

CITY OF DANA POINT

CITY COUNCIL REGULAR MEETING



**TUESDAY
JANUARY 20, 2026
4:30 P.M.**

AGENDA

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

Next City Council Ordinance No. 26-01

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:

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

CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL - LITIGATION STRATEGY REVIEW INCLUDING POTENTIAL DISCUSSION OF ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (d)(2), (3 cases) AND THE FOLLOWING EXISTING LITIGATION, Government Code 54956.9 (d)(1), (9 case)
 - a. City of Dana Point v. Sunshine Group LLC (Seaside Inn), Orange County Superior Court Case No. 30-2017-00915900
 - b. Concerned Residents of Dana Point vs. City of Dana Point, Orange County Superior Court Case No. 2019-01117892
 - c. Center For Natural Lands Management v City of Dana Point, Orange County Superior Court Case No: 30-2021-01219668

- d. Mitchell Carr vs. City of Dana Point, et al., Orange County Superior Court Case No 30-2018-00970749
- e. City of Dana Point v. Paul Frederic Meyers, Trustee of the Meyers Family Trust, Orange County Superior Court Case No: 30-2022-01301502
- f. ST Apartments vs. City of Dana Point; Orange County Superior Court Case No 30-2024-01397922
- g. California Housing Defense Fund, et al, v City of Dana Point, Orange County Superior Court Case No 30-2025-01483327
- h. Travis Mellem v. City of Dana Point, Orange County Superior Court Case No 30-2025-01476752
- i. Center For Natural Lands Management v City of Dana Point (CEQA), Orange County Superior Court Case No: 30-2025-01524239

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

- a. SND LP

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

RECONVENE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

PRESENTATIONS AND PROCLAMATIONS

Candy Cane Lanes – Holiday Decorating Contest Winner

Employee of the Quarter – Jason Fleming, IT Manager

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, DECEMBER 2, 2025

RECOMMENDED ACTION: That the City Council approve the minutes.

3. PLANNING COMMISSION MEETING MINUTES, NOVEMBER 10, 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 November, 2025.

6. MICROSOFT OFFICE UPGRADE

RECOMMENDED ACTION: That the City Council approve the upgrade of the City's Microsoft 365 licenses to Microsoft 365 Business Premium, including the purchase of additional cloud storage, based on the pricing outlined in the Fiscal Impact section of the report, with a contingency of up to 15% to address potential changes in licensing or storage requirements.

7. PROFESSIONAL SERVICES AGREEMENT WITH JOE A. GONSALVES & SON FOR STATE LEGISLATIVE ADVOCACY

RECOMMENDED ACTION: That the City Council:

- 1) Ratify a Professional Services Agreement with Joe A. Gonsalves & Son to provide state legislative advocacy services related to housing and community development matters, including representation before the California Department of Housing and Community Development (HCD); and
- 2) Authorize the City Manager to execute any non-substantive amendments consistent with the scope of services and budget; and
- 3) Authorize the budget adjustment in the fiscal impact section of this report.

8. CITY COUNCIL APPOINTED REPRESENTATIVES ON CITY AND OUTSIDE AGENCY BOARDS

RECOMMENDED ACTION: That the City Council:

- 1) Approve appointments of the City Council representatives to outside agencies;
- 2) Approve appointments to City committees, subcommittees and task forces; and

- 3) Direct Staff to notify affected agencies as necessary; and
- 4) Adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, DESIGNATING AND APPOINTING ITS REPRESENTATIVE TO THE ORANGE COUNTY FIRE AUTHORITY'S BOARD OF DIRECTORS

9. DECLARING LASERFICHE A TRUSTED SYSTEM, ADOPTING A RECORDS AND INFORMATION MANAGEMENT POLICY, AND UPDATING THE RECORDS RETENTION SCHEDULE

RECOMMENDED ACTION: That the City Council:

- 1) Adopt a Resolution entitled:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT DECLARING A TRUSTED SYSTEM FOR THE MANAGEMENT OF RECORDS AND THE AUTOMATION OF RETENTION REQUIREMENTS AND ADOPTING A RECORDS AND INFORMATION POLICY; and

- 2) Adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING REVISED RECORDS RETENTION SCHEDULES AS PROVIDED BY SECTION 34090 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA.

10. AWARD OF CONTRACT FOR THE CONSTRUCTION OF THE DOHENY VILLAGE CONNECTIVITY IMPROVEMENT PROJECT (CIP #1364) – FEDERAL AID PROJECT NO. CPFCDSL-5454(029)

RECOMMENDED ACTION: That the City Council:

- 1) Accept the formal withdrawal of the bid submitted by RCCI dba Ramirez Company for the Doheny Village Connectivity Improvement Project (CIP #1364); and
- 2) Accept and approve the written explanation of a clerical error submitted by Aneen Construction, pursuant to California Public Contract Code Section 5103, and determine that the bid remains responsive; and
- 3) Approve award of a contract to Aneen Construction for construction of the Doheny Village Connectivity Improvement Project (CIP #1364), Federal-Aid Project No. CPFCDSL-5454(029) for federal participating work (Bid Schedule A), and authorize the City Manager to sign the contract and to approve change orders if necessary; and
- 4) Approve award of a contract to Aneen Construction for the construction of the Doheny Village Connectivity Improvement Project (CIP #1364), Federal-Aid Project No. CPFCDSL-5454(029) for

non-participating work (Bid Schedule B), and authorize the City Manager to sign the contract and to approve change orders if necessary; and

