

CITY OF SAN CLEMENTE

City Council Minutes Regular Meeting - December 7, 1988

A regular meeting of the City Council of the City of San Clemente, conducted at the Community Center, Ole Hanson Room, 100 N. Seville, San Clemente, was called to order at 7:07 p.m. by Mayor Lorch.

PRESENT Council Members - DIEHL, HAGGARD, 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.

INVOCATION

Pastor Jim Farley, San Clemente Presbyterian, gave the invocation.

1. COUNCIL REORGANIZATION

A. Swearing-in of Councilmember Elect Candace Haggard

City Clerk Erway administered the Oath of Office to Councilmember-Elect Candace Haggard.

B. Council Reorganization

1. MOTION BY COUNCILMEMBER DIEHL, SECOND BY COUNCILMEMBER VEALE, CARRIED 5-0, to appoint Councilmember Rice to the Office of Mayor.

2. MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER LORCH, CARRIED 5-0, to appoint Councilmember Haggard to the Office of Mayor Pro Tem.

C. Appointment of Council Representatives

MOTION BY COUNCILMEMBER DIEHL, SECOND BY COUNCILMEMBER VEALE, CARRIED 5-0, to appoint one Councilmember to represent the City on both the San Joaquin Hills Transportation Corridor and the Foothill/Eastern Transportation Corridor agencies.

MOTION BY COUNCILMEMBER HAGGARD, SECOND BY COUNCILMEMBER LORCH, CARRIED 4-1 (COUNCILMEMBER DIEHL VOTING NOE) to appoint Councilmember Veale to represent the City on the San Joaquin Hills Transportation Corridor and the Foothill/Eastern Transportation Corridor.

Councilmembers Diehl and Lorch were nominated as the City's Alternate on the San Joaquin Hills Transportation Corridor and the Foothill/Eastern Transportation Corridor agencies.

MOTION BY COUNCILMEMBER RICE, SECOND BY COUNCILMEMBER VEALE, CARRIED 3-2 (COUNCILMEMBERS DIEHL AND HAGGARD VOTING NOE) to appoint Councilmember Lorch as the City's Alternate on the San Joaquin Hills Transportation Corridor and the Foothill/Eastern Transportation Corridor agencies.

MOTION BY COUNCILMEMBER DIEHL, SECOND BY COUNCILMEMBER VEALE, CARRIED 5-0, to appoint Mayor Rice as the City's representative to the Southern California Association of Governments (SCAG) and to appoint Councilmember Haggard as the alternate.

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

3. PUBLIC HEARINGS

A. USE PERMIT 86-27 - TAJ DEVELOPMENT CORPORATION

Continued Public Hearing concerning adoption of a Relocation Assistance Program as a condition of approval in association with the development of a 60-unit hotel at the 3700 block of South El Camino Real.

CLOSED SESSION

MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER LORCH, CARRIED 5-0, to recess to Closed Session at 7:30 p.m. to discuss 1) pending litigation (El Camino Investment Company v. City of San Clemente), pursuant to Government Code Section 54956.9(a); and 2) a matter of potential litigation, pursuant to Government Code Section 54956.9b(1). The City Manager, Assistant City Manager, Community Development Director and the City Attorney were in attendance.

MEETING RECONVENED

Council reconvened at 8:00 p.m., with all members present.

Assistant City Manager Hulsizer advised the Applicant has provided the City with a letter, dated December 7, 1988, which proposes a Relocation Assistance Program for the tenants of the subject property; reviewed the terms of the proposal and recommended conceptual approval thereof.

Stephen Coontz, legal counsel for the Applicant, stated for the record that he consents to the new Councilmembers participating in the consideration of the Relocation Assistance Program.

