

CITY OF SAN CLEMENTECITY COUNCIL MINUTESADJOURNED MEETING - MARCH 4, 1986

An adjourned 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

ROLL CALL

PRESENT: Council Members - CARR, DIEHL, KOESTER, MECHAM
(arrived at 6:45 P.M.) AND
LIMBERG

ABSENT: Council Members - NONE

Staff Present: James B. Hendrickson, City Manager;
Myrna Erway, City Clerk; Selma Mann,
Assistant City Attorney; Harry Weinroth,
Community Development Director; and certain
other Staff members present.

ELECTION RESULTS

File No.: 49

Subject: Resolution No. 86-24 Reciting Results of
February 25, 1986 Special Municipal Election.

Report from City Clerk reporting the official results of the Special Municipal Election.

MOTION BY COUNCILMAN CARR, SECOND BY COUNCILMAN DIEHL, CARRIED 4-0 to adopt Resolution No. 86-24 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, RECITING THE FACT OF THE SPECIAL MUNICIPAL ELECTION HELD IN THE CITY ON FEBRUARY 25, 1986 DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW.

File No.: 5749

Subject: Ordinance No. 922 to Manage Growth.

Report from City Clerk presenting the initiative ordinance which received a majority vote at the Special Municipal Election conducted February 25, 1986.

MOTION BY COUNCILMAN CARR, SECOND BY COUNCILWOMAN KOESTER, CARRIED 4-0 to adopt Ordinance No. 922 entitled AN ORDINANCE OF THE CITY OF SAN CLEMENTE, CALIFORNIA TO MANAGE GROWTH OF THE CITY OF SAN CLEMENTE.

RESOLUTION NO. 86-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, RECITING THE FACT OF THE SPECIAL MUNICIPAL ELECTION HELD IN THE CITY ON FEBRUARY 25, 1986, DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW

WHEREAS, a special municipal election was held and conducted in the City of San Clemente, California, on Tuesday, February 25, 1986, as required by law; and

WHEREAS, notice of the election was duly and regularly given in time, form and manner as provided by law, that voting precincts were properly established; that election officers were appointed and that in all respects the election was held and conducted and the votes were cast, received and canvassed and the returns made and declared in time, form and manner as required by the provisions of the Elections Code of the State of California for the holding of elections in cities; and

WHEREAS, pursuant to Resolution No. 96-85 adopted November 20, 1985, the City Clerk canvassed the returns of the election and has certified the results to this City Council, the results are received, attached and made a part hereof as "Exhibit A."

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That the whole number of votes cast in the City except absent voter ballots was 6,745. That the whole number of absent voter ballots cast in the City was 728, making a total of 7,473 votes cast in the City.

SECTION 2. The measures voted upon at the election are as follows:

MEASURE A

Shall the Ordinance be adopted which: (1) prohibits new development unless adequate provision has been made for necessary public facilities and services; (2) stipulates a maximum density per acre for residential development in the backcountry area; and (3) prevents the creation of a new layer of government for the allocation of development permits.

MEASURE B

Shall the initiative ordinance be adopted which: (1) restricts growth to a maximum of 500 residential dwelling units per year; and (2) calls for the establishment of a Residential Development Evaluation Board to grade development applications and allocates the issuance of building permits based on (a) the availability of public facilities and services, and (b) the quality of design and contribution to public welfare and amenities.

SECTION 3. That the number of votes given at each precinct and the number of votes given in the City for and against the measures were as listed in Exhibit "A" attached.

SECTION 4. The City Council does declare and determine that as a result of the election, a majority of the voters voting on measures A and B did vote in favor of measure B, and that measure B was carried, and shall be deemed adopted and ratified.

SECTION 5. The City Clerk shall enter on the records of the City Council of the City, a statement of the results of the election, showing: (1) The whole number of votes cast in the City; (2) The measures voted upon; (3) The number of votes given at each precinct for and against each measure; (4) The number of votes given in the city for and against each measure.

ADOPTED this 4th day of March, 1986.

