

Regular meeting of the City Council of the City of San Clemente, California, Council Chambers, Civic Center Building, 100 Avenida Presidio, Thursday, July 5, 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, LIMBERG, MECHAM, AND CARR
ABSENT: Council Members - NONE

Also Present: Donald Duckworth, Acting City Manager; Max L. Berg, City Clerk; Kathryn Tobin, Deputy City Attorney; Harry Weinroth, Community Development Director; Edward Putz, City Engineer; and certain other Staff members present in the audience.

PUBLIC HEARINGS

Subject: 112 - Resolution No. 67-84 Approving Use Permit 84-07.

IN RE: Public hearing to consider Use Permit 84-07, being the request of Casablanca-Bird Development, 1011 Camino de los Mares under Section 5.6 of the San Clemente Zoning Ordinance to allow one temporary sales sign approximately 140 square feet in area; located within the Casablanca-Bird Development, in the Open Space (O-S) Zoning District; legal description being Lot 1 of Tract 11987, said matter called up for review by the City Council.

The public hearing was opened and Dan Brennan, representing the applicant, spoke on behalf of their request explaining that they have a unique situation in that their project is 3000 feet from the nearest paved road, thus their request for a temporary sales sign of approximately 140 square feet in area and which the Planning Commission approved at 150 square feet to be reduced to 64 square feet at the time the street is paved and the general public has access to the street.

There being no one else desiring to be heard the public hearing was closed. During Council deliberation, Councilman Limberg expressed various reasons why he felt there should be no exception to the maximum allowable size of 64 square feet.

Upon motion of Councilman Limberg, seconded by Councilman Diehl, and unanimously carried the Staff recommendation to approve the Use Permit subject to five conditions which includes limiting signage to a maximum of 64 square feet was approved, and RESOLUTION NO. 67-84, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE APPROVING USE PERMIT 84-07, CASABLANCA-BIRD DEVELOPMENT CORPORATION, was regularly introduced, passed, and adopted.

Subject: 29 - 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."

IN RE: Public hearing to consider a proposed Ordinance amending Section 5.21 of Zoning Ordinance No. 794 consolidating the functions of the Design Review Committee and the Cultural Heritage Board under a new Commission to be called the "Community Design Commission."

The Clerk noted that the Planning Commission had considered this matter on July 3rd, that although the minutes were not ready yet their Resolution of approval had been forwarded. The Community Development Director verbally reviewed the changes recommended by the Commission and it was suggested by Councilman Mecham that this matter be continued until later in the meeting to allow Staff time to prepare a written draft of the changes.

The Mayor opened the hearing for public testimony and there being none, IT WAS MOVED BY COUNCILMAN MECHAM, SECONDED BY COUNCILMAN LIMBERG, AND UNANIMOUSLY CARRIED that this item be continued to later in the agenda.

CONSENT CALENDAR

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

City Council Minutes

Minutes of 6-6-84 (regular), and 6-13-84 (adjourned). -- Approved as presented, and reading in full thereof waived.

Planning Commission Minutes

Minutes of 6-19-84. -- Received and filed.

Design Review Committee Minutes

Minutes of 6-19-84.

Design Review Committee & Cultural Heritage Board Minutes

Minutes of 6-12-84 (joint). -- Received and filed.

Traffic & Parking Commission Minutes

Minutes of 6-21-84. -- Received and filed.

Parks & Recreation Commission Minutes

Minutes of 6-21-84. -- Received and filed.

Subject: 59 - Reconfirmation of Assembly Appointments to Orange County Health Planning Council.

IN RE: Communication from Orange County Health Planning Council requesting reconfirmation of assembly delegates to said Planning Council. -- Reappointed John Chard, M.D. as assembly delegate, and Ralph Castleton as alternate delegate.

Subject: 73 - Designation of Voting Delegate for League Annual Conference.

IN RE: Communication from League of California Cities requesting the Council to designate a voting delegate and an alternate voting delegate for the Annual League Conference in September, 1984. -- Appointed Mayor as voting delegate, and Mayor pro tem as alternate voting delegate.

Subject: 56 - Resolution No. 68-84, A.H.F.P. Annual Requalification (1984-85).

