

Regular meeting of the City Council of the City of San Clemente, California, Council Chambers, Civic Center Building, 100 Avenida Presidio, Wednesday, August 1, 1984, at 7:00 P.M., Mayor Kenneth E. Carr presiding.

PLEDGE OF ALLEGIANCE AND INVOCATION

Pledge of Allegiance to the Flag of the United States of America was led by Mayor Carr. Invocation was given by Mayor Carr.

ROLL CALL

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

ABSENT: Council Members - LIMBERG

Also Present: Gary Brown, Interim City Manager; Max L. Berg, City Clerk; Jeff Oderman, City Attorney; Harry Weinroth, Community Development Director; Edward Putz, City Engineer; Marjorie L. Will, Deputy City Clerk; and certain other Staff members present in the audience.

SPECIAL BUSINESS

Mayor Carr presented a proclamation to Jan Peverill, founder and owner of Introductions Unlimited, noting her involvement with the ABC Elmer Dills show on July 5 and 6, 1984, highlighting San Clemente as a "getaway vacation"; and that on behalf of the City Council publicly commending Jan Peverill for outstanding service to her community and proclaiming Wednesday, August 1, 1984, as a day of "Special Appreciation to Jan Peverill".

PUBLIC HEARINGS

Subject: 20 - Resolution No. 74-84 Declaring the Existence of a Public Nuisance in Verde Canyon Area.

IN RE: Public Hearing to determine whether a public nuisance exists in the Verde Canyon area of the City.

Dr. Dan Kincheloe addressed the Council noting that it is the duty of the City to mitigate the damages; that he represents a conglomerate that has put together a solution to the slide problem and have developed a process that will solve the matter permanently and only at 20% cost to the City; that some of the processes are subject to patent; that the homeowners are interested in saving their homes and want to stay right where they are; that the process they have developed can not only save their homes but they can be put back on a more stable soil foundation than when originally built. He then displayed an artist's rendering of the process and described the method stating they would do a test program out of their own pocket; and that it would cost \$25,000 per home for restoration. The Mayor suggested that Dr. Kincheloe contact Staff and submit more information on the process.

There being no one else desiring to be heard, the public hearing was closed and the City Attorney noted for the record that the nine submitted photographs of the three homes and Verde Canyon slide area are considered part of the evidence and for the record.

During Council and Staff discussions, Councilwoman Koester noted she had problems during closed sessions as to the best course of action; that nothing was done by Council or the City from the time this happened until today; that she was concerned that any large scale activity in the area could cause greater damage to the canyon and threaten other homes; that she finds it difficult to go along with this because we could cause more damage; and questioned if there is any way Staff can assure her there will be no further degradation if we go in there.

The City Attorney replied that there is always some risk involved whenever work is done in a slide area; that the City's geotechnical consultants advised that the work proposed to be accomplished is necessary and the first step toward complete abatement of the problem involving stability of that slope; that while there is no guarantee some additional damage may not occur it is a prudent course to go ahead and do this work in order to mitigate damages that might otherwise occur; that there are risks on both sides; and most likely that if you do not do anything the damage will get worse.

In response to query from Councilwoman Koester as to what has changed to now decide to abate the nuisance, the City Attorney replied that the physical conditions have not changed; that there has been activity over the past 7 months in an effort to accomplish this work; that during that period of time the City attempted to work out some kind of cooperative solution--first attempting to work out a solution with the homeowners and their attorney which was unsuccessful; that we also attempted to work out a solution with the insurance company representing the homeowners who indicated initially they were prepared to fund the cost of the abatement and then later backed out on their preliminary commitment so the City was unable to do it in that manner; and only recently presented with position where the City will go ahead and unilaterally take action.

Councilwoman Koester referred to two other landslides in the City in which nothing was done and questioned whether the City should spend taxpayers money for private gain, and although beneficial to the whole City, would we not set a precedent by going in to clean up an area on private property. The City Attorney advised that it would be a citywide benefit, that it definitely is a public benefit any time there is abatement of a public nuisance; that the City has the authority and that there is no kind of legal or binding precedence since each circumstance has to be considered on its own particular set of facts; that this is a most unusual situation in that for most instances the property on which the nuisance abatement occurs itself benefits from the abatement in that the property has some value before the abatement and is increased after; and that in this case the three residential properties have no value to anybody and are a liability at this point and time.

