

MAY 4, 1993

**REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN JUAN CAPISTRANO, CALIFORNIA**

The Regular Meeting of the City Council of the City of San Juan Capistrano, California was called to order by Mayor Jones at 7:00 p.m. in the City Council Chamber, followed by the Pledge of Allegiance to the Flag. Invocation was given by Pastor Phillip Munsey of The Life Church.

ROLL CALL:

PRESENT: Gil Jones, Mayor
Collene Campbell, Mayor pro tem
Gary L. Hausdorfer, Council Member
Carolyn Nash, Council Member
Jeff Vasquez, Council Member

ABSENT: None

STAFF PRESENT: George Scarborough, City Manager; Richard K. Denhalter, City Attorney; Cheryl Johnson, City Clerk; Cynthia L. Pendleton, Interim Director of Administrative Services; William M. Huber, Director of Engineering and Building Services; Thomas Tomlinson, Director of Planning Services; Al King, Jr., Director of Community Services; Nancy Bernardi, Recording Secretary.

MOTION TO READ BY TITLE ONLY

It was moved by Council Member Nash, seconded by Council Member Campbell, and unanimously carried that all Ordinances be read by title only.

PRESENTATIONS AND COMMENDATIONS

1. PROCLAMATION DESIGNATING SATURDAY, MAY 8, 1993, AS "FIRE SERVICE RECOGNITION DAY" (610.40)

Written Communication:

Report dated May 4, 1993, from the City Clerk, forwarding the Proclamation.

Approval and Presentation of Proclamation:

Battalion Chief Dan Runnestrand accepted the Proclamation from Mayor Jones and encouraged the public to attend the Open House on May 8 from 9:00 to 11:00 a.m. at the Battalion Station located on Golden Lantern in Laguna Niguel.

2. SPONSOR RECOGNITION - 1993 FIESTA DE LAS GOLONDRINAS (150.60)

Written Communication:

Report dated May 4, 1993, from the Director of Community Services, forwarding the list of primary sponsors for the 1993 Fiesta De Las Golondrinas for formal recognition by the City Council.

Mr. King noted the contributions of the four major contributors to the 1993 Fiesta De Las Golondrinas and commended Jane Casanova of California Riviera Promotions for her efforts. Ms. Casanova presented plaques of recognition to the following sponsors:

Presenting Sponsor: Dimension Cable Services
Major Sponsor: Orange County Register
Community Sponsor: Medix Ambulance Service
Contributing Sponsor: South Orange County News

Dave Limebrook, Yvette Welch
 Barbara Kimler
 Dale Prince
 Pat Norton, Tracy Barna

ORAL COMMUNICATIONS (CITY COUNCIL/COMMUNITY REDEVELOPMENT AGENCY)

1. FRANCISCAN PLAZA PARKING LOT (410.60)

David Boucher, 31781 Camino Capistrano, Suite 101, requested that the scheduled repairs of the Franciscan Plaza parking lot be postponed until after the Mother's Day weekend. Mr. Scarborough indicated that staff would investigate delaying the project.

2. BOYS & GIRLS CLUB (130.40)

Ken Friess, 31506 Paseo Christina, requested that the Council consider the use of a banner advertising the Boys & Girls Club fund raising in May. The goal is to raise \$100,000 to fund the Club on a full-time basis beginning summer 1993, expanding the program from two to four hours per day. He noted that 35 youths participate three nights per week at this time, with some having to be turned away.

ADDITIONAL AGENDA ITEM

REQUEST FOR APPROVAL OF INSTALLATION OF STREET BANNERS -
BOYS & GIRLS CLUB OF CAPISTRANO VALLEY (130.40)

Finding for Consideration of Off-Agenda Item:

It was moved by Council Member Campbell, seconded by Council Member Hausdorfer, and unanimously carried to find that this item was not available prior to publication of the Council agenda and consideration was necessary at this time.

Written Communication:

Report dated May 4, 1993, from the Director of Community Services, recommending that the request from Ken Friess for a banner advertising the May fund raising for the Boys & Girls Club be approved; that a display time limit be determined; and, that encroachment permit fees be waived. The Report further recommended that possible changes to Municipal Code Section 9-3.603(f)(15) be evaluated and returned for Council consideration.

