

CITY OF SAN CLEMENTE

City Council Minutes

Special Meeting – January 17, 2020

These minutes reflect the order in which items appeared on the meeting agenda and do not necessarily reflect the order in which items were actually considered.

A Special Meeting of the San Clemente City Council was called to order on January 17, 2020 at 4:31 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California, by Mayor Bane.

PRESENT FERGUSON, JAMES, MAYOR BANE

ABSENT HAMM, WARD

STAFF PRESENT Scott Smith, City Attorney; Joanne Baade, City Clerk

A. **CLOSED SESSION**

Brad Malamud, San Clemente, asserted that GC 54957 does not allow procedural issues to be discussed in Closed Session and requested that procedural matters discussed at the December 8, 2020 Closed Session be disclosed at this time; opined that discussing procedural matters in Closed Session violates the Brown Act and urged Council to err on the side of transparency.

In response to Council inquiry, City Attorney Smith explained that procedural matters can be discussed in Closed Session when such matters intertwine with processes and criteria to evaluate candidates.

MOTION BY MAYOR BANE, SECOND BY MAYOR PRO TEM FERGUSON, CARRIED 3-0, to recess to Closed Session at 4:42 p.m. to discuss the following:

PUBLIC EMPLOYEE APPOINTMENT
Government Code Section 54957
Title: Interim City Manager Appointment

BUSINESS MEETING CONVENED

The City Council Business Meeting of January 17, 2020 convened at 6:10 p.m., with all members present, except Councilmembers Hamm and Ward.

1. **CLOSED SESSION REPORT – CITY ATTORNEY**

Employment Offer to Robert C. Dunek to Serve as Interim City Manager

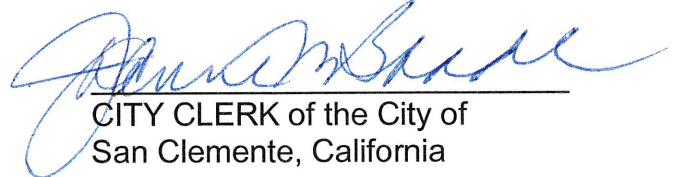
City Attorney Smith announced that during this evening's Closed Session, Council voted 2-1 (with Mayor Bane and Councilmember James voting in favor and Mayor Pro Tem Ferguson dissenting), to extend an offer of employment to Robert C. Dunek to serve as Interim City Manager; explained that Council cannot discuss terms of compensation at a Special Council Meeting and, hence, the proposed employment agreement will be agendized for Council consideration at its Regular Meeting of January 21, 2020.


2. **ORAL COMMUNICATIONS**

None.

3. **ADJOURNMENT**

MOTION BY MAYOR BANE, SECOND BY COUNCILMEMBER JAMES, CARRIED 3-0, to adjourn at 6:15 p.m. to an Adjourned Regular Council Meeting to be held on January 21, 2020 in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California. Closed Session items will be considered at 4:30 p.m. and the regular business meeting will take place at 6:00 p.m.


CITY CLERK of the City of
San Clemente, California


MAYOR of the City of
San Clemente, California