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**CITY OF DANA POINT, CALIFORNIA  
CITY COUNCIL SPECIAL MEETING MINUTES  
SEPTEMBER 6, 2005**

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**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 5:00 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; Elizabeth Ehring, City Clerk; and Mike Rose, Emergency & Support Services Manager.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Council Member Harkey.

**PUBLIC COMMENTS**

None

**NEW BUSINESS****1. THE CITY OF DANA POINT'S PARTICIPATION IN DISASTER RELIEF EFFORTS ASSOCIATED WITH HURRICANE KATRINA**

City Manager Chotkevys provided the staff report.

Emergency & Support Services Manager Rose delivered a PowerPoint presentation, reporting on his recent visit to the hurricane ravaged area of the Gulf Coast.

Nancy Jenkins, Dana Point, spoke in support of any disaster recovery actions the city decides to take.

R.E. Dietmeier, Dana Point, recommended methods of communication with the Gulf Coast via the Emergency Operations Center.

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Council discussion was held relative to short and long term disaster response efforts: The former is the immediate allocation of \$15,000 from Reserve for Service Enhancement, which City Manager Chotkevys confirmed has adequate funds. The latter, the selection of a city to “adopt” would require future meeting discussions. Council concurred on the following motion, in lieu of adopting the resolution included in the agenda report.

IT WAS MOVED (as amended) BY MAYOR PRO TEM ANDERSON, SECONDED BY COUNCIL MEMBER LACY TO 1.) ALLOCATE \$15,000; \$10,000 OF WHICH WILL BE SENT TO THE AMERICAN RED CROSS TOMORROW AND \$5,000 OF WHICH WILL BE PLACED INTO AN ACCOUNT FOR HURRICANE KATRINA DISASTER RELIEF AT UNION BANK, WHICH WILL BE CONTROLLED BY THE CITY AND WHICH WILL BE PUBLICIZED IN PRESS RELEASES IN AN EFFORT TO GET RESIDENTS AND BUSINESS OWNERS TO ALSO CONTRIBUTE TO HELP THOSE SUFFERING AND VICTIMS OF THE HURRICANE; AND 2.) REVIEW EMERGENCY PLANNING IN THE CITY OF DANA POINT, AND IN THAT CONTEXT, THE CITY’S VITAL RECORDS, AND PLACE ON THE AGENDA FOR A PUBLIC HEARING.

The motion carried by the following vote:

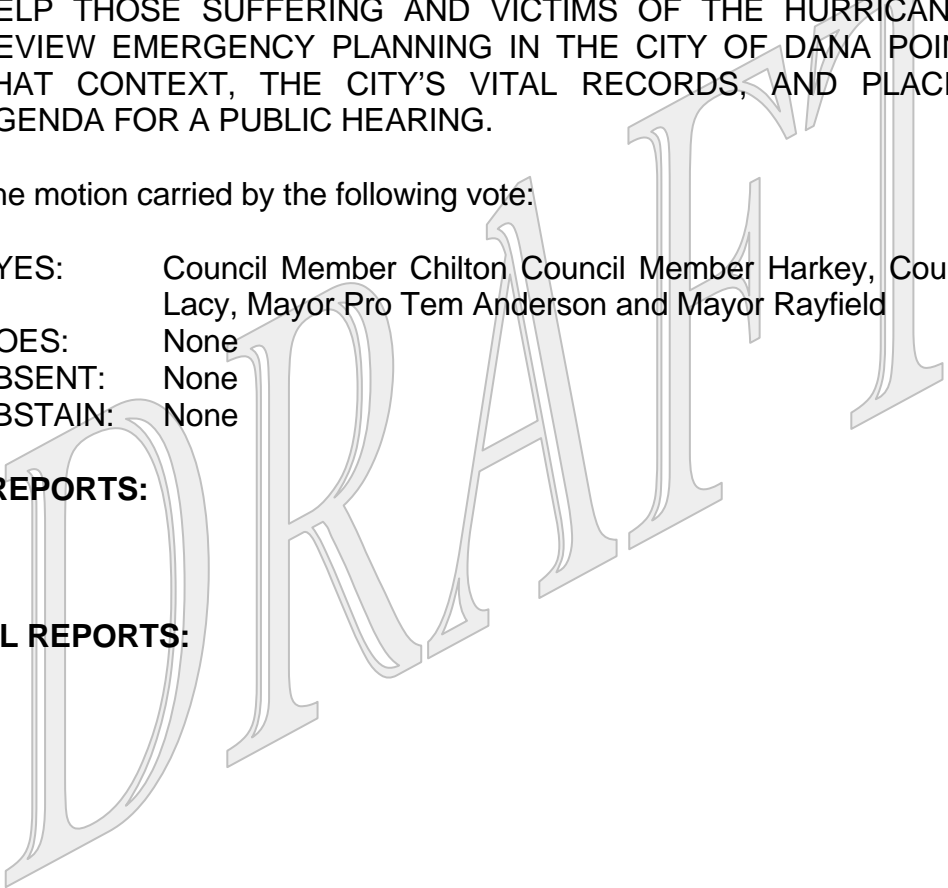
- AYES: Council Member Chilton Council Member Harkey, Council Member Lacy, Mayor Pro Tem Anderson and Mayor Rayfield
- NOES: None
- ABSENT: None
- ABSTAIN: None

**STAFF REPORTS:**

None

**COUNCIL REPORTS:**

None



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**CLOSED SESSION**

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

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (b1), (1 case)
- B. CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION, Government Code § 54956.9 (c), (1 case)
- C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Government Code § 54956.9 (a), (1 case)

Name of Case: Diedrich Coffee, Inc. v. City of Dana Point, et al,  
Orange County Superior Court Case No. 05CC03529.

Mayor Rayfield recessed the meeting into a Closed Session at 5:55 p.m. pursuant to the Government Code Section 54956 *et. seq.*

**RECONVENE CITY COUNCIL MEETING**

Mayor Rayfield reconvened the meeting at 6:24 p.m. All Council Members were present.

**CLOSED SESSION ANNOUNCEMENT**

City Attorney Muñoz announced the City Council had taken action during Closed Session on Item A, to send an *amicus* letter in the matter of Silicon Valley Taxpayer's Association (SVTA) v. Santa Clara County Open Space Authority, Sixth District Appellate Case No. H026759, Supreme Court Case No. S136468, for the Supreme Court to grant review in this case. The motion carried by a 5 – 0 vote, with all present, none absent.

**ADJOURNMENT**

There being no further business before the City Council at this session, Mayor Rayfield declared the meeting adjourned at 6:25 p.m.

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The next Regular Meeting of the City Council will be September 28, 2005 at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

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ELIZABETH EHRING  
CITY CLERK

APPROVED AT THE MEETING OF \_\_\_\_\_