

CITY OF SAN CLEMENTECITY COUNCIL MINUTESREGULAR MEETING - JUNE 18, 1986

The 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 William C. Mecham.

INVOCATION AND THE PLEDGE OF ALLEGIANCE were conducted by Mayor Mecham.

PRESENT: Council Members - CARR, DIEHL, KOESTER, LIMBERG,
AND MECHAM

ABSENT: Council Members - NONE

Also Present: James B. Hendrickson, City Manager;
Myrna Erway, City Clerk; Jeff Oderman,
City Attorney; Harry Weinroth, Community
Development Director; Ted Schade, Acting
City Engineer; and certain other Staff
members present in the audience.

SPECIAL PRESENTATIONS

Mayor pro tem Scott Diehl presented Certificates of Appreciation and plaques to Dimension Cable (Sharee Clark, Producer) and the Daily Sun Post (Fred Swegles, Reporter) for assistance and support of the San Clemente Animal Shelter.

MOTION WAIVING READING - MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN LIMBERG, CARRIED 5-0 to waive reading in full of all Resolutions and Ordinances.

UNFINISHED BUSINESS

File No.: 100

Subject: Proposed Widening of Camino de Los Mares.

Report from Community Development Director regarding the feasibility of prohibiting parking on both sides of Camino de Los Mares.

The Traffic Engineer reviewed the existing and projected traffic conditions on Camino de Los Mares, the level of service definitions, the estimated cost of widening, and the method of financing.

The City Manager advised of the need to establish plans at this time; otherwise the financial burden will be on the City.

Staff responded to query from Council relating to anticipated time for the widening, the elimination of parking and possibility of prohibiting parking only during peak hours, the original improvement plans for construction of Camino de Los Mares in 1966; and the deficient offstreet parking for the insurance building at Calle Agua and Camino de Los Mares; questioned and was advised that letters of credit are guaranteed by financial institutions.

The City Manager advised any plan to widen or eliminate parking on Camino de Los Mares would first be presented for Council approval.

MOTION BY MAYOR MECHAM, SECOND BY COUNCILMAN DIEHL to authorize Staff to prepare a report on widening Camino de Los Mares from the freeway to Avenida Vaquero and to establish a policy that any properties being developed which will impact the area are to provide financial support to mitigate the impact. This policy is to be formalized by a resolution for adoption at the 7-2 meeting.

Staff requested criteria to establish the amounts of letters of credit. Councilman Diehl recommended coordinating the letters of credit with the engineering numbers outlined in the engineering study on costs.

Mayor Mecham recommended conditioning certain properties that the City has the ability to condition, with the balance of the widening to be the responsibility of the Forster Ranch development.

Brad Ewing, representing Sea Pointe Estates, recommended considering other equitable methods of financing the improvements; voiced concern about the needs, timing and method of financing.

Gary Nogle, architect, San Clemente Retail Plaza, questioned the traffic count on Camino de Los Mares, noting it was conducted at Camino El Molino, the most intense area. Staff advised the traffic count did not include traffic directly on and off the freeway.

The MOTION CARRIED 5-0.

PUBLIC HEARINGS

File No.: 112

Subject: Use Permit 86-17 - San Clemente Retail Plaza,
641 Camino de Los Mares.

Public Hearing to consider Use Permit 86-17, a request under the provisions of Section 5.47 of the Zoning Ordinance to construct a mixed-use development incorporating retail, restaurant and movie theatre uses in a C-2 (General Commercial) zone with joint use parking facilities. The project is located on the east side of Camino de Los Mares approximately 200 feet south of its intersection of Calle Agua. The legal description is Lot 7 of Tract 5951.

Staff advised a new application for a use permit was submitted on May 22, 1986; there is no request for a zoning amendment since the proposed height of the structure has been reduced so as not to exceed the 45 foot height limitation of the C-2 District; the Planning Commission voted unanimously to approve the project.

