

CITY OF DANA POINT

**CITY COUNCIL
REGULAR
MEETING**



**TUESDAY
OCTOBER 19, 2021
6:00 P.M.**

MINUTES

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

Next City Council Ordinance No. 21-07

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.

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 (ABSENT)

CLOSED SESSION

There was no Closed Session prior to the meeting. City Attorney Patrick Munoz announced the need for a Closed Session due to an update on an existing litigation case, City of Dana Point v. Southern California Recovery.

IT WAS MOVED BY MAYOR JAMEY M. FEDERICO, SECONDED BY MAYOR PRO TEM JOSEPH L. MULLER THAT THE CITY COUNCIL ADD CLOSED SESSION ITEM, EXISTING LITIGATION CASE DANA POINT V. SOUTHERN CALIFORNIA RECOVERY, TO THE AGENDA.

The motion carried by the following vote:

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

NOES: None

ABSENT: Council Member Michael Villar

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

a. City of Dana Point v. Southern California Recovery Center, Case No. 30-2018-01012750 CU-MC-CJC

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pro Tem Joseph L. Muller.

INVOCATION

There was no Invocation.

PRESENTATIONS AND PROCLAMATIONS

Employee of the Quarter

Mayor Jamey M. Federico presented a Certificate of Recognition to Parks Superintendent Al Jacobo.

READING OF ORDINANCE TITLES

City Clerk Shayna Sharke read one (1) Ordinance title.

CONSENT CALENDAR

IT WAS MOVED BY MAYOR JAMEY M. FEDERICO, SECONDED BY COUNCIL MEMBER MIKE FROST, 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, Mayor Pro Tem Joseph L. Muller, and Mayor Jamey M. Federico

NOES: None

ABSENT: Council Member Michael Villar

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, OCTOBER 5, 2021

APPROVED THE MEETING MINUTES.

3. ARTS & CULTURE COMMISSION MEETING MINUTES, SEPTEMBER 8, 2021

RECEIVED AND FILED.

4. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR

RECEIVED AND FILED.

5. CITY TREASURER'S REPORT

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

6. CLAIMS AND DEMANDS

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

7. DEVELOPMENT UPDATE

RECEIVED AND FILED THE DEVELOPMENT UPDATE.

8. FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH PLACEWORKS, INC. FOR PREPARATION OF THE 2021-2029 HOUSING ELEMENT AND PUBLIC SAFETY ELEMENT UPDATES

AUTHORIZE THE CITY MANAGER TO EXECUTE THE CONTRACT AMENDMENT TO PLACEWORKS, INC. – FIRST AMENDMENT TO AGREEMENT FOR A SIX-MONTH EXTENSION.

9. OCTA MEASURE M2 TRAFFIC SIGNAL SYNCHRONIZATION PROGRAM RESOLUTION

1) ADOPTED RESOLUTION 21-10-19-01 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA APPROVING THE SUBMITTAL OF IMPROVEMENT PROJECTS ON GOLDEN LANTERN/MOULTON PARKWAY AND CROWN VALLEY PARKWAY, IN CONJUNCTION WITH OTHER AGENCIES, TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR FUNDING UNDER THE COMPETITIVE MEASURE M2 REGIONAL TRAFFIC SIGNAL SYNCHRONIZATION PROGRAM; AND

2) ESTABLISHED A CAPITAL IMPROVEMENT PROGRAM (CIP) PROJECT ENTITLED "TRAFFIC SIGNAL SYNCHRONIZATION PROJECT", ASSIGN IT CIP PROJECT NUMBER 1347, AND TRANSFER \$325K FROM THE COMMUNITY INVESTMENT RESERVE ACCOUNT

TO CIP NO. 1347 TO FUND THE CITY OF DANA POINT'S PORTION OF THE WORK AS OUTLINED IN THE FISCAL IMPACT SECTION.

3) AUTHORIZED THE MAYOR TO SIGN THE RESOLUTION ON BEHALF OF THE CITY.

10. INTRODUCTION OF AN ORDINANCE PERTAINING TO REGULATION OF SOLID WASTE INCLUDING ORGANIC WASTE

1) INTRODUCED AND HELD THE FIRST READING OF **ORDINANCE 21-XX** ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA AMENDING IN ITS ENTIRETY TITLE 6, CHAPTER 6.10 OF THE DANA POINT MUNICIPAL CODE PERTAINING TO THE REGULATION OF SOLID WASTE INCLUDING ORGANIC WASTE

2) DIRECTED STAFF TO SCHEDULE A SECOND READING AND ADOPTION OF THE PROPOSED ORDINANCE AMENDING CHAPTER 6.10 FOR THE NOVEMBER 2, 2021 REGULAR CITY COUNCIL MEETING.

