

CITY OF SAN CLEMENTE

CITY COUNCIL MINUTES

REGULAR MEETING - MAY 7, 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; Edward T. Putz, City Engineer; and certain other Staff members present in the audience.

SPECIAL PRESENTATION

Donald McIver, president of the Sister City Association of San Clemente Del Tuyu, presented letters from the Association to the Mayor and City Manager.

Mayor Mecham presented a pin and booklet on San Clemente to Donald McIver. He then presented a City pin and fire hat to Walter Calaverie, the 15-year old Argentine youth who will undergo foot surgery at the Shriner's Hospital.

Mayor Mecham presented a plaque to Councilman Limberg as outgoing Mayor.

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

PUBLIC HEARINGS

File No.: 99

Subject: Sign Exception 86-01, Texaco - 530 Ave. Pico.

Continued Public Hearing to consider a request under the provisions of Chapter 28 of the City Code, Signs and Advertising, to vary from the maximum amount of height of signage allowed. The legal description is Lots 10 and 11 of Tract 899. This matter was called up for review by the City Council.

Staff responded to query from Council relative to the amortization period for the sign. The City Attorney advised the new legislation will not affect the City's sign amortization since it only affects offsite signage. Stated if legislation is passed authorizing freeway logo signs, the City cannot require immediate removal. Another ordinance will be required providing for an amortization period. Stated a condition should be added addressing this matter.

Mayor Mecham opened public hearing. Ralph Parsons, representing the applicant, noted Texaco has instituted a new sign program nationwide reducing the larger signs. Requested allowing the new sign to remain a minimum of two years due to the cost for the sign, landscaping, etc.

Mayor Mecham closed public hearing.

MOTION BY COUNCILMAN LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to adopt Resolution No. 86-33 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA APPROVING SIGN EXCEPTION 86-01 - TEXACO, 530 AVE. PICO subject to the additional condition that the sign be allowed to remain two years, as requested by the applicant.

File No.: 78

Subject: Encroachment 84-01 - Harry Oxley, 513 Ave. Victoria.

Public Hearing to consider Encroachment 84-01, a request by Harry Oxley, 513 Avenida Victoria, under the provisions of the Municipal Code, to allow an existing retaining wall of approximately 30 inches in height to encroach into the public right-of-way approximately five and one-half feet. The legal description is Lots 8 and 9, Block 3, Tract 785.

Mayor Mecham opened public hearing. Lee Riley, representing the applicant, stated they agreed with staff recommendation; requested deletion of Planning Commission Condition No. 2 regarding the height of the wall.

Council questioned Mr. Riley on when the wall was constructed and if another use was proposed for the project.

Mayor Mecham closed public hearing. Council questioned why this issue was not addressed previously; was advised the applicant was requested to either remove the wall or get a permit at the time it was being constructed in 1983-84; one of the conditions of the final parcel map was to get an encroachment permit.

MOTION BY MAYOR MECHAM, SECOND BY COUNCILWOMAN KOESTER to deny Encroachment Permit 84-01. Mayor Mecham stated people should not be rewarded for improper actions--enforcement is needed. Councilman Carr questioned the width of sidewalk which would be required. Councilman Diehl questioned and was advised there are other encroachments; disagreed with the motion if others are not required to make the necessary changes.

The MOTION CARRIED 4-1 with Councilman Diehl voting NOE.

File No.: 117

Subject: Zoning Amendment No. 85-09 - San Clemente Retail Plaza - 642 Camino de Los Mares.

Public Hearing to consider a request by San Clemente Retail Plaza under the provisions of Sections 4.9 and 5.47 of the Zoning Ordinance to construct a mixed-use development incorporating retail, office, restaurant and movie theater uses in the C-2 (General Commercial) zone with joint use parking facilities, 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. Consideration of negative declaration prepared for the project.

MOTION BY COUNCILMAN LIMBERG, SECOND BY COUNCILMAN CARR, CARRIED 5-0 to continue the public hearing to the 5-21-86 Council meeting and that Use Permit 85-29 be called up for review in conjunction with the matter.

Gary Nogle, architect, presented a slide show of the proposed complex. Elevation drawings depicted in the slides indicated that the rooftops of the retail plaza will not block any ocean views.

File No.: 105

Subject: Tentative Tract Map 10478 - Southridge Homes.