Adoption of Resolution Authorizing the Installation of Banner for the Boys & Girls Club:

It was moved by Council Member Hausdorfer, seconded by Council Member Campbell, that the following Resolution be adopted:

RESOLUTION NO. 93-5-4-1, AUTHORIZING PLACEMENT OF BANNERS -
BOYS AND GIRLS CLUB OF CAPISTRANO VALLEY - A RESOLUTION OF
 THE CITY COUNCIL OF THE CITY OF SAN JUAN CAPISTRANO,
 CALIFORNIA, AUTHORIZING PLACEMENT OF BANNERS WITHIN THE
 PUBLIC RIGHT-OF-WAY FOR THE BOYS & GIRLS CLUB OF CAPISTRANO
 VALLEY, SUBJECT TO THE PROVISIONS OF SECTION 9-3.603(f)(15) OF THE
 CITY'S MUNICIPAL CODE

The motion carried by the following vote:

AYES: Council Members Campbell, Hausdorfer, Nash, Vasquez, and Mayor Jones

NOES: None

ABSENT: None

The Resolution authorized the Planning Director to approve the specific dates for the events. Encroachment permit fees were waived. Staff was directed to clarify the issues related to ordinance modifications for future consideration.

CONSENT CALENDAR

It was moved by Council Member Hausdorfer, seconded by Council Member Nash, that the staff recommendations be accepted for the following items listed on the Consent Calendar. The motion carried by the following vote:

AYES: Council Members Campbell, Hausdorfer, Nash, Vasquez, and Mayor Jones

NOES: None

ABSENT: None

1. APPROVAL OF COMMUNITY REDEVELOPMENT AGENCY MINUTES - REGULAR MEETING OF APRIL 6, 1993

The Minutes of the Regular Meeting of April 6, 1993, were approved as submitted.

2. RECEIVE AND FILE WARRANTS OF APRIL 23, 1993 (300.30)

The List of Demands dated April 1, 1993, in the total amount of \$21,171.63, and the List of Demands dated April 23, 1993, in the total amount of \$1,163,116.90, were received and filed.

3. RECEIVE AND FILE CASH BALANCES BY FUND FOR MARCH 1993 (330.50)

The City Treasurer's Report of Cash Fund Balances for the month of March 1993 in the total amount of \$-121,947.11 was received and filed.

4. AMENDMENT NO. 1 TO AGREEMENT FOR IMPLEMENTATION OF NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PROGRAM PERMIT AND TECHNICAL ADVISORY COMMITTEE BYLAWS (COUNTY OF ORANGE) (600.50)

As set forth in the Report dated May 4, 1993, from the Director of Engineering and Building, the Mayor and the City Clerk were authorized to execute Amendment No. 1 to the Agreement for Implementation of the NPDES Program Permit, and the Technical Advisory Committee Bylaws were approved. Funds in the amount of \$13,800 were budgeted as the City's share for fiscal year 1992-93.

5. RESOLUTION AND APPLICATION FOR LOCAL SENATE BILL 821 GRANT FUNDS - CONSTRUCTION OF HANDICAPPED ACCESS RAMPS (585.40)

As set forth in the Report dated May 4, 1993, from the Director of Engineering and Building, the following Resolution was adopted authorizing the submittal of an application for SB 821 Local Grant Funds for the construction of handicapped access ramps:

RESOLUTION NO. 93-5-4-2, APPROVAL OF APPLICATION FOR 1993-94
LOCAL ALLOCATION - SENATE BILL 821 GRANT FUNDS - A RESOLUTION
OF THE CITY COUNCIL OF THE CITY OF SAN JUAN CAPISTRANO,
CALIFORNIA, APPROVING THE APPLICATION FOR LOCAL PEDESTRIAN
FUNDS UNDER SENATE BILL 821 (HANDICAPPED ACCESS RAMPS)

6. DENIAL OF CLAIM - PERSONAL INJURY (GREG RAEISON) (170.10)

The claim received by the City on February 26, 1993, from Jeffrey E. Raelson on behalf of Greg Raelson, a minor, in the amount of \$600.35 for personal injuries, was denied, as set forth in the Report dated May 4, 1993, from the City Attorney.

