

CITY OF SAN CLEMENTE

City Council Minutes Regular Meeting - October 19, 1988

A regular meeting of the City Council of the City of San Clemente, conducted in the Council Chambers, Civic Center Building, 100 Avenida Presidio, was called to order at 6:06 p.m. by Mayor Lorch.

PRESENT Council Members - LIMBERG, MECHAM, RICE, VEALE, MAYOR LORCH

ABSENT Council Members - NONE

ALSO PRESENT James Hendrickson, City Manager; Myrna Erway, City Clerk; Greg Hulsizer, Assistant City Manager; Jeff Oderman, City Attorney; Jim Holloway, Community Development Director; Joanne Baade, Deputy City Clerk; and certain other staff members present in the audience.

COMMUNITY DESIGN COMMISSION INTERVIEWS/SELECTION

Council interviewed the following Community Design Commission applicants:

Kevin J. Small
William H. Geisler
John T. Tengdin

The following applicants were unavailable for interviews:

Richard Shockcor
Mary Jo Doherty

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Councilmembers cast written ballots as follows:

LIMBERG:	Small
MECHAM:	Doherty
RICE:	Geisler
VEALE:	Doherty
MAYOR LORCH:	Small

Councilmembers voted again, by written ballot, as follows:

LIMBERG:	Doherty
MECHAM:	Doherty
RICE:	Doherty
VEALE:	Small
MAYOR LORCH:	Small

MOTION BY COUNCILMEMBER LIMBERG, SECOND BY COUNCILMEMBER MECHAM, CARRIED 5-0, to appoint Mary Jo Doherty to fill an unexpired term on the Community Design Commission to expire June 30, 1990, and to accept her resignation from the Parks and Recreation Commission.

MEETING RECESSED

Council recessed at 6:30 p.m. and reconvened at 7:05 p.m., with all members present.

INVOCATION

Associate Pastor Al Kennerly, of Christians United in Global Outreach, gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Lorch led the Pledge of Allegiance.

SPECIAL PRESENTATIONS

Mayor Lorch presented a proclamation advocating Red Ribbon Week to Jim Faith, representing the Veterans of Foreign Wars, Post 7142.

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MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER MECHAM, CARRIED 5-0, to waive reading in full of all Resolutions and Ordinances.

Council considered Agenda Item 5-G at this point in the meeting as follows:

5. CONSENT CALENDAR

G. FIREWORKS DISPLAY AT SAN CLEMENTE HIGH SCHOOL

Vinay Jatwani, 2924 Calle Gaucho, requested that Council waive all City fees associated with San Clemente High School's fireworks display on October 21, 1988, including the \$140 salary cost.

City Manager Hendrickson explained that staff's recommendation to waive all fees except the \$140.00 out-of-pocket expenses that the City would sustain due to the payment of salaries (overtime and reserve pay) is consistent with past policy; expressed concern with the precedent that would be set by waiving the entire fee.

MOTION BY COUNCILMEMBER LIMBERG, SECOND BY MAYOR LORCH, CARRIED 5-0, to authorize a fireworks display for San Clemente High School's homecoming game half-time ceremonies to be held on October 21, 1988 and to waive all attendant fees to the City.

MARBLEHEAD V. CITY OF SAN CLEMENTE (MEASURE E LAWSUIT)

CLOSED SESSION

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to add to the October 19, 1988 agenda a Closed Session to discuss pending litigation (Marblehead v. City of San Clemente - Measure E lawsuits). The justification for adding this issue to the agenda is due to the fact that Judge Woolley rendered his decision relating to the subject lawsuit on October 18, 1988, which was subsequent to the 72-hour posting requirements for the October 19, 1988 Council agenda.

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MOTION BY COUNCILMEMBER LIMBERG, SECOND BY COUNCILMEMBER MECHAM, CARRIED 5-0, to recess to Closed Session at 7:20 p.m. to discuss pending litigation (Marblehead v. City of San Clemente - Measure E lawsuit), pursuant to Government Code Section 54956.9(a). The City Manager, Assistant City Manager, Community Development Director and Attorney Dan Spradlin were in attendance. City Attorney Oderman was present for a brief portion of the Closed Session.

MEETING RECONVENED

Council reconvened at 8:25 p.m., with all members present.

