

CITY OF SAN CLEMENTECITY COUNCIL MINUTESREGULAR MEETING - JANUARY 15, 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 Robert D. Limberg.

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

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

ABSENT: Council Members - NONE

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

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

PUBLIC HEARINGS

File No.: 112

Subject: Use Permit 83-15 - Appeal of Denial of Time Extension.

Public Hearing to consider appeal of Planning Commission decision to deny a time extension for Use Permit 83-15 for a temporary on-site sales office at the San Clemente Inn, 2600 Avenida Del Presidente, in accordance with Section 5.6 of the City's Zoning Ordinance.

Mayor Limberg opened the public hearing. Roy Hurlbut, representing San Clemente Inn, advised that all but 225 of the 4,800 timeshare slots have been sold and anticipates the remaining will be sold in the next four months.

Mayor Limberg closed public hearing. MOTION BY COUNCILMAN CARR, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to reverse the decision of the Planning Commission and approve a 6-month time extension for the parking of a temporary sales trailer in the parking lot of the San Clemente Inn, with the stipulation that no further time extensions are to be granted.

File No.: 112

Subject: Resolution No. 86-2 Approving Use Permit 85-34.

Public Hearing to consider Use Permit 85-34, called up for review by Council. Request by El Camino Inn under provisions of Section 4.9 of the Zoning Ordinance for a 32-unit motel in the C-2 Zoning District, located at 1301-1309 N. El Camino Real. The legal description is Lot 29, 30, Block 2, Tract 795. Consideration of a negative declaration prepared for the project.

Mayor Limberg opened the public hearing. John Swink, architect, stated that the project is in accordance with the City's guidelines and that no waivers or variances have been requested. In response to query, Staff displayed a sketch and described the multi-level project.

Mayor Limberg closed public hearing; recommended amending condition #2 to reflect that review and approval is to include a complete signage program.

MOTION BY COUNCILMAN CARR, SECOND BY COUNCILMAN MECHAM, CARRIED 4-1 to adopt Resolution No. 86-2 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA ADOPTING A NEGATIVE DECLARATION AND APPROVING USE PERMIT 85-34 with condition No. 2 amended to read "...approval of the Community Design Commission, and such review and approval will include a complete signage program." Councilwoman Koester voted NOE.

File No.: 112

Subject: Resolution No. 86-3 Approving Use Permit 85-25.

Public Hearing to consider Use Permit 85-25, called up for review by Council. Request by Tru-Valu Inn under provisions of Section 4.9 of the Zoning Ordinance for a 25-unit motel in the C-2 Zoning District located at 2002 S. El Camino Real. The legal description is Lots 1, 2, & 3, Block 443-01, Tract 852. Consideration of a negative declaration prepared for the project.

Mayor Limberg opened the public hearing. W. D. Groth, owner of an apartment building across the alley from the proposed motel, expressed concern about noise and the downgrading of his property. Bob Jacobs voiced concern about traffic, traffic circulation and the height of the building. Jean Jacobs made reference to previous serious accidents and thefts; expressed concern about parking, safety, and property devaluation; distributed photographs depicting some of her concerns. Lyle Mielke disagreed with the location and indicated concern for traffic and parking. Charles Tsang, applicant, advised Council that traffic studies show motel traffic does not occur at peak traffic periods so will not create problems.

Mayor Limberg closed public hearing. Councilman Carr questioned and was advised the City has authority, if traffic problems arise, to require right turns only from West Ramona.

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN MECHAM, CARRIED 3-2 to adopt Resolution No. 86-3 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADOPTING A NEGATIVE DECLARATION AND APPROVING USE PERMIT 85-25. Councilwoman Koester and Mayor Limberg voted NOE.

Councilman Mecham expressed concern about parking of trucks on El Camino Real, and recommended that Staff study the issue and consider prohibiting large semi trucks from parking on that street.

File No.: 117

Subject: Zone Amendment No. 85-12 - 232-236 Ave. Vaquero.

Public Hearing to consider a request by Rosen/Sanders to change the zoning designation from Single-Family Residential Combining Lot Size District (R-1-B-1) to a Neighborhood Commercial (C-1-N) District on lots 1 and 2 of Tract 5764 in the Shorecliffs neighborhood area. Consideration of a negative declaration prepared for the project.

Mayor Limberg opened public hearing. Michael Luna, architect for the project, stated the subject property is currently vacant; noted attractive architecture can attract business to upgrade the area; proposed allowing the association of residents to oversee and approve the design for any proposed development. Floyd Cate, President of Association of Shorecliffs Residents, submitted a letter from the Association opposing the zone change, and disagreeing with conclusions of the Planning Staff. Jean Jacobs stated the zone change will impact the surrounding residential properties.