Mayor Mecham opened public hearing. Gary Nogle, architect, stated the revised plan addresses all concerns raised by Council; the project as reduced now is proposing six theatres instead of nine; 10,722 square feet of office space within the plaza has been deleted; restaurant seating has been reduced to 505 seats which requires 126 parking spaces; the retail square footage has been reduced from 30,835 to 29,100. The parking arrangement has been modified to accommodate all day usage on-site and a surplus amount of parking will exist within 300 feet for night usage; stated a willingness to upgrade the lighting within the 300 foot parking area as a condition of approval.

Kent Koespell, a local broker working with the Mann theatres stated the Chamber of Commerce is supporting this project which is needed for economic benefit and will be an asset.

Byron Marshall stated 60% of the tax dollars are leaving the city; the city rates next to the bottom in the index of retail dollars per capita; stated the project is needed to stimulate the local economy. Approximately ten business people also showed support by a raise of hands.

Ray Giacomini stated the city needs to encourage more businesses to locate in San Clemente to boost employment and tax revenues.

Don Zell stated these facilities are needed locally for youth and families.

Robert Flynn spoke in favor of the development; suggested a 99-year parking lease agreement and insurance coverage.

Betty Bruce opposed the project due to concern for density, traffic and parking congestion. Supported no parking on Los Mares.

In rebuttal, Mr. Nogle advised there is an irrevocable, reciprocal parking agreement; ingress and egress traffic on Calle Agua will be improved and controlled by traffic signals. In response to query, Mr. Nogle noted that there will be no exposed mechanical equipment on the flat roof and lunch and dinner restaurants are proposed.

Mayor Mecham closed public hearing. Council voiced concern for the size of the project for the area, the off-site parking and possible noise level from music in the restaurants.

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILWOMAN KOESTER to add a condition to the use permit that each restaurant in the San Clemente Retail Plaza Complex must obtain a use permit prior to opening or occupancy.

SUBSTITUTE MOTION BY COUNCILMAN CARR, SECOND BY COUNCILWOMAN KOESTER that the matter be continued until August 6, 1986.

SUBSTITUTE MOTION BY MAYOR MECHAM, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to continue the matter to the meeting of July 16, 1986 and that the joint meeting with commissions and committee be changed from July 30 to July 9 to reassess City policy regarding off-site and joint use parking.

Recssed at 9:00 p.m. and reconvened at 9:15 p.m. with all members present.

File No.: 99

Subject: Sign Exception 86-02 - Mobil Oil Station -
1430 So. El Camino Real.

Public Hearing to consider approval of Sign Exception 86-02, under the provisions of Section 28-20 of the City's Sign Ordinance to allow a Mobil Oil Service Station to exceed its maximum allowable signage by 271.47 feet. Legal description is Lots 35 and 36, Block 9, Tract 811, located on the northwest corner of Valencia and South El Camino Real. Called up for review by the City Council.

Mayor Mecham opened public hearing. Odie Stroud, representing the applicant, advised the applicant is out of town.

Staff proposed adding "at the owner's expense" to Condition No. 2 and adding the following condition: "The applicant, or its successor in-interest, shall remove the pole sign at such time as each of the following conditions has been satisfied: (a) State law changes to permit the institution of a freeway logo sign program in San Clemente; (b) the applicant is permitted to participate in such program on the same terms available to similar businesses; (c) the City amends its existing sign ordinance in such a way that the pole sign becomes legally non-conforming; and (d) the pole sign has been in existence for a minimum of two (2) years."

Mr. Stroud recommended deferring this matter until the applicant is available to determine whether to accept the proposed conditions.

MOTION BY COUNCILMAN LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to continue Sign Exception 86-02 to the meeting of August 6, 1986.

File No.: 83

Subject: Request for Police Enforcement on Private Streets
Palacio Del Mar Development.

Public Hearing to consider a resolution declaring private streets within the Palacio Del Mar development subject to the provisions of the California Vehicle Code and the City of San Clemente Municipal Code.

Staff referenced undated correspondence from Arnold A. McMahon, and advised the city is not bound by CC&R's. The City Manager advised staff did not initiate the proposed action.