The following item on the Consent Calendar was considered separately, as requested by Council Member Campbell:

APPROVAL OF CITY COUNCIL MINUTES - REGULAR MEETING OF APRIL 6, 1993

It was moved by Council Member Campbell, seconded by Council Member Hausdorfer, and unanimously carried that the Minutes of the Regular Meeting of April 6, 1993, be approved, with the following modification: Page 14 item 2(b), League of California Cities, the first sentence was modified as follows: "Council Member Campbell noted her attendance at the Public Safety meeting held by the League of California Cities and stated that safety of the public was a top priority for her."

PUBLIC HEARINGS

None.

RECESS AND RECONVENE

Council recessed at 7:20 p.m. to convene the San Juan Capistrano Community Redevelopment Agency, and reconvened at 7:55 p.m.

ADMINISTRATIVE ITEMS

CITY MANAGER

1. CITY-WIDE CURBSIDE RECYCLING - STATUS REPORT (810.60)

Written Communication:

Report dated May 4, 1993, from Douglas Dumhart, Management Assistant, providing a status report on the City's curbside recycling program and recommending that the program be re-reviewed with a report to Council within 90 days.

Mr. Dumhart made an oral presentation. Council Member Nash advised the public that the program was still being evaluated and encouraged residents to contact Mr. Dumhart regarding any concerns they may have.

Receipt and Filing of Report and Direction to Staff:

It was moved by Council Member Hausdorfer, seconded by Council Member Nash, and unanimously carried that the Report be received and filed. Staff was directed to provide a status report to the Council within 90 days, including recommendations for any program modifications.

2. CONSIDERATION OF CITY COUNCIL POLICY REGARDING CITY FUNDING OF COMMUNITY ORGANIZATIONS (610.30)

Written Communication:

Report dated May 4, 1993, from Jennifer Murray, Senior Management Assistant, recommending that a City Council Policy be adopted to establish a formal grant funding program for the City, which essentially would place the responsibility on all organizations requesting funding from the City to focus on effective service delivery.

Ms. Murray made an oral presentation. In response to an inquiry by Council Member Vasquez, Ms. Murray explained that food distribution centers arranged by religious organizations would be permitted as long as distribution of the food was not limited solely to the organization's members.

Adoption of City Policy Re: Community Organization Grant Programs:

It was moved by Council Member Nash, seconded by Council Member Campbell, and unanimously carried that City Council Policy "Community Organization Grant Program" be adopted.

CITY CLERK

1. RESOLUTION DECLARING RESULTS OF SPECIAL ELECTION - APRIL 13, 1993 (MEASURE A, MOBILE HOME VACANCY CONTROL) (630.20)

Written Communication:

Report dated May 4, 1993, from the City Clerk, forwarding a Resolution declaring the results of the April 13, 1993, Special Election. The majority of those voting voted in favor of Ordinance No. 715, which added vacancy control to the City's Mobile Home Rent Control regulations.

Mary Rose Winkler, 32802 Valle Road, #111, on behalf of the Capistrano Terrace residents, expressed appreciation to the City Council, Al Simmons, and Ken Friess, for their efforts in getting Measure A passed.

Council Member Nash suggested that the City send letters thanking the San Juan Seniors who worked on this project.

Declaration of Results:

It was moved by Council Member Hausdorfer, seconded by Council Member Nash, that the following Resolution be adopted:

RESOLUTION NO. 93-5-4-3, DECLARING RESULTS OF SPECIAL MUNICIPAL ELECTION - APRIL 13, 1993 (MOBILE HOME VACANCY CONTROL/ ORDINANCE NO. 715) - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN CAPISTRANO, CALIFORNIA, RECITING THE FACT OF THE SPECIAL MUNICIPAL ELECTION HELD ON TUESDAY, APRIL 13, 1993, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW

WHEREAS, a Special Municipal Election was held and conducted in the City of San Juan Capistrano, California, on Tuesday, April 13, 1993, as required by law; and,

WHEREAS, notice of the election was given in time, form and manner as provided by law; that voting precincts were properly established; that election officers were appointed and that in all respects the election was held and conducted and the votes were cast, received and canvassed and the returns made and declared in time, form and manner as required by the provisions of the Elections Code of the State of California for the holding of elections in general law cities; and,

WHEREAS, pursuant to Resolution No. 93-1-5-5, adopted on the 5th day of January, 1993, the Orange County Registrar canvassed the returns of the election and has certified the results to this City Council, the results are received, attached and made a part hereof as "Exhibit A."

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN JUAN CAPISTRANO, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1.

That the whole number of ballots cast in the City except absent voter ballots was 2,466.