Michael Luna, in rebuttal, stated attractive architecture will be an asset to the area.

Mayor Limberg closed public hearing. In response to Council query, the City Attorney advised the Municipal Code and State law do not provide or allow a conditional zone change.

In discussion, Council disagreed with changing the zoning since there is no specific plan for that property.

MOTION BY COUNCILMAN MECHAM, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to deny Zoning Amendment No. 85-12.

Upon recommendation of the Community Development Director, Council directed Staff to process an amendment to the General Plan to change the commercial designation to residential.

CONSENT CALENDAR

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

City Council Minutes

Minutes of 12-18-85. -- Approved as presented and reading in full thereof waived.

Planning Commission Minutes

Minutes of 12-17-85.

Community Design Commission Minutes

Minutes of 12-10-85.

Golf Course Committee Minutes

Minutes of 11-11-85.

Departmental Activities Report

Departmental Activities Report for month of December, 1985.

File No.: 100

Subject: Bid Award - Slurry Seal Various City Streets.

MOTION BY MAYOR LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to award bid to the low bidder, Doug Martin Contracting Co., in the amount of \$40,659.24 to slurry seal various City Streets, Project No. 16-85.

File No.: 105

Subject: Time Extension - Tentative Tract Map No. 10578.

MOTION BY MAYOR LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to concur with the Planning Commission's recommendation and grant Tentative Tract Map No. 10578 a one-year time extension from January 4, 1986 to January 4, 1987 subject to the original 15 conditions of approval (WSLA - Rancho San Clemente).

File No.: 105

Subject: Time Extension - Tentative Parcel Map 83-831.

MOTION BY MAYOR LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to concur with the Planning Commission's recommendation and grant Tentative Parcel Map 83-831 a one-year time extension from December 21, 1985 to December 21, 1986, subject to the 17 conditions of approval (Donald Churchill, 237 Ave. Miramar).

File No.: 49

Subject: Resolution No. 86-1 Appointing Precincts, Polling Places, and Workers.

MOTION BY MAYOR LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to adopt Resolution No. 86-1 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ESTABLISHING VOTING PRECINCTS AND APPOINTING ELECTION OFFICERS FOR THE SPECIAL MUNICIPAL ELECTION TO BE HELD IN SAID CITY ON TUESDAY THE 25TH DAY OF FEBRUARY, 1986.

File No.: 68

Subject: Joint South County Jail Committee Report.

MOTION BY MAYOR LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to agree with the Joint South County Jail Committee Report and authorize the Mayor to sign the cover letter to Supervisor Riley with copies to other members of the Board of Supervisors.

File No.: 110

Subject: Resolution No. 86-6 Extending Dates for North Beach Underground Utility District.

MOTION BY MAYOR LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to adopt Resolution No. 86-6 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING RESOLUTION NO. 2-85 EXTENDING DATES FOR UNDERGROUND UTILITY CONVERSION IN THE NORTH BEACH UNDERGROUND UTILITY DISTRICT NO. 20-84.

File No.: 89

Subject: Overhead Rate for Community Development Department.

Report from Community Development Director recommending setting a public hearing to consider the amendment of the present overhead rate of the Community Development Department,

MOTION BY MAYOR LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to set public hearing for 2-5-86 to consider adoption of a revised overhead rate for the Community Development Department based on the split rate method of 24.7% for Building, Planning and Engineering Divisions, and 2.01% for the Water & Sewer Divisions.

File No.: 105

Subject: Public Utility Easements - Tract 12125.

MOTION BY MAYOR LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to accept storm drain, sanitary sewer and water utilities easements for Tract 12125, Lot 17 granted by Lincoln Property Company to the City of San Clemente and authorize City Clerk to record said easements with the County Recorder.

File No.: 100

Subject: Resolution No. 86-7 Requesting OCUTT Funding for South Ola Vista Street Reconstruction.

MOTION BY MAYOR LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to adopt Resolution No. 86-7 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA REQUESTING THE COUNTY OF ORANGE TO CONSIDER SOUTH OLA VISTA RECONSTRUCTION FOR OCUTT FUNDING.

File No.: 42

Subject: Claim for Damages Filed by Jeff Rigby.