Attorney Dan Spradlin stated the City's legal counsel reported to Council in Closed Session relative to the opinion issued by Judge John C. Woolley on October 18, 1988 and the effect of that decision on the implementation of Measure E; stated that although a Writ of Mandate has been issued, it has not yet been served on the City; relayed it was the consensus of Council that an appeal of Judge Woolley's decision would not be taken at this time; explained that Council feels there are beneficial portions and standards in Measure E and has directed staff to study the possibility of implementing some of those aspects in other City ordinances.

3. PUBLIC HEARINGS

A. RANCHO SAN CLEMENTE SPECIFIC PLAN AMENDMENT - SPA 87-01

Public Hearing to consider adoption of Rancho San Clemente Specific Plan Amendment 87-01 with the City of San Clemente as proponent of the application.

Mayor Lorch opened the Public Hearing.

Associate Planner Philbrick reviewed the contents of the Administrative Report; recommended revisions to the proposed Conditions of Approval as follows:

Condition 7-A - Expand condition to reference the Rancho San Clemente Master Homeowners Association.

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- Condition 7-B - Staff stated for the record that the intent of the condition is to ensure a transition of the bike trail from one side of Pico to the other and not to necessarily require that the trail parallel Pico.
- Condition 8-A - Expand condition to reference the San Clemente Master Homeowners Association and the Rancho San Clemente Business Park Association.
- Condition 9-D - Delete condition.
- Condition 12a, b, and c - Staff clarified the conditions refer to the City's Master Drainage Plan and the Master Drainage Plan for Rancho San Clemente.

*Underscores represent suggested added verbiage.

Norm Elethord, 155 West Yale Loop, Irvine, representing the Rancho San Clemente Business Park Association, concurred with the deletion of Condition 9-D; presented letter, dated October 18, 1988, which summarized concerns pertaining to the landscaping requirements in Condition 9.

Tom Davis, representing WSLA, stated it is the intent of WSLA to provide all affordable housing required under the previously approved Specific Plan; stated approximately 330 affordable units have been constructed or are under construction; questioned whether the remaining 110 affordable housing units would be constructed in Planning Area 1.

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Dave Christian, representing Western Property Service Corporation, stated for the record that WSLA does not object to the environmental document or the processing of the environmental documentation with regard to the Specific Plan Amendment; requested clarification of 1) the implementation of the affordable housing requirement, and 2) Condition 2a which requires possible off-site construction of certain linkages of the Master Plan of Arterial Highways up to a distance of one-half mile; requested that Condition 12d be deleted since it references on-site flood control facilities which are required by Measure E; requested that Planning Areas 5, 6, and 8 be redesignated from Parking to Business Park Uses.

Tom Winfield, Legal Counsel representing Richmond American, (owners of Planning Areas 16, 17 and 19); requested that Planning Area 16 be redesignated from its present Institutional designation, noting that a school is no longer proposed for PA 16; suggested that the property owner work with staff to recommend a better designation for Planning Area 16; voiced concern Condition No. 32 could be interpreted to require property owners, who were not party to the July 5, 1987 agreement between WSLA and City, to be responsible for performing WSLA's obligations in the event WSLA fails to perform said obligations.

There being no others desiring to speak to this issue, the Public Hearing was closed.

City Attorney Oderman clarified that Richmond American is not a party to the July 5, 1987 agreement between WSLA and the City and hence the agreement is not binding on Richmond American; noted, however, that subdivision improvement agreements usually run with the land; suggested that Condition No. 32 be modified to read as follows:

"Should WSLA fail to perform and execute its responsibilities pursuant to the agreements it has executed with the City associated with Tract No. 12126 and 12127 and a separate agreement executed with the City and dated July 5, 1987, the property owner(s) receiving development approvals for tentative tract map, conditional use permit or site plan review subsequent to the approval of this amendment shall be responsible for performing, participating in the performance of, or causing the performance of those obligations of WSLA contained in said agreements which relate to the property owned by such property owner(s). In general, each property owner shall perform all obligations relating to on-site improvements and dedications. With regard to off-site improvements or obligations, the property owner shall either

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construct such improvements or perform such obligations (subject to an appropriate reimbursement agreement for any costs in excess of the property owner's pro rata share) or pay its pro rata share of the applicable fees or costs, as determined by the City."

Mayor Lorch re-opened the Public Hearing.

Tom Winfield, Legal Counsel representing Richmond American, suggested that Condition 15 be modified to read: "WSLA shall provide a minimum of 15% of the total residential units in Rancho San Clemente as affordable housing units..."

MOTION BY COUNCILMEMBER RICE, SECOND BY COUNCILMEMBER MECHAM, to continue the Public Hearing to the Council meeting of November 2, 1988.

