

# CITY OF DANA POINT

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## CITY COUNCIL REGULAR MEETING



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

## AGENDA

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

Next City Council Ordinance No. 26-02

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](mailto: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 – 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

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

## **RECONVENE CITY COUNCIL MEETING**

## **PLEDGE OF ALLEGIANCE**

## **PRESENTATIONS AND PROCLAMATIONS**

Business of the Quarter – Paradise Nails

## **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, FEBRUARY 17, 2026](#)**

RECOMMENDED ACTION: That the City Council approve the minutes.

**3. SPECIAL MEETING MINUTES, FEBRUARY 24, 2026**

RECOMMENDED ACTION: That the City Council approve the minutes.

**4. PLANNING COMMISSION MEETING MINUTES, FEBRUARY 9, 2026**

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

**5. FINANCIAL REVIEW COMMITTEE MEETING MINUTES, OCTOBER 28, 2025**

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

**6. CLAIMS AND DEMANDS**

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

**7. TREASURER'S REPORT**

RECOMMENDED ACTION: That the City Council receive and file the Treasurer's Report from January, 2026.

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

RECOMMENDED ACTION: That the City Council receive and file the Quarterly Financial Report.

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

RECOMMENDED ACTION: That the City Council authorize 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**

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

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

RECOMMENDED ACTION: That the City Council authorize 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**

RECOMMENDED ACTION: That the City Council:

- 1) Approve the attached WISE Agreement with the County of Orange for municipal solid waste disposal rates and services; and
- 2) Authorize the City Manager, or designee, to execute the Agreement on behalf of the City and make minor modifications as necessary.

**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.

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## **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**

RECOMMENDED ACTION: That the City Council:

- 1) Conduct a public hearing; and
- 2) Review and adopt a Resolution upholding the appeal and overturning the Planning Commission's decision to approve Variance V25-0001 and Site Development Permit SDP25-0010 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

## **UNFINISHED BUSINESS**

### **15. 2025 HOUSING ELEMENT ANNUAL PROGRESS REPORT**

RECOMMENDED ACTION: That the City Council receive and file the 2025 Housing Element Annual Progress Report.

## **NEW BUSINESS**

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

RECOMMENDED ACTION: 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.

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

RECOMMENDED ACTION: That the City Council review, discuss, and provide recommendations to Staff on proposed revisions to City Council Policy No. 112.

**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  
03/21/2026 Bulky Item Day – South Shores Church  
03/21/2026 Monarch Butterfly Habitat Workday – Sea Terrace Park  
04/04/2026 Egg Hunts – Pines Park and Sea Canyon Park  
04/10/2026 Deadline to Register for CERT Program  
04/11/2026 Monarch Butterfly Habitat Workday – Creekside Park

**ADJOURNMENT**

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.

**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](http://www.danapoint.org) by March 12, 2026, at 5:30 p.m.

  
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SHAYNA SHARKE, CITY CLERK

3/12/2026  
DATE

Agendas are available on the City's website at [www.danapoint.org](http://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](http://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. NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ASSURE ACCESSIBILITY TO THE MEETING.