

CITY OF SAN CLEMENTECITY COUNCIL MINUTESREGULAR MEETING - APRIL 20, 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 by Mayor Pro Tem Rice at 7:05 p.m.

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

\*ARRIVED AT 7:53 P.M.

ABSENT Council Members - NONE

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

INVOCATION

Pastor Ron Turner, of South Coast Presbyterian Church, gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Rice led the Pledge of Allegiance.

1. SPECIAL PRESENTATIONS

None.

2. MOTION BY COUNCILMEMBER LIMBERG, SECOND BY COUNCILMEMBER MECHAM, CARRIED 4-0, to waive reading in full of all Resolutions and Ordinances.

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3. PUBLIC HEARINGS

A. TENTATIVE TRACT MAP 12895 AND SITE PLAN REVIEW 87-17 - 397 DWELLING UNITS WITHIN FORSTER RANCH PLANNING AREA 2

Public Hearing to consider a request for a 397-lot subdivision and 397 single-family, detached dwelling units.

Mayor Pro Tem Rice opened the Public Hearing.

Alan Fishman, Tierra Planning and Design, on behalf of the Applicant, advised that three recreational areas, consisting of approximately 1/4 acre each, have been added to the Tentative Plan and Site Plan since the Planning Commission reviewed the plan.

City Planner Barnes summarized the contents of the Administrative Report.

City Attorney Oderman advised the latest draft of the second amendment to the Settlement Development Agreement has been forwarded to Estrella Properties for response; advised the amendment is in a form consistent with the description given to Council at the March 16, 1988 Council meeting; stated the amendment will be scheduled for Planning Commission review after Estrella Properties indicates concurrence with the amendment.

Dan Millington, 3917 Calle Andalucia, on behalf of Mr. and Mrs. Peter Plumeri, presented a petition signed by 49 individuals urging construction of a full box channel extending from the box channel entrance at Calle Nuevo to the ocean, as well as establishment of a maintenance plan therefor; opined that rip rap will not work; expressed opposition to the current project; voiced concern Estrella Properties has not repaired their property in Cascadita Canyon; stated his attorneys have been directed to file a lawsuit against the City.

Karoline Koester, 604 Via Pavon, stated Stearns has not provided adequate attention to drainage; relayed her understanding that Council has approved the second amendment to the Settlement Development Agreement in concept only and that a Public Hearing was to have been held in May; voiced concern the proposed tract is being processed without a change in the drainage situation; opined the public does not have adequate understanding as to why Council is proceeding in this manner.

Karen Conley, 3011 Rosalinda, felt leverage will be

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lost if the City permits the new development to proceed before the old development is completed; suggested that nuisance abatement proceedings be implemented for the greenbelt.

The Public Hearing was closed, there being no others desiring to speak to this issue.

In response to Council inquiry, Alan Fishman stated the Applicant for this year's project is Estrella Properties and that Stearns may, or may not, build the project.

Mayor Lorch arrived at 7:53 p.m.

In response to a question posed by Dan Millington, City Attorney Oderman clarified that the only lawsuits that would be resolved as a result of the second amendment to the Settlement Development Agreement are the two involving the old Stearns Tract and a lawsuit which was filed against the City alleging violations of the Settlement Development Agreement, primarily pertaining to the tri-lock; stated there would be no indemnification relating to Cascadita Canyon.

During the course of discussion, Council indicated as follows: 1) desirability of proceeding expeditiously to enable the City and Estrella Properties to enter into the second amendment to the Settlement Development Agreement by June 30, 1988 to comply with Condition No. 4; 2) possibility of conditioning the project on maintenance of the greenbelt on Camino de Los Mares in the event ownership lies with Estrella Properties; and 3) possibility of conditioning the project on becoming a member in the Master Homeowners' Association.

CLOSED SESSION

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 5-0, to recess to Closed Session at 8:00 p.m. for the purpose of discussing pending litigation (Estrella Properties v. City of San Clemente) pursuant to Government Code Section 54956.9(a). The City Manager, City Attorney, Assistant City Manager and Community Development Director were in attendance.

MEETING RECONVENED

Council reconvened at 8:15 p.m., with all members present.

