

San Clemente, California
October 1, 1980

Regular meeting of the City Council of the City of San Clemente, California, Council Chambers, Civic Center Building, 100 Avenida Presidio, Wednesday, October 1, 1980, at 7:00 P.M., Mayor Karoline Koester presiding.

PLEDGE OF ALLEGIANCE AND INVOCATION

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

ROLL CALL

PRESENT: Council Members - LANE, LIMBERG, MECHAM, AND KOESTER
ABSENT: Council Members - O'KEEFE

Also Present: George A. Carvalho, City Manager; Max L. Berg, City Clerk; Michael J. Bartlett, City Attorney; Edward Putz, Public Works Director-City Engineer; and Lawrence J. Lawson, Building and Planning Director

PUBLIC HEARINGS

Subject: 24 - Animal Control Program for San Clemente.

IN RE: Continued Public Hearing to consider whether or not there should be a facility closer to San Clemente for the sheltering of animals.

Pursuant to Staff recommendation, IT WAS MOVED BY COUNCILMAN LANE, SECONDED BY COUNCILMAN MECHAM, AND UNANIMOUSLY CARRIED to continue the public hearing to 10-15-80 to allow Staff more time to complete research and prepare recommendations.

CONSENT CALENDAR

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

Planning Commission Minutes

Minutes of 9-16-80. -- Received and filed.

Traffic and Parking Commission Minutes

Minutes of 9-18-80. -- Received and filed.

Parks and Recreation Commission Minutes

Minutes of 9-10-80. -- Received and filed.

Design Review Committee Minutes

Minutes of 9-16-80. -- Received and filed.

Zoning Administrator Minutes

Minutes of 9-23-80. -- Received and filed.

Subject: 113 - Water Meter for Pier Bowl Park Development.

IN RE: Report from Finance Director and City Manager advising that in order to initiate water service in the pier bowl park development it was necessary to install a water meter at a total cost of \$1,415.00 -- Appropriated \$1,415.00 from the Parks and Recreation Acquisition and Development Fund balance to Account #60-782-7300-862 to cover the cost of the water meter.

Subject: 77 - Completion of Linda Lane Park, Project No. 16-77.

IN RE: Report from Golf and Parks Director and City Manager advising that all work has been satisfactorily completed by the contractor, Francis J. Wolfe, Jr., on the Linda Lane Park Project No. 16-77. -- Accepted the work and authorized filing of a Notice of Completion.

Subject: 90 - Resolution No. 74-80 Authorizing Certain Personnel to Purchase Surplus Property.

IN RE: Report from Fire Protection Director and City Manager recommending changing the list of authorized Category I personnel who may purchase materials at the Office of Surplus Property in Fullerton. -- Introduced, passed, and adopted RESOLUTION NO. 74-80, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AUTHORIZING CERTAIN REPRESENTATIVES OF THE CITY TO ACQUIRE FEDERAL SURPLUS PROPERTY FROM THE CALIFORNIA STATE AGENCY FOR SURPLUS PROPERTY UNDER CERTAIN TERMS AND CONDITIONS.

Subject: 58 - Purchase of a Riding Rotary Mower.

IN RE: Report from Golf and Parks Director and City Manager advising that four bids were received for purchase of a riding rotary mower; that three of the mowers were unsuitable for the City's special needs; and requesting waiver of formal bid procedure to purchase the mower from South Orange Turf Supply Co. in the amount of \$5,462.98. -- Waived formal bid procedure pursuant to Mun. Code section 5-6(h), and authorized purchase of riding rotary mower from South Orange Turf Supply Co. in the amount of \$5,462.98 utilizing \$5,100.00 from Account #10-783-7500 with the excess bid amount to be charged to Account #10-783-7600.

Subject: 42 - Claim for Damages Filed by Pacific Telephone & Telegraph Co.

