

CITY OF DANA POINT

CITY COUNCIL REGULAR MEETING



**TUESDAY
MARCH 18, 2025
5:00 P.M.**

MINUTES

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

Next City Council Ordinance No. 25-05

CALL TO ORDER

The Regular Meeting of the City Council of the City of Dana Point, California, was called to order by Mayor Matthew 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 – entered at 5:01 PM.
Michael Villar, Council Member

STAFF PRESENT: Mike Killebrew, City Manager; Kelly Reenders, Assistant City Manager; Patrick Munoz, City Attorney; Shayna Sharke, City Clerk; Sea Shelton, Director of Administrative Services; Captain Todd Hylton; Matthew Sinacori, Director of Public Works/City Engineer; Brenda Wisneski, Director of Community Development; Jonathan Ciampa, Planning Manager; Ryan Haworth, Deputy City Clerk; Jaimie To, Sr. Management Analyst.

CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL - DISCUSSION OF 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), (2 cases)
 - a. Center For Natural Lands Management v City of Dana Point, Orange County Superior Court Case No: 30-2021-01219668 CU-OR-CJC
 - b. ST Apartments vs. City of Dana Point; OCSC Case NO 30-2024-01397922-CU-WM-CJC

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 Mayor Pro Tem Gabbard.

PRESENTATIONS AND PROCLAMATIONS

Recognition of Service – Jay Emmett Simpson

Mayor Pagano, Melissa Muraira (Recreation Manager), and Erica Peter (Recreation Coordinator) presented Jay Emmett Simpson with a Certificate of Recognition for his long-time coaching position with the City.

Certificate of Recognition – Captain Todd Hylton, Police Services

Mayor Pagano presented Captain Todd Hylton with a Certificate of Recognition for his career with the City. He also received a City Tile from Mike Killebrew (City Manager) and Kelly Reenders (Assistant City Manager).

READING OF ORDINANCE TITLES

City Clerk, Shayna Sharke, read three (3) Ordinance Titles.

CONSENT CALENDAR

IT WAS MOVED BY COUNCIL MEMBER FEDERICO, SECONDED BY MAYOR PRO TEM GABBARD, THAT THE RECOMMENDATIONS BE ACCEPTED FOR ALL ITEMS ON THE CONSENT CALENDAR WITH THE EXCEPTION OF ITEM 6. COUNCIL MEMBER FEDERICO RECUSED HIMSELF FROM THE ITEM 6 VOTE.

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, MARCH 4, 2025

APPROVED THE MINUTES.

3. PLANNING COMMISSION MEETING MINUTES, FEBRUARY 24, 2025

RECEIVED AND FILED THE MINUTES.

4. CLAIMS AND DEMANDS

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

5. DEVELOPMENT UPDATE

RECEIVED AND FILED THE DEVELOPMENT UPDATE.

6. FIRST AMENDMENT WITH ARDURRA GROUP, INC. FOR THE DOHENY VILLAGE CONNECTIVITY IMPROVEMENT PROJECT

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

- 1) AUTHORIZE THE CITY MANAGER, OR DESIGNEE, TO EXECUTE A FIRST AMENDMENT TO THE CONTRACT WITH ARDURRA GROUP, INCORPORATED, TO INCREASE THE NOT TO EXCEED AMOUNT; AND
- 2) AUTHORIZE THE BUDGET ADJUSTMENT FOR CIP #1340 DOHENY VILLAGE CONNECTIVITY IMPROVEMENTS/DESIGN PROJECT.

The motion carried by the following vote:

AYES: Frost, Gabbard, Villar, Pagano

NOES: None

ABSTAIN: Federico

ABSENT: None

7. 2024 HOUSING ELEMENT ANNUAL PROGRESS REPORT

RECEIVED AND FILED THE 2024 HOUSING ELEMENT ANNUAL PROGRESS REPORT.

8. PERMIT FEE WAIVER FOR KILLER DANA

Council Member Federico thanked Killer Dana for their positive impact to the community.