In response to City Attorney inquiry, Glenn Roy, 111 Avenida Granada, indicated objection to Councilmembers Diehl and Haggard participating in the consideration of the Relocation Assistance Program inasmuch as they were not present during the Public Hearings on this issue. City Attorney Oderman recommended, therefore, that Councilmembers Diehl and Haggard not deliberate on this matter; noted, however, that Councilmembers Diehl and Haggard will be eligible to vote on the final Relocation Assistance Program, provided they listen to the tapes of the Public Hearings prior to that meeting.

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

MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER LORCH, CARRIED 3-0-2 (COUNCILMEMBERS DIEHL AND HAGGARD ABSTAINING) to ratify, in concept, the Relocation Assistance Program as outlined in the letter from Chandulal K. Patel, President of Taj Development Corporation, dated December 7, 1988. (The City Attorney will finalize the Agreement and resubmit it to Council at its meeting of December 21, 1988.)

B. CONCURRENT SALE OF ALCOHOLIC BEVERAGES AND GASOLINE - AMENDMENT TO ORDINANCE NO. 924

Public Hearing to consider adopting an ordinance amendment regulating the concurrent sale of alcoholic beverages and gasoline.

MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER LORCH, CARRIED 5-0, to continue the Public Hearing to the Council meeting of December 21, 1988.

C. TENTATIVE TRACT MAP 11855, SEA POINTE ESTATES

Public Hearing to consider a request to subdivide one lot into eleven lots for single family residential development in Sea Pointe Estates.

Mayor Rice opened the Public Hearing.

Gary Nogle, Nogle & Onufer Associates, explained the background of the petition, noting the original proposal for a 22-unit condominium project was revised to an 11-unit custom lot subdivision; stated the street widths of the subdivision can accommodate the proposed use and are consistent with surrounding areas; concurred with the conditions of approval recommended by staff, including participation in the RCFPP.

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

MOTION BY COUNCILMEMBER DIEHL, SECOND BY COUNCILMEMBER HAGGARD, CARRIED 5-0, to adopt Resolution No. 88-114 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING TENTATIVE TRACT MAP NO. 11855.

D. NUISANCE ABATEMENT - 134 AVENIDA DE LA PAZ

Public Hearing to consider declaring 134 Avenida De La Paz to be a public nuisance and ordering the abatement of such.

Mayor Rice opened the Public Hearing.

Janet Lindsey, 134 Avenida De La Paz, explained that one of the vehicles which was situated on the property has been sold, one vehicle will be moved on December 14, 1988, and the other vehicle is periodically used.

City Attorney Oderman noted Resolution No. 88-115 would allow 20 days for the vehicles to be moved; noted a vehicle can be parked on the driveway provided the vehicle is not abandoned nor inoperable for long periods of time.

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

MOTION BY COUNCILMEMBER DIEHL, SECOND BY COUNCILMEMBER VEALE, CARRIED 5-0, to:

1. Adopt Resolution No. 88-115 entitled A RESOLUTION OF THE CITY COUNCIL OF SAN CLEMENTE, CALIFORNIA, DECLARING 134 AVENIDA DE LA PAZ TO BE A PUBLIC NUISANCE AND ORDERING THE ABATEMENT OF SUCH.
2. Direct the City Manager to cause the nuisance at 134 Avenida De La Paz to be abated by removal of three (3) inoperable/abandoned vehicles in the driveway and adjacent vacant lot by private contract in the event the property owner fails to abate the nuisance in accordance with the manner and within the time limit set forth in Resolution No. 88-115, and authorize the City Manager to enter into a contract with an independent firm to remove the vehicles from the premises.

4. ORAL COMMUNICATIONS

Tom Williams reiterated concern that no progress is being made to resolve his dispute with the City pertaining to the sprinkler requirements for his property at 156 Avenida Serra.

Staff advised that an Administrative Report addressing the sprinkler requirements for the property located at 156 Avenida Serra will be submitted to Council on December 21, 1988.

5. CONSENT CALENDAR

MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER DIEHL, CARRIED 5-0, to approve the Consent Calendar with the removal of Items 5-A, 5-B(1), 5-E, 5-G, 5-I, 5-K, and 5-L.