Public Hearing to consider a request to subdivide approximately 1.96 acres into a single condominium lot in order to construct 20 detached condominium units within an R-2 Zoning District. The project is located on the south side of Del Gado Road approximately 266 feet east of its intersection with Camino Capistrano. The legal description is Portions of Lots 70, 71, 72, and 73, Tract 1127. Consideration of negative declaration prepared for the project.

Mayor Mecham opened public hearing. Duf Sfreddo, the applicant, displayed a sketch of the project; initially proposed a wood fence; the fence bordering the church property and common areas will be replaced by a block wall, as recommended by the Planning Commission; described the different elevations, floor plans, and use of tile roof arches, stucco walls and ceramic tile insets to enhance the City's Spanish Village image.

Supporting Testimony:

Rev. Paul Uhlar, representing Christ Lutheran Church, requested a 5-foot block wall to separate the project from the church.

Opposing Testimony:

Richard Liziaw opposed 20 units due to density, traffic and safety relating to the school; would not oppose 9 units.

A. G. Kaning inquired and was advised each unit has a two-car garage; noted the ingress and egress on Del Gado Road is inadequate and problems with street drainage; recommended mitigating the fees to reduce the density of the project to make it economically viable; requested block walls, maintaining the spanish mode and analyzing the impact of this project on the area if approved.

John and Emma Bruckner opposed the density, number of units, noise, and wood fence; questioned if the project will be compatible; recommended less units; felt the proposed density could make their property difficult to sell. Dareld Swann expressed concern for the density, preferring 9 units rather than 20; prefers block walls. D. F. Cooper opposed a 20-unit project; stated numerous car accidents occur on the street; the speed limit is excessive; prefers 9 units.

Scott Jones concurred with the concerns stated.

Gene Roperson voiced concern for the traffic on Del Gado Road. Barbara Metcalf, Vista Pacifica Homeowners Association Secretary, representing 54 homeowners with property adjacent to this proposed development, objected to the density.

Rebuttal Testimony

Mr. Sfreddo stated ample parking is planned, with 13 parking spaces for guests; the wood fence would not be redwood.

Mayor Mecham closed public hearing. Council questioned Staff on the density, traffic impact, and street improvements.

MOTION BY COUNCILMAN CARR, SECOND BY COUNCILMAN LIMBERG, CARRIED 5-0 to continue the matter under unfinished business to the 5-21-86 meeting for further consideration of the density, the condition of Del Gado and improvements.

Recessed at 8:50 P.M. and reconvened at 9:00 P.M. with all present.

CONSENT CALENDAR

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

City Council Minutes

Minutes of 4-16-86.

Community Design Commission Minutes

Minutes of 4-8-86.

Parks & Recreation Commission Minutes

Minutes of 4-8-86.

Golf Course Committee Minutes

Minutes of 3-10-86.

File No.: 77

Subject: Renaming San Gorgonio Park.

MOTION BY COUNCILMAN LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 that since the Parks & Recreation Commission did not express strong feelings as to renaming San Gorgonio Park, but preferred to save it for a special purpose, concur with the staff recommendation that the park be known as San Gorgonio Park.

File No.: 58

Subject: Municipal Golf Course Curb & Gutter Improvements. Project No. 6-85.

MOTION BY COUNCILMAN LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to approve plans and specifications for the Municipal Golf Course Curb and Gutter Improvement Project No. 6-85 to install curb and gutter on Avenida Magdalena, Avenida Santa Margarita and Los Bautismos Lane, and authorize Staff to advertise for bids.

File No.: 97

Subject: Camino Capistrano Storm Drain Project No. 13-85.

MOTION BY COUNCILMAN LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to approve plans and specifications for the Camino Capistrano Storm Drain Project No. 13-85, and authorize proceeding with the advertisement of bids for the construction of the storm drain.

File No.: 44

Subject: Pier Bait/Tackle Shop Lease.

MOTION BY COUNCILMAN LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to approve amendment to and extension of lease by and between the City of San Clemente and Harlo Gene Burke, lessee of the bait and tackle shop on the San Clemente Municipal Pier, to be effective May 8, 1986 to September 15, 1991, and authorize execution by Mayor and City Clerk (Concession No. 2).

File No.: 42

Subject: Claim for Damages Filed by Mary Jane Coe.

