

CITY OF DANA POINT

CITY COUNCIL REGULAR MEETING



**TUESDAY
OCTOBER 5, 2021
5:00 P.M.**

MINUTES

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

Next City Council Ordinance No. 21-07

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 5:00 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 announced the need to add an additional item for Closed Session regarding the oil spill.

IT WAS MOVED BY MAYOR PRO TEM JOSEPH L. MULLER, SECONDED BY MAYOR JAMEY M. FEDERICO, THAT THE CITY COUNCIL AMEND THE CLOSED SESSION LISTED ON THE AGENDA TO ADD ONE ADDITIONAL CASE TO CONFERENCE WITH LEGAL COUNCIL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION.

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

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (d)(2), (3 cases)

Mayor Jamey M. Federico 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 Jamey M. Federico reconvened the meeting at 6:00 p.m. All Council Members were present.

STAFF PRESENT: Michael A. Killebrew, City Manager; Kelly Reenders, Assistant City Manager; Patrick Munoz, City Attorney; Shayna Sharke, City Clerk; Administrative Sergeant Isaac Felter; Brenda Wisneski, Community Development Director; Matthew Sinacori, Public Works Director and City Engineer; James Shadle, General Services Director; and Staci Sheaks, Deputy City Clerk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Mike Frost.

INVOCATION

There was no Invocation.

PRESENTATIONS AND PROCLAMATIONS

Fire Prevention Week

Mayor Jamey M. Federico presented a Proclamation to Battalion Chief Jason Fairchild. Battalion Chief Fairchild provided safety tips to the community, including the importance of practicing fire drills with family, and changing out batteries in smoke and carbon monoxide detectors.

READING OF ORDINANCE TITLES

There were no Ordinance Titles.

CONSENT CALENDAR

IT WAS MOVED BY MAYOR JAMEY M. FEDERICO, SECONDED BY COUNCIL MEMBER MICHAEL VILLAR, THAT THE RECOMMENDATIONS BE ACCEPTED FOR ALL ITEMS ON THE CONSENT CALENDAR. MAYOR PRO TEM JOSEPH L. MULLER ABSTAINED FROM THE APPROVAL OF ITEM 2 DUE TO HIS ABSENCE FROM THE SEPTEMBER 21, 2021 MEETING.

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, SEPTEMBER 21, 2021

APPROVED THE MEETING MINUTES.

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

ABSTAIN Mayor Pro Tem Joseph L. Muller

ABSENT: None

3. PLANNING COMMISSION MEETING MINUTES, SEPTEMBER 13, 2021

RECEIVED AND FILED.

4. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR

RECEIVED AND FILED.

5. CLAIMS AND DEMANDS

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

6. SALARY RANGES FOR REPRESENTED AND NON-REPRESENTED EMPLOYEE CLASSIFICATIONS; NEW JOB TITLE AND CLASS SPECIFICATION; AND AMENDMENTS TO CITY'S CONFLICT OF INTEREST CODE

ADOPTED RESOLUTION 21-10-05-01 ENTITLED:

- 1) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ESTABLISHING SALARY RANGES FOR REPRESENTED AND NON-REPRESENTED CLASSIFICATIONS AND ADOPTING A NEW JOB TITLE AND CLASS SPECIFICATION; and,

ADOPTED RESOLUTION 21-10-05-02 ENTITLED:

- 2) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING THE CITY'S CONFLICT OF INTEREST CODE

PUBLIC COMMENTS

There were no Public Comments at this time.

PUBLIC HEARINGS

There were no Public Hearings.

UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

7. APPOINTMENT TO THE PLANNING COMMISSION

RECOMMENDED ACTION: That the City Council conduct interviews and consider an appointment to fill one (1) vacancy on the Dana Point Planning Commission.

The City Council interviewed the following for one position on the Planning Commission.

Jason Allemann
Michael B. McDonald
Marco Antonio Carralero
Kelly Allen - Teleconference
Ashok K. Dhingra (Ash)
Philip Vandermost
Douglas McBeth
Deanna Steinhardt

IT WAS MOVED BY MAYOR JAMEY M. FEDERICO, SECONDED BY COUNCIL MEMBER MICHAEL VILLAR, THAT THE CITY COUNCIL APPOINT ASHOK DHINGRA TO THE PLANNING COMMISSION.

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

MAYOR FEDERICO CALLED FOR A BRIEF RECESS OF THE CITY COUNCIL MEETING AT 7:10 PM

MAYOR FEDERICO RECONVENED THE CITY COUNCIL MEETING AT 7:15 PM

PUBLIC COMMENTS

Mayor Jamey M. Federico re-opened Public Comment.