IN RE: Report from Community Development Director and City Manager recommending adoption of resolution affirming compliance with certain Arterial Highway Financing Program (AHFP) policy requirements and requesting that the City be declared qualified for the AHFP program for the 1984-85 fiscal year. -- Introduced, passed, and adopted, RESOLUTION NO. 68-84, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AFFIRMING COMPLIANCE WITH AHFP POLICY REQUIREMENTS, AND REQUESTING THAT THE CITY BE DECLARED QUALIFIED FOR THE ORANGE COUNTY ARTERIAL HIGHWAY FINANCING PROGRAM FOR THE 1984-85 FISCAL YEAR.

Subject: 100 - Reconstruction of South El Camino Real from Valencia to Santa Margarita, Project 21-83.

IN RE: Report from Community Development Director and City Manager requesting an additional appropriation to cover revised scope and fee for engineering services for reconstruction of South El Camino Real from Valencia to Santa Margarita, FAU Project No. MO 37. -- Approved \$26,720 for additional engineering services to Berryman & Stephenson, Inc., (BSI) from the approved Gas Tax Funds Account #12-4329-530.

Subject: 105 - Final Map Approval Tract No. 12160 - Marblehead "New Providence."

IN RE: Report from Community Development Director and City Manager advising that John D. Lusk & Son has submitted the required items for final approval of Tract 12160 (portion of Tentative Tract 12154, a resubdivision of Lots 1 & 2 of Final Tract 10688). -- Approved the final map of Tract 12160 and authorized execution of the Subdivision Agreement by Mayor and City Clerk.

Subject: 105 - Tentative Parcel Map 82-831, Peter S. Chan - 215 West Marquita.

IN RE: Report from Community Development Director and City Manager advising that Peter S. Chan has requested a one-year extension of time for Tentative Parcel Map 82-831, being a conversion of an existing three-unit apartment building into a three-unit condominium located in the R-3 (Multiple Family Zoning District) at 215 W. Marquita and within the Coastal Zone. -- Concurred with the Planning Commission and approved a one-year extension for Tentative Parcel Map 82-831 subject to the original 18 conditions.

Subject: 24 - Resolution No. 69-84, Increase in Dog License Fees.

IN RE: Report from Fire Protection Director and City Manager recommending adoption of resolution increasing the dog license fees as discussed during budget sessions. -- Introduced, passed, and adopted, RESOLUTION NO. 69-84, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ESTABLISHING CERTAIN FEE SCHEDULES PURSUANT TO THE PROVISIONS OF CHAPTER 17, "ANIMAL SERVICES AND FACILITIES," OF THE CODE OF THE CITY OF SAN CLEMENTE; AND REPEALING RESOLUTIONS NO. 84-83 AND 19-84.

Subject: 79 - Supplemental Appropriation for City Manager Recruitment.

IN RE: Report from Personnel Officer and City Manager requesting supplemental appropriation for City Manager recruitment. -- Approved the appropriation of \$9,500 from Account #01-4124-490 (Contingency Reserve) to Account #01-4122-489 (Other Operating Expenses - Recruitment and Selection) for contractual services associated with the recruitment process for the position of City Manager.

Subject: 55 - Resolution No. 70-84 Avenida Vista Hermosa/I-5 Freeway Interchange.

IN RE: Report from Community Development Director and City Manager recommending adoption of resolution requesting that the California Transportation Commission include the Avenida Vista Hermosa/I-5 Interchange project in the State Transportation Improvement Program for the 1984-85 fiscal year with the provision for local financing for construction. -- Introduced, passed, and adopted, RESOLUTION NO. 70-84, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, REQUESTING THAT THE CALIFORNIA TRANSPORTATION COMMISSION INCLUDE THE AVENIDA VISTA HERMOSA/I-5 INTERCHANGE PROJECT IN THE STATE TRANSPORTATION IMPROVEMENT PROGRAM FOR THE 1984-85 FISCAL YEAR.

PAYING OF THE BILLS

IT WAS MOVED BY COUNCILMAN MECHAM, SECONDED BY COUNCILMAN DIEHL, AND UNANIMOUSLY CARRIED that Warrants No. 23965 through No. 23984, and No. 12741 through No. 13009, as audited be paid. Councilwoman Koester noted that while auditing she had discussed one warrant with the Communications Department which has been resolved; further that she was pleased to be advised of the attempts to reduce the telephone bill this year.

Total demands approved for payment for period ending July 4, 1984	\$ 450,549.53
Ratification of Payroll Warrant No. 23966 for period June 4, 1984 through June 17, 1984.	\$ 158,062.14
TOTAL WARRANT REGISTER	<u>\$ 608,611.67</u>

WRITTEN COMMUNICATIONS

Subject: 77 - Proposed Ballot Measure Concerning Trees and Shrubs Obstructing Views.