IN RE: Claim for damages filed by Pacific Telephone & Telegraph Co. in the amount of \$254.00 when telephone cable was cut with backhoe by City personnel. -- Approved payment of the claim in the amount of \$254.00.

Subject: 42 - Claim for Damages Filed by Robert and Michael Johnson.

IN RE: Claim for damages filed by Robert and Michael Johnson in the amount of \$35.80 to replant an area of ice plant that was damaged due to water main break under sidewalk. -- Approved payment of the claim in the amount of \$35.80.

Subject: 32 - Request for Business License to Become Pawnbroker.

IN RE: Communication from Barbara Koshar, 1814 Golf Exchange, 810 S. El Camino Real, requesting a business license to become a pawnbroker. -- Approved request subject to payment of the required business license fee and complying with all applicable Penal and Business and Professions Codes regarding pawnbrokers.

Subject: 42 - Claim for Damages Filed by Claude Cochran.

IN RE: Claim for damages filed by Claude Cochran in the amount of \$263.27 when City truck while negotiating a turn crossed into claimant's lane and side-swiped vehicle. -- Approved payment of the claim in the amount of \$239.00, being the lowest estimate for repair.

Subject: 42 - Claim for Damages Filed by Richmond Lewis.

IN RE: Claim for damages filed by Richmond Lewis in the amount of \$240,000 plus certain undetermined amounts when claimant while driving moped on Coast Highway contacted loose gravel and dirt which caused a skid and fall. -- Based on insurance adjuster's recommendation, the claim was denied.

Subject: 42 - Claim for Damages Filed by Blanche Lewis.

IN RE: Claim for damages filed by Blanche Lewis in the amount of \$125,000 plus certain unknown expenses related to injury to husband Richmond Lewis involved in moped accident on Coast Highway. -- Based on insurance adjuster's recommendation, the claim was denied.

Subject: 58 - Temporary Employee - Municipal Golf Course.

IN RE: Report from Public Works Director-City Engineer and City Manager advising that in order to mitigate the flood hazard from the drainage channel along the 16th Fairway of the Municipal Golf Course temporary help is required to perform the work. -- Authorized an appropriation of \$1600 from the fund balance in the Local Drainage Planned Facilities Fund to Account #62-298-9875 (Transfers to Golf Course Fund), and increased by \$1600 the appropriation to Account #75-790-0120-1 (Temporary Employee) in the Golf Course Fund.

Subject: 97 - Bridge Repairs - Lobos Marinos to Alessandro, Project 15-80; Flood Channel Lining Repair adj. Camino Capistrano, Project 18-80; and Camino de Los Mares Catch Basin Expansion, Project 19-80.

IN RE: Report from Public Works Director-City Engineer and City Manager advising that only one bid was received for construction of Project 15-80, Project 18-80, and Project 19-80. -- Awarded the contract to Donald F. Dresselhaus for construction of the subject projects at the total bid price of \$38,945.20; and approved a budget appropriation in the total amount of \$42,840 (amount of contract plus 10% contingency) by transfer of \$19,664.00 from Sewer Unappropriated Retained Earnings (for the sewer bridge repairs), and \$23,176.00 from Storm Drain Fees, Account #62-3750, for the two drainage projects; said costs to be reimbursed 75% by disaster assistance funds.

CONSENT CALENDAR (Items removed for separate action)

Subject: 39 - Correction to City Council Minutes of 8-6-80 and 8-12-80.

IN RE: Councilman Lane's referral to the Minutes of 8-6-80 and 8-12-80.

Councilman Lane requested that the minutes of 8-6-80 reflect his "NO" vote on Tentative Tract No. 10478; and the minutes of 8-12-80 reflect his "ABSTAINING" on the Elmore Ranch Park Fees.

IT WAS THEN MOVED BY COUNCILMAN MECHAM, SECONDED BY COUNCILMAN LANE, AND UNANIMOUSLY CARRIED to approve the minutes of 8-6-80 and 8-12-80 as amended to correctly reflect Councilman Lane's "NO" vote and "ABSTENTION", and that the reading in full thereof be waived.