Councilman Diehl noted that this is a public health problem with life threatening aspects; that the liability issues will have to be settled through the courts; that we have tried to work with the property owners through their attorney and have been unsuccessful and it is time to "fish or cut bait"; and that the other slides in the City are somewhat different and not as pressing.

Mayor Carr also commented that this is not a precedent setting matter for any other event that may happen in the future and that each individual case must be considered on its own merit.

Upon motion of Councilman Diehl, seconded by Councilman Mecham, and carried, RESOLUTION NO. 74-84, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE DECLARING THE EXISTENCE OF A PUBLIC NUISANCE IN THE VERDE CANYON AREA OF THE CITY AND DIRECTING THE ABATEMENT THEREOF, was regularly introduced, passed, and adopted. Councilwoman Koester voted "NO".

#### CONSENT CALENDAR

UPON MOTION OF COUNCILMAN DIEHL, SECONDED BY COUNCILMAN MECHAM, AND UNANIMOUSLY CARRIED, the following Consent Calendar items were approved, each as indicated below.

#### City Council Minutes

Minutes of 7-18-84 (adjourned) and 7-18-84 (regular). -- Approved as presented, and reading in full thereof waived.

#### Design Review Committee Minutes

Minutes of 7-17-84. -- Received and filed.

#### Parks & Recreation Commission Minutes

Minutes of 7-10-84. -- Received and filed.

Subject 92 - Request for Issuance of Permit for Use of Sound Amplifying Equipment.

IN RE: Communication from Larry Wohlfarth, San Clemente Ocean Festival, Inc., submitting permit application for use of sound amplifying equipment to be used in connection with the Ocean Festival (beach and aquatic events) from 7:00 A.M. to 6:00 P.M. on August 16-19, 1984. -- Approved the issuance of sound amplification permit and related ocean festival activities.

Subject 44 - Clarification of Council Action Regarding Golf Course Restaurant Lease Extension with Revised Terms.

IN RE: Report from Public Services Director and Interim City Manager recommending approval of the form and terms of the proposed lease between Patrick Burke and the City of San Clemente for operation of the Golf Course Clubhouse Restaurant facility with the clarification that the initial term as described in Section 2 of the lease will expire on August 1, 1989. -- Approved form and terms of lease and authorized execution by Mayor and City Clerk.

CONSENT CALENDAR (Items removed for separate action)

Subject 112 - Variance 84-02, Santo Chiodo.

IN RE: Variance 84-02, Santo Chiodo, being a request to vary from Section 5.11B of Ordinance No. 794 in order to construct a six foot high fence along a portion of the front yard at 155 El Levante.

IT WAS MOVED BY COUNCILMAN MECHAM, SECONDED BY COUNCILMAN DIEHL, AND UNANIMOUSLY CARRIED to call up for review Variance 84-02, at the meeting of 8-15-84.

Subject 99 - Sign Exception 84-03, Union 76/George Hillyard.

IN RE: Sign Exception 84-03 being the request of Union 76/George Hillyard for an exception from Section 28-6 of Ordinance 797, to allow a proposed sign to exceed the 15 foot pole sign height limit by 17 feet.

IT WAS MOVED BY COUNCILMAN MECHAM, SECONDED BY COUNCILWOMAN KOESTER, AND UNANIMOUSLY CARRIED to call up for review Sign Exception 84-03, at the meeting of 8-15-84.

IT WAS THEN MOVED BY COUNCILMAN MECHAM, SECONDED BY COUNCILMAN DIEHL, AND UNANIMOUSLY CARRIED to receive and file the Planning Commission Minutes of 7-17-84.

Subject 42 - Claim for Damages Filed by Blue Ridge Insurance Co.

IN RE: Claim for damages filed by Blue Ridge Insurance Company for damages resulting from a landslide in excess of \$173,000 paid to insured John David Hook.

The City Attorney responded to questions from Mayor Carr, following which IT WAS MOVED BY MAYOR CARR, SECONDED BY COUNCILMAN MECHAM, AND UNANIMOUSLY CARRIED that based on the insurance adjuster's recommendation, the claim be denied.

