

CITY OF SAN CLEMENTECITY COUNCIL MINUTESADJOURNED REGULAR MEETING - APRIL 1, 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 6:07 p.m.

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

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

CLOSED SESSION

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LORCH, CARRIED 5-0, to recess to Closed Session at 6:10 p.m. to discuss a matter of pending litigation (Measure B lawsuits), pursuant to Government Code Section 54956.9(b)(1); and to discuss matters of personnel. The City Manager, Assistant City Manager, City Attorney, and Attorney Margaret Sohagi were in attendance.

MEETING RECONVENED

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

ADJOURN

MOTION BY COUNCILMEMBER RICE, SECOND BY COUNCILMEMBER LORCH, CARRIED 5-0, to adjourn at 7:00 p.m. The next regular meeting will be held Wednesday, April 1, 1987 at 7:00 p.m.

*Myrna Erway*  
\_\_\_\_\_  
CITY CLERK of the City of  
San Clemente, California

*Wally A. Veale*  
\_\_\_\_\_  
MAYOR of the City of  
San Clemente, California

CITY OF SAN CLEMENTECITY COUNCIL MINUTESREGULAR MEETING - APRIL 1, 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 7:00 p.m.

INVOCATION

Rev. Jeff Craddock gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Veale led the Pledge of Allegiance.

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

ABSENT Council Members - NONE

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

1. SPECIAL PRESENTATIONS

- A. Mayor Veale presented a proclamation to Lew Geiser and Gil May, of the Orange County Bar Association declaring May 1, 1987 as "Law Day U.S.A."
- B. Mayor Veale read a proclamation designating the month of April as "Selective Service Registration Awareness Month."

- 2. MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 5-0, to waive reading in full of all Resolutions and Ordinances.

3. PUBLIC HEARINGS

A. Sign Exception 86-04, Bob's Big Boy, 2350 S. El Camino Real

Public Hearing to consider a request to allow a freeway oriented sign and a monument sign to vary from Sign Ordinance No. 797.

William Barker, Applicant, stated the current sign represents a compromise resulting from review by staff and the Planning Commission; relayed his belief that the sign can be reduced 20' without a negative impact on business.

Mayor Veale opened the Public Hearing. There being no one desiring to speak to this issue, the Public Hearing was closed.

Senior Planner Barnes responded to Council inquiry, advising that illegal signs were found to exist on the Bob's Big Boy site, however, the signs were removed at staff's request; advised there are currently temporary banners on the site, which have received the necessary permits from the Fire Department.

MOTION BY COUNCILMEMBER LIMBERG, SECOND BY COUNCILMEMBER MECHAM, to adopt Resolution No 87-22 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA APPROVING SIGN EXCEPTION 86-04, BOB'S BIG BOY, with an amendment that Condition 6-C of Exhibit "A" of the Resolution be revised to delete the word "legally."

Councilmember Lorch questioned whether the Applicant would agree to the imposition of a time limitation on the Sign Exception, after which time the sign would be required to comply with the Sign Ordinance. The Applicant refused to accept said condition.

THE MOTION CARRIED 4-1 (COUNCILMEMBER LORCH VOTING NOE).

B. Use Permit 86-27 - Taj Development Corporation

Public Hearing to consider a request to allow a 60-unit hotel in a C-A District and a parking lot for the hotel on four adjacent lots which are zoned R-3.

Frank Montesinos, on behalf of the Applicant, reviewed the background of the application; provided an overview of the proposal, focusing on traffic and the views of

the adjacent homeowners.

Phil Feyerabend, 120 Santa Margarita, voiced concern that his view will be negatively affected; advised he does not oppose the hotel, but would prefer a smaller, two-story structure.

Antonio Sagredo, 104 Carmelo #2, stated approximately 30 adults and 22 children reside on the site where the hotel would be developed; voiced concern that relocation would be difficult.

Margo Beauchamp, 137 Ave. Santa Margarita, indicated concern with the traffic impact, affect on views of surrounding residences, and density.

David Kimes, 122 Ave. Santa Margarita, voiced doubt that the hotel would be economically viable; felt the project would adversely affect the health, safety and welfare of the adjacent residents.