Councilmember Mecham announced the subject project will allow for the completion of the downstream drainage channel in a manner acceptable to the City; noted the

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Settlement Development Agreement amendment is being drafted to achieve desired goals; advised at least one public hearing will be held on the Settlement Development Agreement amendment; noted the approval of the subject project will become null and void in the event the amendment is not completed by June 30, 1988; offered assurance that no permits will be issued for the project until the items contained in the latest punch list are completed.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, to adopt Resolution No. 88-28 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADOPTING A NEGATIVE DECLARATION AND APPROVING TENTATIVE TRACT MAP NO. 12895 AND SITE PLAN REVIEW 87-17, with revisions to the conditions appearing in Exhibit "A" as follows:

1. The first sentence of Condition No. 40 shall be revised to read as follows: "Prior to the issuance of building permits, the applicant shall be responsible for landscaping the greenbelt along Camino De Los Mares from the Forster Ranch entry monument to the northern boundary of Planning Area No. 2 in a manner which is satisfactory to the Community Development Department and Public Services Department."
2. Paragraph No. 43 shall be renumbered as Condition No. 45 and placed at the end of the other listed conditions.
3. A new Condition No. 43 shall be added to read as follows:

"Prior to the issuance of building permits, the applicant shall complete to the satisfaction of the City Engineer all other subdivision improvements which are the applicant's responsibility and which were required to be completed in connection with the development of any of the following numbered tracts: 10417, 10596, 10764, 10765, 10766, 11781, 11867, 11868, 11957, 11958, and 11983. This condition shall not apply to the extent that any of the uncompleted subdivision improvements for such tracts are the responsibility of a third party under the applicable subdivision improvement agreement or other provision of the San Clemente Code."

With respect to uncompleted items in Forster Ranch, City Attorney Oderman advised his office has submitted a

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demand letter to the bonding company giving a deadline of April 30, 1988 to make final satisfaction to the City; stated the letter demands \$1.5 Million, which reflects the City's best estimate for correcting the existing problems in all tracts; stated the City Attorney's Office, pursuant to Council authorization, will file litigation to obtain the funds necessary to conduct the work if satisfaction is not derived from the City's demand.

THE MOTION CARRIED 4-0-1 (MAYOR LORCH ABSTAINED DUE TO HIS TIME OF ARRIVAL AT THE MEETING.)

B. TENTATIVE PARCEL MAP NO. 86-206, EMADI - 164 AVENIDA DE LA PAZ

Public Hearing to consider a request to subdivide two lots and a portion of a contiguous lot into three lots.

Mayor Lorch requested that Item 9-D(4), pertaining to reconsideration of Council action relating to subdivision requests within the R-1-B-3 Zoning District, be considered at this point in the meeting; advised the County denied a lot split and enacted legislation to prevent lot splits in the large lot area of Capistrano Beach.

City Attorney Oderman reiterated his opinion that the Emadi and Handy applications require review under ordinances and rules currently in effect.

MOTION BY MAYOR LORCH to consider Agenda Item 9-D(4) pertaining to reconsideration of Council action of April 6, 1988 regarding subdivision requests within the R-1-B-3 Zoning District at this point in the meeting. The motion died for lack of a second.

Consideration of Agenda Item 3-B (Tentative Parcel Map No. 86-206 (Emadi) proceeded as follows:

Mayor Lorch opened the Public hearing.

Steve Kingston, 4011 Calle Abril, reviewed County action taken to regulate lot splits in Capistrano Beach; recommended Council postpone this agenda item to allow review of the feasibility of implementing action similar to that taken by the County.

Hadi Emadi, Applicant, reviewed the background of his application; stated the two lots are presently oversized; concurred with the findings and conditions contained in the Administrative Report; advised 45

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individuals have signed a petition which indicated support for the proposed lot split; urged approval of Tentative Parcel Map 85-434.

Ed Kissell, 160 Avenida De La Paz, spoke in support of the subject application; felt the proposal will be beneficial in terms of intersection improvements and valuation of surrounding properties.

Ruth Johnson stated she owns property to the north of Mr. Emadi's property; felt area traffic needs to be controlled; spoke in support of the subject application as she felt it would improve the area; felt the current large lots are a waste of land and would create a maintenance problem for the land owners; opined the driveway problem can be resolved; felt area streets need to be repaired.

The Public Hearing was closed, there being no others desiring to speak to this issue.

MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 4-1 (MAYOR LORCH VOTING NOE); to adopt Resolution No. 88-29 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADOPTING A NEGATIVE DECLARATION AND APPROVING TENTATIVE PARCEL MAP NO. 86-206, EMADI, with the understanding that Condition No. 9 of Exhibit "A" shall be amended to read as follows:

"Avenida De La Paz shall be improved to the satisfaction of the City Engineer. The street improvement shall include a median island. Improvement plans shall require review and approval of the City Engineer prior to recordation of the Parcel Map."

C. TENTATIVE PARCEL MAP 85-434, HANDY - 143 PATERO DE ORO

Public Hearing to consider a request to subdivide one lot into two lots for the purpose of constructing two single-family residences.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to continue the Public Hearing on Tentative Parcel Map 85-434 (Handy) to the Council meeting of May 5, 1988, at the request of the Applicant.

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D. WEED ABATEMENT 1988

Public Hearing to consider commencement of the 1988 weed abatement program.

Council received a letter from Richard J. Toal, dated April 19, 1988, requesting exemption of his parcels from the weed abatement program due to his belief that removal of the ice plant may result in slope damage.

Fire Marshal Begnell responded the weed abatement program does not clear live vegetation; noted that Mr. Toal has the option of abating the weed situation himself.

Mayor Lorch opened the Public Hearing.

Roger Gentry, 115 West Avenida de Los Lobos Marinos, President of the La Cristianita Pageant Association, voiced concern the Pageant land is proposed for weed abatement, since the Pageant requires a natural setting; requested the Pageant site be exempted from the weed abatement program.

Fire Marshal Begnell explained that clearing would be limited to a fire barrier along the exterior of the property which is adjacent to structures; cautioned the site's exemption from the weed abatement program would preclude the City from abating illegal dumping on the property.

The Public Hearing was closed, there being no others desiring to speak to this issue.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY MAYOR LORCH, CARRIED 5-0, to instruct the Director of Fire Protection to abate the nuisances referenced in Resolution No. 88-23 by having the weeds, rubbish, refuse and dirt removed from vacant properties within the City, with the proviso that the Fire Marshal shall inform the La Cristianita Pageant Association of the exact extent of proposed weed clearing. In the event the Association believes the clearing would be too intrusive to provide a natural setting for the Pageant, the issue of weed abatement for the La Cristianita Pageant site is to be referred back to Council.

Council voiced concern with the cost that is being borne by the Pageant Association due to the dumping of debris; indicated desire to assist the Pageant in relieving them of this problem.

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COUNCIL RECESSED AT 9:15 P.M. AND RECONVENED AT 9:30 P.M.,  
 WITH ALL MEMBERS PRESENT.

4. CONSENT CALENDAR

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to approve the Consent Calendar with the removal of Items C, D, and E.

A. City Council Minutes

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG; CARRIED 5-0, to approve the City Council minutes of April 6, 1988, March 30, 1988 and April 11, 1988.

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

- (1) Planning Commission minutes of March 15, 1988.
- (2) Parks and Recreation Commission Minutes of March 22, 1988.
- (3) Departmental Activities Report - February 1988.

F. "T" Street Beach Concession

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to approve, and authorize the Mayor to execute, the "Sublease by and between the City of San Clemente and Richard B. Cropley and Ann T. Cropley" for the "T" Street Beach Concession. City Contract No. C87-068.

ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION

C. FINAL MAP APPROVAL - TRACT 12254 (WSLA DEVELOPMENT CORPORATION) - PA #24, RANCHO SAN CLEMENTE

Dolores Slate, 803 Avenida Salvador, stated she lives across the canyon from the proposed development; advised she was informed the property was a natural waterway and would not be developed; voiced concern the surrounding homeowners were not notified of this project.

Staff explained that Council conducted a thorough review of the project two or three years ago during



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consideration of the Tentative Tract Map; explained approval of a Final Map is a ministerial action in which the developer asserts compliance with the conditions of the Tentative Map.

Council noted that current law requires property owners situated within a 300-foot radius of a project to be informed of the proposed development; discussed the desirability/feasibility of expanding the City's notification efforts to include persons outside the 300-foot radius. Councilmember Rice suggested that this possibility be discussed in context with the 1988/89 budget.