Subject 105 - Final Approval - Tract 12124 (Phase 1 - Tentative Tract 10578, Rancho San Clemente).

IN RE: Report from Community Development Director and Interim City Manager advising that all required items have been submitted by WSLA Development Corporation for Tract 12124, which is Phase I of Tentative Tract 10578, Rancho San Clemente.

At the request of Staff, IT WAS MOVED BY MAYOR CARR, SECONDED BY COUNCILMAN MECHAM, AND UNANIMOUSLY CARRIED that the matter be continued to the meeting of 8-15-84.

Councilwoman Koester suggested that Staff propose to Rancho San Clemente the possibility of opening up a section of their business park for the storage of recreational vehicles.

PAYING OF THE BILLS

IT WAS MOVED BY COUNCILMAN DIEHL, SECONDED BY COUNCILMAN MECHAM, AND UNANIMOUSLY CARRIED that Warrants No. 23997 through No. 24008, and No. 13318 through No. 13629, as audited be paid.

Total demands approved for payment for period ending July 31, 1984 . . . . .	\$ 632,562.96
Ratification of Payroll Warrant No. 23998 for period July 2, 1984 through July 15, 1984 . . . . .	\$ 196,540.76
TOTAL WARRANT REGISTER	<u>\$ 829,103.72</u>

UNFINISHED BUSINESS

Subject: 29 - DRC 84-08 - Casa de Seniors.

IN RE: Consideration of DRC 84-08, being a request for final DRC approval on design package prepared for Casa de Seniors housing project, as required under Use Permit 84-01, said matter called up for review by the City Council.

Noting that it was Councilman Limberg who had motioned for this item to be called up for review, but who was not present, IT WAS MOVED BY COUNCILMAN DIEHL, SECONDED BY COUNCILMAN MECHAM, AND CARRIED to continue the matter to the meeting of 8-15-84. Mayor Carr "ABSTAINED."

Subject: 49 - Resolutions No. 75-84, 76-84, 77-84, and 78-84 Relating to Special Municipal Election to be Consolidated with the November 6, 1984 Statewide General Election.

IN RE: Adoption of various Resolutions relating to the conduct of a Special Municipal Election to be consolidated with the November 6, 1984, Statewide General Election, said Special Election for the purpose of submitting certain measures to the voters.

The Clerk presented and explained various items relating to the Special Municipal Election to be Consolidated with the November 6, 1984 Statewide General Election, and responded to questions from Council members.

Upon motion of Councilman Mecham, seconded by Councilman Diehl, and carried, RESOLUTION NO. 75-84, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A SPECIAL MUNICIPAL ELECTION TO BE HELD IN SAID CITY ON TUESDAY, NOVEMBER 6, 1984, FOR THE SUBMISSION TO THE QUALIFIED ELECTORS OF SAID CITY PROPOSED MEASURES RELATING TO THE SALE, USE AND POSSESSION OF "SAFE AND SANE" FIREWORKS; THE PARKING OF BOATS, TRAILERS, AND RECREATIONAL VEHICLES ON PRIVATE PROPERTY; AND RELOCATION OF THE SEWER TREATMENT FACILITIES, was regularly introduced, passed, and adopted. Councilwoman Koester "Abstained."

Upon motion of Councilman Diehl, seconded by Councilman Mecham, and unanimously carried, RESOLUTION NO. 76-84, BEING 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 SPECIAL MUNICIPAL ELECTION OF SAID CITY TO BE HELD ON NOVEMBER 6, 1984, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON SAID DATE PURSUANT TO SECTION 23303 OF THE ELECTIONS CODE, was regularly introduced, passed, and adopted.

Upon motion of Councilman Mecham, seconded by Councilman Diehl, and unanimously carried, RESOLUTION NO. 77-84, BEING 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 SPECIAL MUNICIPAL ELECTION TO BE HELD NOVEMBER 6, 1984, was regularly introduced, passed, and adopted.

