

# CITY OF DANA POINT

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## CITY COUNCIL REGULAR MEETING



**TUESDAY  
APRIL 15, 2025  
5:00 P.M.**

## AGENDA

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

Next City Council Ordinance No. 25-08

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:

Matthew Pagano, Mayor  
John Gabbard, Mayor Pro Tem  
Jamey M. Federico, Council Member  
Mike Frost, 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), (4 cases) AND THE FOLLOWING EXISTING LITIGATION, Government Code 54956.9 (d)(1), (7 cases)
- a. City of DP 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 Case No. 2019- 01117892-CU-TT-CXC
  - c. Center For Natural Lands Management v City of Dana Point, Orange County Superior Court Case No: 30-2021-01219668 CU-OR-CJC

- d. Mitchell Carr vs. City of Dana Point, County of Orange (1973115) (Ironshore Claim No.: SANCAS000317850) (AWNAC Ref. No.: 2021007664) (AWAC Ref. No.: 2021007660)
- e. City of Dana Point v. Paul Frederic Meyers, Trustee of the Meyers Family Trust, Orange County Superior Court Case No: 30-2022-01301502-CU-PT-CJC
- f. Name of Case: ST Apartments vs. City of Dana Point; OCSC Case NO 30-2024-01397922-CU-WM-CJC
- g. City of Dana Point v. Mazzy Development Center dba Mission Recovery, LLC, et al OCSC Case No. 30-2025-01468977

**B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION, Government Code § 54957**

Title: City Manager

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

**RECONVENE CITY COUNCIL MEETING**

**PLEDGE OF ALLEGIANCE**

**PRESENTATIONS AND PROCLAMATIONS**

Whale of an Art Contest Winner

Police / Fire / EMT of the Year / Employee Recognition

**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, APRIL 1, 2025](#)**

RECOMMENDED ACTION: That the City Council approve the minutes.

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3. **CLAIMS AND DEMANDS**

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

4. **DEVELOPMENT UPDATE**

RECOMMENDED ACTION: That the City Council receive and file the Development Update.

5. **CONSULTANT SERVICES AGREEMENT WITH WEST COAST CIVIL FOR DESIGN SURVEYING FOR THE ANNUAL ROADWAY RESURFACING FY 2024-2025 PROJECT**

RECOMMENDED ACTION: That the City Council approve a Consultant Services Agreement with West Coast Civil for topographic surveying services needed for the Annual Roadway Resurfacing FY 2024-25 Project design and authorize the City Manager or designee to sign the agreement.

**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**

None.

**UNFINISHED BUSINESS**

6. **POLICE SERVICES QUARTERLY REPORT**

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

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## NEW BUSINESS

### 7. LONG-TERM FINANCIAL PLAN UPDATE

RECOMMENDED ACTION: That the City Council receive the Long-Term Financial Plan update and recommend referral to the Financial Review Committee.

### 8. CITY COUNCIL POLICY UPDATE – DAYLIGHTING SERIES 211-221

RECOMMENDED ACTION: That the City Council review, discuss and provide recommendations to staff on proposed revisions to City Council Policies within the 200 Series.

### 9. AMENDMENT OF DANA POINT MUNICIPAL CODE CHAPTER 8.42.010 AND ADOPTING THE FIRE HAZARD SEVERITY MAP

RECOMMENDED ACTION: That the City Council hold a first reading and introduce an Ordinance entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING DANA POINT MUNICIPAL CODE CHAPTER 8.42.010 AND ADOPTING THE FIRE HAZARD SEVERITY MAP

### 10. HERITAGE PARK MONUMENT IN COORDINATION WITH THE DANA POINT 5<sup>TH</sup> MARINE REGIMENT SUPPORT GROUP

RECOMMENDED ACTION: That the City Council:

- 1) Authorize the City Manager to sign the Memorandum of Understanding and authorize non-substantive changes if needed; and
- 2) Approve a new Capital Improvement Project entitled “Heritage Park Monument Project”; and
- 3) Authorize amount per the fiscal impact section for the Heritage Park Monument Project.

### 11. SECOND AMENDMENT TO THE WASTE DISPOSAL AGREEMENT WITH THE COUNTY OF ORANGE

RECOMMENDED ACTION: That the City Council:

- 1) Adopt Resolution 25-04-15-XX, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, APPROVING THE SECOND AMENDMENT TO THE WASTE DISPOSAL AGREEMENT BETWEEN THE CITY OF DANA POINT AND THE COUNTY OF ORANGE; and

- 2) Authorize the City Manager, or designee, to execute the Second Amendment to the Waste Disposal Agreement with the County of Orange.

## **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 Michael Killebrew)  
(City Attorney Patrick Muñoz)

## **UPCOMING EVENTS**

- April 16 Tip-a-Cop - Brio
- April 18 City Hall Offices Closed – Good Friday
- April 19 Egg Hunts – Pines Park and Sea Canyon Park
- April 19 Farmers Market and Craft Vendors – La Plaza
- April 22 GPAC Meeting – Community Center, 6PM
- April 22 Earth Day Native Plant Garden Demonstration – Nature Interpretive Ctr
- April 23 State of the City – Celebrate Dana Point – Ocean Institute
- April 26 Farmers Market and Craft Vendors – La Plaza
- April 26 California Wine Festival – Sea Terrace Park
- April 27 REDO Market – Del Prado
- May 3 Monarch Butterfly Habitat Workday – Sea Canyon Park
- May 3 Farmers Market and Craft Vendors – La Plaza

## **ADJOURNMENT**

The next Regular Meeting of the City Council will be May 6, 2025, 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 April 10, 2025, at 5:30 p.m.



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SHAYNA SHARKE, CITY CLERK

4/10/2025  
DATE

Subscriptions to receive City Council Agendas on a regular basis are available through the City Clerk's Office. Agendas are also 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 (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.