

CITY OF SAN CLEMENTECITY COUNCIL MEETINGREGULAR MEETING - MAY 18, 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 Lorch at 7:10 p.m.

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; Bill Cameron, City Engineer; Joanne Baade, Deputy City Clerk; and certain other staff members present in the audience.

INVOCATION

Pastor Tom Kakadelsis, Mar Vista Church, gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Lorch led the Pledge of Allegiance.

1. SPECIAL PRESENTATIONS

None.

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

3. PUBLIC HEARINGS

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

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

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Mayor Lorch opened the Public Hearing.

Hugh Scallon, Attorney representing Mr. Handy, stated the proposed lot split meets all technical requirements of pertinent Ordinances; reviewed access provisions to the two lots, noting the properties will take access approximately one-half mile from each other; reviewed the topography of the site as it relates to view impacts; noted Council has already received a petition containing 44 names of individuals who favor the subdivision and presented a petition addendum of 10 additional supporters; reviewed other properties in the vicinity which had been granted lot splits; opined the proposal would not devalue the neighborhood; presented letters from John Rohan, 228 Avenida La Cuesta and Mr. and Mrs. H. E. Salem, 195 Avenida La Cuesta which support the proposed subdivision.

Rich Handy, Applicant, stated the proposal complies with the Subdivision Code and the Zoning Code; spoke in support of the utilization of alleys for access; opined the safety of the area would be enhanced by the subject subdivision; felt the subdivision would be in keeping with the character of the neighborhood and will not diminish the value of surrounding properties; opined adequate access would be provided; stated two flag lots already exist in the area.

Mayor Lorch closed the Public Hearing, there being no others desiring to speak to this issue.

During the ensuing discussion, Council voiced concern with 1) the creation of flag lots, 2) the unusual access to the properties, 3) the inadequacy of the proposed street frontage and 4) the belief that the petition does not meet the intent of the Subdivision Code and Zoning Code.

MOTION BY MAYOR LORCH, SECOND BY COUNCILMEMBER MECHAM to adopt Resolution No. 88-30 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADOPTING A NEGATIVE DECLARATION AND DENYING TENTATIVE PARCEL MAP NO. 85-434, HANDY.

City Attorney Oderman opined it is within Council's discretion to determine whether the project meets the 35-foot street frontage requirement; noted Council has not approved flag lots for 25 years; advised that pertinent issues include whether the project meets the intent of existing Ordinances and whether effectively there is 35 feet of access to the lots; advised Council has the discretion to take into consideration the issues of vehicular access, traffic, safety, aesthetics, and the usability of the long and narrow stretch of the flag lot.

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THE MOTION CARRIED 4-0-1 (COUNCILMEMBER LIMBERG ABSTAINED DUE TO THE FACT HE IS AN ACQUAINTANCE OF THE APPLICANT AND IS AWARE OF THE APPLICANT'S PERSONAL SITUATION AS IT RELATES TO THIS PETITION.)

B. TENTATIVE PARCEL MAP NO. 88-115, WSLA - EASTERLY END OF CALLE RECODO

Public Hearing to consider a request to subdivide an existing lot, totalling 4.9 acres, into two lots within the Rancho San Clemente Business Park.

Mayor Lorch opened the Public Hearing.

Principal Planner Goldin noted the Planning Commission, at its meeting of May 16, 1988, directed staff to draft policy and standards for assuring an appropriate land use mix in the Rancho San Clemente Business Park.

Council discussed the possibility of deferring the subject proposal until staff has completed its analysis of lot sizes and land use mix within the Rancho San Clemente Business Park. Principal Planner Goldin advised that WSLA has waived the timeframe obligation for this proposal. Following review, it was the general consensus of Council that the subject land use analysis is not germane to this particular application.

Traffic Engineer Hindiye reported the trip generation from the proposal would not have any impact on the street or on the surrounding area; stated the cul-de-sac and turning radius is designed according to Orange County standards.