MOTION BY COUNCILMEMBER LIMBERG, SECOND BY COUNCILMEMBER MECHAM, CARRIED 4-1 (MAYOR LORCH VOTING NOE), to:

1. Approve the final map for Tract 12254 as submitted by WSLA, with the stipulation that the City Engineer withhold executing the final map until the final tract fees, improvement securities and Subdivision Agreement are received.
2. Authorize execution of the Subdivision Agreement (upon receipt) by the Mayor and City Clerk.

D. FINAL MAP APPROVAL - TRACT 12883 (RICHMOND AMERICAN) - PA #18, RANCHO SAN CLEMENTE

City Manager Hendrickson advised that staff has received the County check list.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to:

1. Approve the precise grading plan, revised site plan and renderings for Tentative Tract 12883 in Rancho San Clemente, as required by the tentative map conditions of approval.
2. Approve the final map for Tract 12883, as submitted by Richmond American homes.
3. Authorize execution of the Subdivision Agreement by the Mayor and City Clerk.

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E. LEASE AGREEMENT FOR PIER TELESCOPES

Councilmember Limberg noted the telescope lease rent revenue will likely amount to \$650 per year; felt that because the lease agreement does not involve a substantial amount of revenue, the matter should have been approved by the City Manager and not submitted to Council.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to approve, and authorize the Mayor to execute, the "Lease by and between the City of San Clemente, California and Carden's Coin Telescopes." City Contract No. C87-070.

5. WARRANT REGISTER

MOTION BY COUNCILMEMBER MECHAM, SECOND BY MAYOR LORCH, CARRIED 5-0, to approve Warrant Nos. 72509 and 72510 (Handwrites) and Warrant Nos. 72513 through 72642 excluding Payroll Warrant for period 3-28-88 through 4-1-88 (Voids 72511 and 72512) in the amount of \$328,502.84; Warrant Nos. 72645 through 72806 for period 4-4-88 through 4-8-88 (Voids 72643 and 72644) in the amount of \$390,873.26; Payroll Warrant No. 72627 for period 3-21-88 through 4-3-88 in the amount of \$254,341.85; for a total Warrant Register of \$973,717.95.

6. UNFINISHED BUSINESS

A. AWARD OF CONTRACT - CAMINO CAPISTRANO STORM DRAIN, PROJECT 13-85

Report from the City Engineer concerning the bid award for the Camino Capistrano storm drain project.

Council received letters from 1) Bernard A. Allen, Attorney at Law, dated April 19, 1988, which relayed Gayle Foltz' support for the proposed storm drain; 2) R. L. Sfreddo, dated April 19, 1988, supporting the storm drain; and 3) Joseph and Lieta Evans, dated April 20, 1988, supporting the storm drain.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to:

1. Award the contract for the construction of the Camino Capistrano storm drain to the lowest responsible bidder, Wilson's Equipment Rental, Inc.

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at the bid price of \$42,389.00. (City Contract No. C88-012)

2. Approve a supplemental appropriation from the Local Drainage Facilities Fund to Account No. 033-841-45300-000-05312 in the amount of \$9,000 to fund the construction of the project.

7. NEW BUSINESS

A. RIVIERA DISTRICT - PROPOSED RESIDENTIAL PARKING PROGRAM

Report from the Community Development Director concerning issuance of special parking permits to residents on Avenida La Costa west of Calle Monte Cristo (500 block) and Plaza a la Playa, within the Riviera District.

Traffic Engineer Hindiye reviewed the contents of the Administrative Report.

Councilmember Limberg expressed concern with the precedent setting aspects of the proposal.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG to deny the request for the issuance of special parking permits to residents on Avenida La Costa west of Calle Monte Cristo (500 block) and Plaza a la Playa, within the Riviera District.

Jim Gratten, 2405 Plaza a la Playa, stated 16 of 22 homeowners signed a petition urging the issuance of special parking permits; stated the enforcement policy has been inconsistent; voiced concern with the shortage of parking spaces; noted the subject area is one of the few areas in the city that provides beach-level access; voiced concern there is insufficient room to park his family's vehicles; maintained he is not afforded the same on-street parking privileges as other residents of San Clemente.

SUBSTITUTE MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER VEALE to table consideration of the issuance of parking permits for residents of the Riviera District to allow investigation of other alternatives with the residents before final action.

C.L. Snider, 303 Calle Rica, spoke in support of the issuance of parking decals, citing the City issued building permits for houses of such size to attract

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larger families and hence necessitate additional vehicle parking space; spoke in opposition to the installation of parking meters.