- 5) Authorize the City Manager to sign a Consultant Services Agreement with GMU Geotechnical for materials observation and testing services for the Doheny Village Connectivity Improvement Project (CIP #1364) for federal participating work (Bid Schedule A), as outlined in the Fiscal Impact Section; and
- 6) Authorize the City Manager to sign a Consultant Services Agreement with GMU Geotechnical for materials observation and testing services for the Doheny Village Connectivity Improvement Project (CIP #1364) for non-participating work (Bid Schedule B), as outlined in the Fiscal Impact Section; and
- 7) Authorize the City Manager to sign a Consultant Services Agreement with WestLAND Group, Incorporated, for surveying, construction staking, and monument preservation services for the Doheny Village Connectivity Improvement Project (CIP #1364) for federal participating work (Bid Schedule A), as outlined in the Fiscal Impact Section; and
- 8) Authorize the City Manager to sign a Consultant Services Agreement with WestLAND Group Incorporated, for surveying, construction staking, and monument preservation services for the Doheny Village Connectivity Improvement Project (CIP #1364) for non-participating work (Bid Schedule B), as outlined in the Fiscal Impact Section; and
- 9) Authorize the City Manager to sign a Consultant Services Agreement with Ardurra Group, Incorporated, for engineering construction support services for the Doheny Village Connectivity Improvement Project (CIP #1364) for federal participating work (Bid Schedule A), as outlined in the Fiscal Impact Section; and
- 10) Authorize the City Manager to sign a Consultant Services Agreement with Ardurra Group, Incorporated, for engineering construction support services for the Doheny Village Connectivity Improvement Project (CIP #1364) for non-participating work (Bid Schedule B), as outlined in the Fiscal Impact Section; and
- 11) Authorize the City Manager to sign a Standard Consultant Services Agreement with Ardurra Group, Incorporated, for federal documentation and compliance support services for the Doheny Village Connectivity Improvement Project (CIP #1364), as outlined in the Fiscal Impact Section; and
- 12) Approve expenditure and budget adjustments outlined in the Fiscal Impact Section for the Doheny Village Connectivity Improvement Project (CIP #1364).

11. SECOND READING AND ADOPTION OF AN ORDINANCE APPROVING ZONE TEXT AMENDMENT ZTA25-0004 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

RECOMMENDED ACTION: That the City Council hold a second reading and adopt an Ordinance entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA ADOPTING ZTA25-0004, 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

12. LOCAL AGENCY INVESTMENT FUND RESOLUTION

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AUTHORIZING INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND

13. SUBROGATION SERVICES CONTRACT WITH CARL WARREN

RECOMMENDED ACTION: That the City Council authorize the City Manager, or designee, to execute a contract with Carl Warren and Company for Subrogation Services.

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

14. APPEAL OF PLANNING COMMISSION APPROVAL OF VARIANCE 25-0001 AND SITE DEVELOPMENT PERMIT SDP25-0010 TO ALLOW THE DEVELOPMENT OF A THREE-STORY, SINGLE-FAMILY DWELLING AT 33911 CALLE LA PRIMAVERA

RECOMMENDED ACTION: In accordance with the Dana Point Municipal Code the City Council could:

- 1) Open the Public Hearing; and
- 2) Continue the public hearing to a date certain as requested by an Appellant; or

- 3) Adopt a Resolution approving Variance V25-0001 and Site Development Permit SDP25-0010 entitled:
 - a. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, DENYING THE APPEAL AND UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF 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
- 4) Continue the Public Hearing to a date certain and provide direction to Staff to draft and bring back a resolution upholding the Appeal(s); or
- 5) Continue the hearing and have the applicant bring the project back with modifications addressing issues raised by the Appellants.

15. AMENDMENTS TO SECTION 8.02.010 SECTION 8.03.010, AND SECTION 8.24.010 OF THE DANA POINT MUNICIPAL CODE

RECOMMENDED ACTION: That the City Council:

- 1) Open the Public Hearing;
- 2) Introduce and hold for a first reading of an Ordinance entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING CHAPTERS 8.02.010, 8.03.010, AND 8.24.010 OF TITLE 8 OF THE DANA POINT MUNICIPAL CODE.

UNFINISHED BUSINESS

16. POLICE SERVICES – DANA POINT COMMUNITY REPORT

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

NEW BUSINESS

None.

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 Kelly Reenders)
(City Attorney Patrick Muñoz)

UPCOMING EVENTS

Farmers Market and Craft Fair Every Saturday – La Plaza

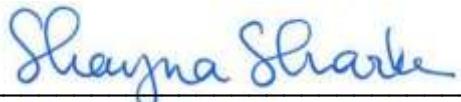
1/10/2026 Whale Walk & Talk – Nature Interpretive Center
1/19/2026 Martin Luther King Jr. Day – City Hall Offices Closed
2/04/2026 Registration Opens for Spring Recreation Programs

ADJOURNMENT

The next Regular Meeting of the City Council will be February 3, 2026, 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 January 15, 2026, at 5:30 p.m.



SHAYNA SHARKE, CITY CLERK

1/15/2026
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.