THE CITY COUNCIL WAIVED PERMIT FEES FOR KILLER DANA SURF SHOP TO SUBMIT AN APPLICATION FOR A COASTAL DEVELOPMENT PERMIT TO LOCATE A STORAGE UNIT ADJACENT TO THE DAY USE BOATER PARKING LOT ENTRANCE AND PLACE TENTS IN THE

GRASS AREA ADJACENT TO THE PUERTO PLACE PARKING LOT FOR BEACH GEAR RENTAL AND THE SALE OF BEACH RELATED MERCHANDISE.

PUBLIC COMMENTS

None.

PUBLIC HEARINGS

9. CALIFORNIA COASTAL COMMISSION SUGGESTED MODIFICATIONS TO THE CITY'S PRIOR APPROVAL OF GENERAL PLAN AMENDMENT 20-0002, ZONE CHANGE ZC24-0001, SPECIFIC PLAN SP24-0001 THAT ARE INCLUSIVE OF LOCAL COASTAL PROGRAM AMENDMENT LCPA20-0002 FOR VICTORIA BOULEVARD SPECIFIC PLAN

John Ciampa, Planning Manager, provided a staff report.

Patrick Munoz, City Attorney, stated that the criteria for CEQA does not apply to local government activities and approvals pursuant to the Coastal Act.

Mayor Pagano opened the Public Hearing at 6:00 PM.

Bryan Farkas (Western States Carpenters) spoke regarding hiring practices for the construction of the project.

Michael McCann (Toll Brothers) stated that he is available for any questions.

Mayor Pagano closed the Public Hearing at 6:28 PM.

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

- 1) REVIEW AND FORWARD ADOPTED MODIFICATIONS TO THE CALIFORNIA COASTAL COMMISSION (CCC) FOR FINAL CERTIFICATION BY ADOPTING **RESOLUTION 25-03-18-01** ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT GPA20-0002, WITH THE CALIFORNIA COASTAL COMMISSION'S SUGGESTED MODIFICATIONS TO AMEND THE GENERAL PLAN LAND USE ELEMENT BY MODIFYING THE LAND USE DESIGNATION OF "COMMUNITY FACILITIES" AND "RECREATION/OPEN SPACE" AND CREATE A NEW LAND USE DESIGNATION "VICTORIA BOULEVARD SPECIFIC PLAN." AND AUTHORIZE SUBMISSION OF LOCAL COASTAL PROGRAM AMENDMENT LCPA20-0002 FOR APPROVAL AND CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION FOR THE PROPERTY AT 26126 VICTORIA BOULEVARD.

- 2) INTRODUCE AND HOLD THE FIRST READING OF **ORDINANCE 25-XX** ADOPTING THE SUGGESTED MODIFICATIONS APPROVED BY THE CALIFORNIA COASTAL COMMISSION FOR ZONE CHANGE ZC24-0001, AS PART OF LOCAL COASTAL

PROGRAM AMENDMENT LCPA20-0002 ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING ZONE CHANGE ZC24-0001 WITH THE CALIFORNIA COASTAL COMMISSION'S SUGGESTED MODIFICATIONS TO AMEND ZONING DESIGNATION FROM COMMUNITY FACILITY AND RECREATION TO "VICTORIA BOULEVARD SPECIFIC PLAN." AND AUTHORIZE THE SUBMISSION OF LOCAL COASTAL PROGRAM AMENDMENT (LCPA20-0002) FOR APPROVAL AND CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION AT 26126 VICTORIA BOULEVARD.

- 3) INTRODUCE AND HOLD THE FIRST READING OF **ORDINANCE 25-XX** ADOPTING THE SUGGESTED MODIFICATIONS APPROVED BY THE CALIFORNIA COASTAL COMMISSION FOR SPECIFIC PLAN SP24-0001, AS PART OF LOCAL COASTAL PROGRAM AMENDMENT LCPA20-0002 ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING THE VICTORIA BOULEVARD SPECIFIC PLAN SP24-0001 AND INCORPORATE IT AS APPENDIX G OF THE ZONING CODE, WITH THE CALIFORNIA COASTAL COMMISSION'S SUGGESTED MODIFICATIONS TO AMEND AND SUBMISSION AS PART OF LOCAL COASTAL PROGRAM AMENDMENT LCPA20-0002 FOR APPROVAL AND CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION FOR THE PROPERTY LOCATED AT 26126 VICTORIA BOULEVARD.