MOTION BY MAYOR LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 that based on insurance adjuster's recommendation, deny the claim of Jeff Rigby in the amount of \$7,500 for personal injuries and damages sustained as a result of a skateboard vs. bicycle accident.

File No.: 42

Subject: Claim for Damages Filed by Richard G. Ross.

MOTION BY MAYOR LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 that based on insurance adjuster's recommendation, deny the claim filed by Richard G. Ross on behalf of his son John R. Ross in the amount of \$1,012,000 for personal injuries as a result of a skateboard vs. automobile accident.

File No.: 87

Subject: Drainage Easements Adjacent to the San Diego Freeway.

MOTION BY MAYOR LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to accept two drainage easements near Avenidas Princesa and Del Presidente from the California Department of Transportation necessary for the maintenance of City sewer and storm drain lines. (Portions of Lots 10, 11, 12, 69 & 70 of Block 2, Tract 852).

File No.: 42

Subject: Claim for Damages Filed by Presidential Heights #1 Community Association.

MOTION BY MAYOR LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 that based on insurance adjuster's recommendation, deny claim for damages filed by Presidential Heights #1 Community Association in an unknown amount for injuries alleged to have been sustained by Rachel Southerland and others as a result of a coyote attack at the Presidential Heights Condominium Development.

CONSENT CALENDAR (Items removed for separate action)

File No.: 79

Subject: Resolution No. 86-4 and Resolution No. 86-5 Amending Maintenance Classifications and Compensation.

MOTION BY COUNCILMAN MECHAM, SECOND BY COUNCILMAN CARR, CARRIED 4-1 to adopt Resolution No. 86-4 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING RESOLUTION NO. 73-83 TO INCLUDE AND MODIFY VARIOUS CLASSIFICATIONS AS PART OF THE CITY POSITION CLASSIFICATION PLAN. Councilwoman Koester voted NOE.

MOTION BY COUNCILMAN MECHAM, SECOND BY COUNCILMAN CARR, CARRIED 4-1 to adopt Resolution No. 86-5 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING RESOLUTION NO. 92-83 AND ASSIGNING SALARY RANGES FOR VARIOUS MAINTENANCE POSITIONS IN THE CITY SERVICE. Councilwoman Koester voted NOE.

MOTION BY COUNCILMAN MECHAM, SECOND BY COUNCILMAN CARR, CARRIED 4-1 to transfer \$8,400 from the General Fund Contingency Reserve to the appropriate Parks Division salaries and benefits accounts for the purpose of funding additional costs associated with the implementation of the maintenance study.

File No.: 29.1

Subject: Community Design Commission Interviews and Appointment.

Report from City Clerk relating to scheduling interviews of applicants to fill a vacancy on the Community Design Commission for a term to expire 6-30-86.

MOTION BY COUNCILMAN CARR, SECOND BY COUNCILWOMAN KOESTER, CARRIED 4-1 to leave the position vacant until the interviews in June at which time terms of various Commissioners expire. Councilman Mecham voted NOE.

File No.: 53

Subject: Fireworks Display Purchase.

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN MECHAM, CARRIED 5-0 to accept San Diego Fireworks' proposal of \$6,950 for a 1986 fireworks display and authorize the Mayor to sign a contract for delivery of the fireworks on July 3, 1986.

File No.: 31

Subject: Proposed Plan Check and Inspection of Walls.

MOTION BY MAYOR LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to set a public hearing on February 5, 1986 to adopt a resolution authorizing the Building Division to plan check and inspect all walls based upon Uniform Building Code requirements and fees.

File No.: 68

Subject: 11th Year Community Development Block Grant Contracts (CDBG).

MOTION BY COUNCILMAN MECHAM, SECOND BY COUNCILMAN CARR, CARRIED 5-0 to approve the 11th year Community Development Block Grant Contracts (1985-86) for the following projects: Public Facilities & Improvements Avenida Del Mar \$40,000; Public Facilities & Improvements Calle Mirador \$60,000; Project Development \$10,000; and authorize execution by Mayor and City Clerk.

SPECIAL PRESENTATION

Mayor Limberg presented the City Plaque to Tom Coffin, outgoing Community Design Commissioner, who served on the Cultural Heritage Board from November 1981 and on the Community Design Commission until he resigned in January, 1986. Mr. Coffin thanked the members of the Community Development Department for their support.

PAYING OF THE BILLS

MOTION BY COUNCILMAN MECHAM, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 that Warrants No. 46795 through No. 47332 as audited by Council be paid.

