

# CITY OF DANA POINT

**CITY COUNCIL  
REGULAR  
MEETING**



**TUESDAY  
JUNE 15, 2021  
5:00 P.M.**

## **AGENDA**

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

Next City Council Ordinance No. 21-03

### **REVISED SAFETY ALERT (EFFECTIVE AS OF MAY 4, 2021)**

**AS COVID-19 RELATED RESTRICTIONS EASE, THE PUBLIC WILL NOW BE ALLOWED TO ATTEND COUNCIL MEETINGS PROVIDED SOCIAL DISTANCING GUIDELINES ARE FOLLOWED. THESE GUIDELINES WILL RESULT IN VERY LIMITED OPPORTUNITIES, ON A FIRST COME BASIS, FOR THE PUBLIC TO OBSERVE THE COUNCIL MEETING FROM THE COUNCIL CHAMBER AND ADJACENT FOYER. MEMBERS OF THE PUBLIC MAY CHOOSE TO PARTICIPATE ELECTRONICALLY BY WATCHING THE MEETING LIVE ON COX CABLE CHANNEL 855 OR VIA THE CITY'S YOUTUBE CHANNEL.**

**PUBLIC COMMENT: PUBLIC COMMENT MAY BE PROVIDED IN PERSON, ELECTRONICALLY, OR BY MAIL. THOSE APPEARING TO COMMENT IN PERSON ARE ENCOURAGED TO WEAR FACE COVERINGS AND MAINTAIN SOCIAL DISTANCING. TEMPERATURE SCREENINGS ARE MANDATORY FOR ALL PERSONS ENTERING CITY HALL. CITY STAFF WILL BE COORDINATING ENTRY TO THE COUNCIL CHAMBERS DURING PUBLIC COMMENT AND MANAGING AVAILABLE SEATING CAPACITY THROUGHOUT THE MEETING. THEIR DIRECTIONS MUST BE FOLLOWED. ALTERNATIVELY, COMMENTS MAY BE SUBMITTED ON ANY AGENDA ITEM OR ON ANY ITEM NOT ON THE AGENDA IN WRITING VIA MAIL TO "CITY COUNCIL" 33282 GOLDEN LANTERN, DANA POINT, CA 92629 OR BY EMAIL TO COMMENT@DANAPOINT.ORG. TO BE CONSIDERED AS PART OF THE MEETING TO WHICH THIS AGENDA APPLIES AND PROVIDED TO CITY COUNCIL PRIOR TO THE MEETING, COMMENTS MUST BE RECEIVED NO LATER THAN 4:00 P.M. ON THE DAY OF THE MEETING. ALL COMMENTS, WHENEVER RECEIVED, WILL BE SHARED WITH THE CITY COUNCIL. EMAILS SHOULD INCLUDE "PUBLIC COMMENT", THE DATE OF THE MEETING IN THE SUBJECT LINE, AS WELL AS REFERENCE TO THE AGENDA ITEM NUMBER, IF APPLICABLE. MAILED COMMENTS SHOULD PROMINENTLY INCLUDE A SIMILAR REFERENCE AT THE TOP OF THE FIRST PAGE. MAILED AND EMAILED COMMENTS WILL NOT BE READ BY THE CITY CLERK DURING THE MEETING, BUT WILL BE INCLUDED IN THE RECORD.**

**CALL TO ORDER**

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## **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**

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

Name of Case: City of DP v. Sunshine Group LLC (Seaside Inn), Orange County Superior Court Case No. 30-2017- 00915900

- C. THREAT TO PUBLIC SERVICES OR FACILITIES – Government Code § 54957 (a): Consultation with Director of Emergency Services, Director of General Services
- D. 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**

## **INVOCATION**

## **PRESENTATIONS AND PROCLAMATIONS**

Employee of the Quarter – Jonathan Ciampa  
Volunteer of the Quarter — Morrie Hansen, Lifetime Achievement Award  
Drowning Prevention Awareness Proclamation  
Deputy of the Year – Deputy Norwood & Deputy O'Neill

## **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, JUNE 1, 2021**

RECOMMENDED ACTION: That the City Council approve the minutes.