During discussion as to whether any Council members wished to file a written argument regarding any of said measures, Councilman Diehl noted he would like to submit arguments against Propositions A and B, and in favor of Proposition C; while Councilman Mecham noted he wished to submit arguments in favor of all three Propositions. Since Councilman Limberg was not present to indicate his wishes the Council concurred that the resolution should contain authorization for any member, or members of the City Council, to file either for or against any of the measures.

Upon motion of Councilman Mecham, seconded by Councilman Diehl, and unanimously carried, RESOLUTION NO. 78-84, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF EACH OF THREE MEASURES TO BE SUBMITTED AT THE SPECIAL MUNICIPAL ELECTION TO BE HELD NOVEMBER 6, 1984; AND AUTHORIZING MEMBERS OF THE CITY COUNCIL TO FILE WRITTEN ARGUMENTS REGARDING SAID MEASURES, was regularly introduced, passed, and adopted.

WRITTEN COMMUNICATIONS

Subject 113 - Appeal to Requirement for Compliance with Ordinance No. 870 - Separate Water Meters.

IN RE: Communication from John Stanley appealing the requirement that he install separate water meters, as specified under provisions of Ordinance No. 870, at his two-unit condominium conversion at 148 W. Mariposa, claiming that Staff did not inform him of this requirement in time to comply.

IT WAS MOVED BY COUNCILMAN DIEHL, SECONDED BY COUNCILMAN MECHAM to approve the appeal and direct the applicant to amend the Covenants, Conditions, and Restrictions to include a provision whereby the Homeowner's Association will share the cost of the common water meter subject to the review and approval of the City Attorney.

Councilman Diehl noted the reasons why a previous Planning Commission had strongly recommended separate water meters for condominium conversions and expressed hope that this will be the last request to deviate from that requirement.

The Mayor then called for the QUESTION WHICH CARRIED UNANIMOUSLY.

Subject 20 - Petition - Nuisance Abatement Plan for 717 Ave. Columbo.

IN RE: Petition and letter containing 17 signatures from R. R. Thrasher, et al, requesting the formation of a Nuisance Abatement Plan to remove debris and remains of the property at 717 Avenida Columbo.

IT WAS MOVED BY COUNCILMAN MECHAM, SECONDED BY COUNCILMAN DIEHL, AND UNANIMOUSLY CARRIED to refer the petition to Staff for review and preparation of Administrative Report for the meeting of 8-15-84.

COMMUNICATIONS FROM COMMISSIONS, BOARDS, AND COMMITTEES

Subject 77 - Hiring a Park Planner/Landscape Architect for Plaza Park.

IN RE: Communication from Parks & Recreation Commission recommending approval to hire a Park Planner/Landscape Architect to develop a master-plan for Plaza Park.

IT WAS MOVED BY COUNCILMAN MECHAM, SECONDED BY COUNCILMAN DIEHL, to concur with the Parks & Recreation Commission's recommendation and authorize Staff to distribute request for proposals for Park Planner / Landscape Architect for Plaza Park to be funded from appropriated Parks Acquisition & Development Funds.

Councilwoman Koester commented that she felt the City Staff was more expertise to do this work than using outside consultants, and she would like to see a report from Staff as to why they could not do the work.

The Mayor then called for the QUESTION WHICH CARRIED with Councilwoman Koester voting "NO."

URGENT MATTERS

Subject: 49 - Notice of Intent to Circulate Petitions.

IN RE: C. L. Snider submitted copies of a notice of intent to circulate two petitions for the purpose of securing the requisite number of signatures to qualify an initiative providing for an ordinance regulating the height of trees, shrubs and bushes on private property.

Mr. Snider referred to his efforts to have the Council put the issue on the November ballot, and advised that he was trying to save the City the \$30,000 cost of a Special Election and would be circulating two petitions-- one that would require 10% of the registered voters to be scheduled for the next regular election, while the other petition would be for 15% of the registered voters for a Special Election.

Mayor Carr noted that the only way this matter could be put on the November ballot would be for a motion to reconsider by one of the members on the prevailing side.

Councilman Diehl commented that this issue has been before the Council a number of times; that he had indicated to Mr. Snider in January that he was not willing to cut into the General Fund revenues at the expense of fire, police, or public services to arbitrate private property arguments between neighbors and that he was still not willing to do that; and that he had suggested in January that if Mr. Snider wanted to he could circulate an initiative petition for the November ballot but he chose not to do so.

