

CITY OF SAN CLEMENTE

City Council Minutes

Adjourned Regular Meeting - April 24, 1991

An Adjourned Regular Meeting of the San Clemente City Council, conducted at the Ole Hanson Beach Club (Upper Floor), 105 Avenida Pico, San Clemente, California was called to order at 6:45 p.m.

COUNCILMEMBERS PRESENT

ANDERSON, BENEDICT, HAGGARD,
LORCH, MAYOR DIEHL

COUNCILMEMBERS ABSENT

NONE

**PARKS AND RECREATION
COMMISSIONERS PRESENT**

ANDERSON, MAGNUSON, ROBERTS

**PARKS AND RECREATION
COMMISSIONERS ABSENT**

FERNANDEZ, CHAIRPERSON BLAKE

STAFF PRESENT:

Michael Parness, City Manager; Michael Sorg, Interim Assistant City Manager; Jim Knight, Director of Fire Protection; Bruce Wegner, Parks and Recreation Manager; Joanne Baade, Deputy City Clerk.

Mayor Diehl convened the Joint Council/Parks and Recreation Commission meeting at 6:45 p.m.

1. **Armed Services Welcome Home Celebration**

This item was deferred to later in the meeting. See Page 7 of these minutes for a summary of that discussion.

2. Park Acquisition and Development Fund

Discussion concerning status, activities and priorities of the Park Acquisition and Development Fund.

Interim Assistant City Manager Sorg reviewed the factors which resulted in a gradual deterioration of the City's park system from 1978 to 1988; reviewed remedial efforts implemented since 1985 which resulted in a substantial improvement in the quality of the City's parks. A detailed history of the City's park system is contained in a memorandum from the Parks and Recreation Manager, dated April 8, 1991, and on file in the City Clerk's Department. In response to Council inquiry, Mr. Sorg explained that new parks have been deferred to allow problems at existing parks to be resolved.

Parks and Recreation Manager Wegner reviewed the contents of his memorandum, dated April 8, 1991, as it relates to the function and status of the Parks Acquisition and Development Fund, the current park development situation, alternatives available to resolve current park development problems, as well as future expectations and alternatives; presented a supplement to his April 8, 1991 memorandum which recommended a re-prioritization of current park development projects; stated the items deemed to be of higher priority will be implemented in the near future, while plans and specifications will be completed for the lower priority items to prepare those projects for construction as funding becomes available.

Parks and Recreation Manager Wegner noted that the Parks Acquisition and Development Fund was never designed to totally pay for all costs associated with park development; explained the Quimby Act allows the City to either collect land, or fees in lieu of land, for park development purposes; stated the Quimby Act specifically limits the City from being able to fully offset park development costs; noted, however, that developers may be willing to provide increased park development in the event a development agreement, that is mutually beneficial to the City and developer, can be negotiated.

Individual Councilmembers commented on the following:

- . Possibility of reducing the scope of the amenities at Max Berg Plaza Park to reduce cost.
- . Questioned and received clarification pertaining to Staff's rationale in recommending the proposed priority order of parks projects.

- . Desirability of upgrading the Ole Hanson Beach Club shower earlier than 1992-93 as indicated in Staff's recommended schedule.
- . Questioned and received clarification pertaining to the status of the Lighting and Landscape District and City improvement projects to be funded through the District.
- . Pros/cons associated with allowing contractors to assume a greater role in managing park projects so as to facilitate parks development. This possibility was raised in view of the lack of sufficient staff resources to undertake this function.
- . Questioned and received clarification concerning efforts taken between the City and Capistrano Unified School District to facilitate joint use of facilities. Staff noted that San Clemente High School currently uses some of the City's facilities; explained that although the City is working closely with the School District to utilize school grounds, the Parks and Recreation Division's limited staffing levels restrict the City's ability to oversee recreation programs.
- . Questioned and received clarification relative to the status of the Asset Management Program and the possibility of designating asset management funds for the maintenance of existing parks, while limiting the Parks and Acquisition Development Fund for the acquisition and development of new parks.
- . Concern about adding substantially to the budget of the Lighting and Landscape District, and thereby necessitating an increase in the City-wide assessment, without referring the issue to the voters.
- . Possibility of placing emphasis on researching and competing for available grant funding to help offset park development and renovation project costs.
- . Possibility of seeking voter approval in November, 1991 for a bond issue to fund park development and renovations.