Mr. Pancholi, 3619 S. El Camino Real, felt a surplus of hotel rooms currently exists in the area; noted problems associated with transients.

Gerald Gibbs, 110 E. Ave. Palizada, Suite 202, spoke in support of the project, citing the need for proper development to minimize erosion of that area, and the need for a commercial revenue base; stated the property complies with the Zoning Ordinance and will attract quality clientele.

Liz Derdzinske, 107 Ave. Carmelo, stated she does not oppose the development, but felt the building is too large and out of character with the City's village atmosphere.

Chandulal K. Patel, on behalf of the applicant, stated there is a current demand for hotel use in the area; advised the hotel would be part of a franchise.

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

City Attorney Oderman noted that a portion of the property is zoned R-3; stated the R-3 property would need to be re-zoned to C-A in order to accommodate the proposed hotel use.

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

- 1) Whether persons displaced by the proposed devel-

- opment can be successfully relocated.
- 2) Traffic impact at hotel entry.
  - 3) Impact of lights and noise on surrounding residences.
  - 4) Aesthetics associated with a 6' block wall on the property line.
  - 5) Placement of pool at the front of the property.
  - 6) Affect on views of surrounding residences.
  - 7) Whether the window-mounted air-conditioning units would be visible from the exterior of the structure.
  - 8) Lack of parking identified for hotel staff.
  - 9) Massiveness of the structure.
  - 10) Sufficiency of widths of surrounding streets.
  - 12) Potential oversaturation of hotels in the City.
  - 13) Possibility of hotel failing to achieve sufficient occupancy and hence resulting in deterioration of the exterior of the property.

MOTION BY COUNCILMEMBER LORCH, SECOND BY COUNCILMEMBER RICE, to refer Use Permit 86-27 back to staff for review in relation to the issues of adequacy of street widths, zoning, and whether street improvements are required as part of new project development; further, that Use Permit 86-27 be subsequently returned to Council for reconsideration.

The applicant did not consent to the proposed continuance.

Councilmembers Lorch and Rice withdrew the motion on the floor.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, that an additional condition of approval be imposed to require the developer to provide relocation assistance to the people who would be displaced by the proposed development.

AMENDED MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, to require the Applicant to submit a relocation impact report to the Planning Department, subject to subsequent approval by the City Council; further, that the report specify the type of compensation that is intended to be provided for the displaced persons, timeframe for that displacement, and whether or not housing of similar cost can be found within a reasonable distance.

The applicant consented to the additional condition.

THE MOTION CARRIED 5-0.

CITY COUNCIL MINUTES  
APRIL 1, 1987  
PAGE 5

MOTION BY COUNCILMEMBER LIMBERG, SECOND BY COUNCILMEMBER LORCH, CARRIED 4-1 (COUNCILMEMBER MECHAM VOTING NOE) to deny Use Permit 86-27.

City Attorney Oderman agreed to prepare a Resolution containing findings for denial of Use Permit 86-27 for Council consideration on April 15, 1987.

C. Tentative Tract Map 12909, Use Permit 86-30, Variance 86-07, Zoning Amendment 86-06, Trigg Condo Project - 206-8 Ave. Montalvo

Public Hearing to consider a request to create a single condominium lot in order to build 15 residential units and to allow the structure to exceed the 25' height limit.

Mayor Veale opened the Public Hearing.

Dudley St. John, 34469 Camino El Molino, Capistrano Beach, provided an overview of the proposal, focusing on the issues of zoning and height; voiced concern with the proposed piping of Montalvo Creek.

John Noble, 211 Ave. Montalvo, #1, questioned the need for additional condominium units in the area; voiced concern with the proposed density of the project.

Walter Torley, 237 Montalvo, relayed concerns relating to density and ingress/egress to the project.

Roderic McChesney, 240 Ave. Montalvo, stated he does not object to the development of condominiums, provided they comply with existing requirements; objects to the placement of a pipeline in the canyon.

Marie Patterson, representing the South Coast County Chapter of Audubon, spoke in opposition to the placement of conduit on Montalvo Creek inasmuch as she felt the Creek to be necessary for flora and fauna.