Community Development Director Holloway noted that two major issues pertaining to the subject application are lot splits and traffic; summarized the proposed phasing sequence and funding assignments for proposed street improvements in Rancho San Clemente; reviewed anticipated Levels of Service on major thoroughfares; stated he is comfortable with the lot split in question because of the site specifics of this application and surrounding properties; advised there is sufficient capacity on Pico to accommodate this application, noting that Pico capacity won't become an issue until next year's development allocations and/or finalization of the thirteen Tract Maps in Talega Valley; noted that subsequent Use Permits and Tentative Tract Maps will be subject to Talega Valley conditions.

Mayor Lorch opened the Public Hearing.

Ron Chapman, Church Engineering, stated for the record that WSLA agreed to waive the timeframe obligation for their application due to staff workload.

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

MOTION BY COUNCILMEMBER LIMBERG, SECOND BY COUNCILMEMBER VEALE, CARRIED 4-1 (MAYOR LORCH VOTING NOE), to adopt Resolution No. 88-43 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP 88-115, WSLA.

C. APPEAL OF TWO CONDITIONS OF APPROVAL FOR USE PERMIT 88-03 AND SITE PLAN REVIEW 88-08 - OFFICE RETAIL COMPLEX LOCATED ON THE WEST SIDE OF THE INTERSECTION OF CAMINO CAPISTRANO AND AVENIDA VAQUERO

Public Hearing to consider an appeal of two conditions of approval added to Use Permit 88-03 and Site Plan Review 88-08 at the April 5, 1988 Planning Commission hearing.

Mayor Lorch opened the Public Hearing.

MOTION BY COUNCILMEMBER LIMBERG, SECOND BY COUNCILMEMBER MECHAM to call up for Council review the entire project (Use Permit 88-03 and Site Plan Review 88-08) and to direct the City Clerk to provide legal notice for a Public Hearing to be held on June 15, 1988.

Richard Dickey, 215 Via San Andreas, voiced concern with the traffic impact of the project and the proposed inclusion of retail use within the development; disagreed with staff's recommendation that traffic control is not needed at this point in time.

Robert Young, Applicant, relayed his opinion that the appeal period has already lapsed for the project.

City Attorney Oderman responded that Section 7.5A of the Zoning Code provides that the minutes of all Planning Commission meetings must be presented to Council and that Council may call up for review any item on those minutes; advised the minutes for the April 5, 1988 Planning Commission meeting appear on this evening's agenda and hence the Council appeal period is still in force.

THE MOTION CARRIED 5-0.

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D. SETTLEMENT/DEVELOPMENT AGREEMENT

Continued Public Hearing to determine whether Estrella Properties Ltd. has complied in good faith with the provisions of the First Amendment to the Settlement/Development Agreement.

Mayor Lorch opened the Public Hearing.

Dan Millington, 3917 Calle Andalucia, requested and received clarification re the status of the Settlement/Development Agreement issue; stated Darrel Spence of Estrella Properties has offered to provide a partial remedial solution to the Cascadita problem which would enable the residents to return to their homes; urged that the City aggressively pursue Mr. Spence's offer.

Harold White, 2927 Heraldo, requested and received a status report on the bonds and punch list for the Forster Ranch improvements; voiced concern with the quality of development in San Clemente.

City Manager Hendrickson indicated disagreement with Mr. White's comments concerning quality of development in San Clemente, noting that staff does an excellent job of reviewing each and every development.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to continue the Public Hearing on the Settlement/Development Agreement to the Council Meeting of June 15, 1988.

4. CONSENT CALENDAR

MOTION BY COUNCILMEMBER LIMBERG, SECOND BY COUNCILMEMBER MECHAM, CARRIED 5-0, to approve the Consent Calendar with the removal of Items B-1, B-3, C, G, and H.

A. MOTION BY COUNCILMEMBER LIMBERG, SECOND BY COUNCILMEMBER MECHAM, CARRIED 5-0, to approve the City Council minutes of April 14, 1988, May 2, 1988 and May 5, 1988.

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

(2) Residential Development Evaluation Board Minutes of April 11, 1988.

(4) Parks and Recreation Commission Minutes of April 12, 1988.

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(5) Golf Course Committee Minutes of April 5, 1988.

(6) Departmental Activities Report - April 1988.

