

CITY OF SAN CLEMENTECITY COUNCIL MINUTESADJOURNED REGULAR MEETING - AUGUST 12, 1987

An Adjourned 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 by Mayor Veale at 6:10 p.m.

PRESENT Council Members - LORCH, MECHAM (Arrived at 6:20 p.m.), RICE, MAYOR VEALE

ABSENT Council Members - LIMBERG

ALSO PRESENT Greg Hulsizer, Assistant City Manager; Myrna Erway, City Clerk; 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.

CLOSED SESSION

MOTION BY COUNCILMEMBER LORCH, SECOND BY COUNCILMEMBER RICE, CARRIED 3-0, to recess to Closed Session at 6:10 p.m. for purposes of discussing 1) pending litigation (Summerfield v. City of San Clemente), pursuant to Government Code Section 54956.9(a); 2) pending litigation (DiAngelis v. City of San Clemente), pursuant to Government Code Section 54956.9(a); and 3) pending litigation (Estrella Properties, Ltd. v. City of San Clemente), pursuant to Government Code Section 54956.9(a); and 4) possible initiation of litigation, pursuant to Government Code Section 54956.9(c). The Assistant City Manager, City Attorney, Community Development Director, City Engineer and Attorneys Jim Rourke and Margaret Sohagi were in attendance.

MEETING RECONVENED

Council reconvened at 7:05 p.m. with all members present, except Councilmembers Limberg and Mecham* (returned at 7:10 p.m.).

MOTION BY COUNCILMEMBER LORCH, SECOND BY COUNCILMEMBER RICE, CARRIED 3-0 (COUNCILMEMBERS LIMBERG AND MECHAM ABSENT), to direct the City Attorney and staff to take the appropriate actions to notice a public hearing before the Planning Commission on the issue of whether Estrella Properties, Ltd.

CITY COUNCIL MINUTES
AUGUST 12, 1987
PAGE 2

has complied in good faith with the terms and conditions of the 1st amendment to the Settlement Development Agreement, entered into between the City of San Clemente and Estrella Properties on or about December 7, 1983, in accordance with California Government Code Section 65865.1 and Council Resolution 46-81, and to make recommendations to Council with respect thereto.

INVOCATION

Lisa Larsen gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Veale led the Pledge of Allegiance.

1. SPECIAL PRESENTATIONS

- A. Mayor Veale presented a City Tile to Lt. Al Ehlow, in recognition of being named Narcotics Supervisor of the Year; and presented a City Tile to Neil Murray, in recognition of being named Narcotics Officer of the Year.
- B. The presentation to Donna Baker, Community Design Commissioner, was deferred to September 2, 1987.

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

3. PUBLIC HEARINGS

- A. Smoking Regulations in Public Places and Work Places

Public Hearing to consider adoption of smoking regulations in public places and work places.

City Attorney Oderman noted that Section 22B-8 inadvertently appears twice in the Ordinance; advised the first Section 22B-8 should be deleted; advised this error will be corrected prior to the second reading of the Ordinance.

Mayor Veale opened the Public Hearing.

Norman Ream, 511 E. San Juan, spoke in opposition to the adoption of a smoking ordinance inasmuch as he felt such regulations to be outside the purview of government.

Mark Burnett, 529 Avenida Pico, owner of Denny's Restaurant, spoke in opposition to the proposed

CITY COUNCIL MINUTES
AUGUST 12, 1987
PAGE 3

ordinance, citing his belief that the issue of no smoking sections should be left to the discretion of the individual businesses.

Gerry Breifbart, California Restaurant Association, 3780 Wilshire Boulevard, Suite 600, Los Angeles, opined that the proposed ordinance would be detrimental to the San Clemente business community; felt the amount of area to be devoted to non-smokers should be determined by the restaurant owner, thus allowing the amount of non-smoking area to be adjusted to coincide with the fluctuating need.

Robert Beasley, 217 Trafalgar, spoke in support of the proposed Ordinance inasmuch as he felt it would be in the public's best interest; cited the Surgeon General's findings re the effects of second-hand smoke.

Cary P. Brackett, Manager of Carrow's Restaurant, 620 Avenida Pico, felt the restaurant's clientele should be allowed to dictate the percentage of a restaurant to be devoted to non-smokers.

Ted Carmias, representing Tommy's Coffee Shop, felt the determination re amount of non-smoking area should be left to the business owner, so as to allow them to accommodate the fluctuating demand for the non-smoking area.