Subject: 108 - Multi-Modal Transportation Terminal Feasibility Study.

IN RE: Report from Public Works Director-City Engineer and City Manager advising that five proposals were received for a feasibility study for a proposed Multi-Modal Transportation Terminal within the City, which is being funded by the Orange County Transportation Commission.

The item having been removed from the Consent Calendar so that Councilman Lane could register his "NO" vote, IT WAS MOVED BY COUNCILMAN LIMBERG, SECONDED BY COUNCILMAN MECHAM, AND CARRIED to approve the Multi-Modal Transportation Feasibility Study proposal as submitted by Basmacyan-Darnell, Inc. and enter into a contract with said firm to complete the feasibility study. Councilman Lane voted "NO".

204
**Subject: 77 - Design and Preparation of Plans and Specifications for
Trafalgar Lane Pedestrian Overcrossing.**

IN RE: Report from Public Works Director-City Engineer and City Manager advising that three proposals were submitted for professional services in connection with the design and preparation of plans, specifications and estimate for the Trafalgar Lane Pedestrian Overcrossing.

Councilman Mecham questioned the wording of the Staff recommendation as to the "not to exceed" figure but still asking for a 10% contingency fund, and Staff advised of possible unforeseen needs and costs. Councilman Mecham further noted that he would like to see the contingency spelled out in more detail.

IT WAS THEN MOVED BY COUNCILMAN MECHAM, SECONDED BY COUNCILMAN LIMBERG, AND UNANIMOUSLY CARRIED to accept the proposal of Alderman, Swift & Lewis for an amount not to exceed \$17,900, add a 10% contingency for a total of \$19,690 to be appropriated from Park Acquisition Funds, and enter into an agreement with said firm to furnish all services as specified in their proposal.

PAYING OF THE BILLS

IT WAS MOVED BY COUNCILMAN LANE, SECONDED BY COUNCILMAN MECHAM, AND UNANIMOUSLY CARRIED that Warrants No. 9853 through No. 9882 and No. 3390 through No. 3538 voided, and No. 3539 through No. 3764, as audited by the Council be paid.

Total demands approved for payment for period
ending September 30, 1980 \$693,704.15

Ratification of Payroll Warrants No. 9859 and
No. 9881 for period September 1, 1980 through
September 14, 1980. \$128,513.72

TOTAL WARRANT REGISTER \$822,217.87

UNFINISHED BUSINESS

Subject: 67 - Auction Sales.

IN RE: Consideration of the request of Eva Riley that an amendment to the Municipal Code relating to auction sales by charities and non-profit organizations be again introduced.

IN RE: Communication from League of Women Voters presenting arguments against the proposed tax.

Councilmen Mecham and Limberg expressed various comments in opposition to the ordinance, AND IT WAS MOVED BY COUNCILMAN MECHAM, SECONDED BY COUNCILMAN LIMBERG, AND CARRIED to reject the proposed Ordinance. Mayor Koester voted "NO".

Later in the meeting Eva Riley questioned the outcome of the item on Auction Sales, and if it could be again considered. Mayor Koester advised that at the time the matter was discussed she had asked for her comments, however, she was not present and the Council then voted to deny the request by a 3-1 vote. The Mayor suggested that she might want to discuss the subject with the City Clerk for a possible future agenda item.

Subject: 105 - Estrella Properties, Tracts 10417, 10533, and 10595.

IN RE: Further consideration by Council as to whether or not the Planning Commission and City Council had considered the Hillside Grading Ordinance on these tracts when they first came before the City for approval; and whether or not these tracts do in fact comply with the Hillside Grading Ordinance.

IT WAS MOVED BY COUNCILMAN LANE, SECONDED BY COUNCILMAN MECHAM, AND UNANIMOUSLY CARRIED to continue the matter to 10-15-80 to allow more time to develop a comprehensive report.

