

CITY OF DANA POINT

CITY COUNCIL REGULAR MEETING



TUESDAY
MARCH 2, 2021
5:00 P.M.

MINUTES

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

Next City Council Ordinance No. 21-02

CALL TO ORDER

The Regular Meeting of the City Council of the City of Dana Point, California, was called to order by Mayor Jamey M. Federico at 6:00 p.m. in the City Council Chambers, 33282 Golden Lantern, Dana Point. All Council Members were present.

ROLL CALL OF CITY COUNCIL MEMBERS:

Jamey M. Federico, Mayor
Joseph L. Muller, Mayor Pro Tem
Mike Frost, Council Member
Richard A. Viczorek, Council Member
Michael Villar, Council Member

CLOSED SESSION

City Attorney Patrick Munoz requested to add an item to the Agenda entitled:

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION, Government Code § 54956.9 (d)(1), (1 case)

1. City of Dana Point v. Donna's House, LLC, Michael Marriner, Jr., Katy Marriner, Ralph M. Wright, Jr., Trustee, or His Successor, Under The Ralph M. Wright, Jr. 2017 Family Trust, Case No. 30-2018-01011653-CLC-MU-CJC

IT WAS MOVED BY MAYOR JAMEY M. FEDERICO, SECONDED BY COUNCIL MEMBER MICHAEL VILLAR THAT THE CITY COUNCIL ADD THE ITEM AND CONVENE CLOSED SESSION ONCE THE OPEN AGENDA ITEMS ARE COMPLETED.

The motion carried by the following vote:

AYES: Council Member Mike Frost, Council Member Richard A. Viczorek, Council Member Michael Villar, Mayor Pro Tem Joseph L. Muller, and Mayor Jamey M. Federico

NOES: None

ABSENT: None

STAFF PRESENT: Michael A. Killebrew, City Manager, Kelly Reenders, Assistant City Manager; Patrick Munoz, City Attorney; Capt. Kirsten Monteleone, Kathy Ward, City Clerk; Brenda Wisneski, Community Development Director; Matt Sinacori, Public Works Director and City Engineer; Robert Sedita, General Services Director; Jaimie To, Management Analyst; and Shayna Sharke, Deputy City Clerk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Michael Villar.

INVOCATION

There was no Invocation.

PRESENTATIONS AND PROCLAMATIONS

There were no Presentations or Proclamations.

READING OF ORDINANCE TITLES

There were no Ordinance Titles.

CONSENT CALENDAR

IT WAS MOVED BY MAYOR JAMEY M. FEDERICO, SECONDED BY MAYOR PRO TEM JOSEPH L. MULLER THAT THE RECOMMENDATIONS BE ACCEPTED FOR ALL ITEMS ON THE CONSENT CALENDAR.

The motion carried by the following vote:

AYES: Council Member Mike Frost, Council Member Richard A. Viczorek, Council Member Michael Villar, Mayor Pro Tem Joseph L. Muller, and Mayor Jamey M. Federico

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 16, 2021

APPROVED THE MEETING MINUTES.

3. PLANNING COMMISSION MEETING MINUTES, FEBRUARY 8, 2021

APPROVED THE MEETING MINUTES.

4. ARTS & CULTURE COMMISSION MEETING MINUTES, DECEMBER 9, 2020

APPROVED THE MEETING MINUTES.

5. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR

RECEIVED AND FILED.

6. CLAIMS AND DEMANDS

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

7. CITY TREASURER'S REPORT, JANUARY 2021

RECEIVED AND FILED THE TREASURER'S REPORT.

8. RATIFY AND AMEND PROFESSIONAL SERVICES AGREEMENT WITH TRUE NORTH COMPLIANCE SERVICES FOR THE BUILDING DIVISION

RATIFIED AND AMENDED AN AGREEMENT WITH TRUE NORTH COMPLIANCE SERVICES AND AUTHORIZED THE CITY MANAGER TO EXECUTE THE AMENDED AGREEMENT.

9. CONTRACT AMENDMENT BETWEEN THE CITY OF DANA POINT AND SYSTEM4 SOUTHERN CALIFORNIA, INC. FOR CUSTODIAL MAINTENANCE SERVICES

AUTHORIZED THE CITY MANAGER TO EXECUTE A CONTRACT AMENDMENT WITH SYSTEM4 SOUTHERN CALIFORNIA, INC. (SYSTEM 4), FOR CUSTODIAL MAINTENANCE SERVICES, AND AMENDED THE BUDGET AS OUTLINED IN THE FISCAL IMPACT SECTION.

10. RESOLUTION AMENDING ICMA-RC 457 DEFERRED COMPENSATION PLAN AGREEMENT TO REDUCE PLAN ADMINISTRATION FEES AND PROVIDE ENHANCED INVESTMENT OPTIONS

1. ADOPTED RESOLUTION 21-03-01-01 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING THE INTERNATIONAL CITY MANAGEMENT ASSOCIATION RETIREMENT CORPORATION (ICMA-RC) 457 DEFERRED COMPENSATION PLAN AGREEMENT, REDUCING ADMINISTRATIVE FEES AND PROVIDING ENHANCED INVESTMENT OPTIONS; AND

2. AUTHORIZED THE CITY MANAGER TO EXECUTE THE AMENDED ICMA-RC DEFERRED COMPENSATION PLAN AGREEMENT

11. ANNUAL REVIEW OF INVESTMENT POLICY

APPROVED THE CITY'S STATEMENT OF SAFEKEEPING AND INVESTMENT OF PUBLIC FUNDS POLICY ("INVESTMENT POLICY").

