

# CITY OF SAN CLEMENTE

## City Council Minutes

### Regular Meeting - February 16, 1994

A Regular Meeting of the San Clemente City Council was called to order on February 16, 1994 at 7:00 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California.

**PRESENT**                    ANDERSON, BENEDICT, HAGGARD, LORCH, MAYOR DIEHL

**ABSENT**                    NONE

**STAFF PRESENT**        Michael Parness, City Manager; Jeff Oderman, City Attorney; Myrna Erway, City Clerk; Jim Holloway, Community Development Director; Bill Cameron, City Engineer; Joanne Baade, Deputy City Clerk.

### **INVOCATION**

Kevin Normile, United Christians Global Outreach, gave the invocation.

### **PLEDGE OF ALLEGIANCE**

Mayor Diehl led the Pledge of Allegiance.

### 1.        **SPECIAL PRESENTATION**

#### A.        **Commendation - San Clemente Building Inspectors**

Mayor Diehl presented a commendation to City of San Clemente Building Inspectors (Willie Tullius, Ron Clark, Tony Montoya and Jim Waters) in recognition of their display of professionalism, dedication and courage in assessing the devastation caused by the Northridge Earthquake.

2.        MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to waive reading in full of all Resolutions and Ordinances.

3. **PUBLIC HEARINGS**

A. **AB 91-38 - Klinkert Abandonment - 354 Paseo de Cristobal**

Public Hearing to consider a request for an 18-month time extension to complete the abandonment of 1,055 square feet of public right-of-way at 354 Paseo de Cristobal.

Principal Planner Goldin reviewed the contents of the Administrative Report; noted that the Planning Commission, at its meeting of January 18, 1994, recommended an 18-month time extension of AB 91-38.

Mayor Diehl opened the Public Hearing.

Lee Riley, on behalf of the Applicant, referenced his letter of November 3, 1993 which explained the need for the 18-month time extension; explained that subsequent to the City Council's approval of the abandonment in 1992, the application was submitted to the Coastal Commission; stated that the Coastal Commission staff alleged that a 20-foot wide strip on the seaward side of the subject property may have been abandoned by the City illegally, and may represent public right-of-way; stated the parcel in question was eventually proven to be in private ownership since 1927; stated it is now necessary to re-apply to the Coastal Commission and repeat the review process.

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

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON to adopt Resolution No. 94-04 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, TO APPROVE AN 18 MONTH TIME EXTENSION FOR AB 91-38, THE KLINKERT ABANDONMENT AT 354 PASEO DE CRISTOBAL.

SUBSTITUTE MOTION BY COUNCILMEMBER LORCH to deny the time extension for AB 91-38 (Klinkert Abandonment) at 354 Paseo de Cristobal. The Substitute Motion died for lack of a second.

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

**B. Closure of 1993 Weed Abatement**

Public Hearing to consider protests or objections to the costs of the abatement of weeds, rubbish, refuse and dirt upon streets, sidewalks, parkways and private property within the City of San Clemente and to the assignment of these costs to the properties on which the abatement was completed.

Interim Fire Chief Begnell reviewed the contents of the Administrative Report.

Mayor Diehl opened and closed the Public Hearing, there being no one desiring to speak to this issue.

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to confirm the weed abatement report contained in the Administrative Report, dated February 16, 1994, which is on file in the City Clerk's Department, and authorize the Fire Department to bill the owners for the amount indicated in the report.

**4. CONSENT CALENDAR**

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to approve the Consent Calendar with the removal of Items A, B(2) and F.

**B. MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to receive and file the following:**

(1) Community Design Commission action minutes of February 8, 1994.

**C. Warrant Register**

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to approve Handwrite Nos. 607524-607525 and Warrant Nos. 607526 through 607695 (Void 607696) for the period 1-24-94 through 1-28-94 in the amount of \$386,905.57; approve Handwrite No. 607697 and Warrant Nos. 607698 through 607831 for the period 1-31-94 through 2-4-94 in the amount of \$312,974.95; for a total Warrant Register of \$699,880.52.

