

CITY OF SAN CLEMENTECITY COUNCIL MINUTESREGULAR MEETING - JULY 2, 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 (arrived at 7:33 p.m.), 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.

1. SPECIAL PRESENTATIONS

Mayor William C. Mecham introduced Doris Lockner from the Capistrano Bay Soroptimist Club who had recently been awarded the "Woman of Distinction for 1986" by the club. Mayor Mecham congratulated her on her achievements and presented her with a City pin.

Mayor Mecham introduced Bob Shedlock, Consultant, Economic Consulting Services who made a presentation of "Analysis of Future Development Potential of Retail Commercial Uses in San Clemente" and answered questions from Council members.

2. MOTION WAIVING READING - MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILWOMAN KOESTER, CARRIED 4-0 to waive reading in full of all Resolutions and Ordinances.

3. PUBLIC HEARINGS:

A. Forster Ranch Specific Plan
File No.: 57

Public Hearing to consider EIR 84-01, Specific Plan No. 83-01, General Plan Amendment No. 53, Zoning Amendment 84-06 and 84-07 relating to proposed development in the Forster Ranch Specific Plan.

Alan Fishman, Tierra Planning & Design, made a presentation on the Forster Ranch Specific Plan and answered questions from Council Members.

Mayor Mecham opened public hearing. The Mayor indicated the presentation was intended to be an overview of the Specific Plan and that staff recommended the Public Hearing be continued to the July 16, 1986 meeting for public testimony.

MOTION BY COUNCILMAN CARR, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0, TO CONTINUE THE PUBLIC HEARING ON THE FORSTER RANCH SPECIFIC PLAN TO THE JULY 16, 1986 CITY COUNCIL MEETING.

4. CONSENT CALENDAR:

MOTION BY COUNCILMAN LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to approve the Consent Calendar with the removal of Items B(1), C, I, J, and L.

A. Approve City Council Minutes of June 11, 18, and 25, 1986.

B. Receive and File:

2. Community Design Commission Minutes of June 10, 1986.

3. Golf Course Committee Minutes of May 12, 1986.

4. Parks & Recreation Commission Minutes of June 10, 1986.

D. Electric Easement to SDG&E - Tract 12124, Lot 14 and Tract 12127, Lot C
File No.: 110

Grant to the San Diego Gas & Electric Company electric utility easements over Lot 14, Tract 12124 and Lot C, Tract 12127 for construction and maintenance of electrical transmission and distribution facilities to serve two water booster stations in Rancho San Clemente.

E. Water Line Easement - Tract 12154
File No.: 87

Accept the grant of easement for water line purposes within Lot 3, Tract 12154, from The Lusk Company/Marblehead.

F. Tentative Tract Map 12766 - Davidson & Ferguson
File No.: 105.1

Set for public hearing on July 16, 1986 Tentative Tract Map No. 12766, request of Davidson and Ferguson to allow the resubdivision of eight existing parcels into twelve new parcels, located in the Rancho San Clemente Business Park. The legal description is Lot 5-12, Tract 12402.

G. Proposed Purchase Agreement - Avenida Cabrillo
File No.: 75

Authorize staff to negotiate a purchase agreement for off-street parking lot. (Lot 13, Block 5, Tract 779, on Avenida Cabrillo)

H. Contract Amendment Agreement - Orange County Department of Housing & Community Development
File No.: 68

Approve a contract amendment to agreement No. 356 with the Orange County Department of Housing and Community Development to reprogram \$40,000 in Block Grant funds from the City's Housing Cost Reduction Program to the City's Housing Rehabilitation Program.

K. Amendments to Classification and Compensation Plans Resolution No.s 86-69, 86-70
File No.: 79

1. Adopt Resolution No. 86-69 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING RESOLUTION NO. 73-83 TO INCLUDE AND DELETE VARIOUS CLASSIFICATIONS AS PART OF THE CITY POSITION CLASSIFICATION PLAN.

2. Adopt Resolution No. 86-70 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING RESOLUTION NO. 71-85 AND ASSIGNING SALARY RANGES FOR VARIOUS POSITIONS IN THE CITY SERVICE.

- M. Nuisance Abatement on Inoperable Vehicle in Vacant Lot on Del Gado Road
File No.: 20

This item was deleted by staff due to the fact that the nuisance had been abated. No action by Council was necessary.

- N. Claim for Damages - Stephen A. Williams
File No.: 42

Deny claim filed by Stephen A. Williams in the amount of \$119.78 based on insurance adjuster's recommendation, finding that the responsibility lies with the contractor.

