

CITY OF SAN CLEMENTE

City Council Minutes Regular Meeting - November 16, 1988

A regular meeting of the City Council of the City of San Clemente, conducted in the Community Center (Ole Hanson Room), 100 Seville, San Clemente, was called to order at 7:05 p.m. by Mayor Lorch.

PRESENT Council Members - MECHAM, RICE, VEALE, MAYOR LORCH

ABSENT Council Members - LIMBERG

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

PLEDGE OF ALLEGIANCE

Mayor Lorch led the Pledge of Allegiance.

1. SPECIAL PRESENTATIONS

None.

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

CITY COUNCIL MINUTES
NOVEMBER 16, 1988
PAGE 2

3. PUBLIC HEARINGS

A. Use Permit 86-27 - Taj Development Corporation

Continued Public Hearing concerning adoption of a Relocation Assistance Program as a condition of approval in association with the development of a 60-unit hotel at the 3700 block of South El Camino Real.

Councilmember Mecham suggested that a condition for the development of the Taj Hotel be imposed to require the developer to provide one of the following: 1) That a Relocation Impact Report be filed with the City which would provide specific information and would require an individual assessment of the type of relocation compensation necessary for each unit; or 2) That the owner provide \$10,000 to each unit, in lieu of preparing a Relocation Impact Report.

Mayor Lorch opened the Public Hearing.

Antonio Sagredo, 104 Carmelo, presented a petition signed by 16 individuals, which requested that the relocation program impose safeguards to alleviate the disruption caused by children being transferred to new schools; relayed the difficulty of paying rent after the three-month rental assistance period has elapsed.

Anna Diaz, 104 Carmelo, (Student of San Clemente High School) expressed concern with the negative effect associated with transferring to a new school.

Stephen Coontz, on behalf of the Applicant, voiced concern he has not yet been able to meet with staff, the designated Council representative, and the residents concerning the relocation issue; requested deferral of this agenda item to enable a meeting to take place and to allow the Applicant the opportunity to consider the proposal suggested by Councilmember Mecham.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER VEALE, CARRIED 4-0, to continue the Public Hearing on Use Permit 86-27 (Taj Development Corporation) to the City Council meeting of December 7, 1988.

CITY COUNCIL MINUTES
NOVEMBER 16, 1988
PAGE 3

**B. REGIONAL CIRCULATION FINANCING AND PHASING PROGRAM (RCFPP)
AND SATISFACTION OF CONDITIONS OF APPROVAL ON VARIOUS
TENTATIVE TRACT MAPS**

Public Hearing to 1) consider adoption of a cost sharing formula and methodology for determining cost obligations and cost shares for various regional on-site and off-site road improvements in the backcountry ranch area; 2) revision of Conditions of Approval for various Tentative Tract Maps to guarantee participation in the RCFPP prior to approval of any final tract maps; and 3) stipulation that amended Conditions of Approval concerning the RCFPP shall keep various Tract Maps and Site Plans in effect after November 30, 1988.

City Manager Hendrickson recapped Council's action of November 2, 1988 relative to the RCFPP.

CLOSED SESSION

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 4-0, to recess to Closed Session at 7:35 p.m., pursuant to Government Code Section 54956.9b(1). The City Manager, City Attorney, Community Development Director, and City Engineer were in attendance.

MEETING RECONVENED

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

Mayor Lorch opened the Public Hearing.

Greg Weiler, Palmieri, Tyler, Wiener, Wilhelm & Waldron, referenced his letter, dated November 15, 1988, which summarizes WSLA's position relative to the RCFPP; opined the Centex proposal and modified City proposal are inequitable unless modified to reflect a credit to WSLA for on-site improvements already completed or bonded; voiced concern with the redefinition of "on-site" improvement costs; stated WSLA will challenge the program if adopted without reflecting a credit or reimbursement for WSLA; expressed a preference for the initial staff recommendation; requested that the City Attorney modify the proposed new map condition to reflect the "Property Owner" rather than the "Applicant."

CITY COUNCIL MINUTES
NOVEMBER 16, 1988
PAGE 4

William Devine, legal counsel representing Shaw/Nelson, concurred with the statements made by Mr. Weiler; stated Shaw/Nelson is in agreement with the basic outline of the original City staff proposal.

Ron Brendt, 57 Center Street, Martinez, California, representing Centex Homes, spoke in support of Centex Homes' program; expressed willingness, however, to accept the City's modified proposal.

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

Community Development Director Holloway outlined the three basic proposals as contained in the Supplemental Administrative Report, dated November 14, 1988 and on file in the City Clerk's Department; recommended that Council adopt the New City Grading Proposal, which includes critical on-site improvements without grading; stated staff will submit to Council at a later date a revised RCFPP which reflects the adopted cost share formula methodology and adopted fee schedule.

