

San Clemente, California
June 26, 1968

An adjourned regular meeting of the City Council of the City of San Clemente, California, Conference Room, Civic Center Building, Wednesday, June 26, 1968, 7:30 P.M., Mayor Wade F. Lower presiding.

ROLL CALL

PRESENT: Councilmen - CHILTON, EVANS, NORTHRUP, O'KEEFE, AND LOWER
ABSENT: Councilmen - NONE

Also Present: Kenneth E. Carr, City Manager, and Max L. Berg, City Clerk.

Notice of the adjourned meeting had been posted as required by law, and affidavits showing such compliance are on file in the Clerk's office.

WRITTEN COMMUNICATIONS

74 - Request for time change for two parking meters at 610 Avenida Victoria

Letter from IAN KENNEDY requesting a time change from two hours to 24 minutes on Parking Meters No. 467 and No. 468, located in front of Kennedy's Snack Bar, 610 Avenida Victoria.

Upon recommendation of the City Manager, IT WAS MOVED BY COUNCILMAN CHILTON, SECONDED BY COUNCILMAN EVANS, AND UNANIMOUSLY CARRIED to refer the matter to the Police Department (Traffic Engineer) for study and report back at the next regular meeting.

PLEDGE OF ALLEGIANCE AND INVOCATION

Due to the fact that the meeting was held in the conference room where no flag was available, it was necessary to obtain a flag from another source which arrived after the beginning of the meeting. The Pledge of Allegiance to the Flag of the United States of America was at this time led by Councilman Evans. The invocation was also given by Councilman Evans.

ORAL COMMUNICATIONS

24 - Complaint of Skunks Infesting the Neighborhood.

Arthur B. Ruff, 217 W. Pelayo, addressed the Council apprising them of the serious problem of skunks infesting his neighborhood and the fact that he felt he received no satisfaction from the Orange County Animal Control Officers in reporting the problem to them.

Following discussion and being cognizant that skunks are carriers of rabies, IT WAS MOVED BY COUNCILMAN EVANS, SECONDED BY COUNCILMAN CHILTON, AND UNANIMOUSLY CARRIED to refer the matter to the City Manager for appropriate action and report back at the next meeting.

77 - Proposed creation of a more definite Beach Utilization Program

Leon Hyzen, speaking as Chairman of the Chamber of Commerce Beautification Committee, spoke from the audience proposing the creating of a more definitive beach utilization program to encompass further development of the beach and recreational facilities, relief of traffic congestion and more parking area, improvement of the pier crossing entrance, and commenting on the danger of fast traveling trains at North Beach. A MOTION by Councilman O'Keefe for the City Attorney to check the legality of setting a speed limit on trains DIED FOR LACK OF A SECOND.

Following the suggestion by Mr. Hyzen that some money be set aside for planning and possible formation of a citizens study committee, the City Manager advised that Milton Breivogel, Planning Consultant, will present a report and recommendation on the City's General Plan before the Planning Commission and Council later this evening. Mr. Carr further advised that the Planning Department Proposed Budget for 1968-69 does contain an appropriation for additional planning consultant services, but that the scope of planning studies is not defined.

Councilman O'Keefe suggested that the subject could be brought up again at the time the final Budget is considered.

UNFINISHED BUSINESS40 - Redemption of Civic Center Bonds.

Further consideration was given to the pending question concerning possible retirement of the Civic Center Bonds. Mr. Carr presented Robert E. Schweser, investment banker, and general discussion ensued between the Council, City Manager, Finance Director Teachout, Robert Schweser, and General David Blakelock, Secretary of the San Clemente Building Company, relative to the two proposals submitted in a letter by the Robert E. Schweser Company of California which outlined the financial feasibility of retiring the Civic Center Bonds as opposed to letting them go to maturity.

During the discussion period, the pros and cons were debated at length with both the City Manager and Finance Director expressing opinion that advanced retirement of the bonds would be in the best interest and to the financial advantage of the City, and that Proposal No. 2 as outlined in the Schweser Company letter appeared to be the more beneficial.

Councilman O'Keefe inquired if information had been developed re interest earnings vs. interest costs and the possibility of buying securities with the same maturity date as San Clemente Civic Building Company bond maturities. The City Manager and Finance Director indicated that there had not been sufficient time to prepare such information. Councilman Northrup questioned if a \$230,000 payment from Unappropriated Surplus to pay off the \$290,000 plus bonds would be the best expenditure to make for the citizens, or whether the Council should consider using these funds for purchase of park sites or other capital expenditures.

Following the lengthy discussion, IT WAS MOVED BY COUNCILMAN EVANS, SECONDED BY COUNCILMAN NORTHRUP to hold the matter over to the next regular meeting. The MOTION FAILED TO CARRY with Councilmen Chilton, O'Keefe, and Mayor Lower voting "NO".