Total demands approved for payment for period ending January 14, 1986 . . . . . \$1,425,822.32

Ratification of Payroll Warrant No. 46978 for period December 2, 1985 through December 15, 1985 . . . . . \$ 188,168.59

Ratification of Payroll Warrant No. 47003 for period December 16, 1985 through December 29, 1985 . . . . . \$ 172,426.49

TOTAL WARRANT REGISTER \$1,786,417.40

Recessed at 8:30 P.M. and reconvened at 8:40 P.M. with all present.

File No.: 27

Subject: Proposed Assessment District No. 85-1 - Wastewater Treatment Plant - Resolution No. 86-8 and 86-9.

Report from Community Development Director advising that a preliminary Engineer's Report has been prepared for a proposed assessment district, composed entirely and only of the backcountry ranchers property for the purpose of funding the expansion of the Wastewater Treatment Plant.

City Manager Hendrickson reviewed the administrative report outlining the process for forming an assessment district to fund the Wastewater Treatment Plant expansion; noted Council was provided the preliminary Engineer's Report.

William Stookey, Willdan Associates, reviewed the preliminary Engineer's Report for Assessment District No. 85-1, which outlines: the plans and specifications; cost estimates; the Assessment Roll which includes individual assessments, certificates, basis of benefit, the City's contribution, the method of assessment, and the apportionment; a diagram showing the assessment district boundaries; and a description of the work for the proposed improvements. This report is on file in the City Clerk's office.

The following persons spoke in opposition to the proposed assessment district: Phil Peter stated the plant expansion is too expensive and violates a voter initiative that mandated expansion rather than construction of a new plant; disagreed with considering land value in assessment computations; wants expansion at minimum cost. Norman J. Ream, President, San Clemente Taxpayers Association, stated it is costing \$17 million per MGD to expand the plant which is eight times the latest EPA figure; wants the plant brought up to capacity for \$10 million. Brian Day stated this is not an expansion but a rebuild.

The City Manager stated in December the City convened an unbiased objective value engineering panel of engineers from noted engineering firms, individuals who have had considerable experience with wastewater treatment plants. One of the key questions they were asked to consider was precisely the allegation Mr. Peter made that this is not an expansion but a complete rebuild. The panel's unanimous conclusion, which was well publicized, confirms it is an expansion and is in accordance with the ballot proposition.

In response to query from Council, Mr. Stookey stated the agreement alludes to the fact that the land is included; the current sewer connection fee is \$4800, and the assessment will be \$3,367.44; properties may be assessed only for public facilities that directly benefit them; assessment may not be placed upon one property for the benefit of another property; and the existing plant is not overloaded.

In response to Council query, Stan Wolcott, Bond Counsel for the proposed Assessment District, advised contribution of City funds is permissible; the assessment district will not take away property owners' rights; and outlined the public notification procedures required for this program.

MOTION BY COUNCILMAN MECHAM, SECOND BY COUNCILMAN DIEHL, CARRIED 4-1 to adopt Resolution No. 86-8 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE DECLARING ITS INTENTION TO ORDER THE CONSTRUCTION OF CERTAIN IMPROVEMENTS IN PROPOSED ASSESSMENT DISTRICT NO. 85-1. Councilwoman Koester voted NOE stating she did not think this action reflects the vote on Proposition "P".

MOTION BY COUNCILMAN MECHAM, SECOND BY COUNCILMAN DIEHL, CARRIED 4-1 to officially receive the report entitled "Amended Preliminary Engineer's Report - Municipal Improvement Act of 1913 - City of San Clemente for Assessment District No. 85-1 (Wastewater Treatment Facility)." Councilwoman Koester voted NOE.

MOTION BY COUNCILMAN MECHAM, SECOND BY COUNCILMAN DIEHL, CARRIED 4-0-1 to adopt Resolution No. 86-9 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE PRELIMINARILY ADOPTING, CONFIRMING AND APPROVING ENGINEER'S REPORT FOR PROPOSED ASSESSMENT DISTRICT NO. 85-1 AND APPOINTING TIME AND PLACE FOR HEARING PROTESTS TO PROPOSED IMPROVEMENTS and setting a public hearing for February 19, 1986. Councilwoman Koester "ABSTAINED".

Councilman Mecham left the meeting at 9:32 P.M.

#### ORAL COMMUNICATIONS

Marilyn Ditty, Executive Director, San Clemente Seniors, referred to the communication from Meadowland Limited which was sent to the City Council requesting reconsideration of Use Permit 85-30. Stated there is no appropriate, safe housing for the elderly in the City; urged Council to reconsider the application for the San Clemente Village Senior Housing Project; noted that HUD has advised this would be an ideal site for senior citizen housing; distributed letters from Seniors requesting consideration for senior housing.

