

CITY OF DANA POINT

**CITY COUNCIL
SPECIAL
MEETING**



**MARCH 16, 2016
2:00 P.M.**

ACTION AGENDA

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

CALL TO ORDER

The Special Meeting of the City Council of the City of Dana Point, California, was called to order by Mayor Tomlinson at 2:00 p.m. in the City Council Chambers, 33282 Golden Lantern, Dana Point.

ROLL CALL OF CITY COUNCIL MEMBERS

John A. Tomlinson, Mayor
Richard A. Viczorek, Mayor Pro Tem (*Arrived at 2:02 p.m.*)
Joseph L. Muller, Council Member
Carlos N. Olvera, Council Member
J. Scott Schoeffel, Council Member

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Tomlinson.

CONSENT CALENDAR

IT WAS MOVED BY COUNCIL MEMBER OLVERA, SECONDED BY COUNCIL MEMBER MULLER, THAT THE RECOMMENDATIONS BE ACCEPTED FOR ALL ITEMS ON THE CONSENT CALENDAR.

The motion carried by the following vote:

AYES: Council Member Joseph L. Muller, Council Member J. Scott Schoeffel, Council Member Carlos N. Olvera, and Mayor John A. Tomlinson

NOES: None

ABSENT: Mayor Pro Tem Richard A. Viczorek

1. RESOLUTION TO APPROVE AN AMENDMENT FOR THE 2009 WASTE DISPOSAL AGREEMENT (WDA) TO REFLECT EFFECTIVE DATE REVISION

ADOPTED RESOLUTION 16-03-16-01 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING THE REVISED EFFECTIVE DATE FOR AN AMENDMENT TO THE 2009 WASTE DISPOSAL AGREEMENT WITH THE COUNTY OF ORANGE; and

AUTHORIZED THE MAYOR TO SIGN THE RESOLUTION ON BEHALF OF THE CITY; AND AUTHORIZED THE CITY MANAGER TO EXECUTE THE UPDATED AGREEMENT.

PUBLIC COMMENTS

There were no Public Comments received.

CLOSED SESSION

City Attorney Munoz indicated that there was a need for Closed Session discussion with the exception of Item B and eliminated that item from discussion.

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (d1), (2 cases)
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Government Code § 54956.9 (a), (1 case)

Name of Case: City of Dana Point v. California Coastal Commission, et al
Case No. 37-2010-00099827

Mayor Tomlinson recessed the meeting into a Closed Session at 2:03 p.m. pursuant to Government Code Section 54956 et seq.

RECONVENE CITY COUNCIL MEETING – CALL TO ORDER

Mayor Pro Tem Viczorek reconvened the meeting at 4:30 p.m. All Council Members were present except for Mayor Tomlinson. Mayor Tomlinson left before the second anticipated litigation item due to a possible conflict of interest. Mayor Pro Tem Viczorek presided and completed the Closed Session discussion.

City Attorney Munoz indicated there were no reportable items.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Pro Tem Viczorek adjourned the meeting at 4:31 p.m. and announced that the next Regular Meeting of the City Council

will be on April 5, 2016 at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.