

CITY OF SAN CLEMENTECITY COUNCIL MEETINGREGULAR MEETING - JUNE 1, 1988

A regular meeting of the City Council of the City of San Clemente, conducted in the Council Chambers, Civic Center Building, 100 Avenida Presidio, was called to order at 6:05 p.m. by Mayor Lorch.

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

ABSENT Council Members - NONE

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

Continued Review of FY 1988-89 Budget

Community Development Director Holloway and Senior Administrative Assistant Armington provided an overview of the proposed Community Development Department FY 1988-89 budget, focusing on Council priorities and enterprise funds as contained in the Department's budget summary, dated June 1, 1988, and on file in the City Clerk's Department. City Engineer Cameron summarized the Engineering Division's proposed budget.

MEETING RECESSED

Council recessed at 7:00 p.m. and reconvened at 7:09 p.m., with all members present.

INVOCATION

Monsignor McGowan, of Our Lady of Fatima, gave the invocation.

1. SPECIAL PRESENTATIONS

None.

CITY COUNCIL MINUTES  
JUNE 1, 1988  
PAGE 2

2. MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER VEALE, CARRIED 5-0, to waive reading in full of all Resolutions and Ordinances.
3. PUBLIC HEARINGS
  - A. FY 1988-89 CITY BUDGET

Public Hearing to receive public input on the proposed FY 1988-89 Budget.

MOTION BY DIRECTOR MECHAM, SECOND BY DIRECTOR LIMBERG, CARRIED 5-0, to convene the Redevelopment Agency at 7:10 p.m. All members of the Redevelopment Agency were present.

City Manager Hendrickson reviewed that Council held workshops on May 25, 1988 and June 1, 1988 pertaining to the proposed FY 1988-89 budget, but has not yet reviewed the General Government portion of the budget; reviewed specific recommendations of the Golf Course Committee pertaining to the Golf Course Master Plan as contained in a memorandum from the Golf Course Manager to the City Manager, dated May 26, 1988, and on file in the City Clerk's Department.

Mayor Lorch opened the Public Hearing.

C. L. Snider, 301 Calle Rica, voiced concern the City will soon enter a deficit spending situation; relayed concern with the departure or anticipated departure of major businesses in the City and the resulting decrease of City revenue; suggested the possibility of charging for beach use or transferring beach ownership to the County.

Jim Hill, 4115 Calle Rica, complimented staff on the preparation of the draft budget; voiced concern that current trends indicate the City is approaching a deficit spending situation; recommended that Council direct the City Manager to identify methods to increase revenue and decrease expenditures to effect the establishment of a contingency fund of at least \$1 million.

Richard Ruiz, 11602 Ranch Hill, Santa Ana, representing the South County Community Clinic, requested a \$15,000 appropriation to help fund a family nurse practitioner position; discussed the Clinic's function and expressed hope the City can provide a contribution to the Clinic.

CITY COUNCIL MINUTES  
JUNE 1, 1988  
PAGE 3

Mickie Claxton, 56 Blue Lagoon, Laguna Beach, on behalf of Human Options, requested a \$1500 City appropriation; explained their service provides a shelter for battered women and children; noted 5% of their clients are San Clemente residents.

Ann Jamar, 27002 Calle Dolores, President of Friends of San Clemente Animals, distributed a copy of the shelter's anticipated expenses/revenue for FY 1988-89; stated the shelter is in need of repair due to cracked concrete, inadequate drainage and a structurally-insecure perimeter fence; requested that Council appropriate \$5,000 to \$10,000 for shelter repairs.

Clyde Wallace, 105 Presidio, Apartment 116, stated Casa de Seniors previously submitted a letter to the City, dated May 11, 1988 and signed by 45 individuals, relaying their belief that an additional paramedic unit is needed.

Byron Marshall, Sister City Association, 343 Avenida Baja, reviewed the purpose of the Association; urged that Council grant an \$800 contribution to the Association.

Lee Steelman, 144 Avenida De La Paz, representing the South Orange County Community Services Council, explained the Council provides a referral service, primarily in the areas of health and human services; requested a \$3600 appropriation for a program director; noted 75% of their clients are San Clemente residents.