MOTION BY COUNCILMAN LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 that based on insurance adjuster's recommendation, deny the claim for damages filed by Mary Jane Coe in the amount of \$200,000 plus all medical expenses.

File No.: 42

Subject: Claim for Damages Filed by Damian Robert Ford.

MOTION BY COUNCILMAN LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 that based on insurance adjuster's recommendation deny the claim for damages filed by Damian Robert Ford in the amount of \$3,000,000.

File No.: 42

Subject: Claim for Damages Filed by Kari A. Striker.

MOTION BY COUNCILMAN LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 that based on insurance adjuster's recommendation, deny the claim for damages filed by Kari A. Striker in the amount of \$180,000.

File No.: 113

Subject: Avenidas Salvador & San Juan Pressure Reducing Stations, Project No. 10-84.

MOTION BY COUNCILMAN LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to approve the final plans and specifications for Project No. 10-84, Salvador and San Juan Pressure Reducing Stations; and authorize the City Engineer to advertise for bids.

File No.: 105

Subject: Resolution No. 86-40 - Accept Work/Bond Release Tracts 10685 and 10862.

MOTION BY COUNCILMAN LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to adopt Resolution No. 86-40 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ACCEPTING FROM THE LUSK COMPANY ALL WORKS OF IMPROVEMENT IN TRACTS 10685 AND 10862 AND PROVIDING FOR RELEASE OF BONDS AS PROVIDED BY LAW.

File No.: 79.2

Subject: Resolution No. 86-41 - Nonsafety Employees Retirement Plan.

MOTION BY COUNCILMAN LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to adopt Resolution No. 86-41 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE AMENDING SECTION 3.4 AND ALL OTHER APPLICABLE SECTIONS OF THE CITY OF SAN CLEMENTE NONSAFETY EMPLOYEES RETIREMENT PLAN TO PROVIDE FOR POST-AGE 65 EMPLOYEE PARTICIPATION IN THE CITY'S NONSAFETY RETIREMENT PLAN.

File No.: 105

Subject: Tract 12283 - Directional Signs for "Villagio" Development.

MOTION BY COUNCILMAN LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to approve the four (4) directional signs to be placed on four existing sign poles subject to the following conditions: (1) The four proposed signs shall be attached to existing sign poles. (2) No additional poles shall be installed. (3) The four signs shall be removed by the applicant as soon as the development is sold out.

File No.: 100

Subject: Notice of Completion - So. El Camino Real Street Reconstruction.

MOTION BY COUNCILMAN LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to accept the work and authorize the City Clerk to file a Notice of Completion for the So. El Camino Real Street Reconstruction Project No. 21-83, Griffith Company, Contract No. 487.

CONSENT CALENDAR (Items removed for separate action)

Planning Commission Minutes

MOTION BY COUNCILMAN LIMBERG, SECOND BY COUNCILMAN CARR, CARRIED 5-0 to call Use Permit 85-29 up for review and to approve the balance of the Planning Commission Minutes of 4-15-86.

File No.: 105

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

Councilman Carr questioned if a condition of approval can be legally added to a time extension request for a tract map. The City Attorney advised State law prohibits the City from unilaterally adding conditions of approval to an approved tentative tract map; however, the applicant could make an offer of the improvements along Los Mares with the understanding that the City Council has the power to deny the time extension request.

MOTION BY COUNCILMAN CARR, SECOND BY COUNCILWOMAN KOESTER, CARRIED 5-0 to continue the matter to the meeting of May 21, 1986.

File No.: 117

Subject: Notice of Completion for Site Preparation Work for Casa de Seniors Project (G11.1)

Councilman Carr questioned the City filing a Notice of Completion since it is not the permittee on this project. Staff advised the City is responsible for receiving Federal funding; this action should terminate the City's responsibility for the project.

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN MECHAM, CARRIED 5-0 to accept the site preparation work on the Casa de Seniors property, 105 Avenida Presidio, and authorize the City Clerk to file a Notice of Completion for site preparation.

File No.: 62

Subject: Support of June Ballot Propositions.

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN CARR, CARRIED 4-0-1 with Councilwoman Koester ABSTAINING to adopt the following resolutions:

Resolution No. 86-36 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, SUPPORTING PROPOSITION NUMBER 46: RESTORATION OF GENERAL OBLIGATION BOND AUTHORITY TO THE VOTERS.

