORY, SINGLE-FAMILY DWELLING AND ATTACHED GARAGE IN A HILLSIDE CONDITION EXCEEDING THE MAXIMUM ALLOWABLE BUILDING HEIGHT AND TO CONSTRUCT OVER HEIGHT RETAINING WALLS LOCATED WITHIN THE FRONT YARD SETBACK AT 33911 CALLE LA PRIMAVERA

The motion carried by the following vote:

AYES: Federico, Frost, Pagano, Villar, Gabbard

NOES: None

ABSENT: None

UNFINISHED BUSINESS

15. 2025 HOUSING ELEMENT ANNUAL PROGRESS REPORT

Garett Wank, Associate Planner, provided a Staff Report.

THE CITY COUNCIL RECEIVED AND FILED THE 2025 HOUSING ELEMENT ANNUAL PROGRESS REPORT.

NEW BUSINESS

16. MID-FISCAL YEAR 2025-26 BUDGET STATUS REPORT

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

Discussion ensued.

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

- 1) RECEIVE AND FILE THE MID-FISCAL YEAR 2025-26 BUDGET STATUS REPORT AND AUTHORIZE THE BUDGET AMENDMENTS DETAILED WITHIN THE REPORT; and,
- 2) AUTHORIZE THE CITY MANAGER TO APPROVE THE UPGRADE OF THE CITY'S TYLER TECHNOLOGIES ERP PRO FINANCIAL MANAGEMENT SYSTEM TO THE CLOUD-BASED (SAAS) VERSION AND THE ASSOCIATED ANNUAL SUBSCRIPTION, INCLUDING A FIRST-YEAR CONTINGENCY OF UP TO 10% AND ANY APPLICABLE ANNUAL CPI INCREASES.

The motion carried by the following vote:

AYES: Federico, Frost, Pagano, Villar, Gabbard

NOES: None

ABSENT: None

17. DAYLIGHTING UPDATES TO COUNCIL POLICY NO 112 – ACCEPTANCE AND DEDICATION OF EQUIPMENT AND DONATIONS

Melissa Muraira, Deputy Community Services Director, provided a Staff Report.

Melissa Muraira answered questions from the City Council.

Discussion ensued.

THE CITY COUNCIL PROVIDED RECOMMENDATIONS TO STAFF ON PROPOSED REVISIONS TO CITY COUNCIL POLICY NO. 112.

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 Villar stated that he has turned in his list of meetings, wished the community a happy St. Patrick's Day, and expressed support for Team USA in baseball.

Council Member Pagano stated that he has turned in his list of meetings and commended City staff for the successful Festival of Whales event.

Mayor Pro Tem Frost stated that he will turn in his list of meetings, agreed with Council Member Pagano on the success of the Festival of Whales, and recognized Melissa Muraira, Deputy Community Services Director, and her team for their excellent work on the festival.

Mayor Gabbard stated that he has turned in his list of meetings and reported on his attendance at CALCOG and Coastal Commission meetings, including discussions on transportation funding alternatives and Senate Bill 375. Mayor Gabbard echoed Council Member Pagano's comments on the success of the Festival of Whales, commended City Staff for their work on the festival, and mentioned upcoming events in Dana Point.

STAFF REPORTS

Kelly Reenders, City Manager, spoke regarding the success of the Festival of Whales, commended City Staff for their work on the festival, and read the names of the community members who assisted with the event. She also recognized Bernice Villanueva-Grzecka for receiving the *Women Making a Difference Award* from Supervisor Katrina Foley.

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 Gabbard adjourned the meeting at 6:41 P.M. He announced that the next Regular Meeting of the City Council will be April 7, 2026 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 APRIL 7, 2026.

Meetings attended since February 18, 2026

Mayor Gabbard

02/18/2026 Coffee with Peter Derbonne
02/18/2026 Legal Subcommittee
02/18/2026 Meeting with Gary Macrides at Dana Crest Park
02/19/2026 OCMVCD Board Meeting
02/19/2026 Dana Point Chamber Of Commerce Installation Dinner
02/20/2026 Dana Point Civic Association Coffee Chat

03/05/2026	SCAG Policy Committee Meeting and Regional Council
03/05/2026	OC Parks Commission
03/06/2026	Welcome of the Whales Ceremony - Ocean Institute
03/07/2026	Festival of Whales Parade, Cardboard Classic Awards, and Clam Chowder Cook-off
03/09/2026	CAL COG Regional Leadership Forum
03/10/2026	CAL COG Regional Leadership Forum
03/11/2026	CAL COG Regional
03/12/2026	California Coastal Commission Meeting-Ventura
03/13/2026	OC Women of the Year by Assembly Member Laurie Davies
03/16/2026	OCCOG Executive Team Meeting
03/17/2026	Dana Point Harbor Partners Phase 3 Groundbreaking and Flag Dedication Ceremony

Mayor Pro Tem Frost

02/04/2026	DPHAC
02/05/2026	TCA
02/12/2026	TCA
02/18/2026	Shelter Distillery
02/19/2026	OCFA
02/21/2026	Local meeting, Las Marianas Groundbreaking
02/24/2026	Coffee with a Cop
02/25/2026	TCA Financial Subcommittee & Strategic Planning Subcommittee
02/26/2026	Orange County Housing and Community Development
02/26/2026	ACC-OC Legislative Review Subcommittee
02/26/2026	OCFA Monthly Meeting
03/04/2026	Peace Pole Installation Reception
03/05/2026	TCA
03/06/2026	Festival of the Whales
03/07/2026	Festival of the Whales
03/09/2026	ACC Legislative Sacramento Trip
03/10/2026	ACC Legislative Sacramento Trip
03/11/2026	OC Tip a Cop
03/12/2026	TCA
03/12/2026	Doheny Foundation
03/16/2026	First and Goal Foundation
03/17/2026	DPHP Groundbreaking Phase 3

Council Member Pagano

02/09/2026	CASA Meeting
02/19/2026	DP Chamber Installation
02/24/2026	St. Apartments Meeting
03/07/2026	Festival of Whales Parade
03/07/2026	Festival of Whales Parade

Council Member Federico

02/18/2026 Legal Subcommittee
02/18/2026 OCTA Exec Briefing
02/18/2026 ACC-OC Exec Committee
02/19/2026 OCTA Finance Committee
02/19/2026 Chamber of Commerce Installation
02/23/2026 OCTA Board
02/24/2026 Meeting with Staff and ST Apartments Representatives
03/02/2026 OCTA Exec Committee
03/09/2026 OCTA Board
03/11/2026 Women in Transportation Services Reception
03/12/2026 CCC Hearings

Council Member Michael Villar

03/06/2026 Festival of Whales
03/07/2026 Festival of Whales
03/08/2026 Festival of Whales