IN RE: Communication from C. L. Snider concerning tree heights and requesting that the matter of trees obstructing a neighbor's view be placed on the November 6 ballot.

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Mr. Snider addressed the Council in support of his request and urged that the Council submit the question to the voters as they had recently decided to do with the recreational vehicle question.

Gloria Johnson commented on certain trees that are becoming a fire hazard although not obstructing her view, and requested controlling legislation.

Members of the Council again expressed their individual opinions and views concerning whether or not such an issue should be placed on the ballot and the question of the City becoming involved in tree height control.

Following considerable discussion, IT WAS MOVED BY COUNCILMAN LIMBERG, SECONDED BY COUNCILMAN DIEHL, AND CARRIED that Mr. Snider's request be received and filed. Councilwoman Koester and Mayor Carr voted "NO."

Mrs. Yujiro Yamamoto registered a complaint concerning the height of three palm trees planted on a City-owned parcel (utilized under an encroachment permit by the adjacent owner) in the vicinity of Lot 1, Tract 3515, on East Cordoba.

URGENT MATTERS

Subject: 112 - Variance No. 84-03, David S. Davies.

IN RE: Request of David Davies relating to Variance No. 84-03 being a request to vary from Section 5.16 of the Zoning Ordinance, which requires swimming pool and spa equipment to be located not closer than 20 feet from any dwelling other than the owners, and to allow installation of such equipment at 547 Avenida Buenos Aires (Lot 38, Tract 8188) approximately 15 feet from an adjacent residential building.

Mr. Davies noted that the Planning Commission approved the Variance on 7-3-84 subject to one condition; that the pool excavation has been open since 5-30-84, including a severing of the drain artery which also serves certain other lots; that there is access to the pool area through a broken wall; and that he is concerned about the liability and would, therefore, appreciate Council approval.

During Council discussion, the Deputy City Attorney explained the problem of early Council approval since the appeal period to the variance does not expire until 7-19-84. Also discussed was the possibility of granting approval, subject to the applicant filing a hold harmless agreement and with the understanding that the right of appeal is open to the public until expiration of the appeal date.

Following due consideration, IT WAS MOVED BY COUNCILMAN LIMBERG, SECONDED BY COUNCILMAN DIEHL to concur with the Planning Commission and approve Variance 84-03, subject to the understanding that the right of appeal is open to the public, and subject to the applicant filing a hold harmless agreement indemnifying the City, including defense for the City in case of litigation, all in such form satisfactory to the City Attorney.

During discussion on the motion, Mr. Davies accepted the conditions but indicating he would like to discuss the verbage of the proposed agreement with the Deputy City Attorney, and that it was his understanding if the matter does not go through in the manner proposed it would probably automatically become effective in due course on 7-19-84.

The Mayor then CALLED FOR THE QUESTION WHICH CARRIED UNANIMOUSLY.

Norman Ream addressed the Council stating that it has come to his attention that there is a proposal "floating around" the City Hall that the Ole Hanson Beach Club is to be used as a public restaurant. Mr. Ream expressed concern, made comments, and requested a public hearing be held on this matter. Mayor Carr questioned that this qualified as an urgent matter; that he was not aware of such a proposal; and that Mr. Ream's comments were premature. Council members Mecham and Diehl also pointed out that any such proposal would require Use Permit public hearing procedure and would also have to come before the City Council.

ORDINANCES

The order of business was advanced to take up the following matter.

Subject: 31-57 - Proposed Urgency Interim Ordinance Restricting Development of Certain Property Within the Pico-North Beach Area of Plan 2000.

IN RE: Proposed urgency interim Ordinance restricting development of certain property within the Pico-North Beach area of Plan 2000.

Attorney Patrick Carroll, representing Ralph R. Petreny, addressed the Council advising that his client has a Use Permit application in process (Use Permit 84-13, Villa Bahia - 1755 North El Camino Real) for a hotel-motel on property which would be affected by the proposed moratorium. Mr. Carroll noted that he has only had a couple of days to become familiar with this matter; that he needs to get a complete understanding of Plan 2000; needs to gain access to Staff reports, etc.; that "on the surface" he is opposed to the moratorium on behalf of his client but not ready to state a position in that regard; and requested that the matter be continued for two weeks.