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

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 4-0, to amend the second sentence of Section 22B-8 to read as follows: "Every person owning, managing, operating, or having control of any establishment described in this section shall provide and maintain an enclosed area within the establishment of not less than fifty percent (50%) of the total floor area for seating patrons in which smoking is prohibited."

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 4-0, to introduce Ordinance No. 948 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE ADDING CHAPTER 22B TO THE SAN CLEMENTE CITY CODE REGULATING SMOKING IN PUBLIC PLACES AND WORKPLACES WITHIN THE CITY AND AMENDING SECTION 1-7 OF THE CODE RELATING TO THE PENALTY FOR VIOLATION OF SUCH REGULATIONS, with revisions as follows: 1) that the first Section 22B-8 be deleted; and 2) that Section 3 be amended to read as follows:

"SECTION 3: The City Clerk shall certify to the

passage of this Ordinance, and shall cause the same to be published as required by law, and the same shall take effect ninety (90) days after the date of adoption."

B. Encroachment 87-02, San Clemente Villas, 215-219 West Escalones

Public Hearing to consider a request to allow a planter retaining wall to encroach 5' into the public right-of-way.

Mayor Veale opened the Public Hearing.

Applicant Mohammad Moh-Tal, 10602 Courson Drive, displayed a rendering of the subject building; stated there was no intent to ignore the encroachment permit requirement; explained that he assumed the encroachment permit was included in the building permits; noted the building's progress was monitored by City building inspectors.

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

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LORCH, CARRIED 4-0, to adopt Resolution No. 87-62 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING ENCROACHMENT PERMIT NO. 87-02.

C. Sign Ordinance Amendment 87-01 - Revisions to the Overhead Banner Sign Policy

Continued Public Hearing to consider an amendment to Section 28-5 and 28-6 of the Sign Ordinance.

Council continued the Public Hearing on Sign Ordinance Amendment 87-01 to the City Council meeting of September 2, 1987.

4. CONSENT CALENDAR

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LORCH, CARRIED 4-0, to approve the Consent Calendar with the removal of Items C, I, L, N, O, and P.

A. City Council Minutes

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LORCH, CARRIED 4-0, to approve City Council minutes of Adjourned Regular Meeting of June 15, 1987; Adjourned Regular Meeting of July 15, 1987;

Regular Meeting of July 15, 1987; and Joint City Council/Commissions/Committee Meeting of July 7, 1987.

B. Commission Minutes

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LORCH, CARRIED 4-0, to receive and file:

- (1) Planning Commission minutes of June 30, 1987, July 14, 1987 and July 16, 1987.
- (2) Community Design Commission Minutes of June 23, 1987.
- (3) Parks and Recreation Commission Minutes of June 23, 1987 and July 14, 1987.

D. "Coastweek" and "California Coastal Clean-Up Day"

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

1. Authorize the Mayor to execute a proclamation designating the period from October 4, 1987 through October 10, 1987 as "Coastweek" and October 10, 1987 as "California Coastal Clean-Up Day."
2. Approve, and authorize the Mayor to execute, a document of endorsement of "Coastweek" to be held October 4 through October 10, 1987.

E. North Beach Concession Agreement Extension

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LORCH, CARRIED 4-0, to approve, and authorize the Mayor to execute, Amendment #1 (Contract No. C87-051) to extend the North Beach concession lease agreement to December 1, 1992.

F. Department of the Interior - Proposed Southern California OCS Lease Sale No. 95 Offshore Drilling Plan

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LORCH, CARRIED 4-0, to adopt Resolution No. 87-63 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, IN RESPONSE TO THE "CALL FOR INFORMATION" FOR SOUTHERN CALIFORNIA OCS LEASE SALE NO. 95.

G. Equipment Purchase - Tow-Type Asphalt Paving Machine

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LORCH, CARRIED 4-0, to approve the sole source purchase of one new Layton model 525 tow-type asphalt paving machine in the amount of \$24,501.90 from Pacific Equipment Company of San Diego, California.

H. Equipment Purchases - Golf Course Equipment

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

1. Authorize the purchase of a Tractor with Backhoe attachment and front end loader from Scott Machinery Co., the sole bidder, in the amount of \$22,668.10.
2. Authorize the purchase of the Stump Grinding Machine from Promark Products West, Inc., the low bidder, in the amount of \$4,965.23.
3. Authorize the purchase of a Triplex Greens Mower from Toro Pacific Equipment Co., the second lowest bidder, in the amount of \$9,741.40.