Councilman Mecham added that Mr. Snider can circulate a petition that does not call for a Special Election and can petition for it to be on the next regularly scheduled municipal election; that if he chooses to go for a Special Election it becomes his choice alone to cost the City money, not that of the City Council.

ITEMS FROM CITY MANAGER

Subject: 119 - Cash Flow Analysis of R.D.A. Funds.

IN RE: Report from Finance Director and City Manager regarding cash flow analysis of R.D.A. funds.

IT WAS MOVED BY COUNCILMAN DIEHL, SECONDED BY COUNCILMAN MECHAM, AND UNANIMOUSLY CARRIED to receive and file the report.

ITEMS FROM CITY ATTORNEY

Subject: 37 (27) - Question Relating to Assessment District Proceedings.

IN RE: Question relating to assessment district proceedings.

The City Attorney reported that the answer is "no" in regard to whether the City would have any liability in the event of an assessment district being formed in the back country and for any reason the property owners cannot pay those assessments; that there is a procedure provided in the assessment district laws for a sale of the property to protect the bond holders' interest, either through a non-judicial or foreclosure sale through court action; that the bond holder's recourse is against the property, not against the City; and that the City Treasurer or agents of the City would have some ministerial duties to carry out but there is no liability to the City.

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Mayor Carr stated he was asked a question by a property owner that in the formation of the assessment district encompassing approximately 7,000 acres of back country, would the proposed 11-1/2 acre middle Pico site be included or excluded from the boundaries. The City Attorney advised that the property would not be subject to the assessment since it is public property--and would be treated the same as park land.

Subject 37 - Request for Report re "Confidential" Material.

IN RE: Request for report re confidential material received by Council members.

The City Attorney advised that he did not have the report requested by Council at this time, and Mayor Carr suggested the written report when prepared be placed in the Council mail baskets.

ITEMS FROM COUNCIL MEMBERS

Councilwoman Koester referred to earlier comments by the City Attorney regarding foreclosure sale of vacant property in lieu of the developer selling that property, which bonds would be paid off through assessment by individual homeowners, and referred to action that appeared to take place on Rancho San Clemente where some owners of the property were attempting to sell vacant property to gain revenue and at that time the property was not marketable, and questioned what would happen if the property was not marketable. The City Attorney replied that if that was the situation it would be taken into consideration by the bond buyer and underwriter at the time the assessment district is initially formed; further that assessment district bonds would have priority as a tax lien over other encumbrances. Councilman Mecham explained the circumstances of the incident reported by Councilwoman Koester, noting that it was not a question of marketability but of land bank limitations.

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Councilman Diehl reiterated that today was a red banner day for the City of San Clemente with the reopening of the Shorecliffs Golf Course; that the "Yes We Can" slogan brought everyone together; that this was one of the times when being in the hot seat a year ago has proven to be a real pleasure as last year at this time the restoration of the golf course was felt to be impossible and now a year later the first nine holes have been rebuilt. Mayor Carr added that it was a remarkable thing and he was excited to be part of the celebration; and it is certainly significant for this City to see the restoration of the Shorecliffs Golf Course and its renaming from Estrella is very fitting for the community, and in the future we can expect to see nothing but great things.

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Mayor Carr noted that he was in receipt of a letter from the Elections Committee of the County of Orange, which is located in Laguna Beach, inviting a representative of the City Council to be present at a free dinner for a fund raising banquet in support of gays, lesbians, and feminists at the Anaheim Hilton Hotel, Saturday, October 13, and since he will be unable to attend any other Council member is welcome to take advantage of the invitation.

Subject 29 - Joint Meeting with Commissions, Boards and Committees.

IN RE: Joint Council meeting with Commissions, Boards, and Committees.

IT WAS MOVED BY COUNCILMAN MECHAM, SECONDED BY COUNCILMAN DIEHL, AND UNANIMOUSLY CARRIED that a joint meeting with Commissions, Boards, and Committees be held August 29, 1984, at 7:00 P.M. at the Ole Hanson Beach Club.

NEW BUSINESS

Subject 79 - Resolution No. 79-84 Giving Notice of Intention for Amendment re Exclusion of Hourly Lifeguard Personnel from PERS; and Ordinance No. 897 Authorizing Amendment.