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

City Engineer Cameron explained staff is recommending the installation of pipe due to the nature of the soil in the area and the potential for erosion/slope failure.

Phyllis Trigg, owner of the property, advised that pieces of concrete from the previous Montalvo roadway were placed in the embankment.

During the course of discussion, Councilmembers

CITY COUNCIL MINUTES  
APRIL 1, 1987  
PAGE 6

discussed the pros and cons associated with the proposed pipeline and indicated concerns with the application in terms of the proposed density, height and setbacks.

MOTION BY COUNCILMEMBER LORCH, SECOND BY COUNCILMEMBER RICE, to deny Zoning Amendment 86-06. Following discussion, Councilmembers Lorch and Rice withdrew the motion on the floor.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 4-1 (COUNCILMEMBER LORCH VOTING NOE), to introduce Ordinance No. 939 entitled AN ORDINANCE OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADOPTING NEGATIVE DECLARATION AND APPROVING ZONING AMENDMENT NO. 86-06.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 5-0, to deny Variance 86-07.

MOTION BY COUNCILMEMBER MECHAM to refer the project back to staff for reconsideration. The applicant did not consent to the proposed continuance. The motion died for lack of a second.

MOTION BY COUNCILMEMBER LIMBERG, SECOND BY COUNCILMEMBER MECHAM, CARRIED 5-0, to deny the application, without prejudice, and to waive application fees associated with re-submittal.

The City Attorney will prepare three resolutions containing findings for denial of Variance 86-07, Use Permit 86-30, and Tentative Tract Map 12909, for Council consideration on April 15, 1987.

Council recessed at 9:50 p.m. and reconvened at 10:05 p.m., with all members present.

4. CONSENT CALENDAR

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to approve the Consent Calendar, with the removal of Item 4-F.

- A. MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to approve City Council minutes of March 18, 1987 Regular Council Meeting and March 18, 1987 Adjourned Regular Meeting.
- B. MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to receive and file:

- (1) Planning Commission minutes of March 3, 1987.
- (2) Community Design Commission Minutes of February 24, 1987.

C. Bid Award - Communication Center Consoles

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to authorize the purchase of two position dispatch console in the amount of \$82,973.00 and telephone interface equipment in the amount of \$11,314.00 for a total of \$94,287.00 from Console Systems, Inc., the low bidder.

D. Weed Abatement - 1987

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to adopt Resolution No. 87-21 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, PURSUANT TO SECTIONS 39561 AND 39562.1 OF THE CALIFORNIA GOVERNMENT CODE, DECLARING WEEDS, RUBBISH, REFUSE, AND DIRT UPON STREETS, SIDEWALKS, PARKWAYS, OR PRIVATE PROPERTY TO BE PUBLIC NUISANCES AND PROVIDING FOR THE ABATEMENT THEREOF.

E. Amendments to Classification and Compensation Plans - Principal Planner

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to adopt Resolution No. 87-19 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA AMENDING RESOLUTIONS NO. 73-83 AND 71 85 TO INCLUDE THE CLASSIFICATION AND SALARY RANGE FOR THE POSITION OF PRINCIPAL PLANNER IN THE CITY SERVICE.

G. Request to Reprogram Housing and Community Development Block Grant Funds

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to:

1. Authorize the reprogramming of \$55,000 in Block Grant funds to supplement the following projects: Esplanade/Victoria Sewer (+15,000) and Calle Mirador Street Reconstruction (+40,000).
2. Authorize the City Manager to sign the following contract agreements when they are



amended by the County and submitted to the City for final approval.

- a. Ave. Del Mar Storm Drain Improvements (J11.4) (C40052).
- b. Ave. Del Mar Street Improvements (K11.1) (C40182)
- c. Esplanade/Victoria Sewer (J11.3) (C40051)
- d. Calle Mirador Street Improvements (K11.2) (C40183).

ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION

F. Cable Television Franchise Extension

James Hill, 4115 Calle Mayo, urged Council to approve the proposed 120 day lease extension at a fee of 5%, paid quarterly; agreed to submit specific suggestions for the franchise renewal to the City in writing.