Mayor Lorch re-opened the Public Hearing.

Greg Weiler opined that the overall costs of critical on-site improvements should be shared; questioned whether the re-write of the RCFPP will reflect a credit, reimbursement, or release of bonded obligations for improvements already completed by WSLA under the definition of on-site improvements that was then in effect; opined it is inequitable to redefine on-site improvements.

CLOSED SESSION

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 4-0, to recess to Closed Session at 8:35 p.m., pursuant to Government Code Section 54956.9b(1). The City Manager, City Attorney, Community Development Director, and City Engineer were in attendance.

MEETING RECONVENED

Council reconvened at 8:42 p.m., with all members present, except Councilmember Limberg.

CITY COUNCIL MINUTES
NOVEMBER 16, 1988
PAGE 5

City Attorney Oderman stated there will not be a credit or reimbursement to WSLA, Estrella Properties or Marblehead for improvements previously constructed; added there will not be a credit for a sharing among the ranches for on-site improvements that some of the other ranches have yet to construct (most notably, Talega Valley).

Greg Weiler opined that the New City Grading Proposal is inequitable; stated adoption of the subject proposal will force WSLA to challenge the program; requested further study and analysis.

Jerry Gahan, representing the Tarnetzer Company, stated his company is in escrow to purchase Planning Area 1 from WSLA; stated the Town Center would not benefit from grading and hence opined that his company should not be required to contribute to the cost of said grading.

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

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER VEALE, CARRIED 4-0, to:

1. Approve Plan III (New City Grading Proposal) as it appears in the Supplemental Administrative Report, dated November 14, 1988 and on file in the City Clerk's Department. (This proposal represents the modified staff proposal, which includes critical on-site improvements without grading).
2. Direct staff to bring back a modified fee program to a public hearing for adoption.
3. Following adoption of a specific cost share methodology formula and a specific fee schedule, direct staff to bring back a revised RCFPP, based upon the adopted cost share formula methodology and adopted fee schedule.

CITY COUNCIL MINUTES
NOVEMBER 16, 1988
PAGE 6

C. COUNTY OF ORANGE SOLID WASTE MANAGEMENT, AS AMENDED

Public Hearing to consider approval of the County of Orange Solid Waste Management Plan, dated February 7, 1988, as amended.

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

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 4-0, to adopt Resolution No. 88-108 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING THE COUNTY OF ORANGE SOLID WASTE MANAGEMENT PLAN, AS AMENDED.

4. ORAL COMMUNICATIONS

FIRE SPRINKLER REQUIREMENTS - 156 AVENIDA SERRA

Tom Williams reiterated concern that he is being required to install a 4" sprinkler line at his building at 156 Avenida Serra; presented a letter dated November 16, 1988.

City Manager Hendrickson advised that staff met with Mr. Williams relating to the fire sprinkler requirements, but added that Mr. Williams was dissatisfied with staff's answers; noted Mr. Williams was given a procedure to follow, but chose not to follow that procedure.

5. CONSENT CALENDAR

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 4-0, to approve the Consent Calendar with the removal of Items C, D, and E.

CITY COUNCIL MINUTES
 NOVEMBER 16, 1988
 PAGE 7

A. City Council Minutes

None.

B. MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 4-0, to receive and file:

- (1) Parks and Recreation Commission minutes of October 11, 1988.
- (2) Planning Commission minutes of September 20, 1988, October 4, 1988, and October 18, 1988.

F. EQUIPMENT PURCHASE - MICROFILM CAMERA

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 4-0, to authorize the sole source purchase of the Bell and Howell microfilm camera in the amount of \$10,377.60 from the funds in the asset forfeiture account.

ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION

C. BID REQUEST - GOLF COURSE IRRIGATION SYSTEM

Roger Gentry, 115 West Lobos Marinos, spoke in opposition to utilizing funds which were allocated for the purchase of a new golf course for an irrigation system for the present golf course.

Golf Course Manager Linden advised the Marine Corps has refused to allow the City to construct a golf course at Camp Pendleton; stated the Golf Course Committee in April, 1988 took action to recommend that money which was accrued for construction of a golf course at Camp Pendleton be used for improvements to the Municipal Golf Course.

MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER MECHAM, CARRIED 4-0, to approve the plans and specifications prepared by Roger Gordon Irrigation for the new irrigation system at the Municipal Golf Course and authorize staff to solicit formal bids for this project.

