

# CITY OF DANA POINT

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**CITY COUNCIL  
REGULAR  
MEETING**



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**TUESDAY  
JANUARY 18, 2022  
5:00 P.M.**

## **MINUTES**

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

Next City Council Ordinance No. 22-01

### **CALL TO ORDER**

The Regular Meeting of the City Council of the City of Dana Point, California, was called to order by Mayor Joseph L. Muller at 5:00 p.m. in the City Council Chambers, 33282 Golden Lantern, Dana Point.

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

Joseph L. Muller, Mayor  
Mike Frost, Mayor Pro Tem  
Jamey M. Federico, Council Member  
Richard A. Viczorek, Council Member (ABSENT)  
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)
- B. CONFERENCE WITH LABOR NEGOTIATOR, Government Code § 54957.6

Agency Designated Representatives: City Manager  
Unrepresented and Represented Employees: All positions in City

Mayor Muller recessed the meeting into a Closed Session at 5:01 p.m. pursuant to Government Code Section 54957.

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

### **RECONVENE CITY COUNCIL MEETING**

Mayor Muller reconvened the meeting at 6:00 p.m. All Council Members were present with the exception of Council Member Viczorek.

STAFF PRESENT: Michael A. Killebrew, City Manager; Kelly Reenders, Assistant City Manager; Patrick Munoz, City Attorney; Shayna Sharke, City Clerk; Captain Kirsten Monteleone; Brenda Wisneski, Community Development Director; James Shadle, General Services Director; Jeff Rosaler, Community Development Manager; and Jaimie To, Management Analyst.

## **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Council Member Villar.

## **INVOCATION**

There was no Invocation.

## **PRESENTATIONS AND PROCLAMATIONS**

### Employee of the Quarter

Mayor Muller presented a Certificate of Recognition to Public Works Administrative Assistant Nichole Squirrell.

## **READING OF ORDINANCE TITLES**

There were no Ordinance Titles.

## **CONSENT CALENDAR**

Item 12 was pulled by Staff.

IT WAS MOVED BY MAYOR PRO TEM MIKE FROST, SECONDED BY COUNCIL MEMBER JAMEY M. FEDERICO THAT THE RECOMMENDATIONS BE ACCEPTED FOR ALL ITEMS ON THE CONSENT CALENDAR WITH THE EXCEPTION OF ITEM 12.

The motion carried by the following vote:

AYES: Council Member Federico, Council Member Villar, Mayor Pro Tem Frost, and Mayor Muller

NOES: None

ABSENT: Council Member Viczorek

### **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, DECEMBER 7, 2021**

APPROVED THE MEETING MINUTES.

**3. PLANNING COMMISSION MEETING MINUTES, NOVEMBER 22, 2021**

RECEIVED AND FILED.

**4. ARTS & CULTURE COMMISSION MEETING MINUTES, OCTOBER 13, 2021**

RECEIVED AND FILED.

**5. YOUTH BOARD MEETING MINUTES, NOVEMBER 4, 2021**

RECEIVED AND FILED.

**6. TRAFFIC IMPROVEMENT SUBCOMMITTEE MEETING MINUTES, APRIL 21, 2021**

RECEIVED AND FILED.

**7. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR**

RECEIVED AND FILED.

**8. CITY TREASURER'S REPORT**

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

**9. CLAIMS AND DEMANDS**

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

**10. DEVELOPMENT UPDATE**

RECEIVED AND FILED THE DEVELOPMENT UPDATE.

**11. STATE OF THE CITY SPONSORSHIP**

- 1) APPROVED THE RELEASE OF A REQUEST FOR SPONSORSHIP (RFS) FOR THE 2022 STATE OF THE CITY EVENT;
- 2) AUTHORIZED THE CITY MANAGER OR ASSISTANT CITY MANAGER TO EVALUATE SUBMITTED REQUEST FOR SPONSORSHIPS AND SELECT SPONSORS;
- 3) APPROVED SPONSORSHIP AGREEMENT TEMPLATE, SUBJECT TO SUCH CHANGES AS MAY BE APPROVED BY THE CITY MANAGER AND CITY ATTORNEY; AND
- 4) AUTHORIZED THE CITY MANAGER TO EXECUTE THE SPONSORSHIP AGREEMENTS.

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## 12. CODE ENFORCEMENT OPERATIONS AND STRATEGIC PLAN UPDATE

Item 12 was pulled by Staff.

Community Development Manager Jeff Rosaler provided a staff report.

Discussion ensued.

IT WAS MOVED BY COUNCIL MEMBER JAMEY M. FEDERICO, SECONDED BY MAYOR PRO TEM MIKE FROST, THAT THE CITY COUNCIL RECEIVE THE CODE ENFORCEMENT OPERATIONS AND STRATEGIC PLAN UPDATE AND DIRECT STAFF TO REVISE THE STRATEGIC PLAN TO REFLECT SENATE BILL (SB) 296 AND TO INCLUDE AN ANNUAL REPORT TO COUNCIL REGARDING CODE ENFORCEMENT OPERATIONS AND STRATEGIC PLAN UPDATE.

