

CITY OF SAN CLEMENTECITY COUNCIL MINUTESREGULAR MEETING - SEPTEMBER 30, 1987

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 by Mayor Veale at 7:05 p.m.

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

ABSENT Council Members - LIMBERG

ALSO PRESENT James Hendrickson, City Manager; 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.

INVOCATION

Minister Hugh Counts, of the Church of Christ, gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Veale led the Pledge of Allegiance.

City Clerk Erway advised that the San Clemente Library has provided a bulletin board for posting of City information.

1. SPECIAL PRESENTATIONS

- A. Mayor Veale presented a Certificate of Achievement for Excellence in Financial Reporting to Dean Porter, Finance Director.
- B. Mayor Veale presented a monetary contribution from the Councilmembers to Jane Porphir of Community Service Programs to benefit Youth Counseling.

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

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3. PUBLIC HEARINGS

None.

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 and H.

A. City Council Minutes

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LORCH, CARRIED 4-0, to approve the City Council minutes of August 26, 1987, September 16, 1987 and September 20, 1987.

B. Commission/Committee Minutes

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

- (1) Planning Commission minutes of September 1, 1987 and Residential Development Evaluation Board Point Assignment Workshop minutes of September 1, 1987.
- (2) Community Design Commission Minutes of August 25, 1987.
- (3) Parks and Recreation Commission Minutes of August 25, 1987.
- (4) Golf Course Committee Minutes of September 1, 1987.

D. Ratification of 9-16-87 Council Action

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LORCH, CARRIED 4-0, to authorize the Mayor and a Councilmember to personally visit President Nixon in New York to hand-deliver a letter regarding the Nixon Library site.

E. Claim for Damages - City of Newport Beach

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LORCH, CARRIED 4-0, to deny the Claim for Damages filed by the City of Newport Beach, based on insurance adjuster's recommendation.

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F. Award of Bid to Purchase Five (5) 1988 Ford Police Vehicles

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LORCH, CARRIED 4-0, to accept the bid of Hacienda Ford in the amount of \$69,057.05 for the purchase of five (5) 1988 Ford police vehicles.

G. Award of Bid to Purchase One (1) General Purpose Tractor

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LORCH, CARRIED 4-0, to accept the bid of Coastline Equipment in the amount of \$17,185.78 for the purchase of one (1) John Deere Model 2355 general purpose tractor.

I. Lease Agreement for Temporary Office Trailer

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LORCH, CARRIED 4-0, to approve and authorize the Mayor to execute a lease agreement with Mobile Modular to provide temporary office space for the Community Development Department at 101 W. El Portal.

J. Amendment of Golf Course Policy Regarding Tournaments and Golf Carts

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LORCH, CARRIED 4-0, to adopt Resolution No. 87-65 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ESTABLISHING CERTAIN REGULATIONS AND FEE FOR PLAY UPON THE MUNICIPAL GOLF COURSE AND REPEALING RESOLUTION 30-85 AND ANY OTHER RESOLUTIONS IN CONFLICT THEREWITH.

ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION

C. Solid Waste Collection Agreement Amendment - San Clemente Commercial

Councilmember Lorch suggested the possibility of reducing the length of the Solid Waste Collection Agreement to four years; voiced concern that the proposed automatic extension of the agreement may set a precedent.

During the course of discussion, it was noted that the agreement contains a provision that requires Council approval in the event of a change of

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ownership of the business.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LORCH, CARRIED 4-0, to approve, and authorize the Mayor to execute, the First Amendment to Solid Waste Collection Agreement (City Contract #C55-018), with San Clemente Commercial, Inc., to automatically extend the agreement each year unless written notice is provided to the contrary.

H. Legal Publication of Ordinances

Following discussion, MOTION BY COUNCILMEMBER LORCH, SECOND BY COUNCILMEMBER MECHAM, CARRIED 4-0, to authorize the City Clerk to prepare and publish summaries of all ordinances in accordance with Section 36933(a)(1) of the Government Code.

