
**CITY OF DANA POINT, CALIFORNIA
CITY COUNCIL SPECIAL MEETING AND
ADJOURNED REGULAR MEETING MINUTES
MARCH 16, 2005**

CALL TO ORDER

The Special Meeting of the City Council of the City of Dana Point, California, was called to order by Mayor Rayfield at 5:01 p.m. in the Dana Point City Council Chamber, 33282 Golden Lantern, Suite 210, Dana Point.

ROLL CALL

PRESENT: Wayne Rayfield, Mayor
Lara Anderson, Mayor Pro Tem
Russell Chilton, Council Member
Diane L. Harkey, Council Member
James V. Lacy, Council Member

STAFF PRESENT: Douglas Chotkevys, City Manager; Patrick Munoz, City Attorney; Sharie Apodaca, Interim City Clerk/Director of Administrative Services; Kyle Butterwick, Director of Community Development

CLOSED SESSION

City Attorney Munoz indicated there was a need for a Closed Session as follows:

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Government Code § 54956.9 (a), (1 case)
 - 1. Name of Case: Hamilton v. City Council of the City of Dana Point, California (Respondent); James DeCarli, et al (Real Parties in Interest), Superior Court for the State of California, County of Orange, Central Justice Center, Case No. 04CC05259

City Attorney Munoz stated there was a matter of urgency that had arisen subsequent to the posting of the agenda. A need to take immediate action existed regarding a Closed Session matter: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, – Government Code §54956.9 (a), Name of Case: City of Dana Point v. Warren and Does 1-50, Orange County Superior Court Case No. 04CC07344.

IT WAS MOVED BY COUNCIL MEMBER LACY, SECONDED BY COUNCIL MEMBER HARKEY, THAT IN ACCORDANCE WITH GOVERNMENT CODE §54954.2 (b2) THERE WAS A NEED TO TAKE IMMEDIATE ACTION AND THE NEED FOR ACTION CAME TO THE ATTENTION OF THE CITY COUNCIL SUBSEQUENT TO THE AGENDA BEING POSTED, AND THE FOLLOWING

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CLOSED SESSION MATTER WAS TO BE ADDED TO THE CLOSED SESSION AGENDA:

2. Name of Case: City of Dana Point v. Warren & Does 1-50, Orange County Superior Court, Case No. 04CC07344

The motion carried by the following vote:

AYES: Council Members Chilton, Harkey, Lacy,
Mayor Pro Tem Anderson and Mayor Rayfield.
NOES: None
ABSENT: None

- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (b1), (1 case)

Mayor Rayfield recessed the meeting into a Closed Session at 5:04 p.m. pursuant to Government Code Section 54956 et. seq.

RECONVENE CITY COUNCIL MEETING – CALL TO ORDER OF ADJOURNED REGULAR MEETING

Mayor Rayfield reconvened the meeting and called to order the Adjourned Regular Meeting at 6:03 p.m. All Council Members were present.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Harkey.

PUBLIC COMMENTS

Mayor Rayfield opened the meeting for public comments. There were no public comments.

NEW BUSINESS

1. INTERVIEWS FOR THE CITY OF DANA POINT PLANNING COMMISSION

The City Council conducted interviews for the two (2) vacancies on the Planning Commission with the following individuals:

Robert D. Rowlett
Joseph Thompson

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Robin Kerns
James Seitz
Liz Anderson Fitzgerald

The Council took no action to appoint two candidates or alternates to the Planning Commission as interviews will continue at an Adjourned Regular to be held on March 30, 2005.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Rayfield declared the meeting adjourned at 7:02 p.m.

The next Regular Meeting of the City Council will be March 23, 2005 at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

SHARIE APODACA
INTERIM CITY CLERK

APPROVED AT THE MEETING OF MARCH 23, 2005