John Hoffman, 313 Avenida Del Mar, read a statement prepared by Stewart Heinz, President of the San Clemente Men's Golf Club, which urged that Council 1) approve the construction of a new irrigation system; 2) approve improvements to Hole #13 and disapprove all other items of the Master Plan and 3) refer the plan back to the Golf Course Committee for revision; felt the funds saved should be used to acquire another municipal golf course; felt the proposed Master Plan would make the course more difficult to play, and would result in an unnecessary expenditure of funds.

Bert Schaar, 403 Avenida Arlena, felt the funds could be used more productively in other areas; spoke in support of the retention of a course marshal; urged the rebuild of several tees and improvement of the drainage situation.

Mo Dailey, 107 Avenida Del Reposo, noted the ocean can currently be viewed from all 18 tees; opposed a change

CITY COUNCIL MINUTES  
JUNE 1, 1988  
PAGE 4

in course configuration since it would make it impossible for a golfer to break the course record set in 1954; felt the course is not being adequately maintained; urged that the golf course manager be more visible.

Al Dibella, 113-A Boca de la Playa, stated sufficient funds are available at this time to replace the irrigation system; felt there was a lack of communication between the Golf Course Committee and the individuals who utilize the course.

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

MOTION BY DIRECTOR VEALE, SECOND BY DIRECTOR MECHAM, CARRIED 5-0, to recess the Redevelopment Agency at 8:15 p.m.

B. CALIFORNIA VEHICLE CODE AND CITY OF SAN CLEMENTE MUNICIPAL CODE ENFORCEMENT IN THE RANCHO SAN CLEMENTE DEVELOPMENT

Public Hearing to consider declaring certain streets within the Rancho San Clemente development subject to the provisions of the California Vehicle Code (CVC) and the City of San Clemente Municipal Code (SCMC).

City Engineer Cameron stated the developer has requested that Calle Sombra and Avenida La Pata be added to the list of streets proposed to be declared subject to the provisions of the California Vehicle Code and the City of San Clemente Municipal Code. City Attorney Oderman advised a separate Public Hearing notice will be required prior to Council consideration.

Mayor Lorch opened the Public Hearing.

Donald Marchetti, 920 Camino Ibiza, noted the City will derive citation revenue if Council declares the subject streets subject to police enforcement; urged Council to support staff's recommendation so that vehicle speed can be enforced.

Paul McAfee, 926 Calle Ibiza, spoke on the need for police enforcement; stated Del Cerro is in particular need of enforcement due to the number of children who cross that street and the high speed of vehicles in that area; spoke in support of the installation of a stop sign and crosswalk at Calle Ibiza.

Mayor Lorch closed the Public Hearing, there being no

CITY COUNCIL MINUTES  
 JUNE 1, 1988  
 PAGE 5

others desiring to speak to this issue.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to adopt Resolution No. 88-35 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, DECLARING CERTAIN STREETS IN THE RANCHO SAN CLEMENTE DEVELOPMENT SUBJECT TO THE PROVISIONS OF THE CALIFORNIA VEHICLE CODE AND THE CITY OF SAN CLEMENTE MUNICIPAL CODE.

C. SAN CLEMENTE STREET LIGHTING AND LANDSCAPING DISTRICT NO. 1, FISCAL YEAR 1988-89

Public Hearing to consider confirming the diagram and the assessment for fiscal year 1988-89 Lighting and Landscaping District No. 1, and providing for annual assessment levy as set forth in the Engineer's Report.

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 LIMBERG, CARRIED 5-0, to:

1. Receive the Engineer's Final Report.
2. Adopt Resolution No. 88-50 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA CONFIRMING A DIAGRAM AND PROVIDING FOR ANNUAL ASSESSMENT LEVY.

D. DEVELOPMENT ALLOCATION 88-06, TRACT 12254, PA 24, RANCHO SAN CLEMENTE - APPEAL OF POINT ASSIGNMENTS BY THE RESIDENTIAL DEVELOPMENT EVALUATION BOARD

Public Hearing to consider an appeal of the final point assignments assigned by the Residential Development Allocation Board for Development Allocation 88-06.