CITY COUNCIL MINUTES
NOVEMBER 16, 1988
PAGE 8

D. FINANCIAL SUPPORT OF ORANGE COUNTY SOCIAL SERVICES CENTER - SAN JUAN CAPISTRANO

MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER MECHAM, CARRIED 4-0, to authorize a City contribution of \$3,638 toward the FY 1988-89 operation of the South Orange County Social Services Center.

E. BID AWARD - 1989 FORD SUPERVAN EMERGENCY AMBULANCE

City Manager Hendrickson advised that Superior Trans-Med/Stoner Ambulance, the low bidder, has gone out of business; stated the bid of the second lowest bidder, Leader Industries, was within the budgeted amount.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER VEALE, CARRIED 4-0, to:

1. Accept the second lowest bid of Leader Industries in the amount of \$39,348.35 for the purchase of one new 1989 Ford Supervan Emergency Ambulance.
2. Authorize the Director of Fire Protection to execute a letter of understanding with Leader Industries for the purchase of the ambulance.

6. WARRANT REGISTER

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 4-0, to approve Warrant Nos. 77875 through 78043 excluding Payroll Warrant for period 10-29-88 through 11-4-88 (Voids 77877, 77878, 77879, 77880 and 77891) in the amount of \$517,330.15; Warrant Nos. 78044 through 78222 for period 11-5-88 through 11-11-88 (Voids 78044, 78045, 78046 and 78047) in the amount of \$425,411.04; Payroll Warrant No. 77908 for period 10-17-88 through 10-30-88 in the amount of \$408,228.94; for a total Warrant Register of \$1,350,970.13.

CITY COUNCIL MINUTES
NOVEMBER 16, 1988
PAGE 9

7. UNFINISHED BUSINESS

A. MODIFICATION TO CONDITIONS FOR APPROVAL RE BEACH
PARKING AND TRAILS STUDIES

Report from the Community Development Director concerning acceptance of the conditions and cost commitments established by staff for the backcountry ranches for the Beach Parking and Trails Studies.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER VEALE, CARRIED 4-0, to adopt Resolution No. 88-109 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE AMENDING THE CONDITIONS OF APPROVAL REGARDING THE BEACH PARKING AND BACKCOUNTRY TRAILS STUDIES FOR TENTATIVE TRACT MAPS 12254/SPR 87-16, 12892, 12895, 13054, 13182, 13467, AND THE TALEGA VALLEY SPECIFIC PLAN, with the understanding that the project approvals will expire if the developers do not consent to the amended conditions.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER VEALE, CARRIED 4-0, to adopt Resolution No. 88-110 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE ESTABLISHING COST COMMITMENTS FOR THE BEACH PARKING AND BACKCOUNTRY TRAILS STUDIES FOR THE DEVELOPERS OF RANCHO SAN CLEMENTE, MARBLEHEAD INLAND, TALEGA VALLEY AND FORSTER RANCH.

8. NEW BUSINESS

A. COMPREHENSIVE GENERAL PLAN UPDATE AND GROWTH
MANAGEMENT PROGRAM

Report from the Community Development Director concerning appointment of a citizens' committee and initiation of General Plan Amendments for the purpose of updating the General Plan and to develop a comprehensive growth management program for the City of San Clemente.

CITY COUNCIL MINUTES
NOVEMBER 16, 1988
PAGE 10

City Manager Hendrickson recommended that adoption of Ordinance No. 987 be deferred to December 7, 1988, since the Writ of Mandate concerning Measure E has not yet been received.

Hal Joseph, on behalf of the Planning Commission, voiced concern the Planning Commission did not receive a copy of the November 8, 1988 Administrative Report relating to the General Plan update; opined the Planning Commission should be involved in providing input re the comprehensive General Plan update and Growth Management Program.

Don Steffensen, The Lusk Company, representing Marblehead, questioned whether the discretionary reviews for the Marblehead Coastal property would be delayed if the City undertakes a comprehensive General Plan update.

City Manager Hendrickson explained staff will not recommend that a moratorium be imposed while the General Plan Update is being undertaken; noted, however, that Council will make the final decision.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 4-0, to accept the conceptual work program as outlined in the Administrative Report, dated November 8, 1988 and on file in the City Clerk's Department.

Council noted that the Planning Commission will hold hearings on the General Plan update. Council suggested that the Planning Commission relay its initial concerns to the Growth Management Citizens' Committee.

MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER RICE, CARRIED 4-0, to initiate the process of appointing a citizens' committee for the purpose of developing a Growth Management Program and direct staff to return a more detailed analysis of the specific tasks, manpower, and time frame which is necessary in order to complete the proposed General Plan Amendments and Growth Management Program. (Staff will schedule a resolution for adoption at the December 7, 1988 City Council meeting outlining the scope of review of the Growth Management Citizens' Committee.)