That the whole number of absent voter ballots cast in the City was 959, making a total of 3,425 votes cast in the City.

SECTION 2.

That the measure (hereinafter Mobile Home Vacancy Control) voted upon at the election was as follows:

Shall Ordinance No. 715 be adopted adding the following to the Mobile Home Rent Control Code of San Juan Capistrano: "The occurrence of a vacancy in either a space within a park or a mobile home unit on a space within a park shall not result in a space rental increase in excess of the percentage increase allowed once during any twelve-month period. . ." by existing provisions of the City Code?	YES	
	NO	

SECTION 3.

That the number of votes given at each precinct and the number of votes given in the City for and against the measure were as listed in Exhibit "A" attached.

SECTION 4.

That the City Council does declare and determine that as a result of the election, a majority of the voters voting on the measure relating to Mobile Home Vacancy Control did vote in favor of it, and that the measure was carried, and shall be deemed adopted and ratified.

SECTION 5.

The City Clerk shall enter on the records of the City Council of the City, a statement of the result of the election, showing:

- (1) The whole number of ballots cast in the City;
- (2) The measure voted upon;
- (3) The number of votes given at each precinct for and against each measure;
- (4) The total number of votes given for and against each measure.

SECTION 6.

That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 1993.

/s/ Gil Jones
GIL JONES, MAYOR

ATTEST:

/s/ Cheryl Johnson
CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF SAN JUAN CAPISTRANO)

I, **CHERYL JOHNSON**, City Clerk of the City of San Juan Capistrano, California, **DO HEREBY CERTIFY** that the foregoing is a true and correct copy of Resolution No. 93-5-4-3 adopted by the City Council of the City of San Juan Capistrano, California, at a regular meeting thereof held on the 4th day of May, 1993, by the following vote:

- AYES:** Council Members Nash, Hausdorfer, Campbell, Vasquez, and Mayor Jones
- NOES:** None
- ABSTAIN:** None
- ABSENT:** None

(SEAL)

/s/ Cheryl Johnson
CHERYL JOHNSON, CITY CLERK

**CERTIFICATE OF REGISTRAR OF VOTERS TO RESULT
OF THE CANVASS OF THE ELECTION RETURNS**

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.

I, Donald Tanney, Registrar of Voters of Orange County, do hereby certify the following to be a full, true and correct Statement of the Vote for the City of San Juan Capistrano Special Election held on April 13, 1993.

CITY OF SAN JUAN CAPISTRANO
MEASURE A

YES	2,525
NO	889

PRECINCT BALLOTS CAST:	2,466
ABSENTEE BALLOTS CAST:	959
TOTAL BALLOTS CAST:	3,425

I hereby certify that the number of votes cast is as set forth above and appears in the Certified Statement of the Vote.

WITNESS my hand and Official Seal this 14th day of April, 1993.



DONALD TANNEY
Registrar of Voters
Orange County

CONSOLIDATED PRECINCT INDEX

CONSOLIDATED PRECINCT NUMBER	CONSISTING OF REGULAR PRECINCT(S)	
49701	49113 49118	Markel Residence 31092 Via Estenaga
49702	49115 49121 49341	Village San Juan Clubhouse 26383 Shadybrook Road
49703	49116 49344	El Nido Mobile Estates 27703 Ortega Highway
49704	49117 49345 49346 49350	La Sala 31495 El Camino Real
49705	49119 49127 49338	Marco Forster Jr. High 25601 Camino del Avion
49706	49120 49335 49347	Villa Del Obispo 32200 Del Obispo Street
49707	49122 49125 49348	Harold Ambuehl School 28001 San Juan Creek Road
49708	49123 49343	Rancho del Avion Clubhouse 32742 Alipaz Street
49709	49126 49349	Newhart Residence 33981 Calle Borrego
49710	49336 49339	Capistrano Valley Mobile Est. 26000 Avenida Aeropuerto