- 4) REVIEW AND FORWARD ADOPTED MODIFICATIONS TO THE CALIFORNIA COASTAL COMMISSION FOR FINAL CERTIFICATION BY ADOPTING **RESOLUTION 25-03-18-02** ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADOPTING THE CALIFORNIA COASTAL COMMISSION'S SUGGESTED MODIFICATIONS TO LOCAL COASTAL PROGRAM AMENDMENT LCPA20-0002, FOR SUBMISSION OF GENERAL PLAN AMENDMENT 20-0002, ZONE CHANGE ZC24-0001, SPECIFIC PLAN SP24-0001 AS LOCAL COASTAL PROGRAM AMENDMENT LCPA20-0002 AND REQUESTING SUBMITTAL TO AND FINAL CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION FOR THE PROPERTY AT 26126 VICTORIA BOULEVARD.

The motion carried by the following vote:

AYES: Federico, Frost, Gabbard, Pagano

NOES: Villar

ABSENT: None

UNFINISHED BUSINESS

10. TRAFFIC IMPROVEMENT SUBCOMMITTEE APPOINTMENT

Shayna Sharke, City Clerk, introduced the item.

Council Member Villar thanked the candidates who applied and emphasized how fortunate the City is to consistently receive highly qualified volunteers.

Mayor Pro Tem Gabbard agreed with Council Member Villar and encouraged the candidates who were not selected to continue to be active members in the community.

IT WAS MOVED BY MAYOR PAGANO, SECONDED BY COUNCIL MEMBER FROST, THAT THE CITY COUNCIL APPOINT GREG MILLER-JONES TO THE TRAFFIC IMPROVEMENT SUBCOMMITTEE FOR A 4-YEAR TERM EXPIRING MARCH 31, 2029.

The motion carried by the following vote:

AYES: Federico, Frost, Gabbard, Villar, Pagano

NOES: None

ABSENT: None

NEW BUSINESS

11. RESOLUTION OF INTENT TO RENEW THE DANA POINT TOURISM BUSINESS IMPROVEMENT DISTRICT FOR JULY 1, 2025 TO JUNE 30, 2030

Jaimie To, Economic Development and Housing Manager, provided a staff report.

Kelly Steward (Ritz Carlton General Manager) spoke in support of the Dana Point Tourism Improvement District renewal.

Heather Johnson (Visit Dana Point Executive Director) spoke in support of the Dana Point Tourism Improvement District renewal.

Daniel Ader (Hilton Garden Inn General Manager) spoke in support of the Dana Point Tourism Improvement District renewal.

IT WAS MOVED BY COUNCIL MEMBER FEDERICO, SECONDED BY COUNCIL MEMBER VILLAR, THAT THE CITY COUNCIL ADOPT **RESOLUTION 25-03-18-03** ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, DECLARING ITS INTENTION TO RENEW THE DANA POINT TOURISM BUSINESS IMPROVEMENT DISTRICT (DPTBID) AND FIXING THE TIME AND PLACE OF A PUBLIC MEETING AND A PUBLIC HEARING THEREON AND GIVING NOTICE THEREOF

Discussion ensued.

The motion carried by the following vote:

AYES: Federico, Frost, Gabbard, Villar, Pagano

NOES: None

ABSENT: None

12. INTRODUCTION OF AN ORDINANCE ESTABLISHING SPEED LIMITS CITYWIDE

Matthew Sinacori, Director of Public Works/City Engineer, provided a staff report.

Discussion ensued.

IT WAS MOVED BY MAYOR PAGANO, SECONDED BY COUNCIL MEMBER FEDERICO, THAT THE CITY COUNCIL INTRODUCE AND HOLD THE FIRST READING OF **ORDINANCE 25-XX** OF THE CITY OF DANA POINT ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING AND REPLACING DANA POINT MUNICIPAL CODE, CHAPTER 12.16.010, ESTABLISHING SPEED LIMITS IN THE CITY OF DANA POINT PURSUANT TO THE CALIFORNIA VEHICLE CODE.