Council advised action taken at the December 18, 1985 meeting "to deny Use Permit 85-30 without prejudice and waive filing fees for reapplication", was intended to allow for further processing of this project; recommended that the applicant contact Staff as soon as possible to get direction and proceed.

David Lang, architect for the project, stated the developer met with Planning Staff and did not feel direction was provided. Staff advised they have the necessary direction; there are some details yet to be resolved.

#### ITEMS FROM CITY MANAGER

- (1) The City Manager requested a closed session to discuss a personnel matter, and also pending litigation pursuant to Government Code Section 54956.9.
- (2) Status Report on Del Mar Beautification and Reconstruction Project.

The City Manager advised the project commenced January 6, 1986; staff has met with merchants, the Chamber of Commerce, the Downtown Business Association to discuss concerns which have been expressed.

The Assistant to the City Manager advised the two issues outstanding at this time are: (1) The merchants have requested changing the traffic pattern on Del Mar from two-way traffic to one-way traffic east to west, with one lane reserved for parking. Staff has determined that diagonal parking is not feasible; however, parallel parking could provide 30 spaces between El Camino Real and Ola Vista. There are some concerns relative to public safety, police and fire access, as well as liability for the contractor and the City. Additional costs and time would be imposed upon the contractor which would require a change order; and (2) the current plans are to have no alley access or curb cuts onto Del Mar. The merchants are asking a review of that portion of the reconstruction.

The City Manager advised closure of alleys can be considered at a later date; one-way traffic on Del Mar can be considered at the meeting of 1-19-86.



ITEMS FROM CITY ATTORNEY

The City Attorney advised a hearing will be held January 16 on the motion for court approval for the City to file a cross complaint against several of the homeowners who have sued the city re the Verde Canyon landslide case; the courts have granted approval to fill cross complaints in two other cases.

On the same date in Orange County Superior Court a hearing will be held on the suit filed by citizens who have challenged the City Council placing a measure on the ballot for the Special Municipal Election of February 25, 1986.

REPORTS

File No.: 105

Subject: Request for Reconsideration of Application for a One-Year Time Extension -Tentative Parcel Map 82-832.

Communication from Thomas J. O'Keefe, requesting reconsideration of application for a one-year time extension for completion of the conditions of approval to Tentative Parcel Map 82-832.

In response to query from Mayor Limberg, the City Attorney advised that Council's decision to deny a time extension of Tentative Parcel Map 82-832 in December was final, pursuant to the City's Subdivision Ordinance; thus Council has no jurisdiction to consider a request for reconsideration. The appropriate procedure for the applicant in this case would be to file a new application for a tentative parcel map and go through the necessary procedures..

Referencing Mr. O'Keefe's letter in which he questioned the basis for Council's action, the City Attorney stated that Council's decision was discretionary; there are no public hearing requirements on time extension for tentative maps, and no findings are required. Council's discretion is broad and there is no abuse of discretion as long as the action is not arbitrary, capricious, or discriminatory. The City Attorney stated, in his opinion, that Council had ample basis for not approving the time extension; there was no indication that the applicant made any effort to take the necessary steps to comply with the conditions of the tentative parcel map within the time set forth by law. Council action was not based upon any evidence regarding the alleged geologic stability of the slope as alluded to in Mr. O'Keefe's letter. The City Attorney recommended that Council receive and file the communication.

Thomas J. O'Keefe, applicant, requested a two-week continuance in order for a full Council to hear the matter. Mayor Limberg reiterated the City Attorney's ruling. MOTION BY MAYOR LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 4-0 to receive and file the communication.

RESOLUTIONS

For Resolution No. 86-1 see under "Consent Calendar" on page 5.  
 For Resolution No. 86-2 see under "Public Hearings" on page 2.  
 For Resolution No. 86-3 see under "Public Hearings" on page 2.  
 For Resolution No. 86-4 see under "Consent Calendar" on page 7.  
 For Resolution No. 86-5 see under "Consent Calendar" on page 7.  
 For Resolution No. 86-6 see under "Consent Calendar" on page 5.  
 For Resolution No. 86-7 see under "Consent Calendar" on page 6.  
 For Resolution No. 86-8 see under "New Business" on page 10.  
 For Resolution No. 86-9 see under "New Business" on page 10.

File No.: 112

Subject: Resolution No. 86-10 Denying Use Permit 85-30.