Dave Christian stated affordable housing units are presently distributed in Planning Areas 10, 11 and 22; stated the concept was to provide the remaining affordable units in Planning Area 1; stated the 15% affordable housing unit requirement for Rancho San Clemente can be met in Planning Area 1.

There being no others desiring to speak to this issue, the Public Hearing was closed.

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SUBSTITUTE MOTION BY COUNCILMEMBER LIMBERG, SECOND BY COUNCILMEMBER MECHAM, CARRIED 5-0, to introduce Ordinance No. 986 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA ADOPTING A MITIGATED NEGATIVE DECLARATION AMENDING THE RANCHO SAN CLEMENTE SPECIFIC PLAN (SP 82-1) AS ADOPTED BY ORDINANCE NO. 876 AND SUBSEQUENTLY AMENDED BY RSC SPA 87-01, with revisions as follows:

1. Condition No. 7-A shall be expanded to reference the Rancho San Clemente Master Homeowners Association.
2. Condition 8-A shall be expanded to reference the Rancho San Clemente Master Homeowners Association and the Rancho San Clemente Business Park Association.
3. Condition 9-D shall be deleted.
4. Condition 15 shall be amended to provide that the balance of the affordable housing units for Rancho San Clemente shall be situated within Planning Area 1.
5. Condition 12d shall be amended to delete reference to Measure E, and to provide substitute language to read as follows: "The property owner shall fund and construct all necessary on-site flood control facilities as required pursuant to the City ordinances and resolutions in effect at the time of approval of subsequent discretionary development approvals..."
6. Condition 30 shall be modified to delete reference to Measure E, and to provide substitute language to read as follows: "Prior to the approval of any subsequent discretionary permit in the Specific Plan area, the property owner shall demonstrate that the proposed development complies with the requirements of all City ordinances and resolutions in effect at the time of such approval in the areas of traffic service, flood control, park land dedication, and the provision of fire and paramedic service. The property owner shall submit all necessary reports and studies to demonstrate such compliance. To the extent that the requirements of any other condition of these Conditions of

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Approval are inconsistent with other requirements contained in City ordinances or resolutions in effect at the time of such approval, such other requirements shall prevail.

7. In all cases where the word "City" is used within Ordinance No. 986, the word shall be replaced with either "City of San Clemente" or "City Council".
8. Clerical corrections (e.g., spelling and language) shall be made prior to the second reading of the Ordinance.

B. USE PERMIT 88-01 - COMBINATION SERVICE STATION AND CONVENIENCE STORE - CIRCLE K

Continued Public Hearing to consider a request for a use permit to allow a combination service station and convenience store use, located on the southwest corner of the intersection of El Camino Real and Avenida Santiago.

MOTION BY COUNCILMEMBER LIMBERG, SECOND BY COUNCILMEMBER RICE, CARRIED 5-0, to accept the Applicant's request to withdraw Use Permit 88-01 (Combination Service Station and Convenience Store - Circle K).

4. ORAL COMMUNICATIONS

Sprinkler Requirements - 156 Avenida Serra

Tom Williams voiced concern that 1) his property, located at 156 Avenida Serra, should not be zoned C-1; and 2) he is being required to install an irrigation system which includes a 4" pipe; requested that either the sprinkler requirement be waived or the water pressure to his dwelling increased.

Council requested that Mr. Williams discuss the issue with Fire Protection Director Dailey.

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5. CONSENT CALENDAR

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to approve the Consent Calendar with the removal of Agenda Items 5-B(2) (Parks and Recreation Commission minutes of September 13, 1988), 5-D and 5-H. (Agenda 5-G was considered earlier in the meeting. See Page 3 of these Minutes for a summary of Agenda Item 5-G (San Clemente High School Fireworks Display.)

A. MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to approve the City Council minutes of October 5, 1988.

B. MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to receive and file:

- (1) Planning Commission minutes of September 6, 1988.
- (2) Parks and Recreation Commission minutes of September 19, 1988.
- (3) Human Resources Committee minutes of September 8, 1988.
- (4) Golf Course Committee minutes of September 6, 1988.

C. WWTP EXPANSION COGENERATION SYSTEM - FEASIBILITY REPORT

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to delay a final decision on whether cogeneration facilities should be constructed at the Wastewater Treatment Plant until the completion of Contract C-2.