5. WARRANT REGISTER

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LORCH, CARRIED 4-0, to approve Warrant No. 67839 and Warrants Nos. 67842 through 67940 for period 9-7-87 through 9-11-87 (Voids 67840-67841) in the amount of \$790,986.95; Warrant Nos. 67944 through 68160 excluding Payroll Warrant for period 9-14-87 through 9-18-87 (Voids 67942-67943) in the amount of \$501,531.37; Payroll Warrant No. 68131 for period 9-7-87 through 9-20-87 in the amount of \$231,748.10; for a total Warrant Register of \$1,524,266.42.

6. UNFINISHED BUSINESS

A. Proposed Capistrano Beach/San Juan Capistrano Wastewater Treatment Plant Capacity

Report from the Community Development Director regarding continuing with the wastewater treatment plant expansion and Assessment District 85-1 or sharing facilities at the Capistrano Beach Sanitary District.

City Engineer Cameron summarized the contents of the Administrative Report, focusing on concerns expressed by Capistrano Beach and San Juan Capistrano representatives about San Clemente participating in their Wastewater Treatment Plant construction project.

Norman Ream, 511 E. San Juan, opined that inaccuracies exist in the Administrative Report; felt the City is not willing to change to accommodate changing conditions.

Brian Day, 1203 Via Catalina, voiced concern that the

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City's Wastewater Treatment Plant will not be able to accommodate the City's ultimate population; urged that the City consider either joint use of the Capistrano Beach/San Juan Capistrano Wastewater Treatment Plant or that the City reconsider the capacity of the existing plant.

Councilmember Lorch spoke in support of a tri-cities arrangement; felt the City's Wastewater Treatment Plant is incapable of accommodating the ultimate population of the City; voiced concern that no expansion capability is built into the Plant's design.

Councilmember Rice spoke in support of validating Plant capacity and determining when capacity will likely be reached.

Councilmember Mecham stated the City previously considered moving the Wastewater Treatment Plant out of the City, but decided against such action because the City wanted to use the reclaimed water and did not want to be subject to another agency's decision making.

Mayor Veale advised that both Capistrano Beach and San Juan Capistrano representatives have indicated they do not want San Clemente to be included in their Wastewater Treatment Plant; relayed her belief that it is too late in the planning process to consider a combined wastewater treatment facility.

MOTION BY COUNCILMEMBER LORCH, SECOND BY COUNCILMEMBER RICE, FAILED 2-2 (COUNCILMEMBER MECHAM AND MAYOR VEALE VOTING NOE), to approve Alternative 1 (i.e., request that the Board of the Capistrano Beach Sanitary District and the City Council of San Juan Capistrano consider inclusion of San Clemente in the wastewater treatment plant being proposed at Capistrano Beach.) Further, that this issue be reagendaized for the City Council meeting of October 21, 1987 to allow the following information to be provided to Council: 1) validation of flow figures; 2) value of the current Wastewater Treatment Plant property on Pico; and 3) the timeline of the Capistrano Beach/San Juan Capistrano plant and the impact of San Clemente being included in the plant.

Council requested to be provided with validations of future flows, as well as information relating to the total capacity of the Wastewater Treatment Plant and when capacity will be reached.

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7. NEW BUSINESS

A. Agreement for Nutrition Related Senior Citizen Transportation

Report from the Assistant City Manager concerning the provision of nutrition program related transportation services for senior citizens residing in the City of San Clemente.

Council deferred consideration of the Agreement for Nutrition Related Senior Citizen Transportation to a future Council meeting.

8. ORAL COMMUNICATIONS

Steve Kingston, 4011 Calle Abril, spoke in support of City retaining consultants to conduct studies to determine how the City can save money.

Ray Campbell, 1209 La Jolla Street, urged that the Wastewater Treatment Plant be relocated from its current prime location if feasible.

9. REPORTS

A. Commission and Committee

None.

B. City Manager

(1) City Manager Hendrickson requested a Closed Session to discuss matters of personnel.