PUBLIC COMMENTS

There were no Public Comments.

COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED

Council Member Mike Frost stated that he has turned in his list of meetings attended to the City Clerk.

Council Member Richard A. Viczorek stated that he will turn in his list of meetings attended to the City Clerk.

Council Member Michael Villar stated that he has turned in his list of meetings attended to the City Clerk.

Mayor Pro Tem Joseph L. Muller invited the community to remain aware and involved in the Serra Siding Extension Project, so that the improvements are adopted. He added that the two injured OCFA firefighters are recovering well, but still need the community's prayers. He stated that he has turned in his list of meetings attended to the City Clerk.

Mayor Jamey M. Federico stated that he has turned in his list of meetings attended to the City Clerk. He reminded the community of the Festival of Whales activities occurring this weekend hosted by the Chamber of Commerce and the City of Dana Point.

PUBLIC HEARINGS

There were no Public Hearings.

UNFINISHED BUSINESS

12. UTILITY BOX ARTWORK PROGRAM

Assistant City Manager Kelly Reenders provided a staff report.

Discussion ensued.

IT WAS MOVED BY MAYOR PRO TEM JOSEPH L. MULLER, SECONDED BY COUNCIL MEMBER RICHARD A. VICZOREK, THAT THE CITY COUNCIL AUTHORIZE STAFF TO RELEASE AN APPLICATION FOR THE SECOND PHASE OF THE UTILITY BOX ARTWORK PROGRAM; AUTHORIZE THE ARTS AND CULTURE COMMISSION TO SELECT ARTISTS, AND AUTHORIZE STAFF TO USE \$25,000 OF ARTS IN PUBLIC PLACES FUNDS TO PRODUCE AND INSTALL 14 VINYL WRAPS, AND AWARD \$250 TO ARTISTS WHOSE WORK IS SELECTED FOR THE BOXES.

Discussion ensued.

The motion carried by the following vote:

AYES: Council Member Mike Frost, Council Member Richard A. Viczorek, Council Member Michael Villar, Mayor Pro Tem Joseph L. Muller, and Mayor Jamey M. Federico

NOES: None

ABSENT: None

NEW BUSINESS

13. MID-FISCAL YEAR 2020-21 BUDGET STATUS REPORT

City Manager Michael A. Killebrew provided a staff report.

Discussion ensued.

The City Council received and filed the Mid-Fiscal Year 2020-21 Budget Status Report.

IT WAS MOVED BY MAYOR JAMEY M. FEDERICO, SECONDED BY COUNCIL MEMBER MIKE FROST, THAT THE CITY COUNCIL AUTHORIZE THE BUDGET AMENDMENTS DETAILED WITHIN THE REPORT.

Discussion ensued.

The motion carried by the following vote:

AYES: Council Member Mike Frost, Council Member Richard A. Viczorek, Council Member Michael Villar, Mayor Pro Tem Joseph L. Muller, and Mayor Jamey M. Federico

NOES: None

ABSENT: None

STAFF REPORTS

City Attorney Patrick Munoz stated that he did not have anything to report.

City Manager Michael A. Killebrew stated that he is encouraged by the vaccination rates and the lower rates of COVID-19 hospitalizations. He thanked the City staff that have been working at the vaccination sites.

RECESS OF CITY COUNCIL MEETING TO CLOSED SESSION AT 6:34 P.M.

RECONVENED CITY COUNCIL MEETING AT 7:05 P.M.

There were no reportable items.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Jamey M. Federico adjourned the meeting at 7:05 p.m. He announced that the next Regular Meeting of the City Council will

be March 16, 2021, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

Kathy M. Ward

KATHY M. WARD
CITY CLERK

APPROVED AT THE MEETING OF MARCH 16, 2021

Meetings attended since February 17, 2021:

Mayor Jamey M. Federico

02/17/2021 ACC-OC Board of Directors
02/18/2021 OC Mayors Weekly Meeting
02/19/2021 DPCA Coffee Chat
02/26/2021 Meeting with CASA GM
02/27/2021 Meetings with Residents
02/28/2021 Meetings with Residents

Mayor Pro Tem Joseph L. Muller

02/17/2021 Ocean Institute
02/22/2021 OCTA
02/23/2021 Resident Meeting
02/24/2021 OCTA
02/24/2021 TCA
02/25/2021 TCA
02/25/2021 OCFA
03/01/2021 OCTA
03/02/2021 TCA

Council Member Mike Frost

02/24/2021 Engineering Contractors Association
02/24/2021 Lantern Village Association Monthly Meeting
02/25/2021 ACC-OC Monthly Meeting
02/26/2021 Return of the Elephants Community Meeting
03/02/2021 SDGE Emergency Preparedness Review

Council Member Richard A. Viczorek

02/18/2021 OCMVCD Board of Trustees Meeting

Council Member Michael Villar

02/18/2021 OC Library Advisory Board Workshop
03/01/2021 District 5 City Council Advisory Board