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E. AWARD OF BID - FIFTEEN CONCRETE PICNIC TABLES AND TEN CONCRETE BENCHES

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to accept the bid of Moore Recreation and Park Equipment, Inc. in the amount of \$10,626.50 and authorize the purchase of fifteen concrete picnic tables and ten concrete benches and authorize the further expenditure of \$1,900 for three additional concrete tables and one additional concrete bench.

F. OLE HANSON BEACH CLUB POOL REPAIRS

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to approve the plans and specifications for the Ole Hanson Beach Club Swimming Pool and authorize staff to advertise the project for bids.

I. HOUSING AND COMMUNITY DEVELOPMENT SIDEWALK AND STREET RECONSTRUCTION, PROJECT #14-87 - CONDITIONAL CONTRACT AWARD

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to amend the contract award made on October 5, 1988, for four housing and Community Development (HCD) sidewalk and street reconstruction projects, to include conditions that a formal contract award will only be made on the following conditions:

1. Approval of environmental assessments and new contracts that include additional HCD funding by the appropriate Federal and County agencies.
2. Approval by the low bidder of guaranteeing his bid prices through December 15, 1988.

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CONSENT CALENDAR ITEMS REMOVED FOR DISCUSSION

B(2) PARKS AND RECREATION COMMISSION MINUTES OF SEPTEMBER 13, 1988.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 5-0, to call up for review Irene Bland's Music Program as it relates to the rental fee for the Ole Hanson Beach Club, and to approve the remainder of the September 13, 1988 Parks and Recreation minutes as written.

D. WWTP EXPANSION - PROPOSED CHANGE ORDER POLICY, AMENDMENT #1 - INCREASING STAFF'S CUMULATIVE CHANGE ORDER AUTHORITY

Karoline Koester, 604 Via Pavon, opined that Council would be abrogating its authority by increasing staff's change order authorization.

MOTION BY COUNCILMEMBER LIMBERG, SECOND BY COUNCILMEMBER MECHAM, CARRIED 5-0, to approve Amendment No. 1 to Change Order Policy, dated July 1, 1987, to increase the cumulative total change orders limit for staff approvals to \$735,000 for the Wastewater Treatment Plant Expansion. All other change order approval limits are to remain in accordance with Change Order Policy adopted on July 1, 1987.

G. FIREWORKS DISPLAY AT SAN CLEMENTE HIGH SCHOOL

Council considered the fireworks display at San Clemente High School earlier in the meeting. See Page 3 of these minutes for a summary of that discussion.

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H. RDEB DEADLINE EXTENSION

Don Steffensen, representing The Lusk Company, questioned whether staff's recommendation to extend the deadline to receive approval of a project to be eligible for the 1989 Development Allocation Awards process would result in a deferral of the actual allocation awards.

City Planner Barnes responded that staff anticipates that the development allocations will be awarded shortly after the first of the year.

MOTION BY COUNCILMEMBER LIMBERG, SECOND BY COUNCILMEMBER MECHAM, CARRIED 5-0, to extend the deadline to receive approval of a project to be eligible for the 1989 Development Allocation Awards process from November 16, 1988 to January 4, 1989 in order to allow all pending projects to receive final Council action prior to the 1989 allocation awards.

6. WARRANT REGISTER

MOTION BY COUNCILMEMBER LIMBERG, SECOND BY COUNCILMEMBER MECHAM, CARRIED 4-1 (MAYOR LORCH VOTING NOE), to approve Warrant Nos. 77121 through 77318 excluding Payroll Warrant for period 10-1-88 through 10-7-88 (Voids 77134 through 77136) in the amount of \$134,388.81; Warrant Nos. 77319 through 77538 excluding Payroll Warrant for period 10-8-88 through 10-14-88 (Voids 77320 - 77324) in the amount of \$1,380,076.50; Payroll Warrant No. 77164 for period 9-19-88 through 10-2-88 in the amount of \$412,923.68; for a total Warrant Register in the amount of \$1,927,388.99.

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7. UNFINISHED BUSINESS

A. COUNCIL CHAMBERS REFURBISHMENT

Report from the City Clerk concerning modifying the scope of the Council Chambers remodeling project and approval of an appropriation transfer to finance the cost of the revisions.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, to:

1. Approve the addition of the patio enclosure to the approved modifications for a cost of \$4,350.
2. Approve an appropriation of \$9,810 from the Annexation Fee Reserve to the General Fund, Account No. 001-124-44890, Other Operating Expenses.
3. Authorize the City Manager to execute the necessary contracts, not to exceed \$35,420 for the Council Chambers refurbishment.