J. Proposed Traffic Modifications - South El Camino Real and Avenida Presidio

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LORCH, CARRIED 4-0, to adopt Resolution No. 87-66 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING MASTER TRAFFIC RESOLUTION NO. 1846, ESTABLISHING "NO PARKING" REGULATIONS AT VARIOUS LOCATIONS.

K. Proposed Traffic Modifications - Camino Mira Costa

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LORCH, CARRIED 4-0, to adopt Resolution No. 87-67 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING MASTER TRAFFIC RESOLUTION NO. 1846, ESTABLISHING "NO PARKING" REGULATIONS AT VARIOUS LOCATIONS.

M. Waterline Easement - Lot 5, Tract 12127 (Rancho San Clemente)

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LORCH, CARRIED 4-0, to accept the easement deed from WSLA for waterline purposes and authorize its recordation by the City Clerk.

ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION

C. Lifeguard Subsidy Program Agreement

Councilmember Lorch voiced concern that the County has not increased its annual lifeguard subsidy payments to the coastal cities in ten years.

MOTION BY COUNCILMEMBER LORCH, SECOND BY COUNCILMEMBER MECHAM, CARRIED 4-0, to continue consideration of the Lifeguard Subsidy Program Agreement to the City Council meeting of September 2, 1987 to allow time for Councilmember Lorch to contact the other five affected coastal cities to determine their interest in collectively pursuing an increase in the County's annual lifeguard subsidy payments to the coastal cities.

I. Establishment of Policy re Waiver of Green Fees for Charitable Groups at Golf Course and Use of Privately Owned Golf Carts

MOTION BY COUNCILMEMBER MECHAM, SECOND BY MAYOR VEALE, CARRIED 4-0, to refer Resolution No. 87-65 back to the Golf Course Committee to consider amending the resolution to: 1) allow charitable organizations the use of the Municipal Golf Course at reduced rates twice a year for fund-raising purposes; and 2) provide the right of appeal to the City Council.

L. Fire Station No. 2, Project No. 7-87 - SDG&E Encroachment Consent

Following clarification relating to access to sewer lines and Section 3 of the Agreement pertaining to San Diego Gas and Electric's right to revoke the encroachment consent, MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LORCH, CARRIED 4-0, to approve, and authorize the Mayor to execute Consent Agreement No. C87-052 with San Diego Gas and Electric (SDG&E) to allow Fire Station No. 2 to encroach 4.5 feet into the SDG&E easement.

CITY COUNCIL MINUTES
AUGUST 12, 1987
PAGE 8

N. Notice of Completion - Annual Slurry Seal Program, Project 3-87

Councilmember Lorch opined that the slurry seal work done this year has not met the quality of past years in some areas.

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

1. Accept the Slurry Sealing Project No. 3-87 from IPS Services, Inc. (Contract No. C87-025).
2. Authorize the City Clerk to file a Notice of Completion with the County Recorder.

O. Award of Contract - Repairs to Multiple Hearth Furnace (Incinerator)

Following clarification, MOTION BY COUNCILMEMBER LORCH, SECOND BY COUNCILMEMBER MECHAM, CARRIED 4-0, to:

1. Accept the bid submitted by J. T. Thorpe, the low bidder, in the amount of \$46,100.00.
2. Authorize the Mayor to execute Contract No. C87-053 with J. T. Thorpe, Inc. to complete repairs to the multiple hearth furnace (Project No. 07618).

P. Los Angeles-San Diego State Rail Corridor Study

Council noted that the railroad is proposing to increase train speeds to 95 MPH. Discussion ensued relative to the following: 1) additional train stops in San Clemente; 2) relocating the train station; 3) upgrading beach accesses to provide safer crossings; 4) possible establishment of a tram system to transport passengers to and from the train station; and 5) possibility of conducting a study re this matter.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 4-0, to adopt Resolution No. 87-64 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, RECOMMENDING THAT THE STATE LEGISLATURE SUPPORT THE LOS ANGELES-SAN DIEGO (LOSSAN) STATE RAIL CORRIDOR STUDY.