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

(2) Community Design Commission minutes of November 8, 1988.

(3) Departmental Activities Report - October 1988.

C. BID AWARD - ONE NEW 1988 COMPACT SEDAN

MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER DIEHL, CARRIED 5-0, to:

1. Accept the bid of Holmes Tuttle Dodge in the amount of \$7,628.14 for the purchase of one new 1988 Dodge Omni.

2. Authorize the transfer of \$6,000.00 from the City Clerk's Business Licensing Program, account #001-132-45600 to the Fleet Replacement Fund, account #065-824-45600.

D. SAN GORGONIO PARK, PHASE III

MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER DIEHL, CARRIED 5-0, to reject the bid from Gateway Construction received on November 1, 1988 for construction of Phase III of San Gorgonio Park and authorize staff to readvertise the project for competitive bidding.

F. WASTEWATER TREATMENT PLANT EXPANSION - PROPOSED OUTFALL BOOSTER PUMP STATION REVISIONS

MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER DIEHL, CARRIED 5-0, to:

1. Authorize the Design Engineer to make design revisions to the Wastewater Treatment Plant Outfall Booster Station; and
2. Authorize the staff to negotiate a change order with the Contract C-2 Contractor to construct the revised Wastewater Treatment Plant Outfall Booster Pump Station to allow the City to pump plant effluent to SERRA outfall based on projected total peak outfall flow of 115 MGD.

H. PIER REPAIR, PROJECT NO. 5-88

MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER DIEHL, CARRIED 5-0, to:

1. Approve the Pier Repair, Project No. 5-88 plans and specifications.
2. Authorize staff to advertise the project for competitive bidding.

J. **STORM DRAIN EASEMENT - LOT 29, TRACT 12356 "THE BREAKERS" REMINGTON PROPERTIES**

MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER DIEHL, CARRIED 5-0, to:

1. Accept an easement for storm drain line at the northeast portion of Lot 29, Tract 12356, "The Breakers" from Remington Properties - Oakwood Joint Venture General Partnership.
2. Authorize the City Clerk to record the easement with the County.

M. **INCREASED REFUSE COLLECTION RATES DUE TO INCREASES AT ORANGE COUNTY LANDFILLS**

MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER DIEHL, CARRIED 5-0, to:

1. Approve an increase to \$5.30 per unit per month in the residential refuse collection rate paid to San Clemente Commercial, Inc., effective January 1, 1989.
2. Adopt Resolution No. 88-116 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ESTABLISHING RATES FOR THE COLLECTION OF GARBAGE AND TRASH, AND REPEALING RESOLUTION NO. 88-13.
3. Approve a supplemental appropriation of \$31,400 to account 001-618-43350, Refuse Collection Service in the General Fund, and an offsetting increase of \$31,400 in the estimated revenue for account 001-000-34410, Refuse Collection Charges.

N. FINAL PARCEL MAP 88-119 - SACHER PROPERTIES - RANCHO SAN CLEMENTE BUSINESS PARK

MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER DIEHL, CARRIED 5-0, to:

1. Approve Final Parcel Map 88-119.
2. Authorize the City Engineer and the City Clerk to execute PM 88-119 for recordation.

ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION

A. CITY COUNCIL MINUTES

MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER LORCH, CARRIED 3-0-2 (COUNCILMEMBERS DIEHL AND HAGGARD ABSTAINING) to approve the City Council minutes of November 16, 1988.

B. PLANNING COMMISSION MINUTES OF NOVEMBER 1, 1988

In response to Council inquiry, City Planner Barnes stated the Brisa Pacifica senior housing project meets City requirements; advised the Zoning Ordinance allows a senior housing project to exist in a C-2 zone, subject to a conditional use permit; stated the Planning Commission determined that a senior housing development is an appropriate use for the subject site.