D. AWARD OF BID - ONE HEAVY DUTY SKIDMOUNT AIR COMPRESSOR

MOTION BY COUNCILMEMBER LIMBERG, SECOND BY COUNCILMEMBER MECHAM, CARRIED 5-0, to accept the alternate bid of Sullair Corporation in the amount of \$10,388.00 for the purchase of one (1) new 1988 model Sullair 185Q Skidmount Heavy Duty Air Compressor.

E. SOAPBOX DERBY

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

1. Approve the request by the Cub Scouts to close the 100 block of Del Mar for the purpose of sponsoring a Soapbox Derby on Sunday, May 22, 1988 from 12:00 noon to 5:00 p.m., subject to the conditions specified in the Administrative Report, dated May 5, 1988, and on file in the City Clerk's Department.
2. Direct the Chamber of Commerce and Cub Scouts to work closely with the Police Department to ensure compliance with the conditions of approval.

F. SB 2177 (MCCORQUODALE) - DISMISSAL OF PUBLIC SAFETY OFFICERS

MOTION BY COUNCILMEMBER LIMBERG, SECOND BY COUNCILMEMBER MECHAM, CARRIED 5-0, to authorize the Mayor to send letters to the appropriate legislators opposing SB 2177 (McCorquodale) regarding dismissal of Public Safety Officers.

I. TRAFFIC SIGNAL - SOUTH EL CAMINO REAL AT AVENIDA SAN LUIS REY, PROJECT #6-87

MOTION BY COUNCILMEMBER LIMBERG, SECOND BY COUNCILMEMBER MECHAM, CARRIED 5-0, to accept the traffic signal at South El Camino Real and Avenida San Luis Rey, Project No. 6-87 from Steiny and Company, and authorize the City Clerk to file a Notice of Completion with the County Recorder. (City Contract #C87-056).

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J. SAN CLEMENTE STREET LIGHTING AND LANDSCAPING
DISTRICT NO. 1, FY 1988-89 ASSESSMENTS

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

1. Adopt Resolution No. 88-46 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ORDERING THE PREPARATION OF PLANS, SPECIFICATIONS, COST ESTIMATE, DIAGRAM, ASSESSMENT AND REPORT PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2 OF THE STREET AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, FOR PROCEEDINGS FOR ANNUAL ASSESSMENT LEVY AFTER FORMATION OF A DISTRICT.
2. Adopt Resolution No. 88-47 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING THE ENGINEER'S "REPORT" FOR ANNUAL LEVY OF ASSESSMENT FOR FISCAL YEAR IN A DISTRICT WITHIN SAID CITY.
3. Adopt Resolution No. 88-48 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR CERTAIN MAINTENANCE IN SAID DISTRICT, PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2 OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR PUBLIC HEARING THEREON (JUNE 1, 1988).

ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION

- B1. PLANNING COMMISSION MINUTES OF APRIL 5, 1988 AND
APRIL 19, 1988

Planning Commission Minutes of April 5, 1988

MOTION BY COUNCILMEMBER LIMBERG, SECOND BY MAYOR LORCH, CARRIED 5-0, to receive and file the Planning Commission minutes of April 5, 1988, with the notation that Use Permit 88-03 and Site Plan Review 88-08 (Young) was called up for review during this evening's discussion of Agenda Item 3-C.

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Planning Commission Minutes of April 19, 1988

MOTION BY COUNCILMEMBER LIMBERG, SECOND BY COUNCILMEMBER RICE, CARRIED 5-0, to call up Use Permit 87-31 (Arenoso Lane Condominiums) from the Planning Commission minutes of April 19, 1988 for review.

MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to call up Use Permit 88-01 (Circle K Corporation) from the Planning Commission minutes of April 19, 1988 for review.

MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER RICE, CARRIED 5-0, to receive and file the balance of the Planning Commission minutes of April 19, 1988.

B3. COMMUNITY DESIGN COMMISSION MINUTES OF MARCH 22, 1988, APRIL 12, 1988 AND APRIL 26, 1988

MOTION BY COUNCILMEMBER LIMBERG, SECOND BY COUNCILMEMBER MECHAM, CARRIED 5-0, to receive and file the Community Design Commission minutes of March 22, 1988 and April 12, 1988.