Individual members of the Parks and Recreation Commission commented on the following:

- . Desirability of referring Staff's recommended park development priority schedule to the Parks and Recreation Commission for additional study.
- . Merit of focusing on the "big picture" as opposed to addressing the City's park situation in piecemeal fashion.
- . Need to address use alternatives for the dedicated parkland in Presidential Heights/Mariners Point.
- . Voiced concern with postponing the renovation of the San Luis Rey Park Lawn Bowling Facility.
- . Opined Staff's report substantiates the project priority listing as proposed.
- . Suggested that continued project postponements will result in no improvements taking place.

Public input was provided as follows:

Don Knox, 2401 Avenida Mastil, stated that Marblehead Inland is a dense community that needs a park; indicated preference to defer the development of the Marblehead Inland Neighborhood Park rather than implementing a less-desirable proposal at this point in time; suggested that the City engage in negotiations with the developer to front the cost of the park.

Karoline Koester, 604 Via Pavon, commented on the City's funding limitations as it relates to park development and the importance of the City living within its means; stated the current balance in the Parks Acquisition and Development Fund is slightly less than \$200,000; opined the Parks Acquisition and Development Fund should not be used to fund recreational projects.

MOTION BY MAYOR PRO TEM ANDERSON, SECOND BY COUNCILMEMBER HAGGARD to: 1) approve the re-prioritization of current park development projects as contained in the memorandum from the Parks and Recreation Manager, dated April 23, 1991, and on file in the City Clerk's Department; 2) authorize Staff to re-bid the renovation of Max Berg Plaza Park, unless in Staff's opinion it would be beneficial from a cost standpoint, to bid the project in conjunction with Rancho San Clemente Park; 3) determine that negotiations shall take place in conjunction with new development, e.g., Talega Valley and Marblehead Coastal, for a complete park package as opposed to a piecemeal package; 4) determine that any agreement reached with a concessionaire for the Richard T. Steed Memorial Park shall include responsibility for lighting; 5) direct Staff to proceed with the Asset Management Program with the understanding that those funds will be used to further develop the City's park plan; and 5) direct that an aggressive approach be taken to facilitate modification of the existing Park Acquisition and Development Fee to reflect current land values.

SUBSTITUTE MOTION BY COUNCILMEMBER LORCH, SECOND BY MAYOR PRO TEM ANDERSON, CARRIED 4-1 (MAYOR DIEHL VOTING NOE), to divide the original motion into separate components.

MOTION BY COUNCILMEMBER HAGGARD, SECOND BY MAYOR PRO TEM ANDERSON, CARRIED 5-0, to: 1) determine that any agreement reached with a concessionaire for the Richard T. Steed Memorial Park shall include responsibility for lighting; 2) direct Staff to proceed with the Asset Management Program with the understanding that those funds will be used to further develop the City's park plan; and 3) direct that an aggressive approach be taken to facilitate modification of the existing Park Acquisition and Development Fee to reflect current land values.

Council, by consensus, authorized Staff to re-bid the renovation of Max Berg Plaza Park.

MOTION BY COUNCILMEMBER LORCH, SECOND BY MAYOR PRO TEM ANDERSON, CARRIED 5-0, that the City enter into discussions with new area developers, e.g., Talega Valley and Marblehead Coastal, relative to the City's desire for a complete park package for those development projects.

MOTION BY COUNCILMEMBER LORCH to refer the proposed re-prioritization of current park development projects to the Parks and Recreation Commission for further study. The Motion died for lack of a second.

MOTION BY MAYOR PRO TEM ANDERSON, SECOND BY COUNCILMEMBER HAGGARD, CARRIED 3-2 (COUNCILMEMBERS BENEDICT AND LORCH VOTING NOE), to re-prioritize current park development projects based upon the following order:

1. **Max Berg Plaza Park Renovation: 1991-92**
2. **Los Mares Median Islands Renovation: 1991-92**
3. **Bonito Canyon Park Boys and Girls Club Expansion: 1991-92**
4. **Richard T. Steed Memorial Park Concessionaire: 1991-92**
5. **Rancho San Clemente Ridgeline Trail Development: 1991-92**
6. **Community Center Lower Multi-Purpose Room Upgrading: 1991-92**
7. **Rancho San Clemente Neighborhood Park Development: 1992-93**
8. **Community Center Auditorium Upgrading: 1992-93**
9. **Beach Club Shower/Locker Room/Lobby Upgrading: 1992-93**
10. **Marblehead Inland Neighborhood Park Development: 1993-94**
11. **Forster Ranch Community Park, Phase One Development: 1993-94**

The following projects will not be immediately addressed:

1. **San Luis Rey Park Lawn Bowling Facility Renovation**
2. **Esplanade Median Islands Renovation**
3. **Valencia Median Islands Renovation**
4. **Talega Valley Community Park, Phase One Development**
5. **Talega Valley Neighborhood Park (County) Development**

Council requested that the Parks and Recreation Commission consider options for the use of the parkland at Presidential Heights/Mariners Point and make a recommendation to Council.

