

An emergency Special meeting of the City Council of the City of San Clemente, California, Council Chambers, Civic Center Building, 100 Avenida Presidio, Saturday, June 14, 1980, at 5:00 P.M., Mayor Karoline Koester presiding.

ROLL CALL

PRESIDENT: Council Members - 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

SPECIAL BUSINESS

A state of local emergency having been declared by the City Manager in regard to a landslide problem, the emergency Special Meeting had been called by telephoned notice and written notice waived since time did not permit the preparation and delivery of the usual 24 hour written notice of Special meeting.

Subject: 48 - Landslide in the Vicinity of La Esperanza/Calle Patricia.

IN RE: Landslide in the vicinity of La Esperanza/Calle Patricia.

The City Manager reviewed the circumstances of the landslide which occurred on June 13, 1980, in the vicinity of La Esperanza and Calle Patricia and the City's emergency response thereto, including the engaging of a geologic firm, Leighton and Associates, to assess the situation. Mr. Carvalho also reported on a meeting at 2:00 P.M. this date with the geologic team and key Staff members and advised of his subsequent determination that it was necessary to obtain policy direction from the City Council based upon the recommendation that was made by the geologist in regard to the problem.

Iraj Poormand of Leighton and Associates then presented an extensive overview of the situation, noting that the investigation to date was very preliminary due to time constraints, that they have mapped the exposures and have depicted what they feel is a likely geometry of the slide area. He advised that the homes of five property owners were involved being the Baumgartner, Boosing, Linnebach, McCoy, and Simon residences with considerable damage to the Baumgartner residence where the garage and retaining wall are under stress from the massive earth movement. During his further presentation and explanation he then outlined their recommendation and certain immediate temporary measures to be taken consisting of moving some of the slide material to form a buttress at both corners of the slide mass, and drilling of the slide area to determine the extent of the slide and the extent of the threat to the City street and public utilities.

The City Manager reviewed the complexity of the problem involving the five private property owners and the City's potential involvement in terms of the street and utilities since there is a possibility that the fracture underlies the street. Noting the need for policy direction, possible alternatives were discussed such as; (1) the City to do nothing at this point and wait and see what happens, (2) follow the recommendation of the geologist and take immediate action to provide a temporary buttress and boring of the slide, (3) as a facilitatory action the City provide information to the property owners involved with the request that they take the lead, and (4) meet with the five property owners and indicate that in terms of potential damage to the street we all share some potential hazard and should share in the decision and cost in taking some action.

During further Staff comments it was noted there have been similar incidents in the City and heretofore the policy has been not to become involved in matters of this nature which occur on private property, other than the emergency aspects thereof. The City Attorney also responded to questions concerning the need and effect of a hold harmless agreement from the property owners in the event the City participated in any remedial work and drilling.

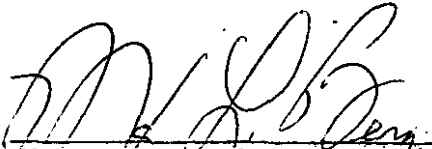
Lengthy discussion continued with homeowners Daniel Boosing, Peter Linnebach, Tony Baumgartner, Mike McCoy, and Lester Simon asking questions, expressing various comments and concerns, and/or indicating a willingness to hold the City harmless as to immediate measures and work that might be undertaken. Jack Stickel of Stickel and Associates expressed his opinions and also reviewed his previous findings from aerial photographs as to an ancient landslide in the City Hall area.

Following the discussion, deliberation and consideration lasting 1½ hours, IT WAS MOVED BY COUNCILMAN LIMBERG, SECONDED BY COUNCILMAN MECHAM, AND UNANIMOUSLY CARRIED to authorize the City Manager to proceed with Leighton and Associates with the initial soils investigation, including certain earth removal, buttressing and drilling; such investigation to be with the concurrence and agreement on the part of the homeowners to hold harmless and indemnify the City relating to this work; and that this be accomplished at the earliest possible time following a meeting with the five homeowners involved, with the City Manager to negotiate an appropriate sharing of the costs (which have been estimated between \$11,000 to \$13,000) between the City and the homeowners.

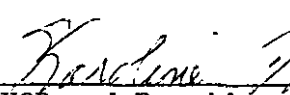
The City Manager requested the homeowners involved to meet with Staff in the Conference room after the meeting was adjourned.

ADJOURNMENT

IT WAS MOVED BY COUNCILMAN LIMBERG, SECONDED BY COUNCILMAN MECHAM, AND UNANIMOUSLY CARRIED that the meeting be adjourned at 6:30 P.M.



CITY CLERK and ex-officio
Clerk of the City Council



MAYOR and President
of the City Council