- O. Acceptance of Work - Slurry Seal Various Streets
Project No. 16-85
File No.: 100

Authorize Mayor to execute and City Clerk to record Notice of Completion for Contract No. 500. (Slurry Seal Project, Doug Martin Contracting Company)

CONSENT CALENDAR ITEMS REMOVED FOR DISCUSSION

- B.1. MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN CARR, CARRIED 5-0 to receive and file the Planning Commission minutes of June 17, 1986.

- C. Purchase of Four 1986 Model Small Pickups
File No.: 90

MOTION BY COUNCILWOMAN KOESTER, SECOND BY COUNCILMAN DIEHL, to accept the bid in the amount of \$29,312.60 submitted by Allen GMC Trucks for the purchase for four small pickups.

Councilman Carr questioned if the specifications were written in such a manner to preclude foreign manufacturers. The City Manager indicated this item could be held until the next meeting in order to provide Councilmembers with information regarding this question.

SUBSTITUTE MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN CARR, CARRIED 5-0 to carry over this item to the meeting of July 16.

- I. Water Rate Increase
Resolution No. 86-68
File No.: 113

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN LIMBERG, CARRIED 4-1 (COUNCILWOMAN KOESTER - NOE) to adopt Resolution No. 86-68 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, REPEALING RESOLUTION NO. 152-83 AND OTHER RESOLUTIONS IN CONFLICT HEREWITH; AND ESTABLISHING RATES AND CHARGES FOR WATER CONSUMPTION.

- J. Sewer Service Charge Increase
Ordinance No. 928
File No.: 96

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN LIMBERG, CARRIED 4-1 (COUNCILWOMAN KOESTER - NOE) to introduce Ordinance No. 928 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ESTABLISHING A SEWER SERVICE RATE AND REPEALING RESOLUTION NO. 112-82 AND OTHER RESOLUTIONS IN CONFLICT HEREWITH.

- L. Establishment of Required RDA Findings for Fiscal Year 1986-87
Resolution No. 86-71
File No.: 119

Adopt Resolution No. 86-71 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE APPROVING AN AGREEMENT WITH THE SAN CLEMENTE REDEVELOPMENT AGENCY RELATING TO THE AGENCY'S 1986-87 CAPITAL IMPROVEMENT PROGRAM BUDGET.

5. WARRANT REGISTER

MOTION BY COUNCILMAN LIMBERG, SECOND BY COUNCILMAN CARR, CARRIED 5-0 to approve: Warrants No. 50978 through 51148 for June 20, 1986 in the amount of \$733,848.49; Warrant No.s 51149 through 51334 for June 27, 1986 in the amount of \$162,920.45; and Payroll Warrant No. 50997 for June 2, 1986 through June 15, 1986 in the amount of \$195,887.82, for a total warrant register of \$1,092,756.76.

6. UNFINISHED BUSINESS

- A. Extension of Cash Collection Period - Assessment District 85-1
File No.: 27

Report from Community Development Director extending the cash collection period for Assessment District 85-1 to July 18, 1986 and apply a discount for such cash payments.

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN LIMBERG, CARRIED 4-1 (COUNCILWOMAN KOESTER - NOE) to extend the cash collection period for Assessment District 85-1 to July 18, 1986 and authorize a 12% discount.

- B. Selection of Bond Underwriter - Assessment District 85-1
File No.: 27

Report from City Treasurer recommending approval of a contract with the firm of Drexel Burnham Lambert Incorporated to provide underwriting services for the proposed 1915 Act Assessment District Bond financing of the planned wastewater treatment plant expansion.

Councilman Limberg asked City Attorney Oderman if this step was consistent with the validation action for Assessment District 85-1. Mr. Oderman indicated it was.

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN LIMBERG, CARRIED 4-1 (COUNCILWOMAN KOESTER - NOE) to authorize the City Manager to enter into a contract with Drexel Burnham Lambert Incorporated to provide underwriting services for the City in connection with Assessment District 85-1 (Wastewater Treatment Plant Expansion) for a fee of 1.8% (\$18.00 per \$1,000) for bonds and 1.5% for short-term notes, if issued, under terms to be described in a document by Stan Wolcott of Rutan & Tucker and reviewed for the City by Jeff Oderman, City Attorney.

- C. Proposed Agreement for Softball Complex Park
File No.: 77

Report from Public Services Director recommending approval of agreement with Western Savings and Loan Association for dedication and development of the park site which will house the future softball complex.

City Manager advised due to the fact there was a legal problem with the agreement, that the item should be deferred until such time that WSLA and the City could reach an agreement.

D. Max Berg Plaza Park
File No.: 77

Report from Public Services Director recommending enlarging the traffic islands at the corners of Max Berg Plaza Park.

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN CARR, CARRIED 5-0 to adopt the site plan as modified and approve the phasing plan as submitted for inclusion in future capital improvement projects.