Council and Staff discussion ensued on the matter as to the question of compatibility of the project with Plan 2000; that Staff does not yet have all required information to determine if it is compatible; and various comments by Council members.

Following deliberation, IT WAS MOVED BY COUNCILMAN MECHAM, SECONDED BY COUNCILMAN LIMBERG that the matter be continued to the meeting of 7-18-84 on condition that there not be any further processing of the Use Permit although there would be communication with staff.

Mr. Carroll agreed to the condition and the Mayor then CALLED FOR THE QUESTION WHICH CARRIED with Mayor Carr voting "NO."

ITEMS FROM CITY MANAGER

Subject: 48 - Application with FEMA re Verde Canyon Landslide.

IN RE: Status report regarding application with FEMA for federal disaster assistance in regard to the Verde Canyon landslide.

Acting City Manager Don Duckworth gave a status report concerning the City's request to FEMA for emergency disaster assistance for debris removal, emergency protective measures, and stabilization. He also noted the assistance rendered by Congressman Ron Packard and suggested that contact should also be made with Senator Pete Wilson's office.

IT WAS MOVED BY COUNCILMAN MECHAM, SECONDED BY COUNCILMAN DIEHL, AND UNANIMOUSLY CARRIED that the Mayor communicate with Senator Pete Wilson indicating what has occurred and is occurring now, and requesting his assistance in this process.

Councilman Diehl suggested after the letter is received that it be followed by a phone call from the Mayor to Senator Wilson. Councilman Limberg commended Staff for their work in this matter and Councilman Mecham also noted that the City owed Congressman Packard a debt of gratitude for his efforts on our behalf.

Mr. Duckworth gave a brief report concerning the July 4th fireworks show and related activities noting that approximately 28,000 people were on the beach; that there were 110 rescues, 36 minor first aids with no major medical assistance required; no major police problems; no major noise problems; and that the party on the pier generated approximately \$1,000 for the Boys and Girls Club.

It was noted that the report from John Carollo Engineers on the needs and costs to rehabilitate the existing wastewater treatment plant will be available for the next meeting and that representatives from the firm wish to take members of the Council on a tour of the plant. It was determined that the tours be scheduled for July 16th.

Mr. Duckworth requested a Closed Session at the conclusion of the meeting to discuss a personnel matter.

ITEMS FROM CITY ATTORNEY

Subject: 106 - Language for Advisory Ballot Measure Regarding
RV Parking on Private Property.

IN RE: Language for advisory ballot measure regarding recreational vehicle parking on private property.

The Council considered samples of suggested wording for the measure including three submitted by the City Attorney and one submitted by the San Clemente R.V. Owners Association.

Mary Domenichini addressed the Council suggesting that the wording of the measure be clear and simple so that people know what they are voting for; further, that since the main concern on this issue has been whether the existing ordinance will remain or not that is the issue that should be put before the people.

During discussion it was noted that the existing ordinance also prohibits the parking of boats in the setback area and although not defined as a recreational vehicle such should continue to be included.

Following due consideration, IT WAS MOVED BY COUNCILMAN LIMBERG, SECONDED BY COUNCILMAN MECHAM, AND CARRIED that the advisory measure be worded as follows: "Should the City of San Clemente maintain its present standards which prohibit the parking of recreational vehicles (including boats and trailers, trailer coaches, campers, and camp trailers as defined in the State Vehicle Code and/or Health and Safety Code) on private property within the front and side yard setbacks?" Councilwoman Koester voted "NO."

It was suggested by Councilman Limberg that if feasible the proposition on the ballot be designated as Advisory Measure "RV."

The City Attorney was requested to review the suggested ballot wording and bring back in final form at the next meeting.

The Deputy City Attorney requested a Closed Session to discuss a matter of pending litigation.

ITEMS FROM COUNCIL MEMBERS

Councilwoman Koester referred to a report from the Orange County Transportation Commission and certain funding for the bikeway program. The Community Development Director advised that funding in the approximate amount of \$7500 has been set aside for the City and Staff will be coming back at a later date as to how the funding might be used.

Councilman Limberg referred to a meeting held with Staff and the Del Mar Businessmen's Association re reconstruction of Avenida Del Mar, and noted that one reason for the delay was to be certain that the Plan 2000 considerations were properly included in any engineering design features. Staff advised that a meeting was held and a number of issues discussed; that reconstruction of the street will commence some time in January or February; that the amount of money set aside for the project was for pavement only and did not include sidewalks or any other amenities; and that the merchants will be in touch with Staff as to any contribution they might be able to make to the final project.