Mayor Mecham opened public hearing. M. A. Gillies, Vice President, Palacio Del Mar Homeowners Association, noted this matter was brought to the attention of the Board of Directors by the homeowners due to increased traffic, with construction in the area, and visitors picnicing on the homeowners' front yards; stated the Board of Directors, under the CC&R's, has the authority, duty and obligation to enforce parking restrictions, but can delegate this authority to other agencies; the association prefers a professional law enforcement agency, such as the San Clemente Police Department, to assist in enforcing the California Vehicle Code.

Phil Thrane, secretary of the homeowners association, concurred with Mr. Gillies, noting that the private streets are accessible to public thoroughfares thereby increasing the traffic; professional help is needed to enforce the vehicle code.

Sandra Wilcox, property manager, Mercury Property Management Inc. shared the same views, noting many homeowners are concerned.

Arnold McMahon, spoke in opposition, stated the project was originally to be gated; a real estate attorney advised the homeowners would be giving up their private rights; stated some homeowners would like to discuss this matter and requested time to allow the homeowners to vote on this prior to Council action.

In response to query, the Police Chief advised that the City does not enter private areas for the purpose of enforcing traffic laws, however, patrol cars enter for other violations; if a car was parked in front of a fire plug the Police Department could cite the vehicle whether or not the street is private.

Mayor Mecham closed public hearing.

MOTION BY COUNCILMAN LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to adopt Resolution No. 86-57 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPLYING THE PROVISIONS OF THE CALIFORNIA VEHICLE CODE AND THE CITY OF SAN CLEMENTE MUNICIPAL CODE TO CERTAIN PRIVATE ROADS OPEN FOR PUBLIC USE (PALACIO DEL MAR DEVELOPMENT - TRACT 8188).

Ordinance Amendment - Vesting Tentative Map Ordinance

Public Hearing to consider amending the City's Subdivision Ordinance by establishing regulations and procedures for the processing of Vesting Tentative Maps as required by State law.

Upon recommendation of the City Manager, MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN LIMBERG, CARRIED 5-0 to table indefinitely.

CONSENT CALENDAR

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN CARR, CARRIED 5-0 to approve the following Consent Calendar items:

City Council Minutes

Minutes of 5-28-86 and 6-4-86.

Planning Commission Minutes

Minutes of 5-27-86 and 6-3-86.

Community Design Commission Minutes

Minutes of 5-27-86.

Parks & Recreation Commission Minutes

Minutes of 5-13-86 and 5-27-86.

Departmental Activities Report

Departmental Activities Report for month of May, 1986.

File No.: 100

Subject: Contract Award - South Ola Vista Street Reconstruction Project No. 20-83.

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN CARR, CARRIED 5-0 to award the contract for storm drain pipes for the South Ola Vista Street Reconstruction to the lowest bidder, Ameron, Inc., in the amount of \$10,605.20.

File No. 100

Subject: Extra Work Submittal - So. El Camino Real Street Reconstruction - Project No. 21-83.

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN CARR, CARRIED 5-0 to approve the Extra Work Submittal in the amount of \$26,194.27 to Griffith Company for extra work performed in conjunction with the South El Camino Real Street Reconstruction, Project No. 21-83 (Contract No. 487).

File No.: 96

Subject: Resolution No. 86-58 Appointing Community Development Director & Acting City Engineer to the SERRA Board of Directors.

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN CARR, CARRIED 5-0 to adopt Resolution No. 86-58 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPOINTING THE COMMUNITY DEVELOPMENT DIRECTOR AND ACTING CITY ENGINEER TO SERVE AS THE CITY'S DESIGNATED REPRESENTATIVE AND ALTERNATE, RESPECTIVELY, TO THE SERRA BOARD OF DIRECTORS.

File No.: 56

Subject: Resolution No. 86-59 Requesting Annual 1986-87
Requalification AHFP Program.

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN CARR, CARRIED 5-0 to adopt Resolution No. 86-59 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AFFIRMING COMPLIANCE WITH AHFP POLICY REQUIREMENTS, AND REQUESTING THAT THE CITY BE DECLARED QUALIFIED FOR THE ORANGE COUNTY ARTERIAL HIGHWAY FINANCING PROGRAM FOR THE 1986-87 FISCAL YEAR.