PUBLIC COMMENTS

Barbara Wilson (Dana Point) spoke regarding a community survey that asked questions regarding recreational cannabis dispensaries. She urged Council to take the proper measures, including public hearings and more public engagement on any decision-making processes, and stated that more disclosure should have been provided initially.

Dana Yarger (Dana Point) provided a history of the Elephant Parade and announced the California Dreaming Elephant Parade and the installation of 25 elephants around Dana Point. He thanked the Council, Staff, and Arts and Culture Commission for their support.

Wayne Yost (Dana Point / VFW Post 9934) complimented the Chamber of Commerce for the successful Car Show event. He also spoke against recreational cannabis sales in Dana Point.

PUBLIC HEARINGS

11. REDISTRICTING PROCESS REQUIRED BY STATE LAW

City Attorney Patrick Munoz provided an explanation for the need to continue the item.

Mayor Jamey M. Federico opened the Public Hearing at 6:20 P.M.

IT WAS MOVED BY MAYOR PRO TEM JOSEPH L. MULLER, SECONDED BY MAYOR JAMEY M. FEDERICO, THAT THE CITY COUNCIL CONTINUE THE PUBLIC HEARING TO A DATE CERTAIN OF NOVEMBER 16, 2021, AT 6:30 P.M.

The motion carried by the following vote:

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

NOES: None

ABSENT: Council Member Michael Villar

UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

There was no New Business.

COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED

Council Member Mike Frost stated that he will turn 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 Pro Tem Joseph L. Muller stated that he will turn in his list of meetings attended to the City Clerk.

Mayor Jamey M. Federico stated that the Strategic Plan Subcommittee has been meeting regularly and making progress. He also thanked the Chamber of Commerce for the Car Show. He stated that he will turn in his list of meetings attended to the City Clerk.

STAFF REPORTS

City Attorney Patrick Munoz clarified the case number for the Closed Session item, City of Dana Point v. Southern California Recovery Center, No. 30-2018-01012750 CU-MC-CJC.

Assistant City Manager Kelly Reenders thanked the Chamber of Commerce for the Car Show and Dana Yarger, Mayor Jamey M. Federico, and Council Member Mike Frost for their efforts in the Elephant Parade. She also announced the various upcoming Halloween events hosted by the City, including the Halloween Spooktacular and Trunk or Treat, Spooky Trolley, Porch Decorating Contest, and Pumpkin Decorating Contest.

RECESS OF CITY COUNCIL MEETING TO CLOSED SESSION AT 6:25 P.M.

RECONVENE CITY COUNCIL MEETING AT 6:38 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 6:38 P.M. He announced that the next Regular Meeting of the City Council will

be November 2, 2021, at 5:00 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 NOVEMBER 2, 2021

Meetings attended since October 6, 2021:

Mayor Jamey M. Federico

10/09/2021 Socal Woodies Car Show
10/11/2021 SHACC Golf Tournament
10/12/2021 Strategic Plan Subcommittee
10/13/2021 Meeting with Ocean Institute GM
10/13/2021 Monarch Beach Rotary
10/17/2021 Car Show
10/18/2021 OCTA Mayor's Forum
10/19/2021 OCTA Citizens Advisory Council

Mayor Pro Tem Joseph L. Muller

10/06/2021 Resident Meeting
10/07/2021 Ocean Institute Meeting
10/07/2021 Assemblywoman Davies
10/11/2021 OCTA
10/12/2021 OCFA
10/13/2021 OCTA
10/13/2021 OCFA
10/14/2021 TCA
10/15/2021 OCFA

Council Member Mike Frost

10/07/2021 DPCC Networking Meeting
10/11/2021 SHACC Meeting
10/14/2021 ACC-OC Monthly Meeting
10/17/2021 Dana Point Car Show

Council Member Richard A. Viczorek

10/07/2021 CA JPIA Board of Directors Meeting
10/14/2021 SJHTCA Board of Directors Meeting

Council Member Michael Villar

10/07/2021 CEP Meeting for SONGS