MOTION BY COUNCILMEMBER RICE, SECOND BY COUNCILMEMBER DIEHL, CARRIED 5-0, to call up for review the San Clemente Retail Plaza (Time Extension for Use Permit 86-17) as it relates to exemption from the RCFPP.

MOTION BY COUNCILMEMBER DIEHL, SECOND BY COUNCILMEMBER RICE, CARRIED 5-0, to receive and file the remainder of the Planning Commission minutes of November 1, 1988 as submitted.

E. JET SKI COMPETITION

Bradley Cuthbertson concurred with the contents of the administrative report, including the recommended conditions.

MOTION BY COUNCILMEMBER DIEHL, SECOND BY COUNCILMEMBER VEALE, CARRIED 5-0, to approve the request of BC Racing for a jet ski competition on June 17 and 18, 1989 to take place on the north side of the pier, subject to conditions as contained in the Administrative Report, dated November 9, 1988, and on file in the City Clerk's Department.

G. WASTEWATER TREATMENT PLANT EXPANSION CONTRACT C-2 AMENDMENT NO. 1 TO TASK ORDER NO. 4 - AGREEMENT WITH JOHN CAROLLO ENGINEERS

MOTION BY COUNCILMEMBER DIEHL, SECOND BY COUNCILMEMBER VEALE, CARRIED 5-0, to revise Amendment No. 1 to Task Order No. 4 Agreement to add a sixth section to read as follows: "SECTION 6. CONTINUED APPLICABILITY OF TASK ORDER NO. 4. Except as specifically set forth above, Task Order No. 4 of the December, 1984 Agreement shall remain in full force and effect."

MOTION BY COUNCILMEMBER DIEHL, SECOND BY COUNCILMEMBER RICE, CARRIED 5-0, to approve Amendment No. 1 to Task Order No. 4 Agreement - Construction Period Services Water Reclamation Plant Contract C-2, in the amount of \$5,632 with John Carollo Engineers for revisions to outfall booster pump station, as heretofore amended.

I. ESTABLISHMENT OF DATE TO RESCIND URGENCY ORDINANCE 981 AND LIFT THE MORATORIUM

MOTION BY COUNCILMEMBER LORCH to direct staff to draft an interim ordinance, which would include a time constraint of 30 to 45 days, to be in effect until the Managed Growth Element is completed.

SUBSTITUTE MOTION BY COUNCILMEMBER DIEHL, SECOND BY COUNCILMEMBER VEALE, CARRIED 5-0, to establish December 21, 1988 as the date for a Public Hearing to adopt an ordinance which rescinds Urgency Ordinance No. 981 and lifts the moratorium effective January 4, 1989. Councilmember Lorch will provide an alternate ordinance for Council consideration at the December 21, 1988 Public Hearing.

K. MUSIC PROGRAM FEES

MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER RICE, CARRIED 3-2 (COUNCILMEMBERS DIEHL AND LORCH VOTING NOE), to endorse the arrangement in which Mrs. Bland would pay the City \$2,000 per year for five years.

L. ASSIGNMENT OF "T" STREET BEACH CONCESSION LEASE

Following discussion relative to the propriety of sub-leases, MOTION BY COUNCILMEMBER DIEHL, SECOND BY COUNCILMEMBER VEALE, CARRIED 4-1 (COUNCILMEMBER LORCH VOTING NOE) to approve, and authorize the Mayor to execute, the "Assignment and Assumption of Lease, As Amended, and Consent to Assignment of Sublease Agreement", effective January 1, 1989.