	REGISTRATION	BALLOTS CAST	TURNOUT	MOBILE CLERK PHONE FEE - SR PRESENT J UC AC NN T CR AO PL YES	NO							
49701-SAN JUAN CAP	1158	191	16.5	113	78							
49702-SAN JUAN CAP	1124	192	17.1	104	47							
49703-SAN JUAN CAP	1634	249	15.2	177	72							
49704-SAN JUAN CAP	1545	173	11.2	132	41							
49705-SAN JUAN CAP	1791	215	12.0	154	61							
49706-SAN JUAN CAP	1558	188	12.1	129	59							
49707-SAN JUAN CAP	2139	313	14.6	190	123							
49708-SAN JUAN CAP	989	470	47.5	449	18							
49709-SAN JUAN CAP	1254	81	6.5	36	45							
49710-SAN JUAN CAP	1188	434	36.5	379	53							
ABSENTEE TOTALS	14380	959	6.7	662	292							
GRAND TOTALS	14380	3425	23.8	2525	889							

ORDINANCES

1. APPROVING REZONE 93-02 - CALTRANS PARK AND RIDE (460.20) (ADOPTION)

Written Communication:

Report dated May 4, 1993, from the City Clerk, advising that the Ordinance was introduced at the meeting of April 20, 1993, and was scheduled for adoption.

Adoption of Ordinance:

The City Clerk read the title of the Ordinance next in order. Further reading of all Ordinances had been waived earlier in the meeting. It was moved by Council Member Hausdorfer, seconded by Council Member Nash, that the following Ordinance be adopted:

ORDINANCE NO. 729, APPROVING REZONE 93-02 - CALTRANS PARK AND RIDE - AN ORDINANCE OF THE CITY OF SAN JUAN CAPISTRANO, CALIFORNIA, APPROVING REZONE 93-02, WHICH AMENDS THE OFFICIAL ZONING MAP OF THE CITY FOR A 0.60-ACRE PARCEL LOCATED AT THE NORTHWEST CORNER OF JUNIPERO SERRA AND RANCHO VIEJO ROADS FROM GROWTH MANAGEMENT (GM) TO PUBLIC INSTITUTIONAL (IP) (CALTRANS PARK AND RIDE)

The motion carried by the following vote:

AYES: Council Members Campbell, Hausdorfer, Nash, Vasquez, and Mayor Jones

NOES: None

ABSENT: None

COUNCILMANIC ITEMS

1. COUNCIL CODE OF ETHICS (COUNCIL POLICY 011) (610.30)

Written Communication:

Report dated May 4, 1993, from Carole Jacklin, Council Services Manager, forwarding a Council Policy regarding a Code of Ethics for the City Council and all appointed officials.

With regard to Section 11, Council Member Nash suggested that requests for advisory opinions should be made to the City Attorney rather than the City Council. Mr. Denhalter advised that this section would allow the Council to advise one of its members. The Council generally felt that the City Attorney should also be able to provide advice on certain matters that would be more appropriately addressed to the City Attorney.

Council Member Vasquez requested clarification on Section 12, Sanctions, particularly with regard to a Council Member's suspension from office in the event of a violation of this Code. Council Member Hausdorfer stated that this Code was not a law and public officials were bound by provisions of the Fair Political Practices Commission; that this Code would not give Council Members the authority to suspend or remove from office another Council Member. The City Attorney advised that the term "pursuant to law" would require anything as strong as suspension or removal from office to be done according to other statutes; that Council did not have the power to remove one of its members from office. He noted that Council could initiate enforcement of State law; offer censure by resolution or motion calling attention to misconduct; or, seek outside intervention into actions felt to be criminal in nature. Council Member Vasquez felt that this provision could be misinterpreted and used by Council Members to

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harass and/or intimidate other Members. After further discussion, the Council generally agreed that the last sentence of Section 12 not be modified.

Adoption of Council Policy No. 011:

It was moved by Council Member Nash, seconded by Council Member Hausdorfer, and unanimously carried that Council Policy No. 011, Code of Ethics, be adopted, with the modified wording in Section 11 to read "... advisory opinion of the City Council and/or the City Attorney, as appropriate, and be guided ...".

2. RESOLUTION URGING THE CALIFORNIA LEAGUE OF CITIES TO SPONSOR AN INITIATIVE FOR A CALIFORNIA CONSTITUTIONAL AMENDMENT TO PRESERVE THE FUNDING OF CITIES (660.40)

Written Communication:

Report dated May 4, 1993, from Carole Jacklin, Council Services Manager, forwarding a request by the City of Garden Grove to urge the League of California Cities to sponsor an initiative for a State Constitutional Amendment to preserve funding for cities back to 1988 levels. The proposed amendment would also require that any State-mandated programs adopted after 1988 would be fully funded by the State.

