

# CITY OF DANA POINT

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**CITY COUNCIL  
ADJOURNED REGULAR  
MEETING**



**TUESDAY  
AUGUST 23, 2021  
5:15 P.M.**

## **MINUTES**

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

Next City Council Ordinance No. 21-05

### **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 5:15 p.m. in the City Council Chambers, 33282 Golden Lantern, Dana Point. All Council Members were present with the exception of Mayor Pro Tem Joseph L. Muller.

### **ROLL CALL OF CITY COUNCIL MEMBERS:**

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

### **CLOSED SESSION**

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (d)(2), (1 case)

Mayor Jamey M. Federico recessed the meeting into a Closed Session at 5:16 p.m. pursuant to Government Code Section 54957.

### **RECESS OF CITY COUNCIL MEETING UNTIL 5:30 P.M.**

### **RECONVENE CITY COUNCIL MEETING**

Mayor Jamey M. Federico reconvened the meeting at 5:30 p.m. All Council Members were present with the exception of Mayor Pro Tem Joseph L. Muller.

STAFF PRESENT: Kelly Reenders, Assistant City Manager; Patrick Munoz, City Attorney; Shayna Sharke, City Clerk; Brenda Wisneski, Community Development Director; Matthew Sinacori, Public Works Director and City Engineer; and Jaimie To, Management Analyst.

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## **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Council Member Richard A. Viczorek.

## **INVOCATION**

There was no Invocation.

## **PRESENTATIONS AND PROCLAMATIONS**

There were no Presentations or Proclamations.

## **READING OF ORDINANCE TITLES**

City Clerk Shayna Sharke read two (2) Ordinance Titles.

## **CONSENT CALENDAR**

Item 7 was pulled by Council Member Michael Villar.

IT WAS MOVED BY MAYOR JAMEY M. FEDERICO, SECONDED BY COUNCIL MEMBER RICHARD A. VICZOREK THAT THE RECOMMENDATIONS BE ACCEPTED FOR ALL ITEMS ON THE CONSENT CALENDAR WITH THE EXCEPTION OF ITEM 7.

The motion carried by the following vote:

AYES: Council Member Mike Frost, Council Member Richard A. Viczorek, Council Member Michael Villar, and Mayor Jamey M. Federico

NOES: None

ABSENT: Mayor Pro Tem Joseph L. Muller

### **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. ADJOURNED REGULAR MEETING MINUTES, AUGUST 9, 2021**

APPROVED THE MEETING MINUTES.

### **3. PLANNING COMMISSION MEETING MINUTES, JULY 12, 2021**

RECEIVED AND FILED.

### **4. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR**

RECEIVED AND FILED.

**5. CITY TREASURER'S REPORTS**

RECEIVED AND FILED THE CITY TREASURER'S REPORT FOR THE MONTH OF JULY 2021.

**6. CLAIMS AND DEMANDS**

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

**7. LOCAL COASTAL PROGRAM AMENDMENT LCPA19-0002/ZONE TEXT AMENDMENT ZTA19-0002(I), RELATED TO JOINT USE OF PARKING FACILITIES AND PUBLIC NOTIFICATION AND ZONE TEXT AMENDMENT ZTA19-0002(II) RELATED TO ACCESSORY DWELLING UNITS**

Item 7 was pulled by Council Member Michael Villar.

Community Development Director Brenda Wisneski answered questions posed by Council Member Michael Villar and announced that the resolution regarding fees for ADUs will be on the September 21, 2021 City Council Meeting Agenda.

IT WAS MOVED BY COUNCIL MEMBER MICHAEL VILLAR, SECONDED BY MAYOR JAMEY M. FEDERICO THAT THE CITY COUNCIL:

HOLD A SECOND READING AND ADOPT ORDINANCE 21-05 ENTITLED:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING ZONE TEXT AMENDMENT ZTA19-0002(I) TO MODIFY THE ZONING CODE RELATED TO JOINT PARKING PROVISIONS AND PUBLIC NOTIFICATION AND SUBMISSION AS PART OF LOCAL COASTAL PROGRAM AMENDMENT LCPA19-0002 FOR APPROVAL AND CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION; and**

HOLD A SECOND READING AND ADOPT ORDINANCE 21-06 ENTITLED:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING ZONE TEXT AMENDMENT ZTA19-0002(II) TO MODIFY THE ZONING CODE RELATED TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS.**

The motion carried by the following vote:

**AYES:** Council Member Mike Frost, Council Member Richard A. Viczorek, Council Member Michael Villar, and Mayor Jamey M. Federico