6. WARRANT REGISTER

MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER LORCH, CARRIED 5-0, to approve Warrant Nos. 78223 through 78392 excluding Payroll Warrant for period 11-12-88 through 11-18-88 (Voids 78224 and 78225) in the amount of \$348,747.65; Payroll Warrant No. 78244 for period 10-31-88 through 11-13-88 in the amount of \$417,464.52; Warrant Nos. 78393 through 78556 for period 11-19-88 through 11-25-88 (Voids 78393, 78394, 78395, 78396, 78397, and 78398) in the amount of \$1,100,365.53; Warrant Nos. 78557 through 78681 excluding Payroll Warrant for period 11-26-88 through 12-02-88 (Voids 78557, 78558, 78559, 78560, 78561, 78562, 78563) in the amount of \$115,027.08; Payroll Warrant No. 78577 for period 11-14-88 through 11-27-88 in the amount of \$491,916.53; for a total Warrant Register of \$2,473,521.31.

COUNCIL RECESSED AT 9:00 P.M. AND RECONVENED AT 9:20 P.M. WITH ALL MEMBERS PRESENT.

7. UNFINISHED BUSINESS

A. APPOINTMENT OF CITIZENS COMMITTEE AND INITIATION OF THE GROWTH MANAGEMENT/PUBLIC FACILITIES ELEMENT OF THE GENERAL PLAN

Report from the Community Development Director concerning establishing and defining the responsibilities of a citizens committee to develop a comprehensive Growth Management/Public Facilities Element to the General Plan.

Community Development Director Holloway reviewed the contents of the Administrative Report.

Jim Hill, 4115 Calle Mayo, requested that George Key be added to the list of nominees for the Citizens Committee on Growth; spoke in support of George Key's appointment to said committee.

Peter Bunge, 102 Calle Balboa, spoke in opposition to Chamber of Commerce and development community representation on the Citizens Committee on Growth; felt the Committee should focus on developed areas of the community as well as the undeveloped backcountry areas.

Lorraine Brouillette, 518 Calle Baranda, President of the Board of Directors of San Clementeans for Managed Growth, opined San Clementeans for Managed Growth should have additional representation on the Citizens Committee if Council chooses to expand the membership; voiced concern that managed growth advocates are proposed to represent only one-third of the committee's composition.

Tom Padberg, 617 Calle Hidalgo, spoke in opposition to development community representation on the Citizens Committee on Growth.

Lew Elja, 163 W. San Antonio, opined the charge of the committee may be too broad.

During the course of discussion, Council indicated as follows:

1. Staff's priorities will include the Casa Romantica, Marblehead Coastal, Pier Bowl, and Managed Growth Element.
2. The Citizens Committee on Growth will include a maximum of eleven members.

3. Staff will revise the application form to include space to list experience, philosophy, and affiliations. Council will determine the membership balance of the committee at a later date.
4. The Citizens Committee on Growth will constitute a working committee, charged with the responsibility to devise a plan for presentation to the Planning Commission and City Council at public hearings. Public input will only be received during the Public Hearing process.
5. The focus of the Citizens Committee on Growth will be to review all important City facilities and services and devise policy standards.
6. Staff will advertise the vacancies on the Citizens Committee on Growth immediately. Appointments are anticipated to occur on January 4, 1988.
7. Members of City commissions or committees will not be invited to submit an application for the Citizens Committee on Growth. All others (including previous Council candidates) may apply.
8. Council concurred with the phasing, analytical process, and timeline as contained in the Administrative Report.

8. **NEW BUSINESS**

A. **STATE CITIZENS' ADVISORY COMMITTEE ON NUCLEAR EMERGENCY PLANNING - NOMINATION OF COUNCIL REPRESENTATIVE**

Report from the Director of Fire Protection concerning City representation on the State Citizens' Advisory Committee on Emergency Planning.

MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER LORCH, CARRIED 5-0, to appoint Councilmember Diehl as the City's representative on the Citizens' Advisory Committee on Nuclear Emergency Planning.

B. CALLE DEL CERRO - SPEED LIMIT

Report from the Community Development Director concerning establishment of the speed limit on Calle Del Cerro as 35 MPH.