THE SUBSTITUTE MOTION ON THE FLOOR CARRIED 4-0-1  
 (COUNCILMEMBER RICE ABSTAINING).

B. REQUEST FOR WAIVER OF GREEN FEES - BOYS AND GIRLS CLUB BENEFIT TOURNAMENT

Report from the Director of Public Services concerning waiver of green fees for the Boys and Girls Club Annual Benefit Golf Tournament.

MOTION BY COUNCILMEMBER LIMBERG, SECOND BY COUNCILMEMBER RICE, CARRIED 5-0, to authorize the Boys and Girls Club to hold a benefit tournament at the City golf course on June 10, 1988 and to waive the associated green fees. Proof will be required by May 10, 1988 of a minimum of 144 participants to qualify for a shotgun start.

8. ORAL COMMUNICATIONS

- A. Steve Kingston, 4011 Calle Abril, suggested that two Oral Communications sections be included on Council agendas -- one at the beginning and one at the end; presented a memorandum urging City implementation of a citation approach to building/zoning code infractions.

Community Development Director Holloway advised the City's Code Enforcement Officer will begin issuing citations for building/zoning code violations in the near future.

- B. Glenn Roy and Jay Salzburg voiced concern that abandoned vehicles are parked on private property, moved periodically, and then returned.

City Attorney Oderman noted that at the time nuisance abatement proceedings are considered, the City could require that the vehicle(s) shall not be located on that property until the vehicle(s) are made operable and the registration brought up to date.

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9. REPORTS

A. Commissions and Committee

None.

B. City Manager

- (1) City Manager Hendrickson presented a draft letter to the City Council of the City of San Juan Capistrano concerning development in Talega Valley. Councilmembers concurred with the contents thereof and executed the letter.
- (2) Council authorized staff to submit a letter to LAFCO concerning the Talega Valley Sphere of Influence.

C. City Attorney

City Attorney Oderman requested a Closed Session to discuss a matter of potential litigation, pursuant to Government Code Section 54956.9(c), to decide whether or not to initiate litigation.

D. Council Members

(1) Consideration of re-establishing Traffic and Parking Commission/Committee

MOTION BY MAYOR LORCH, SECOND BY COUNCILMEMBER RICE, FAILED 2-3 (COUNCILMEMBERS LIMBERG, MECHAM, AND VEALE VOTING NOE), to re-establish a Traffic, Parking and Street Commission/Committee.

Staff was directed to report at the May 5, 1988 meeting as to possible methods of responding to Council requests for: 1) traffic analysis on each Tentative Tract and Final Map; 2) quarterly traffic status reports; and 3) colored map showing traffic levels.

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- (2) Consideration of supporting in principle the position of the Cities of Irvine and Laguna Beach in opposition to County of Orange Development Agreements.

MOTION BY MAYOR LORCH, SECOND BY COUNCILMEMBER MECHAM, CARRIED 3-2 (COUNCILMEMBERS LIMBERG AND VEALE VOTING NOE), to forward a letter of support for Laguna Beach's position opposing development agreements. Copies of said letter are to be forwarded to the Cities of Laguna Beach and Irvine and the Orange County Board of Supervisors. The letter shall include the vote on this item.

MOTION BY MAYOR LORCH to obtain legal determination of applicability of any or all of the Causes of Action contained in the Orange County/Talega Valley Partnership Development Agreement. The motion died for lack of a second.

MOTION BY MAYOR LORCH to direct the City Attorney to prepare a written statement clarifying for the record those areas where Rutan and Tucker can, and cannot, represent the City of San Clemente in areas pertaining to Development Agreements. The motion died for lack of a second.

City Attorney Oderman explained that Rutan and Tucker had a conflict of interest pertaining to the Laguna Beach and Irvine situations because Rutan and Tucker represents the Aliso Viejo Company and has clients who would benefit therefrom; stated he is not aware of any conflict relative to the Talega Valley situation; advised Rutan and Tucker has prepared Development Agreements for cities as well as developers, so they could not challenge the legal authority for said Agreements.

3. Initiation of ballot measure for the November 1988 election to enable City Clerk and City Treasurer to be appointed rather than elected.