E. Pier Bowl Area Rehabilitation
File No.: 119

Report from Public Services Director endorsing the scope of work outlined in the Request for Proposal issued by City Staff for the rehabilitation of the Pier Bowl Area.

MOTION BY COUNCILMAN CARR, SECOND BY COUNCILMAN DIEHL, CARRIED 4-1 to endorse the broad scope and concept of the Pier Bowl Area rehabilitation project as defined in the Request for Proposal.

7. NEW BUSINESS

A. Notice of Preparation - Foothill Transportation Corridor
File No.: 55

Report from Community Development Director recommending comments be submitted to the County of Orange in response to the Notice of Preparation on the Foothill Transportation Corridor - Cristianitos Segment.

Councilman Limberg stated the report does not clearly and specifically indicate that the City will not accept the transportation corridor through the City of San Clemente.

Steve Flint, City Planner, indicated the administrative report did not reflect all of the comments which will be provided to the County regarding this matter.

Mayor Meham requested that the Council be provided with a copy of the complete report on July 8, 1986 and that the item be placed on the July 9, 1986 joint Council/Commission agenda for discussion. He emphasized the fact that the report should reflect there are no acceptable routes through the City of San Clemente.

MOTION BY COUNCILMAN CARR, SECOND BY COUNCILMAN DIEHL, CARRIED 4-1 (COUNCILWOMAN KOESTER - NOE) direct staff to transmit comments to the County of Orange in response to the Notice of Preparation for the Foothill Transportation Corridor - Cristianitos Segment, as submitted in administrative report dated June 24, 1986 and after review of complete document at the July 9, 1986 meeting.

8. ORAL COMMUNICATIONS

Mr. Thomas O'Keefe, 35531 Camino Capistrano, Capistrano Beach, addressed the Council relative to a storm drain project of the City and its negative affects on his house. He presented documents to Council members and requested the Council to cease the project or set a public hearing on the issue.

City Attorney Jeff Oderman advised Council that this matter was in litigation and should be discussed in closed session.

Mayor Mecham advised Mr. O'Keefe that the item would be discussed in the closed session which was scheduled for later during the meeting and he would be told of the results of that discussion.

9. REPORTS

B. City Manager

Lease of City Land at end of Calle Valle Alley by Messrs. Homan and Mason
File No.: 87

Report from Community Development Director recommending the approval and authorizing the Mayor to execute Amendment No. 2 to Lease 17 with Messrs. Homan and Mason for property abutting the Segunda Deshecha Canada flood control channel.

MOTION BY COUNCILMAN CARR, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to approve and authorize the Mayor to execute Amendment No. 2 to Lease No. 17 with Messrs. Homan and Mason for property abutting the Segunda Deshecha Canada flood control channel, extending the termination date of the purchase option in Section 12.1 to December 31, 1986.

C. City Attorney

The City Attorney requested a closed session to discuss threatened and pending litigation pursuant to Government Code Sections 54956.9 (a) and (b).

D. Council Members

MOTION BY COUNCILMAN CARR, SECOND BY COUNCILWOMAN KOESTER, CARRIED 5-0 to continue the issue of potential municipal ballot issues for the November 4 election to the July 16 meeting.

MOTION BY COUNCILMAN LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to approve Item 7 in the Community Design Commission Minutes of June 24, 1986.

Councilwoman Koester discussed the article in the Los Angeles Times concerning the Irvine Ranch Water District lowering their rates. She suggested staff contact that agency to determine the steps taken to make that possible.

Councilman Diehl suggested staff meet with the Downtown Business Association to discuss the types of trees to be planted on Del Mar.

Councilman Carr commented on the condition of the alleys in the 100 block of Del Mar, the need for the repainting of curbs, and clean up of stains on Del Mar. He requested this work be completed prior to the July 19 La Fiesta Parade.

10. RESOLUTIONS/ORDINANCES

A. Ordinance No. 927
File No.: 79.2

MOTION BY COUNCILMAN LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 4-1 (COUNCILMAN CARR - NOE) to adopt Ordinance No. 927 - AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE 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 EMPLOYEES' RETIREMENT SYSTEM.

B. Resolution No. 86-72
File No.: 29

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN LIMBERG, CARRIED 5-0 to adopt Resolution No. 86-72 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, RELATING TO COMPENSATION PAID TO MEMBERS OF THE PLANNING COMMISSION, THE PARKS AND RECREATION COMMISSION, THE COMMUNITY DESIGN COMMISSION, AND THE GOLF COURSE COMMITTEE FOR ATTENDANCE AT MEETINGS; RESCINDING RESOLUTIONS NO. 82-75 AND NO. 69 76; AND AMENDING CERTAIN OTHER RESOLUTIONS.