Mayor Lorch opened the Public Hearing.

Tom Davis, Tierra Planning and Design, representing McCoy Construction, stated Tract 12254 (Misty Phase II) is the only custom home subdivision in competition for the past two years; voiced concern Tract 12254 is the lowest rated project and contended that such a situation is contrary to the purpose and intent of Ordinance No. 922; felt Tract 12254 would exceed standards in the categories of Police Response, Architecture, and Water/Energy Conservation, but has received mediocre points; distributed a copy of the design guidelines for

CITY COUNCIL MINUTES  
JUNE 1, 1988  
PAGE 6

the project; requested that Council grant the project 10 points for each category or declare the categories "Not Applicable"; noted that restrictions can be placed in the project's Covenants, Conditions and Restrictions pertaining to design criteria and security.

In response to Council inquiry, City Attorney Oderman advised that if the Applicant had incorporated specific requirements in the project's CC&R's, this evidence could have been submitted to the Residential Development Evaluation Board but was not; advised the timeframe for submitting application changes has passed for this year's allocation.

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

Council indicated a desire to consider revisions to the criteria prior to next year's allocations.

MOTION BY MAYOR LORCH, SECOND BY COUNCILMEMBER RICE, CARRIED 3-2 (COUNCILMEMBERS LIMBERG AND MECHAM VOTING NOE), to adopt Resolution No. 88-36 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, DENYING APPEAL OF THE R.D.E.B. POINT ASSIGNMENTS OF DEVELOPMENT ALLOCATION NO. 88-06.

E. ZONING AMENDMENT 88-01 - ADDITION OF CONGREGATE CARE AS NEW USE IN CERTAIN ZONING DISTRICTS

Public Hearing to consider adding congregate care in certain residential and commercial zoning districts, subject to a conditional use permit.

Mayor Lorch opened the Public Hearing.

Gary Wiggle, Keisker & Wiggle Architects, commended staff on the preparation of the draft Ordinance; felt the ordinance is workable and that a parking standard of .7 spaces per unit would provide a reasonable standard in most cases, noting that the Conditional Use Permit process would enable Council to require additional parking spaces if necessitated by the site specifics of the project; noted the City's Municipal Code defines a residential unit as a unit containing cooking facilities; noted congregate care would constitute a commercial venture inasmuch as cooking facilities would be prohibited.

Paul Watson, 24871 La Veta, Laguna Niguel, President of A and W Land Marketing and Planning, felt the proposed ordinance is conservative; stated congregate care facilities in other cities work effectively with a

CITY COUNCIL MINUTES  
JUNE 1, 1988  
PAGE 7

parking standard of .5 per unit and with a unit area of 200-250 square feet; explained the rationale behind congregate care, noting that a competitive market exists.

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

During the course of discussion, Council voiced concerns as follows:

1. As a safeguard against density, Council felt that a standard for unit size should be imposed; noted the possibility of implementing criteria similar to time-share unit standards.
2. Language should be incorporated into Ordinance No. 969 that provides that square footage would be inversely related and tied to the square footage of the lot, (i.e., the more commercial square footage provided, the less allowable residential density and the more residential density provided, the less allowable commercial square footage.)
3. The parking ratio should be increased to a figure equivalent to 1.5 parking spaces per unit, plus ample employee parking. Community Development Director suggested the possibility of projects being designed in such a fashion as to provide a desired ratio of parking, while at the same time reserving a portion of the parking area within a greenbelt area, with the stipulation that the greenbelt shall be converted to a parking area should the need arise.
4. The definition of "Congregate Care" within Ordinance 969 should specify that congregate care is not a residential use that would be subject to Ordinance No. 922.
5. Ordinance No. 969 should be amended to provide that the 5' rear and sideyard setbacks are minimum setbacks and that Council may require larger setbacks.

MOTION BY COUNCILMEMBER LIMBERG, SECOND BY COUNCILMEMBER MECHAM, CARRIED 5-0, to refer Ordinance No. 969 back to staff for revision in the areas of square footage, parking ratios, setbacks and the definition of "Congregate Care", and that the Public Hearing be continued to the Council Meeting of July 6, 1988.