Resolution No. 86-37 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, SUPPORTING PROPOSITION NUMBER 47: GUARANTEEING THE VEHICLE LICENSE FEE AS A LOCAL GOVERNMENT REVENUE SOURCE.

Resolution No. 86-38 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, SUPPORTING PROPOSITION NUMBER 49: NONPARTISAN ELECTIONS.

Resolution No. 86-39 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, SUPPORTING PROPOSITION NUMBER 51: THE FAIR RESPONSIBILITY ACT OF 1986.

File No.: 27

Subject: Assessment District 85-1 - Modification of Assessment Engineer's Contract (Wastewater Treatment Plant Expansion).

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN LIMBERG CARRIED 4-1 to authorize an addition to the Assessment District Services Contract No. 449 dated December 19, 1984 with Willdan Associates in the amount of \$10,000 for assessment engineering and \$100,000 for project coordination. Councilwoman Koester voted NOE.

File No.: 65.1

Subject: Street Lighting & Landscaping District No. 1 - FY 1986-87.

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN LIMBERG, CARRIED 3-2, with Councilmembers Carr and Koester voting NOE, to:

(1) Adopt Resolution No. 86-42 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ORDERING THE PREPARATION OF PLANS AND SPECIFICATIONS, COST ESTIMATE, DIAGRAM, ASSESSMENT AND REPORT PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2 OF THE STREET AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, FOR PROCEEDINGS FOR ANNUAL ASSESSMENT LEVY AFTER FORMATION OF A DISTRICT.

(2) Adopt Resolution No. 86-43 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING THE ENGINEER'S "REPORT" FOR ANNUAL LEVY OF ASSESSMENT FOR FISCAL YEAR IN A DISTRICT WITHIN SAID CITY.

(3) Set a public hearing for 6-4-86 relative to establishing the assessment for the Lighting and Landscaping District for FY 1986-87.

(4) Adopt Resolution No. 86-44 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR CERTAIN MAINTENANCE IN SAID DISTRICT, PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2 OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR PUBLIC HEARING THEREON.

WARRANT REGISTER

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILWOMAN KOESTER, CARRIED 5-0 to approve: Warrant No.s 49152 through 49276 for April 18, 1986 in the amount of \$451,391.88; Warrant No.s 49278 through 49485 for April 25, 1986 in the amount of \$295,042.37; Warrant No.s 49277 and 49486 through 49651 for May 2, 1986 in the amount of \$257,881.30; and Payroll Warrant No. 49301 for 4-7-86 through 4-20-86 in the amount of \$185,012.72, for a total warrant register of \$1,189,328.27.

UNFINISHED BUSINESS

File No.: 20

Subject: Nuisance Abatement - 717 Avenida Columbo.

Report from Community Development Director recommending abatement of the public nuisance at 717 Avenida Columbo.

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN LIMBERG, CARRIED 5-0 to direct the City Manager to cause the public nuisance at 717 Avenida Columbo to be abated by private contract, authorize City staff and others involved in the abatement to enter the premises, and appropriate \$20,000 from the unappropriated fund balance of the General Fund to Account No. 001-411-43890, Other Contractual Services, to pay the cost of the abatement.

File No.: 27

Subject: Assessment District 85-1 - Wastewater Treatment Plant Expansion, Improvement Bond Act of 1915.

Report from Community Development Director relative to Assessment District 85-1.

MOTION BY COUNCILMAN DIEHL, SECOND BY MAYOR MECHAM, CARRIED 4-1 with Councilwoman Koester voting NOE to:

(1) Accept property owner's waiver of 30 day payment period and the list of unpaid assessments for Assessment District 85-1 from the City Clerk.

(2) Adopt Resolution No. 86-45 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, DETERMINING THE UNPAID ASSESSMENTS FOR ASSESSMENT DISTRICT 85-1 AND ESTABLISH A MANNER IN WHICH TO PROVIDE FOR THE PAYMENT THEREOF.

(3) Adopt Resolution No. 86-46 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ISSUING BONDS UNDER THE IMPROVEMENT BOND ACT OF 1915 FOR ASSESSMENT DISTRICT 85-1.

MOTION BY COUNCILMAN LIMBERG, SECOND BY COUNCILMAN DIEHL, CARRIED 4-1 to direct Staff to continue with the court validation action prior to the sale of any bonds. Councilwoman Koester voted NOE.