MOTION BY COUNCILMEMBER RICE, SECOND BY COUNCILMEMBER MECHAM, CARRIED 5-0, to adopt Resolution No. 87-20 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, EXTENDING THE EXISTING FRANCHISE OF TIMES MIRROR CABLE TELEVISION OF ORANGE COUNTY, INC. FOR 120 DAYS SUBJECT TO CERTAIN TERMS AND CONDITIONS.

Councilmember Lorch requested that the City franchise renewal negotiating team be made aware of Mr. Hill's expertise in the field of cable television and his willingness to assist the City in its franchise renewal efforts.

5. WARRANT REGISTER

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 4-1 (COUNCILMEMBER LORCH VOTING NOE) to approve Warrant Nos. 63796 through 63986 excluding Payroll Warrant for period 3-16-87 through 3-20-87 (Voids 63789 through 63795) in the amount of \$271,399.69; Warrant Nos. 63644 through 63788 for period 3-9-87 through 3-13-87 (Voids 63637 through 63643) in the amount of \$347,104.53; and Payroll Warrant No. 63954 for period 3-9-87 through 3-22-87 in the amount of \$212,645.56; for a total Warrant Register of \$831,149.78.

Councilmember Lorch stated he supports the payroll warrant, but opposes the invoice warrants.

6. UNFINISHED BUSINESS

A. Cascadita Canyon - Declaration of Public Nuisance

Report from the Assistant City Manager concerning nuisance abatement in Cascadita Canyon.

City Manager Hendrickson reviewed the public nuisance abatement procedure; reviewed the financial impact, policy considerations, liability and precedent setting factors associated with the City declaring Cascadita Canyon a public nuisance; stated the City is willing to continue serving as a facilitator between the homeowners and Estrella Properties in an attempt to resolve the issue; advised the City is willing to help facilitate the formation of a geologic abatement district.

Assistant City Manager Hulsizer presented slides which depict the major improved and unimproved drainage areas existing in the City.

Councilmember Lorch advised that he met with Darrel Spence, of Estrella Properties, and his geologist, Mr. Nichol; stated it was Mr. Nichol's contention that by raising the floor of the canyon approximately 15', sufficient lateral support would be provided to increase the stability factor on both sides of the canyon to an acceptable level.

Ginger Page, 215 Via Ballena, felt that a portion of the drainage fees should be directed to Cascadita Canyon.

Dan Millington, 2917 Andalucia, relayed his belief that the drainage fees have not been apportioned appropriately; felt Estrella Properties is responsible for the Allegre/Ballena slope failure; urged Council to set a public hearing to consider declaring Cascadita Canyon a public nuisance as he felt the current situation poses a threat to the health, safety and welfare of the community.

Karoline Koester, 401 Via Pajaro, stated she is concerned with hydrolics from upstream; felt that drainage fees should be appropriated to Cascadita Canyon.

John Nichols, 2714 Via Arboleda, stated that development upstream has increased, resulting in an increase in run-off; stated the City has a responsibility for drainage and storm drains throughout the City.

It was the consensus of Council that no action should be taken at this time regarding the request to set a Public Hearing on the question of nuisance abatement in Cascadita Canyon.

B. Forster Ranch - Status Report on Public and Private Improvements

Report from the Community Development Director concerning investigation of complaints filed by homeowners in Forster Ranch and enforcement regarding the lack of progress being made toward completion of improvements and landscaping.

(NOTE: Council considered this agenda item immediately following the Public Hearings.)

City Engineer Cameron reviewed the status of public improvements, landscaping, and ownership/maintenance responsibilities of the greenbelt in the Forster Ranch area; advised that a letter has been received by Estrella Properties stating the improvements will be completed by May 31, 1987.

Community Development Director Holloway stated the Code Enforcement Officer has been instructed to begin nuisance abatement proceedings concerning the existence of trash at Camino de Los Mares and Portico Del Sur; advised the City does not have bonds specific to landscaping; reviewed the status of the Assessment District.

Ken Smith, 1405 Jinette, voiced concerns relating to grading, landscaping, and road completion in Forster Ranch.

Preston O'Brien, 2911 Arreos, stated concern with the accumulation of trash on the south side of Camino de Los Mares; advised he met with Estrella Properties and was told that clean-up efforts would commence by March 30, 1987; however, to date this has not occurred.