C. City Attorney

City Attorney Oderman requested a Closed Session to discuss 1) a matter of pending litigation (City of San Clemente v. Mead Reinsurance Corporation, OCSC Case #50-55-53), pursuant to Government Code Section 54956.9(a), and 2) a matter of pending litigation (El Camino Investments Co. v. City of San Clemente, OCSC Case #52-81-18), pursuant to Government Code Section 54956.9(a).

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D. Council Members

Mayor Veale suggested the possibility of remodeling the City Council Chambers, particularly in light of upcoming cable broadcast of Council meetings. It was agreed that a committee consisting of staff, Council members and citizens will investigate this possibility.

Council requested that a public hearing be scheduled for the first meeting in November, 1987 to consider a possible fireworks ban in the City.

Councilmember Lorch (1) suggested possible City acquisition of land owned by the La Cristianita Pageant. Council requested that the City Attorney investigate whether there is any legal way the City could acquire the property in view of the manner in which the property was deeded to the Pageant; (2) suggested possible City acquisition of the Caltrans property located adjacent to City Hall. It was noted that the subject property contains a number of road and utility easements. It was the consensus of Council that Caltrans should be advised of the City's interest in the property provided a reasonable price can be negotiated.

MEETING RECESSED

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LORCH, CARRIED 4-0, to recess to a meeting of the Redevelopment Agency at 8:55 p.m.

MEETING RECONVENED

Council reconvened at 8:56 p.m., with all members present, except Councilmember Limberg.

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CLOSED SESSION

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LORCH, CARRIED 4-0, to recess to Closed Session at 8:56 p.m. to discuss 1) matters of personnel; 2) pending litigation (City of San Clemente v. Mead Reinsurance Corporation), pursuant to Government Code Section 54956.9(a); and 3) pending litigation (El Camino Investments Co. v. City of San Clemente), pursuant to Government Code Section 54956.9(a). The City Manager, Assistant City Manager and City Attorney were in attendance.

MEETING RECONVENED

Council reconvened at 11:00 p.m., with all members present, except Councilmember Limberg.

City Manager Hendrickson updated Council on meetings held with County staff members to relay the City's concern with the proposal to process the County portion of the Talega Valley Specific Plan separately from the City portion. It was agreed that Mayor Veale and Councilmember Limberg will meet with Supervisor Riley to relay the City's concerns as soon as possible. Mayor Veale noted the importance of proceeding with the sphere of influence in an expeditious manner.

ADJOURNMENT

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LORCH, CARRIED 4-0, to adjourn at 11:15 p.m. to October 7, 1987 at 7:00 p.m. at the Community Center Ole Hanson Room, 100 Seville, San Clemente, for purposes of holding a joint Council/Commissions/Committee meeting.

Miyona Erway
 CITY CLERK of the City
 of San Clemente

Holly A. Veale
 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 meeting of the City Council held on SEPTEMBER 30, 1987 said meeting was adjourned to the time and place specified in the ORDER OF ADJOURNMENT attached hereto; and that on October 1, 1987 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 October 1, 1987 at San Clemente, California.

Myrna Erway
MYRNA ERWAY
CITY CLERK

NOTICE OF ADJOURNMENT

EXCERPT FROM THE MINUTES OF THE CITY COUNCIL
MEETING OF SEPTEMBER 30, 1987

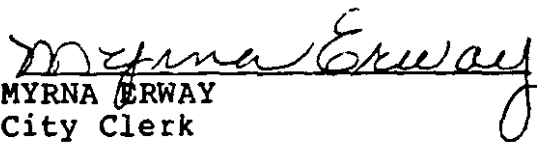
A regular meeting of the San Clemente City Council was held at the Civic Center, 100 Avenida Presidio, San Clemente on September 30, 1987 and was called to order at 7:05 p.m.

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

 ABSENT: LIMBERG

ADJOURNMENT

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LORCH, CARRIED 4-0, to adjourn at 11:20 p.m. to October 7, 1987 at 7:00 p.m. at the Community Center Ole Hanson Room, 100 Seville, San Clemente, for purposes of holding a joint Council/Commissions/Committee meeting.


MYRNA ERWAY
City Clerk