MOTION BY COUNCILMEMBER LIMBERG, SECOND BY COUNCILMEMBER RICE, CARRIED 5-0, to receive and file the Community Design Commission minutes of April 26, 1988, with the notation that CDC 88-023 (Young) was called up for Council review earlier this evening during the discussion on Agenda Item 3-C.

C. ENDORSEMENT OF CALIFORNIA PARKLAND BOND INITIATIVE (PROPOSITION 70)

Following clarification, MOTION BY COUNCILMEMBER LIMBERG, SECOND BY MAYOR LORCH, CARRIED 5-0, to adopt Resolution No. 88-45 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE SUPPORTING THE CALIFORNIA WILDLIFE, COASTAL, PARK AND CONSERVATION ACT OF 1988, PROPOSITION 70.

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G. SECOND AMENDMENT TO AGREEMENT WITH SAN DIEGO COUNTY FOR EMERGENCY MEDICAL SERVICES

Following clarification, MOTION BY COUNCILMEMBER LIMBERG, SECOND BY COUNCILMEMBER MECHAM, CARRIED 5-0, to approve, and authorize the Mayor to execute, a second amendment to Agreement between the County of San Diego and the City of San Clemente for advanced life support services along Interstate 5 Corridor north of Las Pulgas Road to the San Diego County Line. (City Contract #C87-045).

H. CALAFIA BEACH MOBILE CONCESSION

Following clarification relating to the adequacy of the 15-day termination clause in the lease, MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to approve, and authorize the Mayor to execute, an interim lease agreement with the La Cristianita Pageant Association for a mobile concession operation at Calafia Beach. (City Contract #C88-014).

5. WARRANT REGISTER

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 5-0, to approve Warrant Nos. 73213 through 73356 excluding Payroll Warrant for period 4-25-88 through 4-29-88 (Voids 73207-73212) in the amount of \$696,253.79; Warrant Nos. 73362 through 73549 for period 5-2-88 through 5-6-88 (Voids 73357-73361) in the amount of \$448,213.95; Payroll Warrant No. 73336 for period 4-18-88 through 5-1-88 in the amount of \$246,148.36; for a total Warrant Register of \$1,390,616.10.

6. UNFINISHED BUSINESS

None.

7. NEW BUSINESS

A. Warning Signs - Effects of Alcoholic Beverages on Pregnant Women and Unborn Children

Report from the Assistant City Manager concerning adoption of an Ordinance requiring the posting of signs where alcoholic beverages are sold warning of the effects of alcohol on pregnant women and unborn children.

Assistant City Manager Hulsizer distributed a revised version of Ordinance No. 968 and summarized the changes

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made thereto as follows: 1) the location in the Municipal Code has been revised; and 2) Section 2 (Language) has been deleted.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE to introduce Ordinance No. 968 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE RELATING TO THE POSTING OF SIGNS WARNING OF THE DANGERS OF CONSUMING ALCOHOLIC BEVERAGES DURING PREGNANCY. If businesses aren't able to secure free signs, they will be required to obtain such at their own expense.

MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER MECHAM, CARRIED 4-1 (COUNCILMEMBER LIMBERG VOTING NOE), to amend the main motion to include the reinstatement of Section 2 (Language) into Ordinance No. 968 as follows:

" Section 22B-22 Signs in Other Languages.

"In the event a substantial number of the public patronizing a premises offering for sale or dispensing wine, beer, or other alcoholic beverages uses a language other than English as a primary language, any sign or notice required by this article shall be worded both in English and the primary language or languages involved."

THE MAIN MOTION, AS AMENDED, CARRIED 3-2 (COUNCILMEMBER LIMBERG AND MAYOR LORCH VOTING NOE.)

B. Appointment of Commission and Committee Members for 1988-89

Report from the City Clerk concerning establishing a separate meeting date to review applications and make appointments to fill vacancies on Commissions/Committee for terms which expire June 30, 1988.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER VEALE, CARRIED 5-0, to establish June 10, 1988 as the deadline for the submittal of applications to fill Commission/Committee vacancies, and to direct the City Clerk to agendize the review of applications and possible appointment selections for the June 15, 1988 meeting. Council noted that if, after a review of the applications, it desires to interview any of the candidates, an Adjourned Regular Meeting could be scheduled for that purpose.