CITY COUNCIL MINUTES  
JUNE 1, 1988  
PAGE 8

4. ORAL COMMUNICATIONS

Peter Jeanseau, One Cartagena, speaking in behalf of other residents, requested resolution of noise between 5:15 a.m. and 9:00 p.m. created by construction traffic on Del Cerro. Staff will install signs and will enforce the regulations within the City's limits of authority.

POSSIBLE ACQUISITION OF REAL PROPERTY - CASA ROMANTICA

Keith Williams, Attorney, 2121 East Coast Highway, Suite 200, Corona del Mar, on behalf of the Welsh Family (owners of Casa Romantica) stated he has been advised that the City may have an interest and ability to attempt to effect the purchase of the Casa Romantica property; stated the Welshes are willing to terminate all pending negotiations and proposals with other interested parties and to attempt to negotiate a transaction exclusively with the City.

City Manager Hendrickson stated staff will prepare a full report on this subject for Council review on June 15, 1988; stated staff will recommend that initial steps be taken for an appraisal, soils analysis and structural analysis; relayed that staff is receptive and anxious, with Council concurrence, to pursue the possible acquisition of the Casa Romantica property.

MEETING RECESSED

COUNCIL RECESSED AT 10:17 P.M. AND RECONVENED AT 10:30 P.M., WITH ALL MEMBERS PRESENT.

5. CONSENT CALENDAR

MOTION BY MAYOR LORCH, SECOND BY COUNCILMEMBER RICE, CARRIED 5-0, to approve the Consent Calendar with the removal of Items D, G, and J.

A. CITY COUNCIL MINUTES

MOTION BY MAYOR LORCH, SECOND BY COUNCILMEMBER RICE, CARRIED 5-0, to approve the City Council minutes of May 18, 1988.



CITY COUNCIL MINUTES  
JUNE 1, 1988  
PAGE 9

B. COMMISSION/COMMITTEE MINUTES

MOTION BY MAYOR LORCH, SECOND BY COUNCILMEMBER RICE, CARRIED 5-0, to receive and file:

1. Planning Commission minutes of April 26, 1988.
2. Community Design Commission Minutes of May 10, 1988 and Joint Community Design Commission/Planning Commission minutes of May 10, 1988.

C. OCEAN FESTIVAL - 1988 SCHEDULE OF EVENTS

MOTION BY MAYOR LORCH, SECOND BY COUNCILMEMBER RICE, CARRIED 5-0, to authorize the San Clemente Ocean Festival Committee to conduct activities on the beach as listed on their 1988 "Greatest Show on Surf" schedule of events, which is on file in the City Clerk's Department.

E. AWARD OF BID - ONE FULL SIZE, HEAVY DUTY, FIVE YARD DUMP TRUCK

MOTION BY MAYOR LORCH, SECOND BY COUNCILMEMBER RICE, CARRIED 5-0, to accept the bid of Allen GMC Truck in the amount of \$37,608.80 for the purchase of one (1) new 1988 full size, heavy duty, five (5) yard dump truck.

F. FIESTA PARADE/BLOCK PARTY

MOTION BY MAYOR LORCH, SECOND BY COUNCILMEMBER RICE, CARRIED 5-0, to:

1. Approve the request of the San Clemente Chamber of Commerce to hold the annual Fiesta Parade and Block Party on July 23, 1988, subject to the conditions outlined in the Administrative Report, dated May 20, 1988, and on file in the City Clerk's Department.
2. Direct the Chamber of Commerce to work closely with the Police Department to ensure compliance with the conditions of approval.

CITY COUNCIL MINUTES  
 JUNE 1, 1988  
 PAGE 10

H. TRACT 12359 (DIVIDEND) - ACCEPTANCE OF IMPROVEMENTS AND RELEASE OF BONDS

MOTION BY MAYOR LORCH, SECOND BY COUNCILMEMBER RICE, CARRIED 5-0, to adopt Resolution No. 88-52 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ACCEPTING FROM DIVIDEND DEVELOPMENT CORPORATION, THE WATER LINE SYSTEM FOR TRACT NO. 12359 AND PROVIDING FOR RELEASE OF BONDS AS PROVIDED BY LAW.