MOTION BY COUNCILMEMBER DIEHL, SECOND BY COUNCILMEMBER VEALE, CARRIED 5-0, to introduce Ordinance No. 989 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING CERTAIN SECTIONS OF CHAPTER 15 OF THE MUNICIPAL CODE CONCERNING SPEED ZONES ON CERTAIN CITY STREETS. (This Ordinance would declare the Prima Facie speed limit on Calle Del Cerro as 35 MPH.)

Councilmember Diehl opined that a redesign of Calle Del Cerro may be required for safety reasons. Council requested to be provided with a report on the safety situation on Calle Del Cerro in three months.

C. PUBLIC SAFETY COMPUTER AUTOMATION PROJECT - AUTHORIZATION TO NEGOTIATE

Report from the Chief of Police and Fire Chief concerning negotiations for a Public Safety Computer Automation System.

MOTION BY COUNCILMEMBER DIEHL, SECOND BY COUNCILMEMBER RICE, CARRIED 5-0, to:

1. Authorize the City to enter into negotiations with Hewlett Packard and Command Data Systems for a sole source purchase of a Public Safety Computer Automation System.
2. Authorize a supplemental appropriation of \$10,000 from the Public Safety Construction Fund balance to Account No. 034-821-45500, to retain the services of the Warner Group Consultants to assist in the negotiations process.

9. ORAL COMMUNICATIONS

Peter Bunge, 102 Calle Balboa, suggested that the City consider installing an electronic/photographic parking citation system similar to that currently in use in Pasadena.

10. REPORTS

A. Commissions and Committee

(1) RESIGNATION OF CANDACE HAGGARD FROM THE PLANNING COMMISSION

MOTION BY COUNCILMEMBER LORCH, SECOND BY COUNCILMEMBER DIEHL, CARRIED 5-0, to accept Candace Haggard's resignation from the Planning Commission due to her recent election to the City Council.

B. City Manager

(1) STATUS REPORT OCS LEASE SALE 95

MOTION BY COUNCILMEMBER DIEHL, SECOND BY COUNCILMEMBER VEALE, CARRIED 5-0, to adopt Resolution No. 88-120 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, IN RESPONSE TO THE SUPPLEMENTAL CALL FOR INFORMATION AND NOMINATIONS FOR OCS LEASE SALE #95.

(2) PROCEDURES FOR COMMISSION/COMMITTEE APPOINTMENTS

MOTION BY COUNCILMEMBER DIEHL, SECOND BY COUNCILMEMBER VEALE to adopt the following alternative appointment procedures when there are more than six applicants for a City Commission or Committee:

1. Applications would be distributed to Council on the Friday preceding the Friday packets are distributed.
2. The names of the six applicants each Councilmember would like to interview would be submitted to the City Clerk by the following Tuesday.
3. The six applicants receiving the most votes would be interviewed prior to the regular Council Meeting.

Glenn Roy, 111 Avenida Granada, opined that appointments for City Commissions or Committees should not appear on the Consent Calendar; opposed the selection process utilized for the City representative on the Orange County Vector Control District Committee.

Council requested that applications for City service be modified to provide space for an applicant to list their affiliations, experience, and philosophies.

THE MOTION ON THE FLOOR CARRIED 4-1 (COUNCILMEMBER LORCH VOTING NOE).

City Manager Hendrickson requested a Closed Session to discuss a matter of personnel.

C. City Attorney

- (1) Closed Session to discuss matter of potential litigation, pursuant to Government Code Section 54956.9(b)(1).

(This Closed Session took place earlier in the meeting. See Page 3 of these minutes.)

D. Councilmembers

- (1) CONSIDERATION OF COUNCIL APPOINTMENT TO AIRPORT SITE COALITION TASK FORCE

MOTION BY COUNCILMEMBER DIEHL, SECOND BY COUNCILMEMBER VEALE, CARRIED 4-1 (COUNCILMEMBER LORCH VOTING NOE), to appoint William Mecham as the City's representative to the Airport Site Coalition Task Force.

- (2) STATUS OF APPOINTMENT OF A CITIZENS' COMMITTEE FOR THE RE-WRITE OF MEASURE E.