Boyd Ames, Jr. requested that this matter be delayed until their attorney, who was on his way from Santa Ana, arrived.

Later in the meeting, Dennis Menke, attorney representing Estrella Properties, stated that these delays are costing his client money; and that he would like to have a special meeting where they can get down to the specifics. Following discussion, IT WAS MOVED BY COUNCILMAN LANE, SECONDED BY COUNCILMAN MECHAM, AND UNANIMOUSLY CARRIED that this matter be placed on the 10-15-80 agenda.

Subject: 48 (42) - La Esperanza/Calle Patricia Landslide - Claims for Damages.

IN RE: Claims for damages in the amount of \$9,940,000, plus undetermined amounts, in connection with the La Esperanza/Calle Patricia landslide filed by Anthony E. & Brenda L. Baumgartner; Anton N. Baumgartner; William & Heather McCoy; Daniel & Elsie Boosing; Lester E. & Elizabeth Simon; Peter & Margaretha Linnenbach; Linda, Peter C. and Paul Linnenbach; Eugene V. Roderick; and Wayne Cote.

IT WAS MOVED BY COUNCILMAN LANE, SECONDED BY COUNCILMAN MECHAM, AND UNANIMOUSLY CARRIED that all claims be denied.

Subject: 48 - La Esperanza/Calle Patricia Landslide.

IN RE: Status report relating to the La Esperanza/ Calle Patricia landslide.

The City Manager advised that we were to have a proposal from the homeowners by this time; that Attorney Wesley Davis has advised the homeowners indicated they were interested in working with Leighton & Associates but that to date we have not received a proposal; that based upon discussion with Staff and failure to hear from Mr. Davis or the homeowners, it was his recommendation that the Council not proceed with the abatement proceedings; and that the City take necessary steps to protect the public property and as much as possible clear the roadway for traffic.

Upon questioning of Councilman Limberg as to procedure, Mr. Carvalho advised that the dirt would be removed to the curb and sidewalk area as much as possible off the street, provide sandbags or other means such as K-rails, and apply visquine and oil to protect the surface to whatever extent possible.

It was further noted that both geologists indicate that the berms are of marginal support to the slide area, and that Leighton & Associates recommends proceeding with the study in order to deal with the entire problem. Councilman Lane felt that the City should direct the property owners to remove the problem by a certain date or assume the risk of any damage that results if the City were to unilaterally remove the problem in the interest of the public welfare and safety.

Heather McCoy noted that their attorney was enroute to the meeting.

Mayor Koester stated she wanted to read into the record some data she had gathered about grading of the property, however, Councilmen Lane and Mecham cautioned against any such statements in view of the claims filed.

Following further discussion, IT WAS MOVED BY COUNCILMAN LANE, SECONDED BY COUNCILMAN LIMBERG, AND UNANIMOUSLY CARRIED to authorize City Staff to take adequate measures to protect the public property in terms of removing the dirt from the street and protecting the dirt from the anticipated winter rains.

WRITTEN COMMUNICATIONS

Subject: 20 - Request for Abatement of Public Nuisance.

IN RE: Petition from 18 property owners on Avenida San Fernando requesting aid under the City's Public Nuisance Ordinance in the cleanup and maintenance of the business known as Park Liquor on the corner of San Fernando and El Camino.

IN RE: Communication from Edward F. Willette, owner of Park Liquor, responding to the complaint and citing various circumstances which occur to create the problem.

Following discussion, IT WAS MOVED BY COUNCILMAN LANE, SECONDED BY COUNCILMAN MECHAM, AND UNANIMOUSLY CARRIED to refer to Staff to first attempt resolution of the problem by enforcement of any violations of existing codes.

Subject: 63 - San Clemente Homeowners Association, Inc., Request for Public Hearing on Library/Senior Center.