ATTEST:

Myrna Erway
CITY CLERK of the City of
San Clemente, California

[Signature]
MAYOR of the City of
San Clemente, California

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

I, MYRNA ERWAY, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. 86-24 was introduced and adopted at a regular meeting of the City Council of the City of San Clemente held on the 4th day of March, 1986, by the following vote:

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

Myrna Erway
CITY CLERK of the City of
San Clemente, California

Approved as to form:

/s/ Jeff Oderman
City Attorney

EXHIBIT "A"

I, Myrna Erway, City Clerk of the City of San Clemente, County of Orange, State of California, duly authorized by Resolution No. 96-85, adopted by the City Council on November 20, 1985, do certify that I have canvassed the returns of the special municipal election held in the City on February 25, 1986, and find that the number of votes given at each precinct and the number of votes given in the City for and against the measures were as follows:

CONSOLIDATED PRECINCT NO.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	ABSEN- TEE	TOTAL
REG. VOTERS	1294	971	998	1090	1023	822	878	896	1026	1051	866	1028	980	922	938	570	1041	1002		17,396
NUMBER VOTED	456	505	362	494	446	345	375	375	417	472	345	319	242	236	280	272	450	354	728	7,473
% TURNOUT	35%	52%	36%	45%	43%	41%	42%	41%	40%	44%	39%	31%	24%	25%	29%	47%	43%	35%	---	43%
MEASURE "A"																				
YES	191	199	105	174	176	131	124	136	186	170	116	125	114	101	98	104	203	147	335	2,935
NO	240	262	239	286	242	192	204	211	209	271	205	166	111	114	163	153	213	163	354	3,998
MEASURE "B"																				
YES	249	289	249	299	259	200	225	220	230	280	214	183	112	118	173	159	227	184	390	4,260
NO	185	180	98	173	162	124	127	132	178	168	118	122	121	104	89	105	189	148	311	2,834

File No.: 31

Subject: Ordinance No. 923 Restricting Issuance of Building Permits.

Report from Community Development Director regarding considering adoption of an Urgency Ordinance prohibiting the issuance of residential building permits between March 5 and March 27 until the Growth Management Ordinance goes into effect.

Councilman Mecham arrived at 6:45 P.M.

In response to Council questions regarding the interpretation and administration of the Ordinance to Manage Growth, the Assistant City Attorney advised the City Attorney's office is presently studying the ordinance and preparing a full report. The City Manager advised this report clarifying the interpretations will be presented to Council at the March 19 Council meeting. In response to query from Councilman Diehl, Staff advised all building permits for residential developments in excess of four units will be subject to review.

MOTION BY COUNCILMAN MECHAM, SECOND BY COUNCILWOMAN KOESTER to approve and waive reading in full of Ordinance No. 923 entitled AN URGENCY INTERIM ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, RESTRICTING THE ISSUANCE OF CERTAIN RESIDENTIAL BUILDING PERMITS PENDING THE EFFECTIVE DATE OF ORDINANCE NO. 922.

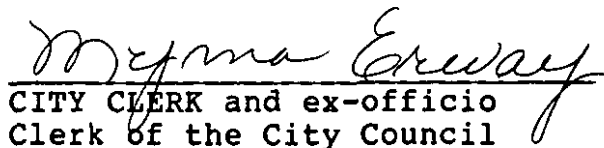
MOTION BY COUNCILMAN CARR, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 for a 5-minute recess at 6:50 P.M. to discuss with the Assistant City Attorney a potential conflict of interest.

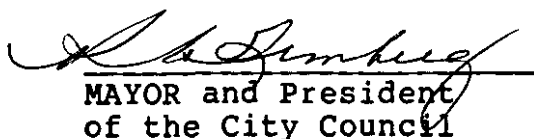
Meeting reconvened at 7:05 P.M. and Councilman Carr stated for the record that it was not due to any backcountry development.

The Motion to adopt Ordinance No. 923 carried 5-0.

ADJOURNMENT

MOTION BY MAYOR LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 that the Council meeting be adjourned at 7:07 P.M.


CITY CLERK and ex-officio
Clerk of the City Council


MAYOR and President
of the City Council