File No.: 55

Subject: Memorandum of Understanding - Vista Hermosa
Interchange on I-5.

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN CARR, CARRIED 5-0 to approve the Memorandum of Understanding with Caltrans regarding the development and construction of the Vista Hermosa Interchange on I-5 and authorize the Community Development Director to execute the MOU.

File No.: 64

Subject: San Clemente Ocean Festival Activities.

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN CARR, CARRIED 5-0 to approve the 1986 Ocean Festival Activities as outlined in a letter dated 6-9-86 from Mary Anna Anderson, President, San Clemente Ocean Festival.

File No.: 42

Subject: Late Claim Filed by Healy Tibbitts Construction Co.

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN CARR, CARRIED 5-0 that based on City Attorney's recommendation, deny the late claim by Healy Tibbitts Construction Co. which was filed beyond the one-year limitations period.

CONSENT CALENDAR (Items removed for separate action)

File No.: 45

Subject: Agreement for Geotechnical Services.

In response to query from Councilwoman Koester, Staff advised there are very few firms with expertise in this field; the other qualified firms work for the developers.

MOTION BY COUNCILMAN DIEHL, SECOND BY MAYOR MECHAM, CARRIED 5-0 to approve the agreement with Geofirm, Inc., for providing consulting engineering geology services to the City of San Clemente; and authorize execution of the agreement by the Mayor and City Clerk.

File No.: 114

Subject: Groundwater Supply & Management Study - Project No. 1-86.

MOTION BY COUNCILWOMAN KOESTER, SECOND BY COUNCILMAN DIEHL to approve Boyle Engineering Corporation's proposal to prepare a Groundwater Supply and Management Study at a cost of \$15,000; and authorize the Community Development Director to execute the attached agreement.

Councilwoman Koester recommended that the study be done in-house.

SUBSTITUTE MOTION BY COUNCILMAN CARR to continue the matter for two weeks died for lack of a second.

The motion to approve the study CARRIED 5-0.

File No.: 77

Subject: Resolution No. 86-60 Establishing Parks & Recreation Division Fee Adjustments.

MOTION BY COUNCILMAN CARR, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to adopt Resolution No. 86-60 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING RESOLUTION NO. 61-85 ESTABLISHING APPLICATION PROCEDURES, REGULATIONS, RENTAL RATES, AND FEES FOR RECREATION FACILITIES AND AQUATICS PROGRAM, AND RESCINDING PRIOR RESOLUTION NO.S 10-81, 64-84 AND 92-84 as amended to include "as determined by the City Manager or his designee" to define City Activities on Exhibit B of the Resolution.

WARRANT REGISTER

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN LIMBERG, CARRIED 5-0 to approve: Warrant No.'s 50730 through 50882 for June 6, 1986 in the amount of \$497,943.13; Warrant No.'s 50885 through 50975 for June 13, 1986 in the amount of \$98,725.11; and Payroll Warrant No. 50884 for 5-19-86 through 6-1-86 in the amount of \$204,268.02, for a total warrant register of \$800,936.26.

UNFINISHED BUSINESS

File No.: 30

Subject: Proposed Budget for Fiscal Year 1986-87.

Report from City Manager recommending approval of the Fiscal Year 1986-87 budget.

The City Manager presented the Fiscal Year 1986-87 budget for adoption as amended pursuant to Council direction in budget sessions; advised the major modifications are the increase in compensation to Commission and Committee members; a decrease in the estimated cost of the sludge dewatering belt press to \$615,000, and the addition of Phase II of the Del Mar reconstruction and beautification projects from RDA funds. Stated the remaining issues to be considered are the request of the San Clemente Seniors for \$17,131 for funding of the Seniors Transportation Program, and the water and sewer fund increases and reduction of positions. He further noted that Staff went through the water and sewer budgets and reduced them to barebone levels, but still determined it would be impossible to fund the two departments without a rate increase of 8.6% for water and 2.7% for sewer; noted the sewer and water budgets as proposed leave very little contingency funds for emergencies.

Council determined that the Seniors Transportation Van Program would remain at \$10,500 as presently proposed.