IN RE: Communication from the San Clemente Homeowners Association, Inc. requesting a public hearing on the matter of the proposed construction of the City Library to allow public input as to its design.

IN RE: Communication from San Clemente Friends of the Library stating that its more than 200 members are very much satisfied with the plans.

The Building & Planning Director advised that at the present time the preliminary plans have been reviewed and approved by the Library Committee; that working drawings are in the plan check process; that there have been three meetings with the City Library Committee; and further that County library officials have given considerable guidance and they are happy with the result and the fact that the project is proceeding on schedule.

Councilman Limberg noted that these plans were approved by various committees and interested parties including the County; that the Cultural Heritage Board submitted a list of design suggestions, and pointed out that it is a County Branch Library as they are furnishing the funding.

Joe Barton advised that since forwarding their letter he has had conversations with Mr. Lawson and others concerning this matter and is reasonably satisfied himself that the Committee took careful steps as to public input.

Lucile Taylor commented that this matter should have a public hearing as the library is built with public funds; that the present design will cost the City parking area and is best suited to a level site which the actual site is not; that provision should be made for an underground expansion; and further, that it is not necessary to rush into the project.

IT WAS THEN MOVED BY COUNCILMAN LIMBERG, SECONDED BY COUNCILMAN LANE not to set the matter for a public hearing.

Harold Taylor stated he had asked to see the library plans and requested a meeting with the Library Committee to discuss the plans; further that it should not go to the architect without first going to Committee, and it is important to get the very best possible library for the City.

Betty Sherman, representing Friends of the Library, noted they are very much satisfied with the plans and it is time to move ahead with the already delayed library project before inflation renders current available funding inadequate to build the library.

Mr. Carvalho noted that Staff has devoted considerable time to try to expedite this matter; that it is ready to go out for bid; that the project has been delayed several months; that Council reviewed and screened the architects; that \$12,000 has been paid the architect on the contract and that \$35,000 will be due; and the matter is at a point where any discussion would be mute at this point.

Councilman Mecham noted that in reviewing the designs it was brought out that the two-tier concept was not affordable within the available budget and that any delay now would only cost the City money while being of marginal benefit.

Lee Steelman, President South Orange County Community Services Council, stated that a lot of people would like to be able to use the Senior Citizens Center for special uses, and requested that Council keep their organization in mind.

Mayor Koester stated she felt the citizens should be given every opportunity to comment on a proposed public building and felt that the hearing would not necessarily delay the project or require changes in the proposed design.

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

COMMUNICATIONS FROM COMMISSIONS, BOARDS, AND COMMITTEES

Subject: 106 - Resolution No. 75-80 Establishing a 3-Way Stop at Avenida Del Presidente at the Mendocino Overpass.

IN RE: Communication from Traffic & Parking Commission recommending approval of the installation of a 3-way stop at Avenida Del Presidente at the Mendocino Overpass.

IT WAS MOVED BY COUNCILMAN LANE, SECONDED BY COUNCILMAN MECHAM, AND UNANIMOUSLY CARRIED to concur with the Traffic & Parking Commission's recommendation.

Upon motion of Councilman Lane, seconded by Councilman Mecham, and unanimously carried, RESOLUTION NO. 75-80, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING MASTER TRAFFIC RESOLUTION NO. 1846 ESTABLISHING A 3-WAY STOP AT AVENIDA DEL PRESIDENTE AT THE MENDOCINO OVERPASS, was regularly introduced, passed, and adopted.

Subject: 77 - Request for an Ordinance Restricting Height of Trees which Obstruct Views.

IN RE: Communication from Parks and Recreation Commission concerning the request of Ann Goad for consideration of an ordinance restricting height of trees that obstruct views and advising that it was the consensus of the Commission that it would be unworkable and unmanageable to attempt to restrict the height of trees that obstruct views.

The City Clerk advised that the applicant was unable to be present at the meeting and has requested continuance in order to make a presentation to the City Council.