**Payroll Register**

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to approve Handwrite Nos. 207858-207859 and Warrant Nos. 207860 through 208137 (Void 208138) for the period 1-17-94 through 1-30-94 in the amount of \$274,101.89; for a total Payroll Register of \$274,101.89.

**D. Establishment of Weed Abatement Program for 1994**

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to adopt Resolution No. 94-07 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, PURSUANT TO SECTIONS 39561 AND 39562.1 OF THE CALIFORNIA GOVERNMENT CODE DECLARING WEEDS, RUBBISH, REFUSE, AND DIRT UPON STREETS, SIDEWALKS, PARKWAYS, AND PRIVATE PROPERTY TO BE PUBLIC NUISANCES AND PROVIDING FOR THE ABATEMENT THEREOF.

**E. Air Toxics Inventory Testing and Report**

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to:

1. Approve, and authorize the Mayor to execute, Contract #C94-07 by and between the City of San Clemente and Sierra Environmental, providing for engineering services, source testing and preparation of an Air Toxics Inventory Report for the Water Reclamation Plant to comply with Assembly Bill 2588 at a lump sum cost of \$23,500.
2. Approve a supplemental appropriation in the amount of \$23,500 to Account 054-472-43530 (Engineering Services) from the Sewer Operating Fund.

**G. Parcel Map 91-165 - Revocation of City Council Approval of Map**

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to rescind Council's approval of October 13, 1994 of Parcel Map 91-165 due to the rejection of the map by the County for filing and authorize Staff to remove the City certifications from the map and return it to the subdivider.

H. Notice of Completion - Domestic Water Service Replacements and Valve Cathodic Protection

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to:

1. Accept the Domestic Water Service Replacements and Valve Cathodic Protection, Project Nos. 13562, 13563, 13564 and 13565 from the contractor, A.A. Portanova and Sons, Inc. (Contract #C92-47)
2. Authorize the City Clerk to file a Notice of Completion with the County Recorder.

I. Storm Drain Project at 427 Arlena (Contract #C93-54) - Extension of Length of Project to Comply with Conditions of Right of Entry on Tri-Cities Municipal Water District Property

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to:

1. Authorize Staff to negotiate an easement to be issued by the Tri-Cities Municipal Water District Board on their Presidio property, subject to the following conditions:
  - a. TCMWD has the right to request the City of San Clemente to relocate storm drain facilities located within this easement for the purpose of TCMWD development of the property.
  - b. City relocation of storm drain facilities shall be contingent upon a new easement dedication prepared by the City for that purpose and approved by the TCMWD board.
  - c. The City of San Clemente shall pay all costs associated with the relocation of the storm drain facilities pursuant to the request by TCMWD.
2. Rescind the tentative bid award to Gillespie Construction Company.

*Action Continued on Next Page*

3. Authorize Staff to negotiate with the private engineering firms doing the design and surveying work, the additional engineering, surveying and associated efforts to revise the project plans to include the additional 300 L.F. to the project to comply with the conditions required by the TCMWD Board for entry on their Presidio property to construct the project.

**ITEMS REMOVED FROM THE CONSENT CALENDAR FOR ACTION**

**A. City Council Minutes**

MOTION BY COUNCILMEMBER LORCH, SECOND BY COUNCILMEMBER BENEDICT to direct the City Clerk to modify the City Council minutes of February 2, 1994 to include his request for the City Attorney to define the relationship between the City Council and City Manager as it pertains to obtaining input from Councilmembers.

City Clerk Erway noted that requests by individual Councilmembers (as opposed to requests made by a Council majority) are included on the Action Agenda for response; explained that the City Attorney will respond to the subject query.

COUNCILMEMBER BENEDICT withdrew his second and the motion subsequently died.

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 4-1 (COUNCILMEMBER LORCH VOTING NOE), to approve the City Council minutes of February 2, 1994.

**B(2). Planning Commission Action Minutes of February 1, 1994**

In response to Council inquiry, Staff explained that as a result of the La Ventana landslide, the bluff is literally located under the house and hence it is impossible to achieve a 25' setback from the top of the bluff; explained the Variance addresses this issue and treats it as a normal setback from the property line; explained that after the bluff is re-built, the setback will be measured from the property line regardless of the location of the top of the bluff. With respect to height, Staff noted that City Codes allow a 25' height in the subject zone, however, a CC&R allows a height of only 16' from the street level; noted the potential to build down one story to enable a 25' section to be developed without violating the CC&R restriction.