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C. Municipal Code Amendment - Offshore Oil Support Facilities

Report from the Assistant City Manager concerning the addition of Section 5.57 to the City's Municipal Code, requiring proposed general plan amendments regarding the location of onshore support facilities for offshore oil exploration and development to be submitted to the voters for determination on the November ballot.

MOTION BY COUNCILMEMBER LIMBERG, SECOND BY MAYOR LORCH, CARRIED 5-0, to adopt Resolution No. 88-49 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE TO SUBMIT TO THE VOTERS OF THE CITY OF SAN CLEMENTE A PROPOSITION AMENDING APPENDIX 'A' OF THE CODE OF THE CITY OF SAN CLEMENTE BY ADDING SECTION 5.57 REGARDING ONSHORE OIL FACILITIES.

8. ORAL COMMUNICATIONS

Steve Kingston, 4011 Calle Abril, suggested that Oral Communications be placed at the beginning of Council agendas; indicated opposition to secondary dwelling units because they violate the character of single-family neighborhoods; urged that Council direct staff to join the City of San Juan Capistrano in petitioning legislators to make the secondary dwelling unit law workable.

9. REPORTS

A. Commissions and Committee

None.

B. City Manager

(1) MOTION BY COUNCILMEMBER MECHAM, SECOND BY MAYOR LORCH, CARRIED 5-0, to schedule the Council Public Hearing to consider 1988 RDEB Development Allocation Awards.

(2) City Manager Hendrickson requested a Closed Session to discuss pending litigation (Malory v City of San Clemente) pursuant to Government Code Section 54956.9(a).

C. City Attorney

City Attorney Oderman requested a Closed Session to discuss pending litigation (Estrella Properties v.

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City of San Clemente), pursuant to Government Code Section 54956.9(a).

D. Councilmembers

Councilmember Limberg (1) requested and received an update on the possibility of contracting street landscape maintenance; (2) voiced concern that on occasion the Mayor has transmitted a philosophy to the community regarding growth and development which may not be shared by the Council majority and requested that the Mayor reconsider his involvement as a Council representative on the Economic Development Committee.

(1) SOUTH COUNTY SOCIAL SERVICES CENTER

MOTION BY COUNCILMEMBER LIMBERG, SECOND BY COUNCILMEMBER MECHAM, CARRIED 5-0, to adopt Resolution No. 88-34 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA URGING THE ORANGE COUNTY BOARD OF SUPERVISORS TO MAINTAIN OPERATIONS OF THE SOUTH COUNTY SOCIAL SERVICES CENTER.

(2) TRASH CANS AT BASE OF PIER

Councilmember Rice voiced concern with the existence of full trash dumpsters at the base of the pier. Council directed staff to report back to Council in memorandum form on possible remedial measures.

(3) EXPOSED WIRES AT BASE OF PIER

Councilmember Rice advised his concerns with exposed wires at the base of the pier have been resolved.

Councilmember Veale (1) suggested that staff devise a method of reserving traffic flow allowance and sewer capacity for the industrial area. Council directed that this issue be agendized in the near future; (2) suggested that routine Council business be considered in the late afternoon, that the meeting be recessed for dinner, and that the meeting be reconvened in the evening. It was the consensus of Council that the meetings should remain at 7:00 p.m. as presently scheduled.

Councilmember Mecham voiced concern there is a proliferation of firewood being stored outside

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buildings. City Attorney Oderman agreed to research the Zoning Code to determine if the City has control over this situation.

(4) ORAL COMMUNICATIONS PLACEMENT ON THE AGENDA.

MOTION BY MAYOR LORCH, SECOND BY COUNCILMEMBER RICE to place Oral Communications on the Council agendas prior to Public hearings.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER VEALE to amend the main motion to place Oral Communications on Council agendas in two locations i.e., once at the beginning and once at the end, with the proviso that Public Hearings shall commence no later than 7:30 p.m.

SUBSTITUTE MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER MECHAM to place Oral Communications on the Council agenda after Public Hearings and before the Consent Calendar on a two-month trial basis.