During brief Council discussion it was noted that Mrs. Goad did present her views before the Parks and Recreation Commission.

IT WAS THEN MOVED BY COUNCILMAN LIMBERG, SECONDED BY COUNCILMAN LANE, AND CARRIED to concur with the Parks and Recreation Commission and receive and file the communication without prejudice. Councilman Mecham voted "NO".

URGENT MATTERS

Subject: 50 - Request for Exempt License - Junior Women's Club.

IN RE: Sue Diehl's request for an exempt license to hold the Junior Women's Club Second Annual Fund Raising Dance at the Boys' Club, Saturday, October 11 from 8 P.M. to 1 A.M., which will be open to the public, with an anticipated attendance of 150 people.

IT WAS MOVED BY COUNCILMAN LANE, SECONDED BY COUNCILMAN MECHAM, AND UNANIMOUSLY CARRIED to approve the request subject to the requirements of the Police and Fire Departments.

Subject: 86 - Request for Proclamation.

IN RE: Request from Karen Pepper, Chairman of Membership Committee, Junior Women's Club, for a Proclamation from the City recognizing October as Junior Women's Club Month.

IT WAS THEN MOVED BY COUNCILMAN LANE, SECONDED BY COUNCILMAN LIMBERG, AND UNANIMOUSLY CARRIED that such a proclamation be issued.

ITEMS FROM CITY MANAGER

Subject: 97 - Analysis of Sewer Fund.

IN RE: Further consideration of report on analysis of sewer fund.

IT WAS MOVED BY COUNCILMAN LANE, SECONDED BY COUNCILMAN LIMBERG, AND UNANIMOUSLY CARRIED that any further questions of this nature be formally itemized and presented to the auditors during the annual pre-audit meeting with the City Council; that the City Council conclude that a significant contributing factor to this problem is an inefficient accounting and data processing system; and that for the most part continued research of financial statements and transactions of previous years is counterproductive when our energies should be more properly directed toward improving and enhancing our financial, accounting, and reporting systems; and that the City Council recognize that in light of the substantial employee turnover in the Finance Department in recent years they need to be left alone for a minimum of one year to make necessary improvements.

The City Manager requested an Executive Session to discuss a personnel matter.

Subject: 96 - Report on Proposed SERRA General Manager.

IN RE: Report from Public Works Director-City Engineer and City Manager on the matter of a proposed General Manager for SERRA.

In response to questions from Councilman Mecham, the City Manager stated he supports the concept of a general manager as he feels it is a more efficient way to have an administrator that can report to the Board, coordinate minutes and work with various contractors; however, he does have some concern as to the level of the salary for the position.

IT WAS THEN MOVED BY COUNCILMAN LANE, SECONDED BY MAYOR KOESTER to deny the concept of a General Manager for SERRA.

In further response to questions from Councilman Limberg, Mr. Putz advised that he supported the position of General Manager; that three of the other Board members support that concept with two board members against.

Following discussion regarding present and future costs of SERRA, the Mayor called for the QUESTION WHICH CARRIED UNANIMOUSLY.

Subject: 35 - Christmas Decorations.

IN RE: Communication from Chamber of Commerce advising of prices submitted by Creative Display of El Monte for the City's Christmas Decorations.

The City Manager advised he received a call from Alex Goodman advising that Creative Display has further offered 44 decorated poles for \$6,000 per year, if the City would agree to a 3-year agreement.

IT WAS THEN MOVED BY COUNCILMAN LANE, SECONDED BY COUNCILMAN LIMBERG, AND UNANIMOUSLY CARRIED to execute an agreement with Creative Display of El Monte for a 3-year agreement calling for 44 decorative poles at \$6,000 per year.

Subject: 77 - Cost Breakdown for Extra Work - Beach Club Renovation.

IN RE: Report from Building and Planning Director and City Manager advising of the need for certain extra work related to the Beach Club renovation.