**3. ARTS AND CULTURE COMMISSION MEETING MINUTES, APRIL 14, 2021**

RECOMMENDED ACTION: That the City Council receive and file.

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

RECOMMENDED ACTION: That the City Council receive and file.

**5. CLAIMS AND DEMANDS**

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

**6. DANA POINT POLICE SERVICES MONTHLY REPORT**

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

**7. DEVELOPMENT UPDATE**

RECOMMENDED ACTION: That the City Council receive and file.

**8. AWARD OF CONTRACT FOR FLYPACK MOBILE BROADCAST SYSTEM**

RECOMMENDED ACTION: That the City Council authorize the City Manager to execute a contract with Triton Technology Solutions for a Flypack Mobile Broadcast System, and the budget adjustment detailed in the Fiscal Impact section.

**9. FY22 PROFESSIONAL SERVICES AGREEMENTS FOR BUILDING DIVISION**

RECOMMENDED ACTION: That the City Council authorize the City Manager to execute the following contract amendments:

1. Melad & Associates – First Amendment for Plan Check and Inspection Services; and
2. CSG Consultants – First Amendment for Plan Check and Inspection Services; and

3. True North Compliance Services (True North) – Second Amendment for Plan Check, Permit Technician, and Inspection Services; and
4. West Coast Code Consultants (WC3) – Fourth Amendment for Plan Check, Permit Technician, and Inspection Services.

10. **COOPERATIVE AGREEMENT WITH THE ORANGE COUNTY TRANSPORTATION AUTHORITY TO PROVIDE GRANT FUNDING FOR THE SENIOR MOBILITY PROGRAM**

RECOMMENDED ACTION: That the City Council approve the Cooperative Agreement with the Orange County Transportation Authority (OCTA) to provide grant funding for the Senior Mobility Program (SMP) and authorize the City Manager to execute the contract, and any associated amendments.

## **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 proper procedure and hand them to the City Clerk. The City Clerk will see that they are distributed.

## **PUBLIC HEARINGS**

There are no Public Hearings.

## **UNFINISHED BUSINESS**

11. **APPOINTMENTS TO THE ARTS AND CULTURE COMMISSION**

RECOMMENDED ACTION: That the City Council conduct interviews and consider appointments to fill vacancies on the Dana Point Arts and Culture Commission.

12. **AUTHORIZATION TO SUBMIT DRAFT 2021-2029 HOUSING ELEMENT UPDATE TO CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**

RECOMMENDED ACTION: That the City Council review the draft 2021 – 2029 Housing Element and authorize submittal to the California Department of Housing and Community Development (HCD).

## NEW BUSINESS

### 13. AMERICAN RESCUE PLAN ACT (ARPA) OF 2021 FUND ALLOCATION

RECOMMENDED ACTION: That the City Council authorize the City Manager to sign any and all documentation necessary to receive the City's allocation of the 2021 American Rescue Plan funds.

### 14. CONSIDERATION OF AMENDMENT TO CITY MANAGER EMPLOYMENT AGREEMENT

RECOMMENDED ACTION: That the City Council direct such action as the Council deemed appropriate.

## 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 agendaized 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-agendaized items may be presented as informational only.

## STAFF REPORTS

(City Manager Michael Killebrew)

(City Attorney Patrick Muñoz)

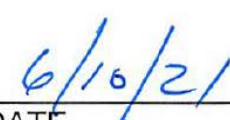
## ADJOURNMENT

The next Regular Meeting of the City Council will be July 20, 2021, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

## CERTIFICATION

I, Kathy M. Ward, 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, the Dana Point Post Office, and the Capistrano Beach Post Office, and Dana Point Library by Thursday, June 10, 2021, at 5:30 p.m.

  
KATHY M. WARD, CITY CLERK

  
DATE

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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.