5. WARRANT REGISTER

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 4-0, to approve Warrant Nos. 66355 through 66512 for period 7-6-87 through 7-10-87 (Voids 66351 through 66354) FY 86-87 in the amount of \$838,093.02; Warrant Nos. 66515 through 66578 for period 7-6-87 through 7-10-87 (Voids 66513 through 66514) FY 87-88 in the amount of \$168,776.92; Payroll Warrant No. 66569 for period 6-29-87 through 7-12-87 in the amount of \$261,402.87; Warrant Nos. 66582 through 66700 for period 7-13-87 through 7-17-87 (Voids 66579 through 66581) FY 86-87 in the amount of \$187,837.72; Warrant Nos. 66704 through 66780 for period 7-13-87 through 7-17-87 (Voids 66701 through 66703) FY 87-88 in the amount of \$66,122.16; Warrant Nos. 66784 through 66909 excluding Payroll Warrant for period 7-20-87 through 7-24-87 (Voids 66781 through 66783) in the amount of \$323,828.16; Payroll Warrant No. 66891 for period 7-13-87 through 7-26-87 in the amount of \$254,635.62; Warrant Nos. 66913 through 67016 for period 7-27-87 through 7-31-87 (Voids 66910 through 66912) in the amount of \$179,575.58; for a total Warrant Register of \$2,280,272.05.

6. UNFINISHED BUSINESS

A. Cable Television Franchise Ordinance

Report from the City Clerk concerning an ordinance providing for the granting and regulation of cable television franchises within the City.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, to introduce Ordinance No. 946 entitled AN ORDINANCE OF THE CITY OF SAN CLEMENTE, CALIFORNIA, PROVIDING FOR THE GRANTING AND REGULATION OF FRANCHISES FOR CABLE COMMUNICATIONS SYSTEMS.

Richard Anderson, General Manager of Times Mirror Cable, responded to Council inquiry, stating it would be difficult for Times Mirror to submit earned fees to the City within 10 days after the close of a calendar quarter; stated the payment can be made within 45 days following close of the quarter.

Councilmember Lorch referred to his memorandum, dated August 5, 1987 and on file in the City Clerk's Department, which listed negotiation factors that he asked the Negotiating Team to pursue. Attorney Bill Marticorena responded to Councilmember Lorch's suggestions, noting that some of the subjects will be

contained in the Franchise Agreement.

In answer to Council inquiry, Richard Anderson indicated that Times Mirror would have no objections to revising Section 9.16 (Repair of Streets and Public Ways) to replace the words "promptly restored" with the words "restored within the timeframe and limits specified by Grantor or agent of Grantor."

THE MOTION CARRIED 4-0, with the understanding that Section 9.16 will be revised to read as follows:

"9.16 Repair of Streets and Public Ways. Any and all streets and public ways disturbed or damaged by the Grantee or its contractors, during the construction, operation, maintenance, or reconstruction of the System, shall be restored within the timeframe and limits specified by Grantor or agent of Grantor, at the Grantee's expense, to their original condition unless otherwise authorized in writing by Grantor."

B. Sign Ordinance Amendments

Report from the City Attorney relating to non-conforming signs and freeway-oriented business sign district.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 4-0, to introduce Ordinance No. 949 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING SECTIONS 28-13 AND 28-1 OF THE CODE OF THE CITY OF SAN CLEMENTE WITH RESPECT TO THE REMOVAL OR ABATEMENT OF NON-CONFORMING SIGNS AND WITH RESPECT TO THE FREEWAY ORIENTED BUSINESS SIGN DISTRICT.

COUNCIL RECESSED AT 8:55 P.M. AND RECONVENED AT 9:15 P.M. WITH ALL MEMBERS PRESENT, EXCEPT COUNCILMEMBER LIMBERG.

7. NEW BUSINESS

A. Wastewater Treatment Plant Expansion - Amendment No. 1 to Engineering Services Task Order No. 2

Report from the Community Development Director concerning Amendment No. 1 to Task Order No. 2 (Final Design Services).

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 3-1 (COUNCILMEMBER LORCH VOTING NOE) to continue consideration of the

Wastewater Treatment Plant Expansion - Amendment No. 1 to Engineering Services Task Order No. 2 to the City Council meeting of September 2, 1987.

B. Proposed Purchase Agreement - 106 N. Alameda Lane - Tract 784, Block 3, Lots 40 and 41

Report from the Community Development Director concerning negotiation of a purchase agreement with the Bank of San Clemente for the property located at 106 N. Alameda.