Staff reviewed the items in connection with the extra work and stated that this was a realistic list of extras, and noted that a termite consultant should have been considered in the initial cost, and that a site survey some years ago to determine the condition of the building could have substantially reduced this extra work.

Following discussion IT WAS MOVED BY COUNCILMAN MECHAM, SECONDED BY COUNCILMAN LIMBERG, AND UNANIMOUSLY CARRIED that the extra work in the amount of \$34,058.00 be authorized and that the contractor be given an additional 35 working days to complete the renovation of the Beach Club.

ITEMS FROM CITY ATTORNEY

The City Attorney requested an Executive Session to discuss a matter of litigation.

ITEMS FROM COUNCIL MEMBERS

Subject: 106 - Suggested Traffic Measure.

IN RE: Councilman Lane's referral to a previous suggestion for flashing signal at Avenida Pico and El Camino Real.

IT WAS MOVED BY COUNCILMAN LANE, SECONDED BY COUNCILMAN MECHAM, AND UNANIMOUSLY CARRIED that the traffic signal at Avenida Pico and El Camino Real be changed to a flashing signal light.

Subject: 77 - Proposed Widening of Beach Club Pool to Eight Lanes.

IN RE: Councilman Lane's question as to whether the six-lane pool should be widened to eight lanes and whether the pool should be lengthened to be of the same dimensions as a world-class competition pool.

Councilman Lane suggested that the swimming pool be done in such a manner that the pool meets all specifications to be utilized by competition swimming. Staff advised that we will not be able to compete with a multi-million dollar facility such as located at Mission Viejo, but as the pool is currently planned it will meet AAU specifications and will work fine for AAU competition; that the existing pool complex is not large enough to accommodate large spectator facilities, however, the public beach and oceanfront setting will attract teams for large scale AAU meets.

IT WAS THEN MOVED BY COUNCILMAN LANE that changes be made to expand the pool to eight lanes as opposed to six, with a report back as to the cost as soon as possible.

The Building & Planning Director advised that it might be very expensive to alter the pool plans this late but that he would check with the contractor as to the feasibility of such an enlargement.

Following further discussion, A SUBSTITUTE MOTION WAS MADE BY COUNCILMAN MECHAM, SECONDED BY COUNCILMAN LANE, AND UNANIMOUSLY CARRIED that the Building and Planning Director be instructed to discuss the feasibility of expansion, as outlined in the previous motion, and the costs with a report back at the next Council meeting.

300
Subject: 106 - Regulation of Heavy Equipment Construction Traffic on City Streets.

IN RE: Councilman Limberg's inquiry as to the status of the San Pablo traffic study.

He noted that the City needs to control construction traffic during certain hours of the day, and that weight limits should be placed on the street.

The Public Works Director advised that they received six proposals for the traffic study; that the firm selected is gathering data and trying to set up a meeting with residents to hear problems in the area firsthand; that the time of construction traffic has been solved; that one of the contractors has indicated their full cooperation; and as to weight limits it appears there is little that can be done to restrict access as they have the right of access to the job unless it is done at the building or grading permit stage.

IT WAS THEN MOVED BY COUNCILMAN MECHAM, SECONDED BY COUNCILMAN LIMBERG, AND UNANIMOUSLY CARRIED that if we have any more construction projects that would require heavy equipment to move across existing streets, that an evaluation be made as to the effect of such heavy equipment traffic on City streets and either restrict it or extract reconstruction funds for those streets.

Councilman Mecham inquired as to the status of contact with the Estrella Golf Course to resolve certain erosion problems and the Public Works Director responded to various questions concerning the situation. The City Attorney also noted the lawsuit filed by the Golf Course owners against the City in relation to erosion.

NEW BUSINESS

Subject: 105 - Final Approval Tract No. 10855 - Buena Vista Associates.

IN RE: Report from Public Works Director-City Engineer and City Manager advising that the developer, Buena Vista Associates, has submitted the required items for finalization of Tract No. 10855, a 7-unit condominium at 903 Buena Vista.