Councilman Limberg inquired as to the policy regarding painting of address numbers on curbs noting that handbills soliciting such numbering were being distributed in the Shorecliffs area. The City Clerk advised that only the City Council can grant approval for such a project. Mayor Carr requested the Clerk to put a copy of the policy in each of the Council's mail baskets.

Councilman Mecham referred to the public nuisance on South El Camino Real noting that there has been no construction work done for the past 30 days; that two vehicles have been parked on the property and there are two large piles of rubble and trash; and suggested Council take a look at the property before the next meeting when the nuisance abatement question will again be on the agenda.

Subject: 55 - Logo Signs on Freeway.

IN RE: Councilman Diehl's question as to the status of preparing a resolution to be submitted to the Policy Committee at the League meeting on August 23 re logo signs on freeways.

Following discussion, IT WAS MOVED BY COUNCILMAN MECHAM, SECONDED BY COUNCILMAN DIEHL, AND UNANIMOUSLY CARRIED to authorize a member of the City Council to present before the Policy Committee an appropriate resolution.

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Councilman Diehl stated he had been approached by a number of people from the real estate industry who are upset with the City re collection of back bed taxes. It was suggested that anyone wishing to discuss the matter should see the Finance Director and it was also reported that one formal appeal has been filed and will be set for hearing in the near future.

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Councilman Diehl stated that he finds it disappointing when one member of the Council goes public and states that the rest of the Council is not doing its job in managing the finances of the City; that he finds it even more disappointing in reviewing the minutes and not finding where the person recommended any services or items in the budget be dropped; and that he feels it is poor leadership to go public and say one thing but when it comes down to voting and making decisions there is no substance.

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Mayor Carr advised that he had been contacted by a local property owner who expressed an interest in wanting to utilize certain property owned for an interim off-street parking site for recreational vehicles; that he was advised by Staff that any property converted to this use would have to be paved, landscaped, and fenced. It was suggested that it was worthwhile to examine the matter further and that the property owner should present the economics and why he wants to do it.

Subject: 53 - Proposed Ballot Measure Regarding the Sale and Use of "Safe and Sane" Fireworks in the City.

IN RE: Proposed ballot measure regarding the sale, possession and use of "safe and sane" fireworks in the City.

Mayor Carr referred to other beach cities and counties which have outlawed the sale and use of "safe and sane" fireworks with success; and referred to certain hazardous incidents which have occurred within the City over the years.

Following individual comments and expressions of opinion by Council members as to the sale of "safe and sane" fireworks, IT WAS MOVED BY COUNCILWOMAN KOESTER, SECONDED BY MAYOR CARR AND CARRIED that the question of the sale, possession, and use of "safe and sane" fireworks within the City of San Clemente be placed on the November ballot. Councilman Diehl voted "NO."

Mayor Carr stressed that this would not effect any City sponsored fireworks display or program of any kind.

It was noted that the final ballot wording would be prepared by the City Attorney and brought back at the next meeting.

PUBLIC HEARINGS (continued)

Subject: 29 - 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."

IN RE: Public hearing to consider a proposed Ordinance amending Section 5.21 of Zoning Ordinance No. 794 consolidating the functions of the Design Review Committee and the Cultural Heritage Board under a new Commission to be called the "Community Design Commission."

The Mayor reopened the public hearing on the proposed Ordinance amending Section 5.21 of the Zoning Ordinance consolidating the functions of the Design Review Committee and the Cultural Heritage Board under a new Commission to be called the "Community Design Commission."

The Community Development Director distributed copies of the proposed changes and additions and following discussion the Council concurred in their inclusion in the proposed Ordinance.

There being no one desiring to be heard the public hearing was closed, and IT WAS MOVED BY COUNCILMAN DIEHL, SECONDED BY COUNCILMAN MECHAM, AND UNANIMOUSLY CARRIED, that the reading in full of Ordinance No. 896 be waived.

Upon motion of Councilman Diehl, seconded by Councilman Mecham, 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," was regularly introduced by title only, the reading in full thereof having been unanimously waived. Councilwoman Koester voted "NO".

NEW BUSINESS

Subject: 29 - Status of Design Review Committee and Cultural Heritage Board; and Appointments to New Community Design Commission.