**NOES:** None

**ABSENT:** Mayor Pro Tem Joseph L. Muller

**8. MUTUAL AID MEMORANDUM OF AGREEMENT WITH COUNTY OF ORANGE FOR REIMBURSEMENT OF MUTUAL AID COSTS INCURRED FOR COVID-19 VACCINATION EFFORTS**

- 1) AUTHORIZED THE CITY MANAGER, OR SPECIFIED DESIGNEE, TO EXECUTE A MUTUAL AID MEMORANDUM OF AGREEMENT (MOA) WITH THE COUNTY OF ORANGE; AND
- 2) ADOPTED A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AUTHORIZING THE CITY MANAGER, OR SPECIFIED DESIGNEE, TO EXECUTE ANY RELATED DOCUMENTS OR ACTIONS NECESSARY FOR THE PURPOSES OF OBTAINING FEDERAL FINANCIAL ASSISTANCE RELATED TO THIS MOA IF THOSE ACTIONS DO NOT MATERIALLY CHANGE THE TERMS OR AMOUNT OF THE CITY'S COMMITMENT AS IT IS REFLECTED IN THE ABOVE-REFERENCED MOA.

**PUBLIC COMMENTS**

There were no Public Comments. Mayor Jamey M. Federico welcomed Joe Masi, Alderman of Middletown, New York to Council Chambers.

**PUBLIC HEARINGS**

There were no Public Hearings.

**UNFINISHED BUSINESS**

There was no Unfinished Business.

**NEW BUSINESS**

**9. LETTER IN OPPOSITION OF CALIFORNIA SENATE BILL 9, INCREASED DENSITY IN SINGLE-FAMILY ZONES**

Assistant City Manager Kelly Reenders provided a staff report.

Discussion ensued.

IT WAS MOVED BY COUNCIL MEMBER RICHARD A. VICZOREK, SECONDED BY COUNCIL MEMBER MIKE FROST THAT THE CITY COUNCIL AUTHORIZE THE MAYOR TO SEND A LETTER IN OPPOSITION OF SENATE BILL (S.B.) 9 ON BEHALF OF THE CITY COUNCIL.

The motion carried by the following vote:

AYES: Council Member Mike Frost, Council Member Richard A. Viczorek, Council Member Michael Villar, and Mayor Jamey M. Federico

NOES: None

ABSENT: Mayor Pro Tem Joseph L. Muller

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## COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED

Council Member Mike Frost stated that he had his family had a great time at the Re-Do Market. He added that he has turned in his list of meetings attended.

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

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

Mayor Jamey M. Federico has turned in his list of meetings attended to the City Clerk. He thanked Staff for their work on the Re-Do Market. He stated that he wished they had taken a position on SB-9 earlier, but is glad that the Council took action tonight. Mayor Federico shared his personal connection to the Afghanistan situation and urged the community to reach out to their elected representatives to express their stance.

## STAFF REPORTS

City Attorney Patrick Munoz reported that the City has held a hearing with the Center for National Lands Management related to its appeal of several citations which were issued related to their closure of the Nature Preserve Trail. He stated that the City prevailed in the appeal hearing and is now also seeking the assistance of the California Coastal Commission in resolving the issue of the improper closure of the Trail.

Assistant City Manager Kelly Reenders stated that she has nothing to report.

## ADJOURNMENT

There being no further business before the City Council at this session, Mayor Jamey M. Federico adjourned the meeting at 5:46 p.m. He announced that the next Regular Meeting of the City Council will be September 21, 2021, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.



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SHAYNA SHARKE  
CITY CLERK

APPROVED AT THE MEETING OF SEPTEMBER 21, 2021

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**Meetings attended since August 10, 2021:**

**Mayor Jamey M. Federico**

08/11/2021 Meeting with Residents regarding Strands Parking  
08/14/2021 Dana Point Surf Shop Challenge  
08/15/2021 Fish for Life  
08/18/2021 ACC-OC Board of Directors Meeting  
08/20/2021 Meeting with BBK regarding CASA

**Mayor Pro Tem Joseph L. Muller**

**Council Member Mike Frost**

08/10/2021 Veterans of Foreign Wars Monthly Meeting  
08/11/2021 Strands Parking Lot Update with NBT, Strands, Chelsea Point  
08/12/2021 PAL Meeting (Undergrounding Utilities)  
08/13/2021 Silver Lantern Speeding Discussion with Residents  
08/14/2021 Elephant Parade (Art Discussion)  
08/17/2021 CUSD Project Discussion  
08/17/2021 Affordable Housing Discussion with Residents  
08/18/2021 Chamber Mixer (Hosted by City)

**Council Member Richard A. Viczorek**

08/12/2021 SJHTCA Board of Directors Meeting  
08/19/2021 OCMVCD Board of Trustees Meeting

**Council Member Michael Villar**

08/12/2021 Affordable Housing Working Group