MOTION BY MAYOR MECHAM, SECOND BY COUNCILMAN LIMBERG that all positions in the water and sewer departments presently filled are to be reinstated, those not presently filled are not to be reinstated, and that the water rate is to be increased 6.8% and the sewer rate is to increase 2.7%.

Mayor Mecham stated the positions are needed to keep the program running smoothly. Councilman Limberg noted the system is 50 years old and must be maintained at the same operating level; a rate increase is not desired, but there is no other source of funding.

Councilman Carr requested clarification and was advised the positions of senior plant operator and plant operator in the water department, and chemist and distribution operator in the sewer department will be reinstated.

Councilwoman Koester agreed with reinstating the positions, but disagreed with a rate increase, stating she thinks the City has reserves. Mayor Mecham questioned the reserves referenced. The City Manager stated for the record there are no hidden reserves that City staff has put aside which would be eligible to be used for funding these programs.

Don Colucci, President, San Clemente City Employees Association, P.O. Box 3517, read a letter from the Association supporting the proposed rate increases to cover the increased costs.

Councilman Diehl disagreed the City has available reserves; voiced concern for the low fund balances.

The Mayor then called for the MOTION WHICH CARRIED 4-0-1 with Councilwoman Koester "ABSTAINING".

MOTION BY COUNCILMAN DIEHL, SECOND BY MAYOR MECHAM to adopt Resolution No. 86-61 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADOPTING AND APPROVING THE BUDGET FOR THE CITY OF SAN CLEMENTE FOR THE 1986-87 FISCAL YEAR as amended.

Councilman Carr stated for the record that he will support the motion but disagrees with some line items in the budget. The MOTION carried 4-1, with Councilwoman Koester voting NOE.

File No.: 105

Subject: Time Extension - Tentative Tract Map 11855
(Sea Pointe Estates).

Further consideration of granting a one-year time extension for Tentative Tract Map 11855 (Sea Pointe Estates).

Brad Ewing, project manager, requested extension of the tentative tract map without the addition of a condition requiring the applicant to provide for the expansion of Camino de Los Mares.

MOTION BY COUNCILMAN DIEHL, SECOND BY MAYOR MECHAM to concur with the Planning Commission recommendation and grant a one-year time extension from March 2, 1986 to March 2, 1987 contingent upon the applicant providing for expanding the pavement width on Camino de Los Mares by three feet, from the west corner of Marabella to the opposite side of the centerline of Avenida Vaquero.

Mr. Ewing stated he would concur with the condition since otherwise the extension could be denied. The motion CARRIED 5-0.

File No.: 105

Subject: Resolution No. 86-62 Approving Tentative
Tract Map 11891.

Report from Community Development Director recommending approval of Tentative Tract Map 11891, a request to construct seven time-share condominium units at 604 Avenida Victoria.

Councilman Carr declared a conflict of interest on this matter and left the Council Chambers at 10:37 p.m.

Bart Abrate, the applicant, responded to Council concerns regarding off-site parking and proposed adding a condition that all parking will be on-site.

MOTION BY MAYOR MECHAM, SECOND BY COUNCILMAN DIEHL, CARRIED 4-0 to adopt a negative declaration and Resolution No. 86-62 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING TENTATIVE TRACT MAP 11891 and adding a condition that "all parking shall be on-site, subject to review of Staff."

Councilman Carr returned to the Council Chambers at 10:50 P.M.

File No.: 77.1

Subject: North Beach Facilities Project Bids.

Report from Public Services Director recommending rejecting the North Beach Facilities project bids opened on December 3, 1985 and based upon a recent increase in Federal assistance funding for the project, authorize a readvertising for construction bids.

MOTION BY COUNCILMAN DIEHL, SECOND BY MAYOR MECHAM, CARRIED 5-0 to reject the bids opened on December 3, 1985 for the North Beach Facilities (Project #05016), and authorize re-advertising for construction bids.

NEW BUSINESS

File No.: 49

Subject: Required Resolutions Calling the General Municipal Election for November 4, 1986.