C. Resolution Regarding Funding for Future Widening Camino de Los Mares

MOTION BY COUNCILMAN CARR, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to place on the July 16, 1986 agenda the adoption of a resolution regarding the funding for future widening of Camino de Los Mares.

RESOLUTIONS

For Resolution No. 86-68 see under "Consent Calendar" on page 3.

For Resolution No. 86-69 see under "Consent Calendar" on page 2.

For Resolution No. 86-70 see under "Consent Calendar" on page 2.

For Resolution No. 86-71 see under "Consent Calendar" on page 4.

For Resolution No. 86-72 see under "Resolution/Ordinance on page 7.

11. ADJOURN

MEETING RECESSED

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN LIMBERG, CARRIED 5-0 to recess the City Council meeting and to convene a meeting of the Redevelopment Agency at 9:08 p.m.

MEETING RECONVENED

The City Council meeting reconvened from the Redevelopment Agency meeting at 9:13 p.m.

ADJOURNMENT TO CLOSED SESSION

MOTION BY COUNCILMAN LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to adjourn to Closed Session at 9:14 p.m. to confer with the City Manager, City Attorney, Assistant to the City Manager, Police Chief, and Community Development Officer.

MEETING RECONVENED

MOTION BY COUNCILMAN DIEHL, SECOND BY MAYOR MECHAM, CARRIED 4-1 (COUNCIL the auto allowance for the City Manager \$300.00 per month.

ADJOURNMENT

MOTION BY COUNCILMAN DIEHL, SECOND BY MAYOR MECHAM, CARRIED 5-0 to adjourn the City Council meeting at 10:43 p.m. to July 9 at 8:30 a.m. at the Ole Hanson Beach Club, and July 9 at 6:00 p.m. at the Ole Hanson Beach Club.

Maryna Erway
CITY CLERK and ex-officio
Clerk of the City Council

W. C. Mecham
MAYOR and President
of the City Council

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

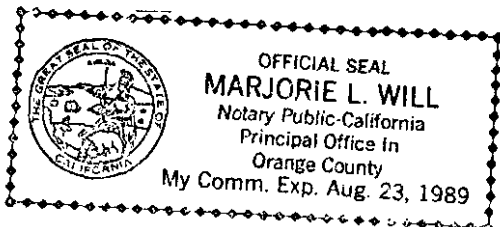
AFFIDAVIT OF POSTING
ORDER OF ADJOURNMENT
OF MEETING

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 July 2, 1986 , said meeting was ordered adjourned to the
time and place specified in the Order of Adjournment ATTACHED
HERETO: that on July 3, 1986 , at the hour of 10:00 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
July 2, 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 3RD day of *July 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, July 2, 1986
MAYOR WILLIAM C. MECHAM presiding.

ROLL CALL

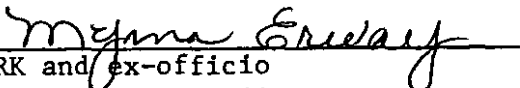
PRESENT: Council Members - CARR, DIEHL, KOESTER, LIMBERG AND MECHAM
ABSENT: Council Members - NONE


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

ADJOURNMENT

IT WAS MOVED BY COUNCILMAN DIEHL, SECOND BY MAYOR MECHAM,
AND UNANIMOUSLY CARRIED that the Council Meeting be adjourned at 10:40 p.m.
to the following adjourned regular meetings:


- 1) Wednesday, July 9, 1986 at 8:30 a.m. at the Ole Hanson Beach Club to meet with
Congressman Packard to discuss items of mutual interest.
- 2) Wednesday, July 9, 1986 at 6:00 p.m. at the Ole Hanson Beach Club for a joint
meeting with Commissions and Committee.


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 July 2,
1986 Council Minutes

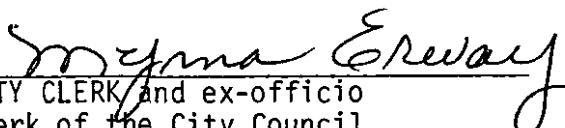
Dated this 3rd day of June, 1986.


CITY CLERK, City of San Clemente

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

AFFIDAVIT OF POSTING
CONTINUANCE OF PUBLIC
HEARING

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 July 2, 1986, said public hearing was continued to
time and place specified in the Continuance of Public Hearing
ATTACHED HERETO: that on July 3, 1986, at the hour of
10:00 a.m., I posted a copy of said Continuance of Public
Hearing at the conspicuous place on or near the door of the
place at which said meeting of July 2, 1986, was held.


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

Subscribed and sworn to before
me this 3rd day of July, 1986.