MOTION BY COUNCILMEMBER LORCH to call up for review Variance 93-69 (La Ventana). The Motion died for lack of a second.

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to receive and file the Planning Commission action minutes of February 1, 1994.

**F. Notice of Completion - Storm Drain Reconstruction at 317 Cazador Lane**

Following clarification relative to the rationale for the additional \$55,000 contract cost, MOTION BY COUNCILMEMBER LORCH, SECOND BY MAYOR PRO TEM HAGGARD, CARRIED 4-1 (COUNCILMEMBER BENEDICT VOTING NOE), to:

1. Accept the 317 Cazador Lane Storm Drain reconstruction, Project No. 13338 from the contractor, Vadnais Construction. (Contract #C93-43)
2. Authorize the City Clerk to file a Notice of Completion with the County Recorder.

5. ORAL COMMUNICATIONS

Protest to Closed Session concerning Forster Ranch Greenbelt

Karoline Koester, San Clemente, questioned the propriety of the Closed Session held on February 10, 1994 to discuss a matter of real property negotiations with respect to the Forster Ranch greenbelt; commented that none of the involved parties requested that the City intervene in the matter; opined that the City Attorney should have been present at the Closed Session and that the Chairpersons of the Planning Commission and Parks and Recreation Commission were inappropriately included.

City Attorney Oderman advised the Closed Session was agendized and conducted properly; stated it is unnecessary that a request be made for the City to acquire the property as a pre-condition of the City Council's authority to consider property negotiations in Closed Session; stated the City Attorney must be present in Closed Sessions concerning litigation, but need not be present in Closed Sessions relating to personnel or property negotiations; stated the City Council may request the presence of persons that are helping the City Council in matters properly under consideration.

Verde Canyon - Repair of Slope Damage

Paul Lukes, San Clemente, urged repair of the damage to the Verde Canyon slopes that was caused by the road that was cut by VCR; voiced concern that the City has not responded to his previous communications.

City Engineer Cameron reviewed the status of the issue, noting that Staff is in the process of obtaining information to enable a letter to be submitted to VCR requesting that they complete the necessary repair work; estimated that a response will be provided to Mr. Lukes in one week.



6. **UNFINISHED BUSINESS**

A. **Comprehensive Plan - Gangs/Violence/Neighborhood Preservation**

Report from the Community Development Director concerning consideration of a comprehensive plan dealing with gangs, violence and neighborhood preservation.

City Manager Parness reviewed the problems associated with increased violence, youth gang crime and deteriorating neighborhoods; reviewed the process used to develop the Comprehensive Plan and the proposed solution philosophy. *\*Note: Hard copies of the slides utilized by Staff in giving their presentations are on file in the City Clerk's Department in a document entitled "Addressing Gangs & Violence", dated February 16, 1994.*

Beaches, Parks and Recreation Director Wegner reviewed the education, social and recreation portion of the program, focusing on the Tri-City partnership, after school program, fitness and nutrition education, mentorship program, youth employment, Orange County Conservation Corps, Youth Task Force and Community Services Program (CSP).

Chief of Police Services Davis reviewed the enforcement portion of the program, focusing on the enforcement team, Neighborhood Watch, Community Support Unit, and sub-regional and regional enforcement efforts.

Community Development Director Holloway reviewed the neighborhood preservation portion of the program, focusing on misplaced market baskets and trash containers, street sweeping, problem property enforcement, sidewalk installation, home rehabilitation, Code enforcement, volunteer program, and proposed legislation to address the problems of television violence, residential overcrowding, immigration issues, graffiti control, and parental responsibility.

**MEETING RECESSED**

Council recessed at 8:40 p.m. and reconvened at 8:50 p.m., with all members present.

City Manager Parness reviewed the Council actions recommended by Staff.

Matt Brady, San Clemente, spoke on the need for neighborhood preservation; urged enforcement of existing Ordinances relating to obstruction of parkways and garage entrances; urged enforcement of vehicle laws pertaining to abandoned vehicles, darkened windows, illegal suspension, lights and registration; suggested that license numbers should be checked against outstanding warrants.

