

CITY OF SAN CLEMENTE

City Council Minutes

Emergency Meeting – May 1, 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.

An Emergency Meeting of the San Clemente City Council was called to order on May 1, 2020 at 5:30 p.m. by Mayor Pro Tem Ferguson.

PRESENT HAMM, JAMES, WARD, MAYOR PRO TEM FERGUSON

ABSENT NONE

STAFF PRESENT Robert Dunek*, Interim City Manager; Scott Smith*, City Attorney; Erik Sund, Assistant City Manager; Laura Campagnolo, Deputy City Clerk

*Participated in meeting via teleconference

PLEDGE OF ALLEGIANCE

Councilmember James led the Pledge of Allegiance.

JUSTIFICATION FOR THE MAY 1, 2020 EMERGENCY MEETING

MOTION BY COUNCILMEMBER JAMES, SECOND BY COUNCILMEMBER HAMM, CARRIED 4-0, to find that the Emergency Meeting of the San Clemente City Council of May 1, 2020 at 5:30 p.m. is justified based on the following:

1. The Council needs to discuss an emergency, which is defined as a crippling activity, or other activity that severely impairs public health and safety.
2. Prompt action is necessary due to the disruption or threatened disruption of public facilities.
3. The Governor's Order to close Orange County beaches was an action that severely impairs public health and safety and the public's response gives rise to the emergency.

Emergency San Clemente City Council Meeting Minutes of May 1, 2020
Page 2

Deputy City Clerk Campagnolo read an email from Brad Malamud, dated May 1, 2020. A hard copy of Mr. Malamud's email is on file with the City Clerk.

In response to Council's request, City Attorney Smith responded to Mr. Malamud's email by citing Council's findings which justify the Emergency Meeting; noted that consideration of responding to Governor Newsom's Order to close Orange County beaches is also agendaized for the Special Council Meeting that is scheduled to commence at 6:00 p.m. this evening; explained that Council can convene the Special Council Meeting at 6:00 p.m., and consider the City's response to the Governor's Order at that time, thereby eliminating any concern about the legality of the Emergency Meeting as raised by Mr. Malamud.

MOTION BY COUNCILMEMBER JAMES, SECOND BY MAYOR PRO TEM FERGUSON, CARRIED 4-0, to recess to Closed Session at 5:40 p.m. to discuss the following:

- A. THREAT TO PUBLIC SERVICES
Pursuant to Government Code Section 54957
Consultation with City Manager and City Attorney

MEETING RECONVENED

Council reconvened at 6:15 p.m., with all members present.

CLOSED SESSION REPORT

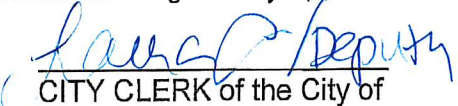
City Attorney Smith announced that no reportable actions were taken during this evening's Closed Session.

ADJOURNMENT

MOTION BY MAYOR PRO TEM FERGUSON, SECOND BY COUNCILMEMBER JAMES, CARRIED 4-0, to adjourn at 6:15 p.m.

(Note: The Special Meeting of the San Clemente City Council, which was scheduled to commence on May 1, 2020 at 6:00 p.m., took place immediately upon adjournment of this Emergency Meeting. Please refer to the minutes of the Special Meeting of May 1, 2020 for a summary of that meeting.)


_____/Pro Tem
MAYOR of the City of
San Clemente, California



CITY CLERK of the City of
San Clemente, California