Report from City Clerk recommending adoption of certain resolutions calling the General Municipal Election for November 4, 1986, and presenting other resolutions for consideration.

MOTION BY COUNCILMAN CARR, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to adopt Resolution No. 86-63 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 1986, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES AND FOR THE SUBMISSION TO THE VOTERS A QUESTION RELATING TO REGULATING THE HEIGHT OF TREES, SHRUBS, AND BUSHES LOCATED ON PRIVATE PROPERTY.

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN CARR, CARRIED 5-0 to adopt Resolution No. 86-64 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF ORANGE TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 4, 1986, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT TO SECTION 23302 OF THE ELECTIONS CODE.

MOTION BY COUNCILMAN CARR, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to adopt Resolution No. 86-65 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 1986.

MOTION BY COUNCILMAN CARR, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to adopt Resolution No. 86-66 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA,

PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR CITY MEASURES SUBMITTED AT THE GENERAL MUNICIPAL ELECTION.

MOTION BY COUNCILMAN CARR, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to adopt Resolution No. 86-67 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, PROVIDING FOR THE CONDUCT OF A SPECIAL RUNOFF ELECTION FOR ELECTIVE OFFICES IN THE EVENT OF A TIE VOTE AT THE GENERAL MUNICIPAL ELECTION NOVEMBER 4, 1986.

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN CARR, CARRIED 5-0 to adopt Resolution No. 86-56 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AUTHORIZING CERTAIN OF ITS MEMBERS TO FILE A WRITTEN ARGUMENT REGARDING A CITY MEASURE AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS.

ITEMS FROM CITY MANAGER

File No.: 100

Subject: Purchase of Ornamental Street Light Standards, Phase II Del Mar Beautification Project.

Report from Public Services Director requesting approval of the expenditure of \$90,439.20 for the purchase of ornamental street light standards and fixtures to be installed in Phase II of the Del Mar beautification project.

MOTION BY MAYOR MECHAM, SECOND BY COUNCILMAN DIEHL, CARRIED 4-1 to authorize the expenditure of \$90,439.20 from the Del Mar reconstruction project Phase II #035-866-45300-000-06101 for the purchase of fifty-four Model #OT-12 Western San Diego Series cast aluminium ornamental light standards and fifty-four FXA340 Acorn Series street light fixtures. Councilman Carr voted NOE.

File No.: 53

Subject: Fireworks Display.

Report from Fire Protection Director requesting approval of a fireworks display for a private company, the ALLERGIN COMPANY c/o Gavin Herbert, of Casa Pacifica, for the company's twenty-fifth anniversary.

MOTION BY COUNCILMAN CARR, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to authorize the Fire Protection Director to issue a fireworks display permit and charge the customary \$400 for the permit, plus the cost of the engine company standing by on Saturday, June 21, 1986.

ITEMS FROM CITY ATTORNEY

The City Attorney requested a Closed Session to discuss pending litigation pursuant to Government Code Section 54956.9(1) involving Measure B.

ITEMS FROM COUNCIL MEMBERS

MOTION BY COUNCILMAN CARR, SECOND BY COUNCILWOMAN KOESTER, CARRIED 5-0 to defer to July 2, 1986 the Closed Session on personnel.

Councilman Limberg requested current enforcement practices of signs on gas stations and in their windows.

Councilman Diehl reported there are 11 candidates for the JPA Director and interviews will be held on July 10.

MOTION BY COUNCILWOMAN KOESTER, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 that the City respond to PUC against a rate increase for the telephone company.

Councilman Carr requested that "possible municipal ballot issues for the November 4, 1986 ballot" be agendized under items from Council members for July 2 Council meeting.

Councilman Carr asked the City Attorney to summarize the applicable conflict of interest statutes to determine if any Councilmembers might benefit from council action on the retail plaza, recognizing ownership of property, and might therefore have a conflict of interest.

Mayor Mecham requested the Fire Chief to check on two un-occupied gas stations that need cleaned up on South El Camino Real.

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN LIMBERG, CARRIED 5-0 to carryover \$3,000 to FY 1986-87 for trips to Washington, D.C.