Deanna Steinhardt (Dana Point) spoke regarding the Budget Rollover Report on the September 21, 2021 Agenda and asked that the City Council consider the stress that the Planning Department is under with the volume of development within the City.

Mayor Jamey M. Federico reclosed Public Comment.

8. GAS-POWERED LEAF BLOWER BAN DISCUSSION AS PROPOSED BY COUNCIL MEMBER VILLAR

Council Member Michael Villar provided a report.

Discussion ensued.

Mayor Jamey M. Federico opened Public Comment.

Marsha Medina (Dana Point) spoke in favor of a gas-powered leaf blower ban and provided her personal experience with their disturbance.

Mayor Jamey M. Federico closed Public Comment.

Discussion ensued.

IT WAS MOVED BY COUNCIL MEMBER MICHAEL VILLAR THAT THE CITY COUNCIL DIRECT STAFF TO DEVELOP AN ORDINANCE TO BAN GAS-POWERED LEAF BLOWERS.

The motion failed due to lack of a second.

Discussion ensued.

IT WAS MOVED BY MAYOR JAMEY M. FEDERICO, SECONDED BY COUNCIL MEMBER VILLAR, THAT THE CITY COUNCIL DIRECT STAFF AND THE STRATEGIC PLAN SUBCOMMITTEE TO ADD THE BAN OF GAS-POWERED LEAF BLOWERS TO THE STRATEGIC PLAN.

Discussion ensued.

Mayor Jamey M. Federico withdrew his motion. As a member of the Strategic Plan Subcommittee, he and Council Member Mike Frost stated that they would discuss this topic further with the Subcommittee.

STAFF REPORTS

City Attorney Patrick Munoz brought two Senate Bills regarding housing, SB 9 and SB 10, to the Council's attention, and stated that he would provide them with a summary.

City Manager Michael A. Killebrew provided updates on the oil spill effecting Orange County and announced the dedicated webpage maintained by the City, which can be reached directly through the homepage, danapoint.org.

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. He added that staff did a wonderful job with the State of the City event.

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

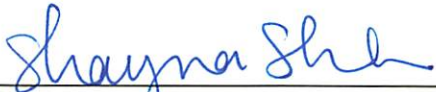
Council Member Richard A. Viczorek stated that he has turned in his list of meetings attended to the City Clerk.

Mayor Pro Tem Joseph L. Muller stated that he has turned in his list of meetings attended to the City Clerk. He stated that the State of the City was a great event and commended staff. He added that he also enjoyed Ohana Fest.

Mayor Jamey M. Federico stated that he has turned in his list of meetings attended to the City Clerk and gave kudos to staff and police services for a busy couple of weeks.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Jamey M. Federico adjourned the meeting at 8:05 P.M. He announced that the next Regular Meeting of the City Council will be October 19, 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 OCTOBER 19, 2021

Meetings attended since September 22, 2021:

Mayor Jamey M. Federico

09/29/2021 State of the City
10/02/2021 Ohana Festival
10/03/2021 Volunteer for Pet Project Foundation at CASA

Mayor Pro Tem Joseph L. Muller

08/25/2021 TCA
08/25/2021 OCTA
08/26/2021 Resident Meeting
08/27/2021 California Wine Festival
08/31/2021 TCA
08/31/2021 Consultant Meeting
09/02/2021 OCTA
09/02/2021 League of Cities
09/07/2021 OCTA
09/08/2021 OCTA
09/08/2021 OCFA
09/09/2021 TCA
09/09/2021 OCFA
09/09/2021 Consultant Meeting
09/10/2021 Flippin Pizza Ribbon Cutting
09/10/2021 OC Parks
09/13/2021 OCTA
09/14/2021 TCA
09/14/2021 OCFA
09/15/2021 League of Cities
09/27/2021 OCTA
09/29/2021 State of the City
09/30/2021 TCA
10/04/2021 TCA
10/04/2021 OCTA

Council Member Mike Frost

09/22/2021 Dana Point Historical Society Event – Women in Business
09/24/2021 Salt Creek O2 Water Treatment Plant
09/27/2021 Strands Parking Lot Resident Meeting
09/29/2021 State of the City

Council Member Richard A. Viczorek

09/16/2021 OCMVCD Board of Trustees Meeting
09/30/2021 SJHTCA Board of Directors Meeting

Council Member Michael Villar

No meetings to report.