Larry Swanson, General Contractor for the Council Chambers remodeling project, clarified the reasons that additional funds are being requested for the Council Chambers remodeling project, as contained in the Administrative Report, dated October 11, 1988 and on file in the City Clerk's Department; summarized the scope of the proposed modifications.

THE MOTION CARRIED 5-0.

B. PROPOSAL FOR STRENGTHENING AND IMPLEMENTING MEASURE E

Report from the City Manager concerning appointment of a citizens' Ad Hoc Advisory Committee to assist special legal counsel in the rewrite of Measure E.

In view of Judge Woolley's ruling re Measure E, MOTION BY COUNCILMEMBER LIMBERG, SECOND BY COUNCILMEMBER MECHAM, CARRIED 4-1 (MAYOR LORCH VOTING NOE), to give no further consideration to the proposal for strengthening and implementing Measure E.

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C. BORDER PATROL PURSUITS

Report from the Acting Chief of Police concerning formulation of a plan of action relating to Border Patrol pursuits.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to authorize staff to seek the cooperation of adjoining cities and agencies (San Juan Capistrano, Dana Point, Capistrano Beach, Orange County Sheriff's Office, CHP) to apply pressure to hasten the movement of the Border Patrol checkpoint south.

MEETING RECESSED

Council recessed at 10:00 p.m. and reconvened at 10:20 p.m., with all members present.

8. NEW BUSINESS

A. REGIONAL CIRCULATION FINANCING AND PHASING PROGRAM (RCFPP)

Report from the Community Development Director concerning conceptual adoption of a Regional Circulation Financing and Phasing Program to address traffic and circulation needs of the backcountry ranch areas.

Community Development Director Holloway summarized the rationale and history of the Regional Circulation Financing and Phasing Program.

Council discussed whether the program should be referred to the Planning Commission for input. During the course of discussion, City Attorney Oderman advised there is no legal requirement that the subject program be referred to the Planning Commission, but noted Council possesses the discretion to solicit Planning Commission input if desired.

Pat Carroll, (Menke, Fahrney and Carroll) legal counsel for Estrella Properties, 650 Town Center Drive, Suite 1850, Costa Mesa, voiced concern the plan was not made available until October 14, 1988; stated the proposed Forster Ranch payment of \$38,400,000 would make development of the Forster Ranch infeasible; presented a letter, dated October 19, 1988, which requested a two-week continuance of this item.

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Cathy Hgley, DKS Associates, (Traffic Consultant for Forster Ranch), 411 W. Fifth Street, Los Angeles 90013, reiterated concern the program was not made available until October 14, 1988; expressed concerns as follows: 1) the burden on Forster Ranch represents \$38,400,000, or 51% of the total program; 2) the City's program would assess each ranch a different fee for the same land use; and 3) the reimbursement strategy.

Don Steffensen, The Lusk Company, representing Marblehead, voiced concern with the recovery of costs for the Austin-Foust program, indicating his belief that a flat fee should be established for all parties; requested clarification relative to the implementation of the City's share; stated he has no objection to a two-week continuance of this agenda item, but requested no further continuance.

Jeff Dahlstrom, 638 Camino de los Mares (developer of Ocean View Plaza) expressed concern the City's program proposes that his project contribute \$2 million for highway improvements; stated his small project cannot afford that cost and, unlike residential projects, cannot pass the cost on to buyers; disagreed with the formula to assess the costs.

Dave Christian, representing WSLA, 535 Anton Boulevard, Costa Mesa, indicated WSLA would not object to a two-week continuance of this agenda item, but noted any further continuance would impose a hardship; noted that with the exception of a 600' portion of Vista Hermosa, all critical circulation links, roadways and arterials in Rancho San Clemente are bonded, constructed or under construction and hence felt there is no need to charge a further fee for on-site improvements related to circulation.

Bill Phillips, representing Talega Valley Partnership, noted the extension of Vista Hermosa, construction of the interchange with the foothill corridor, and the extension of Pico are all necessary improvements to make the circulation in Talega Valley function properly.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, to continue consideration of the Regional Circulation Financing and Phasing Program to the City Council meeting of November 2, 1988.

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During the course of discussion, Council directed that staff modify the program to incorporate the following: 1) provision addressing inflationary escalation of costs; 2) notation that any freeway alignment connectors to the Marine Corps would be solely at the Marine Corps' discretion; and 3) address the concept of having equalized costs for residential and non-residential uses.