Bruce Fickling, 2914 Obrajero, spoke on the need for street dedication and slope acceptance; stated his slope was hydroseeded prior to the irrigation system being in place; presented a petition, signed by 621 individuals, stating their parameters relating to construction of an amphitheatre.

Amy Fickling, 2914 Obrajero, questioned whether all Forster Ranch residents are in the Assessment District; stated the developers advised they would leave by June; questioned whether the developers are required to meet

their obligations prior to leaving.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to direct staff to continue pursuing enforcement regarding lack of completion of improvements and landscaping in Forster Ranch, and to direct staff to proceed expeditiously on nuisance abatement of the trash collection locations on Camino de Los Mares and Portico Del Sur.

The nuisance abatement process is to begin by April 15, 1987, if possible. Staff is to provide a status report on completion of the improvements at the May 20, 1987 Council meeting.

C. Proposed Parking Restrictions/Limitations on South El Camino Real Between Avenida Santa Margarita and Avenida Dolores

Report from the Community Development Director concerning parking restrictions on South El Camino Real between Avenida Santa Margarita and Avenida Dolores.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 5-0, to adopt Resolution No. 87-03 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, with the addition of an additional section to read as follows:

Section 3. Pursuant to authority as contained in Section 10.3 of Ordinance No. 470, known as the "Uniform Traffic Ordinance of the City of San Clemente", Master Traffic Resolution No. 1846, Section 23, "No Parking Areas", more particularly, Section 23.3-40(a) should be amended to read as follows:

23.3-40(a) El Camino Real (South), east side, from the southeast curb return of Avenida Santa Margarita in a southerly direction for a distance of 250 feet.

D. Tentative Tract Map No. 12883, Site Plan Review 86-07, Remington Properties

Report from the Community Development Director concerning a request for a 213 lot subdivision creating 207 residential lots and six common lots.

Gil Martinez, of Florian Martinez Associates, stated that since the March 18, 1987 Council meeting, revisions have been made to the plan as follows: 1) the landscape paseo has been revised; 2) view corridors have been added; 3) architectural revisions have been made; 4) substantial landscaping is being proposed for the rear yards; 5) the pedestrian circulation system has been expanded; and 6) houses have been provided with undulating rooflines and varying setbacks.

MOTION BY MAYOR VEALE, SECOND BY COUNCILMEMBER MECHAM, CARRIED 4-1 (COUNCILMEMBER LORCH VOTING NOE), to rescind denial of Tentative Tract Map 12883 and Site Plan Review 86-07, taken at the March 18, 1987 Council meeting.

MOTION BY MAYOR VEALE, SECOND BY COUNCILMEMBER MECHAM, CARRIED 4-1 (COUNCILMEMBER LORCH VOTING NOE), to adopt Resolution No. 87-16 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, CONDITIONALLY APPROVING TENTATIVE TRACT NO. 12883, SITE PLAN REVIEW NO. 86-07 AND EXEMPTING THEM FROM FURTHER ENVIRONMENTAL REVIEW AS PROVIDED FOR IN SECTION 15182 OF CEQA, subject to additional conditions that 1) daylighting be provided between the houses on the edge of the slope by converting three lots into two lots, every ten houses; 2) that 36" box trees be provided on every other lot; 3) that every third house along the edge of the slope be provided with a hipped roof; and 4) that there be elevation changes through use of berms and differing pad elevations, subject to Council review and approval.

7. NEW BUSINESS

A. Final Map Approval - Tract 12284 - Epac Development, Rancho San Clemente, Villagio II

Report from the Community Development Director concerning the final map of Tract 12284 (Epac Development) in Villagio II of Rancho San Clemente.

Rick Deremas, EPAC Development, advised that the silhouette from the Whispering Winds Apartments extends above the ridgeline; stated EPAC Development is willing to plant one mature tree in each of the rear yards of the Villagio I project to disguise the rooflines of their development as well as the Whispering Winds Apartments; commented the trees would be protected from removal by the development's CC&R's. In response to Council inquiry, Mr. Deremas indicated willingness to install additional trees to help mitigate the impacts of Villagio II and Whispering Winds, as well as willingness

to work with staff to achieve some variation in dwelling color.