IN RE: Report from City Clerk and Community Development Director noting the need to clarify the status of the Design Review Committee and the Cultural Heritage Board until the effective date of Ordinance No. 896 creating the Community Design Commission, and recommending consideration of a three-part motion.

Included in the recommendation was to consider reappointment of Blythe Welton and Katia Oliver to the Cultural Heritage Board which would then allow for a four member board to function for the remaining meetings; that the Design Review Committee continue to function as a five member committee since the Zoning Ordinance provides that existing members remain as members until their successors are appointed and therefore Norman McAdoo and Dave Stevens are still members for the remaining existence of the DRC and should be invited and encouraged to attend if they so desire; and recommendation as to the appointment of members to the new Community Design Commission and determination of their terms by lot.

The Council concurred and IT WAS MOVED BY COUNCILMAN LIMBERG, SECONDED BY COUNCILMAN MECHAM, AND CARRIED that Blythe Welton and Katia Oliver be reappointed to the Cultural Heritage Board for the period from 7-1-84 to the effective date of the new Ordinance creating the Community Design Commission; that the Design Review Committee continue to function as a five member committee until the effective date of the new Ordinance inasmuch as Norman McAdoo and Dave Stevens are still members for the remaining existence of the DRC and should be invited and encouraged to attend if they so desire; and that Leslie Davis, Thomas Davis, Kathryn Stovall-Dennis, Tom Coffin, and Wesley Landen be appointed to the new Community Design Commission upon the effective date of the new Ordinance; that their terms of office along with that of recently appointed members Blythe Welton and Katia Oliver shall be determined by lot at the first meeting of the new Commission with the terms of three members to expire 7-1-85 and the terms of four members to expire 7-1-86. Councilwoman Koester "ABSTAINED."

RESOLUTIONS

For Resolution No. 67-84 see under "PUBLIC HEARINGS" on page 1.
 For Resolution No. 68-84 see under "CONSENT CALENDAR" on page 2.
 For Resolution No. 69-84 see under "CONSENT CALENDAR" on page 3.
 For Resolution No. 70-84 see under "CONSENT CALENDAR" on page 3.
 For Resolution No. 71-84 see under "ITEMS FROM CITY ATTORNEY" on page 9.

ORDINANCES

For Ordinance No. 896 see under "PUBLIC HEARINGS" (continued) on page 8.

MEETING RECESSED

The Mayor recessed the City Council meeting to convene a meeting of the Redevelopment Agency.

MEETING RECONVENED AND ADJOURNMENT TO CLOSED SESSION

IT WAS MOVED BY COUNCILMAN MECHAM, SECONDED BY COUNCILMAN DIEHL, AND UNANIMOUSLY CARRIED to adjourn to a Closed Session to discuss matters of personnel and litigation.

MEETING RECONVENED AND ITEMS FROM CITY ATTORNEY (continued)

Subject: 20 - Resolution No. 71-84 Declaring Intention to Determine Whether a Public Nuisance Exists in the Verde Canyon Area.

IN RE: Report from Public Services Director and City Manager pro tem referring to the Verde Canyon landslide, noting that three residences were virtually destroyed, that the abandoned residential debris and the broken and uneven earth mass may constitute a public nuisance under the provisions of Chapter 16A of the Municipal Code, and recommending adoption of a Resolution to conduct a public hearing to determine whether a public nuisance exists in the Verde Canyon area.

Pursuant to Council direction, the Deputy City Attorney presented a proposed Resolution and upon motion of Councilman Mecham, seconded by Councilman Diehl, and unanimously carried, RESOLUTION NO. 71-84, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, DECLARING ITS INTENTION TO DETERMINE WHETHER A PUBLIC NUISANCE EXISTS IN THE VERDE CANYON AREA OF THE CITY AND SETTING A TIME AND PLACE FOR PUBLIC HEARING THEREON, was regularly introduced, passed, and adopted.

ITEMS FROM CITY MANAGER (continued)


Subject: 79 - Additional Extension of Leave Without Pay for Fred Llamas.

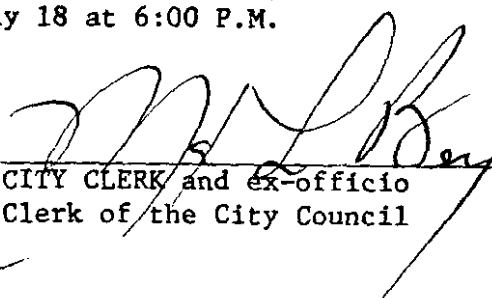
IN RE: Report from Personnel Officer and City Manager recommending a three-month continuation of "leave without pay" status to Golf Course Maintenance Worker Fred Llamas.