File No.: 77

Subject: Max Berg Plaza Park.

Report from Public Services Director recommending that the Max Berg Plaza Park project be referred back to Staff.

MOTION BY COUNCILMAN CARR, SECOND BY COUNCILMAN DIEHL to refer the Max Berg Plaza Park project back to Staff to resolve controlling traffic around the park, with Staff input to be provided to the Parks and Recreation Commission prior to presentation to Council.

Mayor Mecham recommended a solution for Staff to consider. Councilman Limberg disagreed with proceeding with the project; stated the proposed modifications are out of proportion since only one complaint has been received.

The MOTION CARRIED 3-2 with Councilmembers Koester and Limberg voting NOE.

Councilman Diehl recommended agendizing this item in July. Mayor Mecham requested that this matter be agendized in four weeks if possible.

File No.: 29

Subject: Commission/Committee Vacancies.

Report from City Clerk recommending a separate meeting date to interview candidates to fill Commission/Committee vacancies which expire June 30, 1986, and requesting a determination on whether the Community Design Commission should consist of five or seven members.

MOTION BY COUNCILMAN CARR, SECOND BY COUNCILWOMAN KOESTER to set June 25 to interview applicants to serve two-year terms on the following Commissions and Committee: Planning Commission - 3 vacancies; Community Design Commission - 2 vacancies; Parks & Recreation Commission - 3 vacancies; Golf Course Committee - 2 vacancies. Applications are to be accepted through June 18.

Following discussion, SUBSTITUTE MOTION BY COUNCILMAN LIMBERG, SECOND BY COUNCILMAN DIEHL that the Community Design Commission is to remain at seven members; set June 25 to interview applicants to serve two-year terms on the following Commissions and Committee: Planning Commission - 3 vacancies; Community Design Commission - 5 vacancies; Parks & Recreation Commission - 3 vacancies; Golf Course Committee - 2 vacancies. Applications are to be accepted through June 18.

In discussion Councilman Carr questioned the need for seven members on the Community Design Commission since the other Commissions and Committee consist of five members.

The MOTION CARRIED 3-2 with Councilmembers Carr and Koester voting NOE.

Councilman Carr requested that Council be provided with the attendance records for the incumbents at the June 25 meeting.

ORAL COMMUNICATIONS

David Ewing made a request regarding the use of City property at 122 Avenida Granada, and was advised to submit a written request to the City Manager.

ITEMS FROM CITY MANAGER

File No.: 30

Subject: Budget Hearings - FY 1986-87 Proposed Budget.

Presentation of Fiscal Year 1986-87 Budget.

MOTION BY COUNCILMAN CARR, SECOND BY COUNCILMAN DIEHL, CARRIED 5-0 to accept the schedule of dates and times for budget hearings as presented by the City Manager.

The City Manager requested a closed session to discuss personnel and pending litigation pursuant to Government Code Section 54956.9 (S.C. Police Officers Assoc. vs. City.).

ITEMS FROM CITY ATTORNEY

The City Attorney requested a closed session to discuss pending litigation pursuant to Government Code Section 54956.9 (City of San Clemente v. Patrick A. Burke).

ITEMS FROM COUNCIL MEMBERS

Councilwoman Koester commended Staff on the work on the South El Camino Real reconstruction.

Councilman Carr expressed concern that the project located at 2809 S. El Camino Real has never been completed. Staff advised this matter will soon be going to the City Manager.

Councilman Limberg expressed concern for the excessive skateboarding on City streets and was advised the City Attorney is preparing an Ordinance prohibiting skateboarding on public streets.

Mayor Mecham :

- (1) Expressed regret that the City Engineer is leaving the the City and expressed appreciation for Ed Putz's services.
- (2) Announced that reconstruction work will begin on South Ola Vista between Del Mar and Calafia in late August.

RESOLUTIONS

For Resolution No. 86-33 see under "Public Hearings" on page 2.

File No.: 75

Subject: Resolution No. 86-35 Allowing Parallel Parking on Both Sides of Avenida Presidio on an Interim Basis.