I. Tract 12314 (Royal Crest/Vista Pacifica) - Acceptance of Improvements and Release of Bonds

MOTION BY MAYOR LORCH, SECOND BY COUNCILMEMBER RICE, CARRIED 5-0, to adopt Resolution No. 88-53 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ACCEPTING FROM BRYANT FINANCIAL CORPORATION, THE WATER LINE SYSTEM FOR TRACT 12314, AND PROVIDING FOR RELEASE OF BONDS AS PROVIDED BY LAW.

ITEMS REMOVED FROM THE CONSENT CALENDAR

D. SUPPORT OF PROPOSITION 75 - SCHOOL FACILITIES BOND ACT OF 1988

It was the consensus of Council that the City should not take positions on legislation that does not have a direct effect on the City.

MOTION BY COUNCILMEMBER VEALE, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to receive and file the Administrative Report entitled "Support of Proposition 75 - School Facilities Bond Act of 1988", dated May 23, 1988, and on file in the City Clerk's Department.

G. AWARD OF CONTRACT - DEVELOPMENT OF A COMPREHENSIVE MASTER PLAN FOR THE PIER BOWL AREA

MOTION BY MAYOR LORCH, SECOND BY COUNCILMEMBER RICE, to continue the matter until after the June 18, 1988 Community Planning Workshop and that Council be provided with previous Pier Bowl master plans, various alternatives and a presentation by the prospective consultant.

CITY COUNCIL MINUTES  
 JUNE 1, 1988  
 PAGE 11

SUBSTITUTE MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER VEALE, CARRIED 5-0, to authorize the City Manager to establish a contract with 30th Street Architects, Inc. for development of a Master Plan for the Pier Bowl that would only include those items listed as Tasks 1.1 through 1.12 of the proposal prepared by 30th Street Architects, Inc., dated April 1988, and on file in the City Clerk's Department.

J. WASTEWATER TREATMENT PLANT EXPANSION PROJECT - REPAYMENTS FROM BOND PROCEEDS TO DEVELOPERS

Following clarification, MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 5-0, to approve repayments to developers of the remainder of funds expended in anticipation of the formation of Assessment District 85-1 in the amounts listed below:

The Lusk Company	\$ 40,866.45
Estrella Properties	\$451,127.16
TOTAL:	\$491,993.61.

6. WARRANT REGISTER

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to approve Warrant Nos. 73552 through 73677 excluding Payroll Warrant for period 5-9 88 through 5-13-88 (Voids 73550-73551) in the amount of \$423,600.69; Warrant Nos. 73680 through 73809 for period 5-16-88 through 5-20-88 (Voids 73678 and 73679) in the amount of \$1,367,820.55; Payroll Warrant No. 73650 for period 5-2-88 through 5-15-88 in the amount of \$237,792.33; for a total Warrant Register of \$2,029,213.57.

CITY COUNCIL MINUTES  
 JUNE 1, 1988  
 PAGE 12

7. UNFINISHED BUSINESS

A. NEW BASE OF PIER CONCESSION NEGOTIATIONS CONSULTANT

Report from the Director of Public Services concerning selection of a consulting firm to assist the New Base of Pier Concession Negotiations Committee in their negotiation efforts.

MOTION BY COUNCILMEMBER LIMBERG, SECOND BY COUNCILMEMBER MECHAM, CARRIED 5-0, to defer consideration of the New Base of Pier Concession Negotiations Consultant until after Closed Session on the matter.

See Page 15 of these minutes for a continuation of this agenda item.

8. NEW BUSINESS

A. LIGHTING AND LANDSCAPING DISTRICT - AWARD OF CONTRACT FOR LANDSCAPE MAINTENANCE

Report from the Director of Public Services concerning award of contract for the landscape maintenance of general government facilities within the City of San Clemente Lighting and Landscape District.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 5-0, to approve, and authorize the Mayor to execute, a contract for landscape maintenance of general government facilities within the City's Lighting and Landscape District to the low bidder, Toyo Landscape of Garden Grove, in the amount of \$95,880 for a period of one year with an option for renewal for one-year increments based upon satisfactory performance. (City Contract #C88-020).