Pursuant to discussion in Closed Session, IT WAS MOVED BY COUNCILMAN MECHAM, SECONDED BY COUNCILMAN DIEHL, AND UNANIMOUSLY CARRIED that a three-month continuation of "leave without pay" status be granted to Golf Course Maintenance Worker Fred Llamas.

ADJOURNMENT

IT WAS MOVED BY COUNCILWOMAN KOESTER, SECONDED BY COUNCILMAN DIEHL, AND UNANIMOUSLY CARRIED that the Council meeting be adjourned in memory of Harold Taylor at 10:06 P.M. to July 18 at 6:00 P.M.

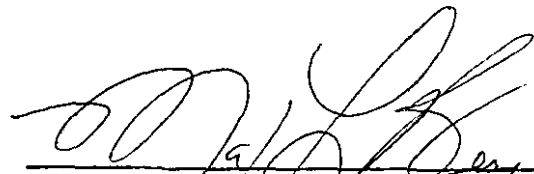

MAYOR and President
of the City Council


CITY CLERK and ex-officio
Clerk of the City Council

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

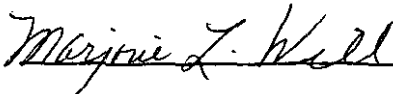
AFFIDAVIT OF POSTING
OF MEETING

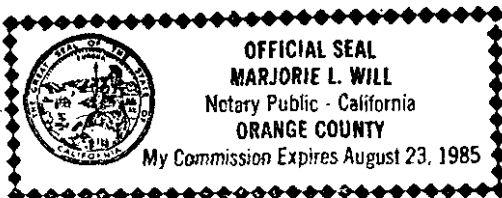
I, MAX L. BERG, being first duly sworn deposes and says:
that I am the duly chosen, qualified, and acting ex-officio Clerk of the
City Council of the City of San Clemente; that at the regular meeting of
the City Council of the City of San Clemente, held July 5, 1984 ,
said meeting was ordered adjourned to the time and place specified in the
Order of Adjournment ATTACHED HERETO; that on July 6, 1984 , at the
hour of 10:00 AM , I posted a copy of said Order of Adjournment at the
conspicuous place on or near the door of the place at which said meeting of
July 5, 1984 , was held.



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

Subscribed and sworn to before
me this 6th day of July, 1984





ORDER OF ADJOURNMENT

Regular meeting of the City Council of the City of San Clemente, California, Council Chambers, Civic Center Building, 100 Avenida Presidio, Thursday, July 5, 1984, at 7:00 P.M., Mayor Kenneth E. Carr presiding.

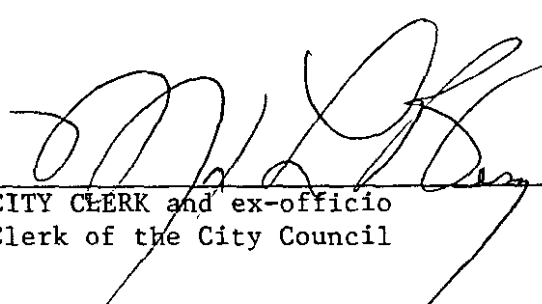
ROLL CALL

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


Also Present: Donald Duckworth, Acting City Manager; and Max L. Berg, City Clerk

ADJOURNMENT

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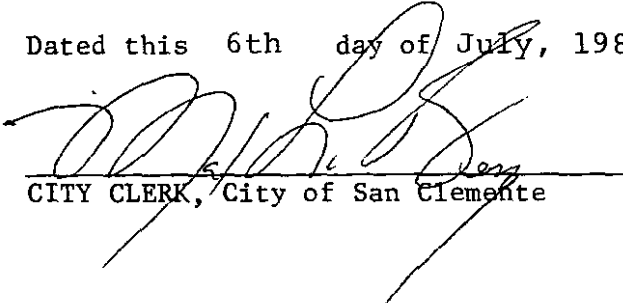
CITY CLERK and ex-officio
Clerk of the City Council



MAYOR and President
of the City Council

Certified to be a true and correct
copy of excerpts from the July 5
1984 Council Minutes

Dated this 6th day of July, 1984



CITY CLERK, City of San Clemente