MOTION BY COUNCILMAN CARR, SECOND BY COUNCILMAN DIEHL, CARRIED 4-1 to adopt Resolution No. 86-35 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ALLOWING PARALLEL PARKING ON BOTH SIDES OF AVENIDA PRESIDIO ADJACENT TO THE SAN CLEMENTE HIGH SCHOOL ON AN INTERIM BASIS UNTIL THE END OF THE SCHOOL YEAR. Councilwoman Koester voted NOE.

For Resolution No. 86-36 see under "Consent Calendar" (items removed for separate action) on page 8.
 For Resolution No. 86-37 see under "Consent Calendar" (items removed for separate action) on page 8.
 For Resolution No. 86-38 see under "Consent Calendar" (items removed for separate action) on page 8.
 For Resolution No. 86-39 see under "Consent Calendar" (items removed for separate action) on page 8.
 For Resolution No. 86-40 see under "Consent Calendar" on page 6.
 For Resolution No. 86-41 see under "Consent Calendar" on page 7.
 For Resolution No. 86-42 see under "Consent Calendar" (items removed for separate action) on page 9.
 For Resolution No. 86-43 see under "Consent Calendar" (items removed for separate action) on page 9.
 For Resolution No. 86-44 see under "Consent Calendar" (items removed for separate action) on page 9.
 For Resolution No. 86-45 see under "Unfinished Business" on page 10.
 For Resolution No. 86-46 see under "Unfinished Business" on page 10.

File No.: 77

Subject: Resolution No. 86-47 Expressing Support of the Beach Erosion Action Committee.

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN CARR, CARRIED 5-0 to adopt Resolution No. 86-47 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, EXPRESSING SUPPORT OF THE BEACH EROSION ACTION COMMITTEE'S EFFORT TO RESOLVE SHORELINE EROSION PROBLEMS WITHIN THE OCEANSIDE LITTORAL CELL.

ORDINANCES

File No.: 117

Subject: Ordinance No. 926 Approving Zoning Amendment
No. 86-02 - Senior Citizens Housing Overlay
District.

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN LIMBERG, CARRIED 4-1 to introduce Ordinance No. 926 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING ORDINANCE NO. 794, THE SAN CLEMENTE ZONING ORDINANCE RELATING TO THE SENIOR CITIZENS HOUSING OVERLAY DISTRICT. Councilwoman Koester voted NOE.

MEETING RECESSED

MOTION BY COUNCILMAN CARR, SECOND BY COUNCILMAN LIMBERG, CARRIED 5-0 to recess the City Council meeting and to convene a meeting of the Redevelopment Agency at 9:55 P.M.

MEETING RECONVENED

The City Council meeting reconvened from the Redevelopment Agency meeting at 9:56 P.M.

ADJOURNMENT TO CLOSED SESSION

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILMAN LIMBERG, CARRIED 5-0 to adjourn to Closed Session at 9:57 P.M. to confer with the City Manager, City Attorney, Assistant to the City Manager, Public Services Director, and Golf Course Superintendent.

MEETING RECONVENED

The regular meeting reconvened at 10:30 P.M. with all members present.

File No.: 44

Subject: Golf Course Restaurant Lease.

Report from Public Services Director recommending the assignment of the golf course restaurant lease to the Sinks.

MOTION BY COUNCILMAN DIEHL, SECOND BY COUNCILWOMAN KOESTER, CARRIED 3-2 to approve the transfer of the Golf Course restaurant lease from Patrick Burke to Christina and Christopher Sink for the unexpired term of the present lease, effective May 8, 1986 to expire August 1, 1989, and authorize execution by Mayor and City Clerk. Councilman Carr and Mayor Mecham voted NOE.

The City Attorney announced the City Council approved assignment of the lease to the Sinks and dismissal without prejudice of the unlawful detainer action; that Mr. Burke has agreed to come current on any rent due and owing, to provide evidence of payment of the disputed electrical and repair bills, to vacate the premises and turn the restaurant over to the Sinks, and to pay \$500.00 in attorneys' fees for the City as required by the lease; approved the reduction of the insurance liability limits from \$1,000,000 per occurrence to \$500,000 per occurrence.

ADJOURNMENT

MOTION BY COUNCILMAN CARR, SECOND BY COUNCILMAN LIMBERG, CARRIED 5-0 to adjourn at 10:35 P.M.

The next regular meeting will be held May 21, 1986 at 7:00 P.M.

CITY CLERK and ex-officio
Clerk of the City Council

MAYOR and President
of the City Council