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.

CITY COUNCIL MINUTES  
 JUNE 1, 1988  
 PAGE 13

(2) Drinking Under Influence Cost Recovery Program

City Manager Hendrickson reviewed the proposed cost recovery program for accidents caused by drivers under the influence. Councilmembers expressed their concurrence with the DUI Cost Recovery Program as described in the Police Chief's memorandum, dated May 17, 1988, and on file in the City Clerk's Department.

(3) Auditor Interview Committee

MOTION BY COUNCILMEMBER VEALE, SECOND BY MAYOR LORCH, CARRIED 5-0, to appoint Councilmember Limberg as the Council representative on the Auditor Interview Committee. The City Manager and Finance Director will also participate on this Committee.

(4) Clarification of Process for Appointment of Commission/Committee Members.

Council agreed to commence its meeting of June 15, 1988 at 6:00 p.m. for purposes of reviewing applications to serve on City Commissions and Committee. In the event Council finds it necessary to interview candidates, Councilmembers indicated that an Adjourned Regular Meeting would be scheduled for June 22, 1988.

C. City Attorney

City Attorney Oderman requested a Closed Session to discuss pending litigation (Estrella Properties v. City of San Clemente - Measure B) and pending litigation (Marblehead v. City of San Clemente - Measure E), pursuant to Government Code Section 54956.9(a).

Lot Splits in the City

Council received a memorandum from the City Attorney, dated May 31, 1988, concerning the control of lot splits in the City; discussed the difficulty of creating verbiage which would prohibit lot splits City-wide while not causing unintended results.

MOTION BY MAYOR LORCH to direct staff to identify the large lots in the City that are amenable to lot splits (e.g., Misty Ridge, Kain tract and Emadi tracts) and to advise Council of the anticipated

CITY COUNCIL MINUTES  
JUNE 1, 1988  
PAGE 14

legal fees attendant to devising a method of prohibiting hibiting lot splits in those identified areas which would result in additional lots. The motion died for lack of a second.

D. Council Members

Measure E - Citizens' Sensible Growth and Traffic Control Initiative

Councilmember Mecham relayed his opposition to Measure E, focusing on his belief that the Measure would negatively impact economic development and the economic health of the City; felt the other facets of the measure are currently in effect, as established by Measure B.

Mayor Lorch spoke in support of Measure E, based on his belief that the Measure would implement standards which would assure that traffic will not increase and will impose adequate parks and flood protection requirements.

Tom Davis, representing the Chamber of Commerce, stated a fiscal analysis of Measure E's impact was previously requested and recommended fiscal and environmental impact analyses; voiced belief that Measure E is dictatorial, inflexible and expensive, because it will increase the City's operation and maintenance costs.

Ray Giocomini spoke in opposition to Measure E and Measure A, due to his belief that adequate flood control measures currently exist and that it will increase housing costs; spoke in support of the free enterprise system resolving growth problems.

Byron Marshall, South Orange County Board of Realtors, spoke in opposition to Measures E and A because he felt the Measures will not build roads, would have serious consequences and are poorly written.

Councilmember Limberg relayed his belief that Measures A and E are ambiguous; noted the City has spent \$820,000 to date in legal fees to defend Measure B.

CITY COUNCIL MINUTES  
 JUNE 1, 1988  
 PAGE 15

City Treasurer's Office

Councilmember Limberg suggested the possibility of integrating the City Treasurer's Office with the Finance Department activities; requested that staff prepare an analysis of this possibility with the assistance of the City Attorney and City Treasurer.

11. RESOLUTIONS/ORDINANCES

A. INTRODUCTION OF ORDINANCE NO. 967 - SPECIAL EVENT INSURANCE REQUIREMENTS

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 4-1 (MAYOR LORCH VOTING NOE), to introduce Ordinance No. 967 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE AUTHORIZING THE CITY'S RISK MANAGER TO ASSESS AND APPROVE INSURANCE REQUIREMENTS FOR SPECIAL EVENTS AND ACTIVITIES.