Sheldon Singer, 411 Granada, President of the Villa Grande Homeowners' Association, stated their 24 unit condominium structure surrounds the subject property on two sides; felt a green area would be preferable to a parking lot on the site; supported purchasing the subject property.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LORCH, CARRIED 3-0-1 (COUNCILMEMBER RICE ABSTAINED DUE TO A FINANCIAL INTEREST IN THE PROPERTY) to authorize the City Manager and Community Development Director to:

1. Secure the necessary appraisals, title searches and soils tests.
2. Negotiate a purchase agreement for Lots 40 and 41 of Block 3, Tract 784 (106 N. Alameda Lane).
3. Appropriate \$8,000 from the RDA fund balance to 086-865-45100 - land account for the necessary expenditures.

C. Time Extension - Tentative Tract Map 11855 and Use Permit 82-42 (Seapointe Estates)

Report from the Community Development Director concerning a one year time extension for Tentative Tract Map 11855 and Use Permit 82-42, Seapointe Estates.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 4-0, to continue consideration of the Time Extension for Tentative Tract Map 11855 and Use Permit 82-42 (Seapointe Estates) to the Council meeting of September 2, 1987.

8. ORAL COMMUNICATIONS

None.

9. REPORTSA. Commission and committee

None.

B. City Manager

None.

C. City Attorney

None.

D. Councilmembers(1) Designation of voting Delegate/Alternate -
League of Cities

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LORCH, CARRIED 4-0, to appoint Mayor Veale as the voting Delegate and Councilmember Limberg as the Alternate for the League of Cities meeting to be held October 4, 1987 to October 7, 1987.

(2) Potential Rescheduling of Council Meeting
Dates

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 4-0, to schedule a Council/Commissions/Committee meeting for October 7, 1987 and to reschedule the City Council meeting that would have been held on October 7, 1987 for September 30, 1987.

Staff is to agendize the issue of possible Joint Meeting agenda items for Council discussion on September 2, 1987.

(3) Site Review Process

Council directed that the Site Review Process be scheduled for Public Hearing on September 2, 1987.

(4) Wastewater Treatment Plant CapacityA. Monitoring Report

City Engineer Cameron provided an update to his memorandum, dated August 10, 1987, advising of effluent suspended solid

levels and flow rates since August 10, 1987; reviewed his memorandum, dated August 7, 1987, relating to operational problems in the nitrification mode caused by the high flows in early August; stated the flows have reduced approximately 30% last weekend; advised he has no explanation for the high flows experienced during the first week in August; stated the City has resumed providing reclaimed water to the Municipal Golf Course; stated he has requested John Carollo Engineers to prepare a hydraulic profile of the Wastewater Treatment Plant to determine the impact of peak flows.

Council requested the City Engineer to provide the following: 1) a trend line analysis which correlates actual flows to flows of previous years; 2) weekly monitoring reports indicating the status of flows at the Wastewater Treatment Plant, specifically advising of any anomalies; and 3) request information from SERRA re the quality of the water discharged into the ocean.

B. Consideration of independent analysis of Wastewater Treatment Plant capacity.

Council discussed the possibility of retaining an independent company to review the following: 1) evaluate the Wastewater Treatment Plant capacity with the Chemical Feed Process; 2) determine whether the Plant has been operating safely within the designs of the Plant; 3) offer any additional recommendations which would enable the Plant to exceed 4.9 MGD (Chemical Feed Capacity) with interim adjustments; and 4) prudence of continuing to issue 500 building permits per year.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 4-0, to authorize staff to retain a company to conduct an independent analysis of the Wastewater Treatment Plant capacity. (Note: Council indicated that it does not want John Carollo Engineers nor Engineering Sciences to conduct the subject analysis.)

C. Reconsideration of Council action taken July 15, 1987 to continue to allow issuance of Certificates of Occupancy and building permits.

MOTION BY COUNCILMEMBER LORCH, SECOND BY COUNCILMEMBER RICE, CARRIED 4-0, to reconsider Council action of July 15, 1987 with regard to issuance of building permits and Certificates of Occupancy.