IN RE: Report from Assistant to the City Manager and Interim City Manager recommending adoption of resolution of intention to amend the contract between the City of San Clemente and the Public Employees' Retirement System to eliminate the current contract provision requiring hourly ocean lifeguards working more than 1000 hours per fiscal year to be enrolled in PERS; and adoption of required Ordinance to institute this change.

Upon motion of Councilman Diehl, seconded by Councilman Mecham, and unanimously carried, RESOLUTION NO. 79-84, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, GIVING NOTICE OF INTENTION TO APPROVE AN AMENDMENT TO THE CONTRACT BETWEEN THE BOARD OF ADMINISTRATION OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, was regularly introduced, passed, and adopted.

Upon motion of Councilman Diehl, seconded by Councilman Mecham, and unanimously carried, ORDINANCE NO. 897, BEING AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF SAN CLEMENTE AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM, was regularly introduced by title only and the reading in full thereof unanimously waived.

#### RESOLUTIONS

For Resolution No. 74-84 see under "PUBLIC HEARINGS" on page 1.  
 For Resolution No. 75-84 see under "UNFINISHED BUSINESS" on page 4.  
 For Resolution No. 76-84 see under "UNFINISHED BUSINESS" on page 4.  
 For Resolution No. 77-84 see under "UNFINISHED BUSINESS" on page 4.  
 For Resolution No. 78-84 see under "UNFINISHED BUSINESS" on page 4.  
 For Resolution No. 79-84 see under "NEW BUSINESS" on page 7.

Subject: 55 - Resolution No. 80-84 to League of California Cities Policy Committee Recommending Amendments to the Outdoor Advertising Act.

IN RE: Report from Community Development Director and Interim City Manager recommending adoption of resolution recommending that the appropriate League of California Cities Policy Committee adopt a resolution urging the California State Legislature to amend the Outdoor Advertising Act to allow municipalities to regulate off-premises cluster signage within 660 feet of State right-of-way, subject to appropriate standards and controls.

Upon motion of Councilman Mecham, seconded by Councilman Diehl, and unanimously carried, RESOLUTION NO. 80-84, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, RECOMMENDING THAT THE LEAGUE OF CALIFORNIA CITIES POLICY COMMITTEE APPROVE AND ADOPT A PROPOSED RESOLUTION WHICH URGES THE STATE LEGISLATURE TO AMEND THE OUTDOOR ADVERTISING ACT TO PERMIT MUNICIPALITIES TO REGULATE CERTAIN OFF-PREMISES, FREEWAY-ORIENTED SIGNS, was regularly introduced, passed, and adopted.

#### ORDINANCES

Subject: 29 - Ordinance No. 896 Consolidating Design Review Committee and Cultural Heritage Board.

IN RE: Ordinance No. 896 consolidating the functions of the Design Review Committee and the Cultural Heritage Board under a new Commission to be called the "Community Design Commission."

IT WAS MOVED BY COUNCILMAN MECHAM, SECONDED BY COUNCILMAN DIEHL, AND UNANIMOUSLY CARRIED to waive the reading in full of Ordinance No. 896.

Upon motion of Councilman Mecham, seconded by Councilman Diehl, and carried, ORDINANCE NO. 896, BEING AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, CONSOLIDATING THE FUNCTIONS OF THE DESIGN REVIEW COMMITTEE AND THE CULTURAL HERITAGE BOARD UNDER A NEW COMMISSION TO BE CALLED THE "COMMUNITY DESIGN COMMISSION," having been regularly introduced at the meeting of 7-25-84, was again introduced, the reading in full thereof unanimously waived, and duly passed and adopted. Councilwoman Koester voted "NO."

For Ordinance No. 897 see under "NEW BUSINESS" on page 7.

#### ADJOURNMENT

IT WAS MOVED BY COUNCILMAN MECHAM, SECONDED BY COUNCILMAN DIEHL, AND UNANIMOUSLY CARRIED that the meeting be adjourned at 8:15 P.M.

CITY CLERK and ex-officio  
 Clerk of the City Council

MAYOR and President  
 of the City Council