RESOLUTIONS

For Resolution No. 86-56 see under "New Business" on page 12.
 For Resolution No. 86-57 see under "Public Hearings" on page 5.
 For Resolution No. 86-58 see under "Consent Calendar" on page 7.
 For Resolution No. 86-59 see under "Consent Calendar" on page 7.
 For Resolution No. 86-60 see under "Consent Calendar" on page 8.
 For Resolution No. 86-61 see under "Unfinished Business" on page 10.
 For Resolution No. 86-62 see under "Unfinished Business" on page 11.
 For Resolution No. 86-63 see under "New Business" on page 12.
 For Resolution No. 86-64 see under "New Business" on page 12.
 For Resolution No. 86-65 see under "New Business" on page 12.
 For Resolution No. 86-66 see under "New Business" on page 12.
 For Resolution No. 86-67 see under "New Business" on page 12.

ADJOURNMENT TO CLOSED SESSION

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN LIMBERG, CARRIED 5-0 to adjourn to Closed Session to discuss pending litigation relating to Measure B with the City Attorney and City Manager at 11:10 p.m.

MEETING RECONVENED AND ADJOURNMENT

The regular meeting reconvened at 11:30 p.m. with all present.

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN LIMBERG, CARRIED 5-0 to adjourn at 11:30 p.m. to an adjourned regular meeting on Wednesday, June 25, 1986 at 6:00 p.m. to conduct interviews of Commission and Committee members.

CITY CLERK and ex-officio
 Clerk of the City Council

MAYOR and President
 of the City Council

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

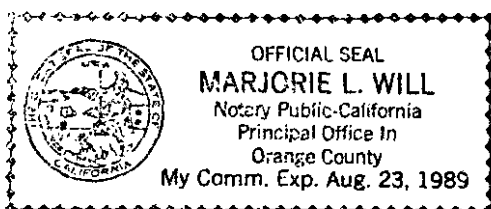
AFFIDAVIT OF POSTING
ORDER OF ADJOURNMENT
OF MEETING

I, MYRNA ERWAY, being first duly sworn deposes and says:
that I am the duly chosen, qualified and ex-officio Clerk
of the City Council of the City of San Clemente; that at the
regular meeting of the City Council of the City of San Clemente,
held June 18, 1986 , said meeting was ordered adjourned to the
time and place specified in the Order of Adjournment ATTACHED
HERETO: that on June 19, 1986 , at the hour of 9:00 A.M. ,
I posted a copy of said Order of Adjournment at the conspicuous
place on or near the door of the place at which said meeting of
June 18, 1986 , was held.

Myrna Erway
CITY CLERK and ex-officio
Clerk of the City Council
City of San Clemente

Subscribed and sworn to before
me this 19th day of June, 1986

Marjorie L. Will



ORDER OF ADJOURNMENT

Regular meeting of the City Council of the City of San Clemente, California, Council Chambers, Civic Center Building, 100 Avenida Presidio, June 18, 1986
Mayor William C. Mecham presiding.

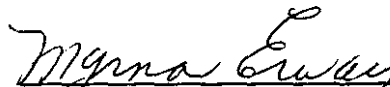
ROLL CALL

PRESENT: Council Members - CARR, DIEHL, KOESTER, LIMBERG, AND MECHAM
ABSENT: Council Members - NONE

Also Present: James B. Hendrickson, City Manager; Myrna Erway, City Clerk;
Jeff Oderman, City Attorney

ADJOURNMENT

IT WAS MOVED BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN LIMBERG,
AND UNANIMOUSLY CARRIED that the Council Meeting be adjourned at 11:30 P.M.
to June 25, 1986 at 6:00 P.M.



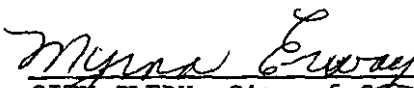
CITY CLERK and ex-officio
Clerk of the City Council



MAYOR and President
of the City Council

Certified to be a true and correct
copy of excerpts from the June 18,
1986 Council Minutes

Dated this 19th day of June, 1986



CITY CLERK, City of San Clemente