City Treasurer Morris spoke in support of appointment of the City Treasurer, in lieu of selection via the election process; noted the need to appoint an individual with proper

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abilities; opined the City would be better served if the selection process assured testing and selection against objective standards.

MOTION BY COUNCILMEMBER RICE, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to initiate a ballot measure for the November 1988 election to propose the City Treasurer and City Clerk positions to be appointed.

Steve Kingston, 4011 Calle Abril, spoke in support of establishing limitations on campaign expenditures.

City Attorney Oderman explained that no limits may be established on campaign expenditures; however, campaign contribution limitations can be established.

4. Reconsideration of Council action of April 6, 1988 concerning Analysis of Tract 898 Regarding Alternatives to deal with Subdivision Requests Within the R-1-B-3 Zoning District.

See Page 5 of these minutes for the first portion of the discussion on this agenda item.

City Attorney Oderman was directed to report at the next Council meeting as to means of prohibiting lot splits in the City that will result in additional lots.

Councilmember Veale noted the importance of City representation at the Board of Supervisors and LAFCO meetings of May 4, 1988; noted these meetings conflict with the May 4, 1988 Council meeting; voiced concern with the staff time and cost required to produce the volume of paper in the Council packets; staff is to provide alternatives to reduce the paperwork by May 18, 1988; suggested that Council meetings commence at 5:00 p.m., break for dinner, and then reconvene.

10. RESOLUTIONS/ORDINANCES

- A. Second Reading - Ordinance No. 965 (Flood Damage Protection)

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to adopt Ordinance No. 965 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE AMENDING

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SECTION 24.A OF THE MUNICIPAL CODE OF THE CITY OF SAN CLEMENTE REGARDING FLOOD DAMAGE PREVENTION.

B. Second Reading - Ordinance No. 964 (Cable Television Access)

MOTION BY COUNCILMEMBER LIMBERG, SECOND BY MAYOR LORCH, CARRIED 5-0, to adopt Ordinance No. 964 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE AMENDING CHAPTER 35 REGARDING CABLE TELEVISION FOR SUBDIVISIONS.

CLOSED SESSION

Council recessed to Closed Session at 12:20 a.m. for purposes of discussing a matter of potential litigation, pursuant to Government Code Section 54956.9(c), to decide whether or not to initiate litigation. The City Manager, City Attorney, Community Development Director, and Assistant City Manager were in attendance.

MEETING RECONVENED

Council reconvened at 1:05 a.m., with all members present.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY MAYOR LORCH, FAILED 2-3 (COUNCILMEMBERS LIMBERG, RICE, AND VEALE VOTING NOE), to adjourn to Monday, May 2, 1988 at 7:00 p.m. to discuss the Talega Valley Specific Plan.

MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER RICE, CARRIED 3-2 (MAYOR LORCH AND COUNCILMEMBER MECHAM VOTING NOE), to adjourn to Monday, May 2, 1988 at 6:00 p.m. to discuss the Talega Valley Specific Plan.

MOTION BY MAYOR LORCH, SECOND BY COUNCILMEMBER RICE, CARRIED 5-0, to cancel the City Council meeting of May 4, 1988. The next Regular Council Meeting will be held on May 5, 1988 at 7:00 p.m. in the Council Chambers.





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ADJOURNMENT

Council adjourned at 1:10 a.m. to 6:00 p.m. on May 2, 1988 in the Council Chambers for purposes of discussing the Talega Valley Specific Plan.

The next Regular Council Meeting will be held on May 5, 1988 at 7:00 p.m.

  
CITY CLERK of the City of  
San Clemente

  
MAYOR of the City of  
San Clemente

AFFIDAVIT OF POSTING ORDER  
OF ADJOURNMENT OF MEETING

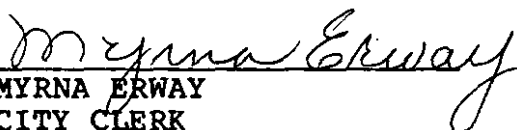
STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) SS.  
CITY OF SAN CLEMENTE )

I, MYRNA ERWAY, declare as follows:

That I am the City Clerk of the City of San Clemente; that a Regular City Council meeting held on APRIL 20, 1988 said meeting was adjourned to the time and place specified in the ORDER OF ADJOURNMENT attached hereto; and that on April 21, 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 April 21, 1988 at San Clemente, California.

  
MYRNA ERWAY  
CITY CLERK