Jeane McPhee, San Clemente, opined that health education should be made a priority in elementary schools; presented a Program Needs Breakdown for the "Fitness is Fun" Health and Physical Education Program that is offered through the City's Beaches, Parks & Recreation program; expressed her desire to offer the program at Las Palmas Elementary School to complement the DARE program; requested City assistance in funding classroom equipment.

Dick Mackaig, San Clemente property owner, commended those persons responsible for developing the Comprehensive Plan; opined the City should acquire the problem properties on Escalones and then re-develop the properties as low-income housing with enclosed on-site parking; suggested that markets retain parking lot attendants to prevent the removal of shopping carts; suggested that the market basket ordinance should include a fine for market basket violations of at least \$25; volunteered to assist with the code enforcement program.

City Attorney Oderman reviewed the intent of the Ordinance to address market basket violations; commented on the desired deterrent effect of notifying customers that removal of shopping carts from markets represents a misdemeanor; stated the City is prohibited by law from charging more than the reasonable cost of providing the service to retrieve shopping carts.

**GANG VIOLENCE - ENFORCEMENT CATEGORY**

**Local Programs**

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to recognize the existing programs and consider funding an additional \$2,000 in the upcoming budget process for implementation of the Neighborhood Watch Block Captains training.

**South Orange County (Sub-Regional) Programs**

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to continue to recognize and support this program.

**County-Wide (Regional) Programs**

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to continue to support and recognize existing programs. Additional funding or resources may be requested in the future for support of the Multi-jurisdictional Gang Strike Team.

**NEIGHBORHOOD PRESERVATION CATEGORY**

**Market Baskets**

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to approve the market basket program in concept, authorize coordination with retailers, and direct Staff to develop an Ordinance for Council adoption as soon as possible.

**Trash Barrels**

MOTION BY COUNCILMEMBER ANDERSON, SECOND BY COUNCILMEMBER BENEDICT, CARRIED 5-0, to introduce Ordinance No. 1132 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING SECTION 22-3, SUBSECTION (A) OF SECTION 22-4, SECTION 22-20, AND SECTION 22-25 OF THE CODE OF THE CITY OF SAN CLEMENTE RELATING TO THE PLACEMENT OF GARBAGE CANS.

MOTION BY COUNCILMEMBER BENEDICT, SECOND BY MAYOR PRO TEM HAGGARD, CARRIED 5-0, to authorize Staff to implement the trash barrel program as outlined in the Administrative Report.

**Street Sweeping - Expanded Signage**

MOTION BY COUNCILMEMBER BENEDICT, SECOND BY MAYOR PRO TEM HAGGARD, CARRIED 5-0, to take no action at this time.

**Problem Property Enforcement**

MOTION BY COUNCILMEMBER BENEDICT, SECOND BY MAYOR PRO TEM HAGGARD, CARRIED 5-0, to authorize Staff to continue this program and expend Staff resources. Supplemental code enforcement resources will be considered in the upcoming budget process.

**CDBG Funds for Sidewalks Program**

MOTION BY COUNCILMEMBER BENEDICT, SECOND BY MAYOR PRO TEM HAGGARD, CARRIED 5-0, to provide direction for a policy to utilize future grants to complete sidewalks as identified through the CIP program in the neighborhood focus areas. Direct Staff to establish sidewalk installation using the above identified funds as a top priority.

**Home Rehabilitation Program**

MOTION BY COUNCILMEMBER BENEDICT, SECOND BY MAYOR PRO TEM HAGGARD, CARRIED 5-0, to take no action at this time. Final loan contract actions to be approved by the City Council as finalized.

**Code Enforcement Volunteers**

MOTION BY COUNCILMEMBER BENEDICT, SECOND BY MAYOR PRO TEM HAGGARD, CARRIED 5-0, to approve the use of volunteers for code enforcement and adopt a comprehensive volunteer program.

**Code Enforcement - Building Code Violations**

MOTION BY COUNCILMEMBER BENEDICT, SECOND BY MAYOR PRO TEM HAGGARD, CARRIED 5-0, to consider the possibility of funding additional code enforcement staff on a contractual basis in conjunction with the upcoming budget process.