Adoption of Resolution for League to Sponsor Initiative:

It was moved by Council Member Hausdorfer, seconded by Council Member Campbell, that the following Resolution be adopted:

RESOLUTION NO. 93-5-4-4, URGING SPONSORSHIP OF CALIFORNIA CONSTITUTIONAL AMENDMENT - PRESERVATION OF FUNDING TO CITIES (CALIFORNIA LEAGUE OF CITIES) - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN CAPISTRANO, CALIFORNIA, URGING THE CALIFORNIA LEAGUE OF CITIES TO SPONSOR AN INITIATIVE FOR A CALIFORNIA CONSTITUTIONAL AMENDMENT TO PRESERVE THE FUNDING OF CITIES

The motion carried by the following vote:

AYES: Council Members Campbell, Hausdorfer, Nash, Vasquez, and Mayor Jones

NOES: None

ABSENT: None

3. ORAL REPORTS OF OUTSIDE AGENCIES

a. San Joaquin Hills Transportation Corridor (800.50)

Council Member Campbell noted the meeting held in Costa Mesa this date at which she explained San Juan Capistrano's position with regard to the design of the corridor and its potential impacts on the City. An open house sponsored by the Transportation Corridor Agency is scheduled for public review on Saturday, May 8, at 10:00 a.m. at the San Juan Hot Springs Dance Hall to show the proposed alignments for the corridor. Residents living in the areas surrounding the project were notified.

Council Member Nash expressed concerns regarding the proposed alignment of Rancho Viejo Road and the setbacks, sound walls and terracing. She felt that it had been agreed by the City and the Corridor Agency (TCA) that San Juan Capistrano would design a concept for the area

and present it to the TCA for their response. Council Member Hausdorfer stated that the original intent was for the TCA to do the initial design, with specific direction being provided by the City, since the City did not have the staff or the expertise to design the plans. Council Member Campbell noted that the TCA recently presented plans which did not reflect the City's input because of a lack of physical space to install the improvements.

It was a consensus of the Council that the City needs to clarify at the meeting on May 8 that these preliminary plans are not acceptable to the City and have not been approved by the City in any way.

Mr. Scarborough noted that the TCA must obtain permits from the City for the Rancho Viejo Road construction project; that it is going through City Commissions and eventually the Planning Commission and City Council for comments, review and modifications.

b. League of California Cities (140.20)

Council Member Hausdorfer noted the meeting scheduled for May 13, 1993, at the City of Brea.

c. Southeast Regional Reclamation Authority (SERRA) (1040.60)

Council Member Vasquez noted that the meeting scheduled for May 6 would include final budget decisions and adoption of new policies.

COUNCIL COMMENTS

1. DEMOGRAPHICS (440.15)

Council Member Hausdorfer noted that the OCTA has performed some studies with regard to urban light rail and density. Their figures indicated that San Juan Capistrano had the lowest density according to the 1980 and 1990 Censuses.

2. COUNCIL PACKET DISTRIBUTION (610.10)

Council Member Nash expressed appreciation to staff for their efforts in distributing the Council packets earlier.

3. MEASURE A, SPECIAL ELECTION - APRIL 13, 1993 (630.20)

Council Member Nash requested that letters of appreciation for the Mayor's signature be sent to Al Simmons, Jack Heath, and others for their efforts in getting Measure A passed at the April special election.

4. CODE ENFORCEMENT (450.40)

Council Member Nash noted that a homeless person has been sleeping on the doorstep of the Blas Aguilar Adobe and that trash has accumulated on the property. She requested that Code Enforcement investigate the matter and that the property be cleaned up.

CLOSED SESSION

Council recessed to a Closed Session at 8:30 p.m. for discussion of pending litigation per Government Code Section 54956.9(a) (Black Property Owners v. City of Berkeley), decision regarding exposure to litigation per

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Government Code Section 54956.9(b), and decision regarding initiation of litigation per Government Code Section 54956.9(c), the City Clerk being excused therefrom, and reconvened at 8:45 p.m.

ADJOURNMENT

There being no further business before the Council, the meeting was adjourned at 8:45 p.m. to Tuesday, May 18, 1993, at 4:00 p.m. in the City Council Chamber for review of the Historic Town Center project.

Respectfully submitted,


CHERYL JOHNSON, CITY CLERK

ATTEST:


GIL JONES, MAYOR