MOTION BY COUNCILMEMBER LORCH to put into effect a hold on issuing Certificates of Occupancy and building permits pending the results of the analysis by the independent consultant and monitoring report from the City Engineer, authenticating the Chemical Feed Process as being stable and the results of that to the trend line analysis indicating what the unpredictable and predictable flows are relative to the Plant capacity with the Chemical Feed process, and also a trend line analysis on the pollution levels that would indicate whether the effluent levels are being escalated over time or whether the effluent levels can be held to traditional low levels. THE MOTION DIED FOR LACK OF A SECOND.

MOTION BY COUNCILMEMBER RICE, SECOND BY COUNCILMEMBER MECHAM, CARRIED 4-0, to agendize the issue of possible retention of an efficiency expert for the Council meeting of September 2, 1987.

Councilmember Mecham referenced parking problems which exist in the vicinity of La Rambla; stated he will speak with Acting Police Chief Ehlow regarding this situation.

10. RESOLUTIONS/ORDINANCES

A. Revision of Section 16-20 of the Municipal Code Pertaining to Firearms

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 4-0, to introduce Ordinance No. 941 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE AMENDING SECTION 16-20 OF THE SAN CLEMENTE CITY CODE PERTAINING TO THE

CITY COUNCIL MINUTES
 AUGUST 12, 1987
 PAGE 15

DISCHARGE OF WEAPONS WITHIN THE CITY LIMITS.

B. Bail Schedule for Oversized Vehicle Violations

Report from the City Attorney concerning establishment of a bail schedule for illegal parking of oversized vehicles on private property.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 4-0, to introduce Ordinance No. 947 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE AMENDING SECTION 1.7 OF THE CODE OF THE CITY OF SAN CLEMENTE REGARDING THE BAIL SCHEDULE FOR INFRACTIONS AND REPEALING SECTION 5.44.1(C) OF ORDINANCE 794 RELATING TO THE PENALTY FOR IMPROPERLY PARKING OVERSIZED VEHICLES.

MEETING RECESSED

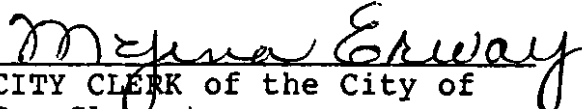
MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 4-0, to recess to a meeting of the Redevelopment Agency at 10:29 p.m.

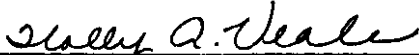
MEETING RECONVENED

Council reconvened at 10:30 p.m. with all members present, except Councilmember Limberg.

ADJOURNMENT

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 4-0, to adjourn at 10:30 p.m. to an Adjourned Regular Meeting to be held on August 19, 1987 at 6:00 p.m. for purposes of discussing pending litigation, pursuant to Government Code Section 54956.9(a). The Public Hearing on the Marblehead Coastal Plan and Land Use Element will resume on August 19, 1987 at 7:00 p.m.


 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 the adjourned regular meeting of the City Council held on August 12, 1987 said meeting was adjourned to the time and place specified in the ORDER OF ADJOURNMENT attached hereto; and that on August 13, 1987 at the hour of 9:15 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 August 13, 1987 at San Clemente, California.

Myrna Erway
MYRNA ERWAY
CITY CLERK

NOTICE OF ADJOURNMENT

EXCERPT FROM THE MINUTES OF THE CITY COUNCIL

MEETING OF August 12, 1987

An adjourned regular meeting of the San Clemente City Council was held in the City Council Chambers, Civic Center, 100 Avenida Presidio, San Clemente on August 12, 1987 and was called to order at 6:10 p.m.

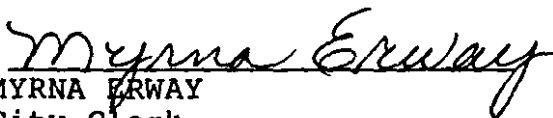
ROLL CALL: PRESENT: LORCH, MECHAM, RICE, MAYOR VEALE

 ABSENT: LIMBERG

ADJOURNMENT

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 4-0, to adjourn to an adjourned regular meeting to be held at 6:00 p.m. on August 19, 1987 in the Council Chambers, Civic Center, 100 Avenida Presidio, San Clemente, for purpose of discussing pending litigation, pursuant to Government Code Section 54956.9(a).

NOTICE IS FURTHER GIVEN that at the hour of 7:00 p.m. on Wednesday, August 19, 1987, the City Council will continue the Public Hearing on the Marblehead Coastal Plan and Land Use Element.


MYRNA ERWAY
City Clerk