B. ORDINANCE NO. 966 - SECOND READING

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

C. ORDINANCE NO. 968 - SECOND READING

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 3-2 (COUNCILMEMBER LIMBERG AND MAYOR LORCH VOTING NOE), to adopt Ordinance No. 968 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, AMENDING CHAPTER 22B OF THE CODE OF THE CITY OF SAN CLEMENTE REGARDING WARNING SIGNS AND THE CONSUMPTION OF ALCOHOL DURING PREGNANCY.

MEETING RECESSED

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to recess to a meeting of the Redevelopment Agency at 12:45 a.m.

MEETING RECONVENED

Council reconvened at 12:45 a.m. with all members present.

CITY COUNCIL MINUTES  
JUNE 1, 1988  
PAGE 16

CLOSED SESSION

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to recess to Closed Session at 12:46 a.m. for purposes of discussing 1) pending litigation (Estrella Properties v. City of San Clemente - Measure B) pursuant to Government Code Section 54956.9(a); 2) pending litigation (Marblehead v. City of San Clemente - Measure E) pursuant to Government Code Section 54956.9(a); 3) matters of personnel; and 4) Base of the Pier Concession, pursuant to Government Code Section 54956.8 - James Hendrickson, Negotiator.

MEETING RECONVENED

Council reconvened at 1:35 a.m., with all members present.

7. UNFINISHED BUSINESS

A. NEW BASE OF PIER CONCESSION NEGOTIATIONS CONSULTANT

Report from the Director of Public Services concerning selection of a consulting firm to assist the New Base of Pier Concession Negotiations Committee in their negotiation efforts.

(See Page 11 of these minutes for the first portion of the discussion on this agenda item.)

MOTION BY MAYOR LORCH, SECOND BY COUNCILMEMBER RICE, CARRIED 3-2 (COUNCILMEMBERS LIMBERG AND MECHAM VOTING NOE), to:


1. Authorize the City Manager to execute an agreement with Keyser Marston Associates, Inc. for consulting services as contained in their proposal, dated March 4, 1988.
2. Direct the City Manager to include \$7,000 from the Redevelopment Agency fund to Account #086-865 45200 for consulting services in the proposed 1988 89 FY budget.




CITY COUNCIL MINUTES  
JUNE 1, 1988  
PAGE 17

ADJOURNMENT

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to adjourn at 1:37 a.m. to June 8, 1988 at 6:00 p.m. for purposes of discussing the FY 1988-89 City Budget and to consider Development Allocations.

  
CITY CLERK of the City of  
San Clemente

  
MAYOR of the City of  
San Clemente

AFFIDAVIT OF POSTING ORDER  
OF ADJOURNMENT OF MEETING

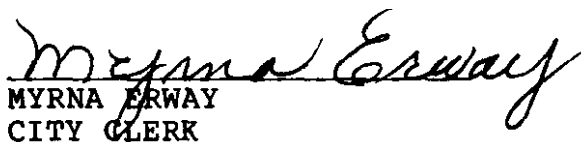
STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) SS.  
CITY OF SAN CLEMENTE )

I, MYRNA ERWAY, declare as follows:

That I am the City Clerk of the City of San Clemente; that at a Regular City Council meeting held on JUNE 1, 1988 said meeting was adjourned to the time and place specified in the ORDER OF ADJOURNMENT attached hereto; and that on June 2, 1988 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 June 2, 1988 at San Clemente, California.

  
MYRNA ERWAY  
CITY CLERK

NOTICE OF ADJOURNMENT  
EXCERPT FROM THE MINUTES OF THE  
CITY COUNCIL  
MEETING OF JUNE 1, 1988

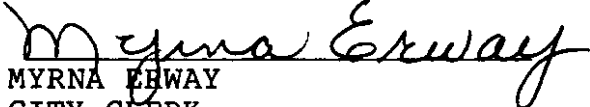
An Adjourned Regular City Council Meeting was held in the City Council Chambers, 100 Avenida Presidio, San Clemente on June 1, 1988 and was called to order at 6:05 p.m.

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

ABSENT: NONE

ADJOURNMENT

Council adjourned to 6:00 p.m. on Wednesday, June 8, 1988 to consider the FY 1988-89 City budget and to consider Development Allocations.

  
MYRNA ERWAY  
CITY CLERK