MOTION BY MAYOR LIMBERG, SECOND BY COUNCILMAN CARR, CARRIED 3-1 to adopt Resolution No. 86-10 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, DENYING USE PERMIT 85-30. Councilman Diehl voted NOE.

File No.: 52

Subject: Resolution No. 86-11 Establishing Certain Fee Schedules.

MOTION BY COUNCILMAN DIEHL, SECOND BY MAYOR LIMBERG, CARRIED 4-0 to adopt Resolution No. 86-11 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ESTABLISHING CERTAIN FEE SCHEDULES PURSUANT TO THE PROVISIONS OF SECTIONS 20-14, AND 20-17 OF CHAPTER 20, ARTICLE III OF THE CODE OF THE CITY OF SAN CLEMENTE, AND SECTION IX OF ORDINANCE NO. 920.

ORDINANCES

File No.: 52

Subject: Ordinance No. 920 Relating to the Disclosure of Hazardous Materials.

MOTION BY COUNCILMAN CARR, SECOND BY COUNCILMAN DIEHL, CARRIED 4-0 to adopt Ordinance No. 920 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA RELATING TO THE DISCLOSURE OF HAZARDOUS MATERIALS.

File No.: 75

Subject: Ordinance No. 921 Amending the City's Zoning Ordinance re Off-Site Parking.

MOTION BY COUNCILMAN CARR, SECOND BY MAYOR LIMBERG, CARRIED 4-0 to adopt Ordinance No. 921 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE AMENDING THE PROVISIONS OF THE CITY'S ZONING ORDINANCE RELATING TO OFF-SITE PARKING, JOINT USE OF PARKING FACILITIES, AND IN-LIEU CERTIFICATES FOR OFF-STREET PARKING.

MEETING RECESSED

MOTION BY COUNCILMAN CARR, SECOND BY COUNCILMAN DIEHL, CARRIED 4-0 to recess the City Council meeting and to convene a meeting of the Redevelopment Agency at 10:15 P.M.

MEETING RECONVENED

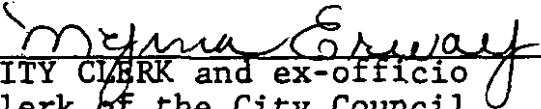
City Council meeting reconvened from Redevelopment Agency meeting at 10:16 P.M.


ADJOURNMENT TO CLOSED SESSION

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN CARR, CARRIED 4-0 to adjourn to Closed Session at 10:17 P.M. to confer with the City Manager pursuant to Government Code Section 54956.9 with Council members Carr, Diehl, Koester, and Limberg, the City Attorney, the City Manager, and Assistant to the City Manager present.

MEETING RECONVENED AND ADJOURNMENT

MOTION BY COUNCILMAN CARR, SECOND BY MAYOR LIMBERG, CARRIED 4-0 to adjourn the City Council meeting at 10:25 P.M. in memory of Don Hodgson to 1-29-86 at 7:00 P.M. at the Community Center.

  
 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 )

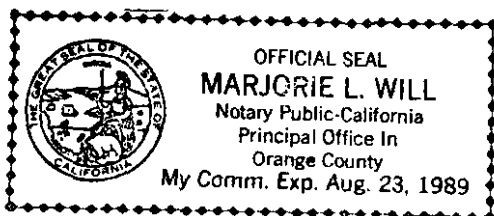
AFFIDAVIT OF POSTING  
ORDER OF ADJOURNMENT  
OF MEETING

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 January 15, 1986 , said meeting was ordered adjourned to the  
time and place specified in the Order of Adjournment ATTACHED  
HERETO: that on January 16, 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  
January 15, 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 16th day of January, 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, Wednesday, January 15, 1986, Mayor Robert D. Limberg presiding.

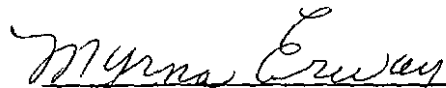
ROLL CALL


PRESENT: Council Members - CARR, DIEHL, KOESTER, MECHAN, AND LIMBERG  
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 CARR, SECOND BY MAYOR LIMBERG,  
AND UNANIMOUSLY CARRIED that the Council Meeting be adjourned at 10:25 P.M.  
to 7:00 P.M., January 29, 1986 at the Ole Hanson Room of the Community  
Center.

  
\_\_\_\_\_  
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 Jan. 15,  
1986 Council Minutes

Dated this 16th day of January, 1986

  
\_\_\_\_\_  
CITY CLERK, City of San Clemente