Staff responded to questions and, IT WAS THEN MOVED BY COUNCILMAN LIMBERG, SECONDED BY COUNCILMAN MECHAM, AND UNANIMOUSLY CARRIED to approve the final map of Tract No. 10855.

Subject: 52 - Ordinance No. 789 Amending Chapter 20 of the Municipal Code Relating to Fire Protection.

IN RE: Report from Fire Protection Director and City Manager advising that the practice of placing locked security gates on driveways, parking structures and main entrances to buildings has created delay of police and fire personnel in gaining entrance to those structures, and recommending amendment to the Fire Code governing installation of approved locking devices to facilitate entrance.

Upon motion of Councilman Mecham, seconded by Councilman Lane, and unanimously carried, ORDINANCE NO. 789, BEING AN ORDINANCE OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING CHAPTER 20, SECTION 20-3 OF THE MUNICIPAL CODE RELATING TO FIRE PROTECTION, was regularly introduced by title only and the reading in full waived, and the matter set for public hearing for 11-5-80.

RESOLUTIONS

For Resolution No. 74-80 see under "CONSENT CALENDAR" on page 2.
For Resolution No. 75-80 see under "COMMUNICATIONS FROM COMMISSIONS, BOARDS, AND COMMITTEES" on page 7.

ORDINANCES

Subject: 35 - Ordinance No. 788 Establishing Parking and Business Improvement Area "A" of the City of San Clemente.

IN RE: Ordinance No. 788 Establishing Parking and Business Improvement Area "A" of the City of San Clemente.

IT WAS MOVED BY COUNCILMAN MECHAM, SECONDED BY COUNCILMAN LIMBERG, AND CARRIED that the reading in full of Ordinance No. 788 be waived. Councilman Lane "ABSTAINED".

Upon motion of Councilman Limberg, seconded by Councilman Mecham, and carried, ORDINANCE NO. 788 BEING AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE ESTABLISHING PARKING AND BUSINESS IMPROVEMENT AREA "A", having been regularly introduced at the meeting of 9-17-80 was again introduced, the reading in full thereof having been waived, and duly passed and adopted. Councilman Lane "ABSTAINED".

For Ordinance No. 789 see under "NEW BUSINESS" on page 10.

MEETING RECESSED

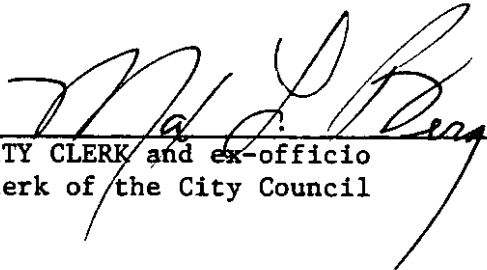
The City Council meeting was recessed to convene a meeting of the San Clemente Redevelopment Agency.

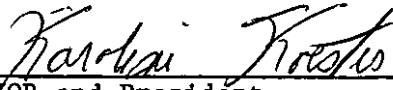
MEETING RECONVENED AND ADJOURNMENT TO EXECUTIVE SESSION

The Mayor reconvened the City Council meeting at 8:55 P.M. AND IT WAS MOVED BY COUNCILMAN LANE, SECONDED BY COUNCILMAN MECHAM, AND UNANIMOUSLY CARRIED to adjourn to an Executive Session to discuss a personnel matter and a matter of litigation.

MEETING RECONVENED AND ADJOURNMENT

The Mayor reconvened the meeting at 9:50 P.M. AND IT WAS MOVED BY COUNCILMAN MECHAM, SECONDED BY COUNCILMAN LIMBERG, AND UNANIMOUSLY CARRIED that the Council meeting be adjourned at 9:50 P.M.


CITY CLERK and ex-officio
Clerk of the City Council


MAYOR and President
of the City Council