**EDUCATION/RECREATION/SOCIAL**

Council discussed the need to engage in cooperative efforts with the Capistrano Unified School District to establish programs for young people that do not attend San Clemente High School, such as establishment of a continuation high school. It was agreed that Councilmember Benedict and City Manager Parness will meet to discuss this issue. In the event it is deemed that Council action is needed, the issue will be agendized for a future date.

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to direct Staff to submit the budgetary items needed to support the Education/Recreation/Social component of the program to Council for consideration during the budget process for FY 1994-95.

**Tri-City Partnership**

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to support this on-going partnership effort and expenditure of Staff resources.

**After-School Recreation Programming**

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to direct Staff to prepare to consider \$50,000 through the budget process.

**Fitness and Nutrition Education Program**

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to support efforts to fully implement this program and authorize Staff to seek expanded funding through private sector sources.

**Mentorship Program**

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to support and approve this program as well as the volunteer program described in the Administrative Report. Funding will be necessary as part of the volunteer program. The mentor program does not require additional funding.

**Youth Employment**

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to support and approve this program and authorize Staff resources to support the Youth Task Force. No funding is necessary to implement the program.

**Orange County Conservation Corps**

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to support and approve this program and authorize Staff to work with Dana Point and San Juan Capistrano to finalize the specific details.

**Youth Task Force**

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to continue to support the Task Force and authorize the City Manager to appoint staff-time to continue to participate in the work of the Task Force.

**GENERAL LEGISLATION**

**Opposition to Violence on Television**

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to adopt Resolution No. 94-08 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, URGING AN END TO EXCESSIVE VIOLENCE ON TELEVISION.

**Overcrowding**

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to adopt Resolution No. 94-09 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, URGING STATE LEGISLATORS TO MODIFY STATE LAW TO ALLOW CITIES TO ESTABLISH OCCUPANCY LEVELS FOR DWELLING UNITS.

**Federal Assistance on Immigration**

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to:

1. Adopt Resolution No. 94-10 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, URGING CONGRESS TO ADDRESS THE ESCALATION OF ILLEGAL IMMIGRATION AS A TOP PRIORITY ISSUE.
2. Direct Staff to pursue a policy of working to have gang members who have committed crimes and who are illegal, immediately deported.

**Increased Parental Responsibility**

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to adopt Resolution No. 94-11 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, SUPPORTING LEGISLATIVE EFFORTS AT THE STATE LEVEL TO HOLD PARENTS ACCOUNTABLE TO A GREATER DEGREE FOR THE CRIMINAL ACTIONS OF THEIR MINOR CHILDREN.

Graffiti

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to direct Staff to analyze the need to proceed with amendments to the Graffiti Ordinance.

VOLUNTEER PROGRAMS

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to direct Staff to include a Staff volunteer coordinator in the budget decision packets for consideration in the upcoming fiscal year budget cycle.

7. NEW BUSINESS

A. Downtown/Pier Bowl/North Beach Parking Needs Assessment

Report from the Community Development Director concerning authorization to proceed with the Request for Proposal process to contract with a parking study specialist to complete the Downtown/Pier Bowl/North Beach Parking Needs Assessment concurrent with preparation of the Pico Corridor Specific Plan.

City Planner Barnes reviewed the contents of the Administrative Report; noted that the Planning Commission considered this issue on February 15, 1994 and unanimously supported Staff's recommendation with an addition to the scope of work to include an analysis of the potential for parking meter rate increases.

Karoline Koester, San Clemente, voiced concern that the proposed study may be redundant with other Pier Bowl studies.

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to authorize Staff to proceed with the Request for Proposal process to contract with a parking study specialist to complete the Downtown/Pier Bowl/North Beach Parking Needs Assessment concurrent with preparation of the Pico Corridor Specific Plan.



8. **REPORTS**

A. **Commissions and Committees**

None.

B. **City Manager**

(1) **Closed Session - Personnel**

City Manager Parness requested a Closed Session to discuss matters of personnel.