A FRIENDLY AMENDMENT WAS MADE BY COUNCIL MEMBER MICHAEL VILLAR TO INCREASE THE FREQUENCY OF THE PERFORMANCE METRIC REPORT TO CITY COUNCIL FROM ANNUALLY TO EVERY SIX MONTHS.

Discussion ensued.

THE FRIENDLY AMENDMENT WAS DENIED BY COUNCIL MEMBER JAMEY M. FEDERICO.

The original motion carried by the following vote:

AYES: Council Member Federico, Council Member Villar, Mayor Pro Tem Frost, and Mayor Muller

NOES: None

ABSENT: Council Member Viczorek

## PUBLIC COMMENTS

Tom Cataldo (Dana Point, President of Better Vision for Children Foundation) spoke in favor of a State and Federal mandate for vision screening for children under three and expressed his interest in networking with local elected officials to move this topic forward.

Mayor Joseph L. Muller offered to provide him with contact information for Assemblywoman Laurie Davies and State Senator Pat Bates.

## PUBLIC HEARINGS

There were no Public Hearings.

## UNFINISHED BUSINESS

There was no Unfinished Business.

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## NEW BUSINESS

Mayor Joseph L. Muller pulled Item 15 to be heard out of order.

### 15. RESOLUTION TO SUPPORT ACTION FOR SPENT FUEL SOLUTIONS NOW COALITION

Council Member Michael Villar introduced Manuel Camargo (Southern California Edison), who spoke regarding the SONGs decommissioning plant and Southern California Edison's Strategic Plan. The plan calls for increased advocacy in encouraging the removal of spent nuclear fuel off-site and led to the formation of the Action for Spent Fuel Solutions Now Coalition.

Patrick Batten (Action for Spent Fuel Solutions Now Coalition) gave the history of the Coalition's project and spoke about their goal to encourage the Federal government to provide offsite storage or permanent disposal solutions at SONGs and other nuclear sites. He encouraged City Council to support the adoption of the resolution.

Discussion ensued.

IT WAS MOVED BY MAYOR JOSEPH L. MULLER, SECONDED BY COUNCIL MEMBER MICHAEL VILLAR THAT THE CITY COUNCIL:

1) **ADOPT RESOLUTION 22-01-18-02 ENTITLED:**

**A RESOLUTION OF THE CITY OF DANA POINT, CALIFORNIA, IN SUPPORT OF THE ACTION FOR SPENT FUEL SOLUTIONS NOW COALITION; AND**

2) **DIRECT THE CITY MANAGER TO TRANSMIT THE ADOPTED RESOLUTION TO CO-CHAIRS ORANGE COUNTY SUPERVISOR LISA BARTLETT AND SAN DIEGO COUNTY SUPERVISOR JIM DESMOND.**

The motion carried by the following vote:

AYES: Council Member Federico, Council Member Villar, Mayor Pro Tem Frost, and Mayor Muller

NOES: None

ABSENT: Council Member Viczorek

### 13. ADOPTION OF MEMORANDUM OF UNDERSTANDING WITH DANA POINT EMPLOYEES' ASSOCIATION (DPEA), AND ADOPTION OF AMENDED SALARY SCHEDULE

City Manager Killebrew provided a staff report.

Discussion ensued.

IT WAS MOVED BY COUNCIL MEMBER JAMEY M. FEDERICO, SECONDED BY MAYOR PRO TEM MIKE FROST, THAT THE CITY COUNCIL:

- 1) ADOPT THE MEMORANDUM OF UNDERSTANDING (MOU) WITH THE DANA POINT EMPLOYEES ASSOCIATION (DPEA), AND AUTHORIZE THE CITY MANAGER TO SIGN THE MOU; AND
  
- 2) ADOPT A **RESOLUTION 22-01-18-01** OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING THE SALARY SCHEDULE FOR REPRESENTED AND NON-REPRESENTED CLASSIFICATIONS, RETROACTIVE TO JANUARY 1, 2022 ENTITLED:

**A RESOLUTION OF THE CITY COUNCIL OF THE OF DANA POINT, CALIFORNIA, ESTABLISHING SALARY RANGES FOR REPRESENTED AND NON-REPRESENTED CLASSIFICATIONS; AND**

- 3) DIRECT STAFF TO AMEND CITY PERSONNEL POLICIES, AS NEEDED, TO INCORPORATE CHANGES TO THE MOU THAT ARE IN CONFLICT WITH EXISTING CITY PERSONNEL POLICIES.

The motion carried by the following vote:

AYES: Council Member Federico, Council Member Villar, Mayor Pro Tem Frost, and Mayor Muller

NOES: None

ABSENT: Council Member Viczorek

#### **14. STRATEGIC PLAN REVIEW – PERFORMANCE MEASURES**

Management Analyst Jaimie To provided a staff report.

Discussion ensued.