Don Steffensen, The Lusk Company, requested that in the event the developers commit to paying the funds, that they be assured a continuity of development through an agreement, noting that financing is dependent upon some commitment from the City.

THE MOTION ON THE FLOOR CARRIED 5-0.

9. ORAL COMMUNICATIONS

Robert Flynn, 323 Calle Familia, urged Council to appeal Judge Woolley's decision re Measure E.

10. REPORTS

A. Commissions and Committee

None.

B. City Manager

(1) Council meeting for certification of election results and Council reorganization.

Council agreed to schedule an Adjourned Regular Meeting for November 29, 1988 at 7:00 p.m. for purposes of certifying the election results and Council reorganization.

Council agreed to schedule a Joint Meeting with City Commissions and Committee on November 30, 1988.

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C. City Attorney

SUBSTANCE ABUSE RECOVERY CENTER

City Attorney Oderman reviewed that Council requested him to pursue enforcement of a substance abuse recovery center in the City, since the center was unlicensed and in violation of R-1 zoning restrictions; advised the owner has subsequently applied and has been granted a license by the State of California, which results in the facility being exempt from the City's R-1 zoning restrictions provided the facility does not house more than six persons at one time; noted the neighborhood's CC&R's may restrict the property from the subject use, however, it would be the obligation of the homeowners' association to pursue enforcement of the CC&R's.

CLOSED SESSION

City Attorney Oderman requested a Closed Session to discuss pending litigation (Rainco Construction Co. v. Camco and City of San Clemente); recommended that this item be added to the agenda since the case involves a preliminary hearing on October 21, 1988 and a settlement offer which was made subsequent to the 72-hour posting requirement for the agenda.

City Attorney Oderman also requested a Closed Session to discuss the potential purchase of the Casa Romantica, pursuant to Government Code Section 54956.8 (James Hendrickson, Negotiator); recommended that this item be added to the agenda since there has been a development in the negotiations which occurred subsequent to the 72-hour posting requirement for the agenda.

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MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to add the following items to the October 19, 1988 Council agenda: 1) Closed Session to discuss pending litigation (Rainco Construction Co. v. Camco and City of San Clemente), pursuant to Government Code Section 54956.9(a) and potential purchase of the Casa Romantica, pursuant to Government Code Section 54956.8 (James Hendrickson, Negotiator).

D. Council Members

- (1) Request from San Clemente Seniors re exclusive use of the Senior Center.

This item was removed from the agenda.

Councilmember Mecham voiced concern with the violation of political sign regulations.

11. RESOLUTIONS/ORDINANCES

A. ORDINANCE NO. 985 - SECOND READING

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to adopt Ordinance No. 985 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE AMENDING CHAPTER 39 OF THE CODE OF THE CITY OF SAN CLEMENTE CONCERNING NEW DEVELOPMENT STANDARDS FOR THE PROVISION OF FIRE AND EMERGENCY MEDICAL SERVICES.

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B. ORDINANCE NO. 983 - SECOND READING

MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER MECHAM, CARRIED 5-0, to adopt Ordinance No. 983 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING ORDINANCE NO. 922 BY MODIFYING SECTION 6 OF CHAPTER 38 OF THE CODE OF THE CITY OF SAN CLEMENTE TO ACCURATELY REFLECT AND CLARIFY THE PROCEDURES USED BY THE RESIDENTIAL DEVELOPMENT EVALUATION BOARD IN RATING DEVELOPMENT PROJECTS.

CLOSED SESSION

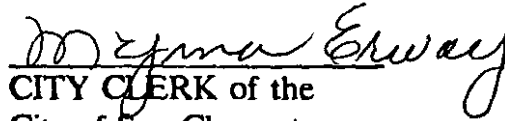
MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to recess to Closed Session at 12:00 a.m. to discuss 1) pending litigation (Rainco Construction Co. v. Camco and City of San Clemente), pursuant to Government Code Section 54956.9(a); and 2) real property negotiations (Casa Romantica), pursuant to Government Code Section 54956.8. (James Hendrickson, Negotiator.) The City Manager, Assistant City Manager and City Attorney were in attendance.


MEETING RECONVENED

Council reconvened at 12:50 a.m., with all members present.

ADJOURNMENT

Council adjourned at 12:50 a.m. The next regular meeting will be held on Noember 2, 1988 at 7:00 p.m.


CITY CLERK of the
City of San Clemente


MAYOR of the City of
San Clemente