John Hannah, Landscape Architect, advised the proposed trees will range from 25' to 40' in height in five years; stated several varieties of trees will be planted to create a variation in texture and height.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 3-2 (COUNCILMEMBERS LORCH AND RICE VOTING NOE), to approve Final Map Tract 12284, with the conditions that 1) the tree line proposal be incorporated into the project; 2) that the developer install one tree per lot on Villagio I to help mitigate the impact of that development; 3) that developer work with staff to achieve some variation in color of the units (earth tones); and 4) that in addition to including a requirement in the development's CC&R's, that special notice be given to buyers abutting the trees advising that said trees cannot be removed.

The Applicant concurred with all conditions.

8. ORAL COMMUNICATIONS

Karoline Koester, 401 Via Pajarro, voiced concern that insufficient traffic information is being provided to the Planning Commission.

9. REPORTS

A. Commission and Committee

None.

B. City Manager

None.

C. City Attorney

City Attorney Oderman requested a Closed Session to discuss property acquisition of City Hall site on Marblehead Coastal Property (James Hendrickson, Negotiator), pursuant to Government Code Section 54956.9(a).

D. Council Members

Councilmember Mecham voiced concern with the neon light surrounding the Harbor House Restaurant.

Councilmember Limberg felt more violation

penalties are needed in some City Ordinances, such as the Sign Ordinance. Mayor Veale added that the Grading Ordinance needs violation penalties.

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 5-0, to direct staff to refer the freeway-oriented signage section of the Sign Ordinance to Council for review.

Councilmember Lorch stated Blythe Welton requested facilitating meetings re regulations on demolition of historical sites.

Councilmember Lorch advised of a County-wide Hazardous Waste Management Committee (Tanner Committee).

Mayor Veale advised of an Orange County Transportation Forum to be held April 29, 1987. Since a Council meeting is planned for that date, it was agreed that staff will attend.

Council will determine a date for a joint meeting with Commissions and Committee at the next meeting. June 24, 1987 and July 8, 1987 were suggested as possible meeting dates.

#### 10. RESOLUTIONS/ORDINANCES

##### A. Ordinance No. 937

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, CARRIED 5-0, to adopt Ordinance No. 937, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEE'S RETIREMENT SYSTEM AND RESCIND ORDINANCE NO. 935.

##### B. Ordinance No. 938

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LIMBERG, to adopt Ordinance No. 938, entitled AN ORDINANCE OF THE CITY OF SAN CLEMENTE, CALIFORNIA ADDING CHAPTER 41A TO THE SAN CLEMENTE CITY CODE REGULATING THE USE AND OPERATION OF SKATEBOARDS WITHIN THE CITY.

Cindy O'Connell suggested dissemination of the skateboard regulations via posting of signs in problem areas and distribution of flyers in

schools.

THE MOTION CARRIED 5-0.

Council directed staff to refer the Skateboard Ordinance back to Council in six months for review.

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 12:46 a.m., with all members present.

CLOSED SESSION

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER RICE, CARRIED 5-0, to recess to Closed Session at 12:46 a.m. to discuss property acquisition of the City Hall site on Marblehead Coastal Property, (James Hendrickson, Negotiator), pursuant to Government Code Section 54956.9(a). The City Manager, City Attorney, and Community Development Director were in attendance.

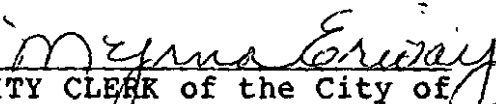
MEETING RECONVENED

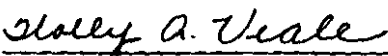
Council reconvened at 1:17 a.m., with all members present.

11. ADJOURN

MOTION BY COUNCILMEMBER MECHAM, SECOND BY COUNCILMEMBER LORCH, CARRIED 5-0, to adjourn in memory of E. W. Mitchell, to 6:00 p.m. on April 15, 1987 for purposes of holding a Closed Session.

The next regular Council meeting will be held Wednesday, April 15, 1987 at 7:00 p.m.

  
CITY CLERK of the City of  
San Clemente

  
MAYOR of the City of  
San Clemente