Steve Kingston, 4011 Calle Abril, felt that Oral Communications should be listed prior to Public Hearings and be limited to no more than five speakers; suggested that additional speakers be required to speak under the second Oral Communications section.

THE SUBSTITUTE MOTION CARRIED 5-0.

MOTION BY MAYOR LORCH, SECOND BY COUNCILMEMBER RICE, CARRIED 3-2 (COUNCILMEMBERS LIMBERG AND MECHAM VOTING NOE), to place a second Oral Communications section on the agenda following New Business.

Mayor Lorch (1) advised the Orange County League of Cities has a position available on a County/City Coordinating Committee for cities with a population less than 45,000. Interested Councilmembers were requested to contact Mayor Lorch, who will submit a letter to the League; (2) voiced concern with the collection of debris in City curbs; (3) questioned and received clarification relating to the budgeting of funds to acquire the La Cristianita Pageant property; (4) voiced concern a building is being constructed on Serra with zero setbacks in a C- 2 zone.

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10. RESOLUTIONS/ORDINANCES

A. Revision of City Claims Review Procedure

Report from the Assistant City Manager concerning adoption of an Ordinance authorizing the City Manager or his designee to deny claims filed against the City.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 4-1 (MAYOR LORCH VOTING NOE), to introduce Ordinance No. 966 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING SECTION 3-12 OF THE CODE OF THE CITY OF SAN CLEMENTE REGARDING THE ALLOWANCE AND COMPROMISE OF CLAIMS.

CLOSED SESSION

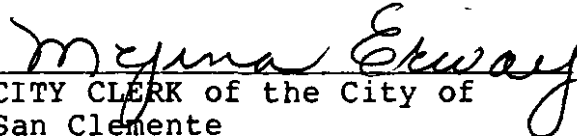
MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to recess to Closed Session at 10:20 p.m. to discuss 1) pending litigation (Mallory v. City of San Clemente) pursuant to Government Code Section 54956.9(a); and 2) pending litigation (Estrella Properties v. City of San Clemente), pursuant to Government Code Section 54956.9(a). The City Manager, Assistant City Manager, Community Development Director, City Engineer and City Attorney were in attendance.


MEETING RECONVENED

Council reconvened at 10:55 p.m., with all members present.

ADJOURNMENT

MOTION BY COUNCILMEMBER RICE, SECOND BY MAYOR LORCH, CARRIED 5-0, to adjourn at 10:55 p.m. to an Adjourned Regular Meeting to be held on May 25, 1988 at 7:00 p.m. to review the proposed FY 1988-89 budget.


CITY CLERK of the City of
San Clemente


MAYOR of the City of
San Clemente

AFFIDAVIT OF POSTING ORDER
OF ADJOURNMENT OF MEETING

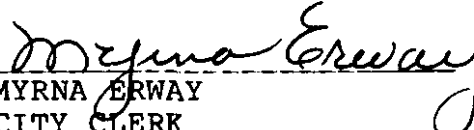
STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS.
CITY OF SAN CLEMENTE)

I, MYRNA ERWAY, declare as follows:

That I am the City Clerk of the City of San Clemente; that at a Regular City Council meeting held on May 18, 1988 said meeting was adjourned to the time and place specified in the ORDER OF ADJOURNMENT attached hereto; and that on May 19, 1988 at the hour of 10:20 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 May 19, 1988 at San Clemente, California.


MYRNA ERWAY
CITY CLERK

NOTICE OF ADJOURNMENT
EXCERPT FROM THE MINUTES OF THE
CITY COUNCIL
MEETING OF May 18, 1988

A Regular City Council Meeting was held in the City Council Chambers, 100 Avenida Presidio, San Clemente on May 18, 1988 and was called to order at 7:10 p.m.

ROLL CALL: PRESENT: LIMBERG, MECHAM, RICE, VEALE, MAYOR LORCH

ABSENT: NONE

ADJOURNMENT

Meeting adjourned to Wednesday, May 25, 1988 at 7:00 p.m. to review the proposed FY 1988-89 budget.

Myrna Erway 1/5/88
MYRNA ERWAY
CITY CLERK