The motion carried by the following vote:

AYES: Federico, Frost, Gabbard, Villar, Pagano

NOES: None

ABSENT: None

13. SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (SCAQMD) PROPOSED AMENDED RULE (PAR) 1111 AND 1121 LETTER OF CONCERN

Matthew Sinacori, Director of Public Works/City Engineer, provided a staff report.

Discussion ensued.

IT WAS MOVED BY COUNCIL MEMBER FEDERICO, SECONDED BY COUNCIL MEMBER FROST, THAT THE CITY COUNCIL AUTHORIZE THE MAYOR TO SEND A LETTER OF CONCERN TO SCAQMD REGARDING PAR 1111 AND PAR 1121 ON BEHALF OF THE CITY COUNCIL.

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 has turned in his list of meetings and discussed the meeting he attended with the Association of California Cities – Orange County, along with OCTA's mandate to transition their buses to zero-emission vehicles by 2040.

Council Member Villar stated that he has turned in his list of meetings and had nothing to report.

Council Member Frost stated that he turned in his list of meetings and thanked Captain Hylton for his service to the community, highlighting the great communication he had with residents.

Mayor Pro Tem Gabbard mentioned that Captain Hylton will be missed and stated that that he turned in his list of meetings.

Mayor Pagano stated that he has turned in his list of meetings, thanked Captain Hylton for his service to the community, spoke regarding the success of the Festival of Whales Carnival, and mentioned the upcoming events occurring around Dana Point.

STAFF REPORTS

City Manager, Mike Killebrew, thanked Captain Hylton for his service to the community.

City Attorney, Patrick Munoz, thanked Captain Hylton for his service to the community and acknowledged the passing of Art Simonian, the longtime City Manager of Yorba Linda, and extended his condolences.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Pagano adjourned the meeting at 7:07 PM. He announced that the next Regular Meeting of the City Council will be April 1, 2025 at 6:00 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 1, 2025

Meetings attended since March 5, 2025

Mayor Pagano

02/26/2025 Brio for Sisters Cities meeting
02/27/2025 Dana Point Chamber Installation Dinner
03/07/2025 SOCEC Mayor's Breakfast
03/07/2025 FOW opening remarks at Ocean Institute
03/08/2025 Dinghy judge
03/08/2025 Festival of Whales Carnival opening remarks
03/09/2025 Festival of Whales Carnival
03/13/2025 Coastal Dental 5 year ribbon cutting
03/14/2025 St. Anne BOD coffee at Project Social
03/17/2025 Roth Capital opening remarks

Mayor Pro Tem Gabbard

02/20/2025 OCMVCD Board meeting
02/20/2025 Supervisor Foley's Mayor meeting
02/26/2025 Dana Point Sister Cities meeting
02/27/2025 Chamber of Commerce Dinner and Annual Awards
03/10/2025 Traffic Improvement Subcommittee Interviews
03/17/2025 LOSSAN Board meeting
03/17/2025 Roth Capital Conference

Council Member Mike Frost

03/07/2025 Festival of Whales
03/08/2025 Festival of Whales
03/09/2025 Festival of Whales
03/13/2025 TCA Joint Session
03/14/2025 Dana Point Chamber Event
03/14/2025 Meeting with Wine Experience New Business

Council Member Federico

03/05/2025 OCTA Exec Briefing
03/08/2025 Festival of Whales
03/09/2025 Festival of Whales
03/10/2025 OCTA Board Meeting
03/10/2025 ACC-OC Committee Meeting
03/12/2025 OCTA Finance Committee Meeting
03/13/2025 CASA Special Board Meeting
03/16/2025 PPF/CASA Retirement Party
03/17/2025 ACC-OC Sacramento Legislative Advocacy Trip
03/18/2025 ACC-OC Sacramento Legislative Advocacy Trip

Council Member Michael Villar

03/16/2025 Meeting with Dorothy Stafford regarding Pines Park.