CITY COUNCIL MINUTES
NOVEMBER 16, 1988
PAGE 11

MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER RICE, CARRIED 3-1 (MAYOR LORCH VOTING NOE), to continue Ordinance No. 987 to the Council meeting of December 7, 1988. (Note: Ordinance No. 987 is entitled AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, REPEALING AND RESCINDING ORDINANCE NOS. 976 AND 981 REGARDING THE PROCESSING AND APPROVAL OF APPLICATIONS FOR DEVELOPMENT APPROVALS SUBJECT TO MEASURE E.)

9. ORAL COMMUNICATIONS

None.

10. REPORTS

A. Commissions and Committee

None.

B. City Manager

- (1) City Manager Hendrickson requested a Closed Session to discuss matters of personnel.
- (2) City Manager Hendrickson requested to be provided with agenda Items for the November 30, 1988 Joint Council/Commissions/Committee meeting. It was agreed that an update on the Casa Romantica purchase would appear on the Joint Meeting agenda.

C. City Attorney

None.

D. Council Members

Councilmember Mecham suggested that meetings take place between the Mayor and Chairs of each Commission/Committee on a monthly basis.

CITY COUNCIL MINUTES
NOVEMBER 16, 1988
PAGE 12

Council Reorganization

Council agreed that Councilmember-Elect Diehl will be sworn into office on November 29, 1988. Since Councilmember-Elect Haggard will be out of town on November 29, 1988, her swearing-in ceremony will take place on December 7, 1988. The Council reorganization will take place on December 7, 1988.

Airport Site Coalition

Council appointed Community Development Director Holloway as the City's representative to the Airport Site Consensus Program for Orange County which is being conducted by the Airport Site Coalition.

Status Report on Measure "E" 120-Day Development Impact Report

MOTION BY MAYOR LORCH, SECOND BY COUNCILMEMBER RICE, to direct staff to report on those areas in which the City will, and will not be covered, if the moratorium is lifted.

City Manager Hendrickson stated staff intends to provide an analysis of City requirements with and without Measure E, as part of the Administrative Report for the December 7, 1988 meeting pertaining to the moratorium.

Councilmember Mecham thanked staff for their contributions to the City; commended the high quality of the City's staff.

CLOSED SESSION

MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER RICE, CARRIED 4-0, to recess to Closed Session at 10:35 p.m. to discuss matters of personnel. The City Manager and Assistant City Manager were in attendance.

CITY COUNCIL MINUTES
NOVEMBER 16, 1988
PAGE 13

MEETING RECONVENED

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


Implementation of Safety Series Classification and Compensation Study Sworn Police Positions

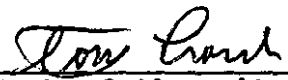
MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER RICE, CARRIED 3-1 (MAYOR LORCH VOTING NOE), to:

1. Establish a lower tier of leave benefits for newly hired Police Sergeants.
2. Adopt Resolution No. 88-11 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING RESOLUTIONS NUMBER 73-83 AND 87-85 TO INCLUDE THE CLASSIFICATION AND SALARY RANGE FOR THE POSITION OF POLICE CAPTAIN IN THE CITY'S SERVICE.

ADJOURNMENT

MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER RICE, CARRIED 4-0, to adjourn to November 29, 1988 at 7:00 p.m. at the Community Center, 100 Seville, for the purpose of certifying the results of the November 8, 1988 election.


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 an Adjourned Regular City Council meeting held on November 16, 1988 said meeting was adjourned to the time and place specified in the ORDER OF ADJOURNMENT attached hereto; and that on November 17, 1988 at the hour of 10:00 a.m. a copy of said order was posted at a conspicuous place near the door at which said meeting was held.

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

Executed on November 17, 1988 at San Clemente, California.

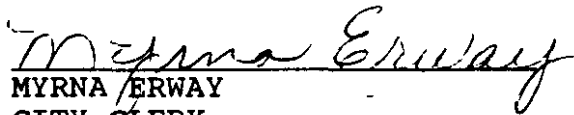

 MYRNA ERWAY
 City Clerk

NOTICE OF ADJOURNMENT
EXCERPT FROM THE MINUTES OF THE
CITY COUNCIL
MEETING OF NOVEMBER 16, 1988

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

ADJOURNMENT

Council adjourned to an Adjourned Regular Meeting to be held on Tuesday, November 29, 1988 at 7:00 p.m. at the Community Center, 100 Seville, San Clemente, for the purposes of certifying the results of the November 8, 1988 election.


MYRNA ERWAY
CITY CLERK