(2) **Closed Session - Property Negotiations**

City Manager Parness advised that the Closed Session that appears on the agenda to discuss property negotiations for the property located in the vicinity of Calle Iglesia and Steed Park (Lot 3 of Tract 12126) is unnecessary.

(3) **Prediction for Major Storms**

City Manager Parness advised that major storms are predicted to commence tomorrow and continue through the weekend; noted that sand is available from the City Hall parking lot and Maintenance Yard and bags are available from the Fire Department Administrative Offices.

C. **City Attorney**

None.

D. **Council Members**

(1) **Orange County Division - California League of Cities Issues**

Mayor Diehl advised that the Air Quality Management District issue appears on the agenda for the Orange County Division's meeting of February 17, 1994.

(2) **Consideration of Council Position on Legislative Issues**

**SB 1272 (Presley) - SCAQMD Membership**

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to agendaize consideration of SB 1272 (Presley) which proposes to remove elected officials from the SCAQMD Board and replace them with State-appointed members, since the need to take action arose subsequent to the posting of the agenda.

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to oppose SB 1272 (Presley) vigorously.

(3) **Consideration of Council Position on SCAG Issues**

MOTION BY COUNCILMEMBER ANDERSON, SECOND BY COUNCILMEMBER BENEDICT, CARRIED 5-0, to appoint Mayor Pro Tem Haggard as the City's voting delegate to the SCAG General Assembly on March 3 and 4, 1994.

(4) **Orange County Regional Advisory and Planning Council's recommendations on the SCAG (Southern California Association of Governments) Regional Comprehensive Plan**

MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to direct the City Manager to send a letter to the Orange County Division of the League of California Cities endorsing the following RAPC recommendations on the Regional Comprehensive Plan:

1. That SCAG's focus be immediately limited to the components which have adequately defined mandates and near-term deadlines (i.e., Growth Management Component and Regional Mobility Element).
2. That the Regional Mobility Element remain SCAG's highest priority.
3. That regardless of the ultimate breadth of the final RCP, that all assumptions as they relate to forecasting (growth and patterns of growth) should be based upon market trends and best estimates of future growth and not skewed by policy determinations on that which is more appealing to have in certain areas.
4. That all remaining RCP components should be removed from consideration at this time, that funding sources should be identified, and that they should be brought back to the Regional Council for further consideration once non-transportation funding sources are identified.

9. **RESOLUTIONS/ORDINANCES**

None.

**CLOSED SESSION**

Council recessed to Closed Session at 10:30 p.m. to discuss matters of personnel. The City Manager, City Attorney, Director, Office of Management and Budget, Human Resources/Risk Manager, and the City Clerk were in attendance.

**MEETING RECONVENED**

Council reconvened at 11:10 p.m., with all members present.

**Personnel Issues - Frank G. Felix, Jack Stubbs, Jack Tullis**

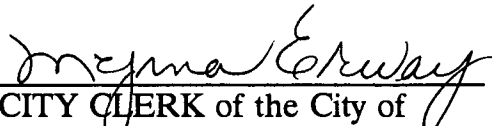
MOTION BY MAYOR PRO TEM HAGGARD, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to approve the following:


1. The purchase of health insurance with accumulated sick leave for Frank G. Felix.
2. The City purchase of four months of retirement for Jack Stubbs.
3. A voluntary layoff to enable access to the City's health plan for one year for Jack Tullis.

**ADJOURNMENT**

MOTION BY COUNCILMEMBER BENEDICT, SECOND BY COUNCILMEMBER ANDERSON, CARRIED 5-0, to adjourn at 11:15 p.m. to an Adjourned Regular Meeting to be held on February 24, 1994 at 7:00 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California to discuss fire service alternatives.

The next Regular Meeting will be held on March 2, 1994 at 7:00 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California.

  
CITY CLERK of the City of  
San Clemente, California

  
MAYOR of the City of  
San Clemente, California

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 February 16, 1994, the meeting was adjourned to the time and place specified in the ORDER OF ADJOURNMENT attached hereto; and that on February 17, 1994 at the hour of 9:00 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 February 17, 1994 at San Clemente, California.

  
\_\_\_\_\_  
MYRNA ERWAY  
City Clerk