Council Member Jamey M. Federico provided an update on the Strategic Plan Subcommittee's direction.

City Manager Killebrew announced that normal Community Development lobby operating hours are planning to resume January 31, 2022.

#### **16. CITY COUNCIL APPOINTED REPRESENTATIVES AND CITY COMMISSIONS, COMMITTEES, SUBCOMMITTEES AND TASK FORCES**

There was no staff report.

IT WAS MOVED BY COUNCIL MEMBER MICHAEL VILLAR, SECONDED BY MAYOR JOSEPH L. MULLER, THAT THE CITY COUNCIL:

- 1) APPROVE APPOINTMENTS OF CITY COUNCIL REPRESENTATIVES TO OUTSIDE AGENCIES;

- 2) APPROVE APPOINTMENTS TO CITY COMMITTEES, SUBCOMMITTEES AND TASK FORCES; AND
- 3) ADOPT RESOLUTION 22-01-18-03 ENTITLED:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, DESIGNATING AND APPOINTING ITS REPRESENTATIVE TO THE ORANGE COUNTY FIRE AUTHORITY'S BOARD OF DIRECTORS**

The motion carried by the following vote:

AYES: Council Member Federico, Council Member Villar, Mayor Pro Tem Frost, and Mayor Muller

NOES: None

ABSENT: Council Member Viczorek

## **COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED**

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

Council Member Jamey M. Federico stated that he has turned in his list of meetings attended to the City Clerk and said that regarding Item 13, he appreciates City employees and thanked them for their work.

Mayor Pro Tem Mike Frost stated that he has turned in his list of meetings attended to the City Clerk.

Mayor Joseph L. Muller stated that he has turned in his list of meetings attended to the City Clerk.

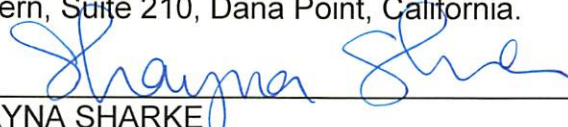
## **STAFF REPORTS**

City Manager Killebrew encouraged everyone to sign up for the Monarch Beach Sunrise Rotary Club's blood drive happening on January 30<sup>th</sup>. He also mentioned the Joyce Hoffman statue unveiling happening on January 27<sup>th</sup> and noted the Shipwreck Park reopening date will soon be determined.

City Attorney Patrick Munoz stated that he had nothing to report.

## **ADJOURNMENT**

There being no further business before the City Council at this session, Mayor Muller adjourned the meeting at 7:32 p.m. in memory of Don Hansen. He announced that the next Regular Meeting of the City Council will be February 1, 2022, 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 FEBRUARY 1, 2022

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**Meetings attended since December 8, 2021:**

**Mayor Joseph L. Muller**

12/08/2021 OCTA  
12/08/2021 CUSD  
12/09/2021 TCA  
12/10/2021 TCA  
12/10/2021 Boat Parade  
12/13/2021 OCTA  
12/13/2021 Coastal Resiliency Planning  
12/14/2021 DP Times  
12/15/2021 League of Cities  
12/20/2021 Congressman Levin  
12/28/2021 OC Parks  
12/29/2021 Resident Meeting  
01/03/2022 TCA  
01/03/2022 League of Cities  
01/03/2022 Resident Meeting  
01/06/2022 Resident Meeting  
01/10/2022 OCTA  
01/10/2022 Resident Meeting  
01/10/2022 OCFA  
01/11/2022 TCA  
01/12/2022 OCTA  
01/12/2022 OCFA  
01/13/2022 TCA  
01/13/2022 OCTA  
01/13/2022 OCFA  
01/17/2022 TCA  
01/17/2022 Resident Meeting

**Mayor Pro Tem Mike Frost**

12/08/2021 CUSD Facilities Goals Presentation  
12/10/2021 DPH Boat Parade  
12/11/2021 Dana Point Police Services  
12/30/2021 South OC Watershed Meeting  
01/06/2022 DPH Boat Parade Awards

**Council Member Jamey M. Federico**

12/08/2021 OC Veterans Cemetery Groundbreaking  
12/12/2021 Boat Parade  
12/13/2021 CUSD Facilities Update  
12/13/2021 CASA Special Meeting  
12/16/2021 Chamber of Commerce Holiday Mixer



- 12/17/2021 Dana Point Youth Baseball Holiday Party
- 12/18/2021 CASA/PPF Animal Play Yard Building Project
- 01/07/2022 CASA Special Meeting
- 01/11/2022 CASA Special Meeting

**Council Member Richard A. Viczorek**

- 12/16/2021 OCMVCD Board of Trustees Meeting
- 01/06/2022 SJHTCA Board of Directors Special Meeting
- 01/13/2022 SJHTCA Board of Directors Meeting
- 01/13/2022 OCMVCD Board of Trustees Special Meeting

**Council Member Michael Villar**

- 12/11/2021 Dana Point Harbor Boat Parade Judge
- 12/14/2021 CUSD Facilities Goals Workshop