1. Armed Services Welcome Home Celebration

Discussion concerning participation, and contribution of time and/or money for an amount not to exceed \$5,000, in conjunction with an Armed Services Welcome Home celebration.

City Manager Parness reviewed the background and specifics relating to the Tri-Cities Armed Services Welcome Home Celebration, which is planned for Saturday, June 8, 1991. A detailed account of this event is contained in a letter from the San Clemente Chamber of Commerce, dated April 19, 1991, and on file in the City Clerk's Department; noted the City of Dana Point has committed \$3,000 to this event and the City of San Juan Capistrano will report to the City concerning its commitment in the near future.

MOTION BY COUNCILMEMBER HAGGARD, SECOND BY COUNCILMEMBER BENEDICT, CARRIED 5-0, to authorize a contribution of time and/or money, for an amount not to exceed \$5,000, in conjunction with the Armed Services Welcome Home Celebration.

PARKS AND RECREATION COMMISSION MEETING ADJOURNED

The Parks and Recreation Commission adjourned at 8:40 p.m.

COUNCIL MEETING RECESSED

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

3. **Fire Response Model and Fee Program**

Status report on the Fire Response Model and Fee Program and request for Council direction concerning future applications.

Fire Chief Knight reviewed the contents of his memorandum to the City Manager, dated March 18, 1991, and on file in the City Clerk's Department; explained that Ordinance No. 962 was adopted to establish a five-minute response standard for the provision of fire and emergency medical services to new development, while Ordinances Nos. 969 and 985 established an annual fee to be paid to the City for new development built outside the five-minute response area; explained that payment of the fee is based on a signed contract between the City and developer; noted this contract specifies that the only means of nullifying the agreement is through the formation of a Mello-Roos Community Facilities District, Assessment District or equivalent, or modification by authorized representatives of the City; stated that since the opening of Fire Station No. 3, some developments that were previously situated outside the five-minute response area are now situated within the five-minute response area; requested clarification as to whether the intent of the fee was to provide fiscal balance or to meet the five-minute response standard.

Individual Councilmembers commented on the following:

- . Desirability for new development to pay for itself, preferably through the developer rather than property owner assessments.
- . Need for fiscal balance in all phases of development.
- . Equitability of continuing to levy charges to developments currently within the service area of Fire Station #3.
- . Equitability of placing an assessment on a specific portion of the community.
- . Problems associated with discontinuing the subject revenue source, which generates \$200,000+ annually, in light of the City's financial situation.

Council engaged in a lengthy discussion relative to the possibility of new development initiating, and a two-thirds vote of landowners enacting, a Mello-Roos District. City Manager Parness explained that Mello-Roos Districts are acceptable vehicles to fund capital improvements since the District cannot be disbanded until the debt is retired. City Manager Parness went on to state, however, that a Mello-Roos District created for the purposes of operation and maintenance can be eliminated by a majority vote of the landowners. Councilmembers voiced concern with the philosophy of creating Mello-Roos Districts to fund basic operations of the City.

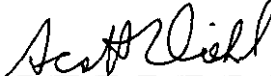
It was the consensus of Council that the fee program is necessary and that assessments should continue to be levied on new construction in Rancho San Clemente, with the understanding that the amount of the fee imposed on individual landowners will be reduced as development progresses until such time as the service area is fiscally sufficient. Council requested that the City Attorney analyze and recommend options that would enable Council to achieve its desire for continued assessments to facilitate fiscal balance.

Adjournment

There being no further business, Council adjourned at 9:55 p.m.

The next Regular Council Meeting will be held on Wednesday, May 1, 1991 at 7:00 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California.


DEPUTY 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 December 5, 1990 said meeting was adjourned to the time and place specified in the ORDER OF ADJOURNMENT attached hereto; and that on December 6, 1990 at the hour of 11:30 a.m., a copy of said order was posted at a conspicuous place near the door at which said meeting was held.

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

Executed on December 6, 1990 at San Clemente, California.


 MYRNA ERWAY
 City Clerk