In answer to a question posed by Councilmember Lorch, City Attorney Oderman opined there is no statement in the Arnell Case to compel the City to appeal the Measure E decision; noted, however, that Rutan and Tucker has a conflict of interest with respect to Measure E and recommended that an opinion be obtained from Attorney Dan Spradlin, of Rourke and Woodruff.

- (3) CONSIDERATION OF APPEAL OF WRIT OF MANDATE ISSUED BY ORANGE COUNTY SUPERIOR COURT RE MARBLEHEAD V. CITY OF SAN CLEMENTE LAWSUIT.

This item was removed from the agenda.

(4) **CONSIDERATION OF VECTOR CONTROL APPOINTMENT.**

Glenn Roy, 111 Avenida Granada, opined it is improper to screen Commission and Committee applicants; voiced concern that Ken Carr presently holds two City appointments, i.e., City Treasurer and membership on the Orange County Vector Control District Committee.

MOTION BY COUNCILMEMBER LORCH to reconsider the City's appointment to the Orange County Vector Control District Committee. The motion died for lack of a second.

Councilmember Veale stated she will resign, reluctantly, from the Economic Development Committee due to her appointment to the San Joaquin Hills Transportation Corridor and Foothill/Eastern Transportation Corridor agencies. Council requested that the Economic Development Committee be agendized for December 21, 1988. Councilmember Lorch suggested that Council might want to consider rotating Council positions on committees.

Mayor Rice advised that a letter is submitted to new businesses, under his signature, which welcomes them to the community; requested that new Councilmembers review the letter and advise if they have any concerns; advised that Councilmember Veale and he are interviewing Monday for the Economic Development Director position and requested Council input.

MEETING RECESSED

Council recessed to a meeting of the Redevelopment Agency at 11:15 p.m.

MEETING RECONVENED

Council reconvened at 11:17 p.m., with all members present.

CLOSED SESSION

MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER DIEHL, CARRIED 5-0, to recess to Closed Session at 11:17 p.m. to discuss matters of personnel. The City Manager, Assistant City Manager and City Attorney were in attendance.

MEETING RECONVENED

Council reconvened at 11:17 p.m., with all members present.

CLOSED SESSION

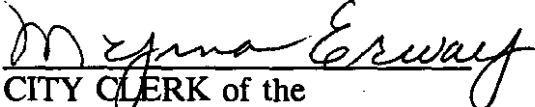
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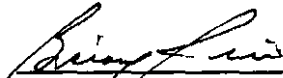
MEETING RECONVENED

Council reconvened at 11:30 p.m., with all members present.

ADJOURNMENT

MOTION BY COUNCILMEMBER DIEHL, SECOND BY COUNCILMEMBER LORCH, CARRIED 5-0, to adjourn at 11:30 p.m. to 6:00 p.m. on December 21, 1988 at the Community Center, 100 N. Seville, San Clemente, for purposes of interviewing Planning Commission and Parks and Recreation Commission applicants. The Regular Council Meeting of December 21, 1988 will commence at 7:00 p.m.


CITY CLERK of the
City of San Clemente


MAYOR of the
City of San Clemente

CITY OF SAN CLEMENTE
 AFFIDAVIT OF POSTING ORDER
 OF ADJOURNMENT OF MEETING

STATE OF CALIFORNIA)
 COUNTY OF ORANGE) SS.
 CITY OF SAN CLEMENTE)

I, MYRNA ERWAY, declare as follows:

That I am the City Clerk of the City of San Clemente; that at a Regular City Council meeting held on December 7, 1988 said meeting was adjourned to the time and place specified in the ORDER OF ADJOURNMENT attached hereto; and that on December 8, 1988 at the hour of 10:00 a.m. a copy of said order was posted at a conspicuous place near the door at which said meeting was held.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 8, 1988 at San Clemente, California.



 MYRNA ERWAY
 City Clerk