IT WAS THEN MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN CHILTON, AND CARRIED not to call the Bonds. Councilman Evans and Mayor Lower voted "NO".

RECESS

IT WAS MOVED BY COUNCILMAN EVANS, SECONDED BY COUNCILMAN O'KEEFE AND UNANIMOUSLY CARRIED to recess at 9:05 P.M. to attend a portion of the Planning Commission meeting.

MEETING RECONVENED

The meeting was reconvened at 9:35 P.M., and the Mayor called the Council to order.

FURTHER ORAL COMMUNICATIONS77 - Suggested New Approach to Parking Problem at Linda Lane

Ian Kennedy submitted and explained a rendering by Eric Boucher which illustrated tri-level parking decks at the Linda Lane site to accommodate more vehicles on less area and without the need of obtaining right-of-way from the AT&SF railway.

Discussion ensued on the feasibility of the proposal from an engineering as well as a financial standpoint and IT WAS MOVED BY COUNCILMAN EVANS, SECONDED BY COUNCILMAN O'KEEFE, AND UNANIMOUSLY CARRIED to refer the matter to the City Engineer to come back at the next meeting with approximate cost and feasibility figures, and appreciation expressed to Mr. Boucher for his efforts.

FURTHER UNFINISHED BUSINESS30 - 1968-69 Preliminary Budget

Further consideration was given to the revisions to the 1968-1969 Budget as indicated by the Council in recent deliberations and as outlined in the memorandum from the City Manager dated 6-24-68 which included 24 items under "General Fund"; 6 items under "Water Utility Fund"; 2 items under "Sewage Utility Fund"; 3 items under "Golf Course Fund"; 3 items under "Revolving Fleet"; and 2 items under "Inventory Revolving" fund. Mr. Carr advised that even with these changes, the Budget would be balanced, and the only deficit aspect would be in the Pico Road extension which is a carry-over from prior years gas tax monies.

There ensued a discussion period on certain of the items which is briefly summarized as follows: (1) Under "General Fund" there was no provision for a three-wheel scooter for the Parking Control Officer, but there would be adequate funding without serious Budget adjustment; (2) General Fund item

concerning the revising of the estimate of the County Lifeguard Grant from \$70,000 to \$66,791 due to the fact that the formula used by the County Administrator is geared back to the 1967-1968 figures, thus resulting in a grant below what the City has budgeted, but that an appeal before the Board of Supervisors is being planned in conjunction with other beach cities; (3) Agreement in a General Fund item concerning the increase in the Volunteer Firemen Drill allotment; (4) Agreement in a Water Utility Fund item concerning consultant services for revisions of the Master Plan and review of the proposals in the Capital Improvement Plan; and (5) Concurrence in a Golf Course item for increase of golf play tickets by approximately 10% and a suggested common expiration date.

Ian Kennedy spoke from the audience proposing that the Council explore the possibility of obtaining Federal grants under the Youth Job Opportunities Program to give local youths an opportunity to work and accomplish clean-up projects throughout the City. The City Manager was instructed to check into the possibility of obtaining such a grant.

Bertha Henry apprised the Council of an error in the estimated cost of \$1,200 for land acquisition for a neighborhood park in the Shorecliffs Tract stating that the City was given the assessed valuation and not the market valuation.

Following further general discussion, IT WAS MOVED BY COUNCILMAN CHILTON, SECONDED BY COUNCILMAN EVANS to rescind the motion of the meeting of 6-19-68 to incorporate 16 items into the Budget, and to incorporate all the items as outlined in the memorandum from the City Manager, dated 6-24-68, as deletions or additions to the 1968-1969 Budget. The MOTION WAS UNANIMOUSLY CARRIED upon the following stated vote, to wit:

- AYES: Councilmen - CHILTON, EVANS, NORTHRUP, O'KEEFE, AND LOWER
- NOES: Councilmen - NONE
- ABSENT: Councilmen - NONE

Mr. Carr commented that every attempt will be made to bring back the Budget in final form for adoption at the next regular meeting of July 3, 1968.

As previously directed at the last meeting, the proposed new salary Resolution incorporating a 5% salary increase to all but two classifications and the addition of certain positions as follows was submitted: Range 30 - establishment of the position of Parking Control Officer; Range 33 - Automotive Mechanic Helper to remain in same range as currently provided; Range 38 - establishment of the position of Plant Operator Leadman; Range 39 - establishment of the position of Engineering Aide; Range 42 - establishment of the position of Fireman; Range 46 - position of Greenskeeper advanced only one range (2 1/2% increase); Typographical error correction in the new position of Bond and Investment Officer who should receive \$591.00 per month as additional duties of the City Treasurer; and the City Attorney to receive \$440.00 per month which includes a 5% increase. The Council concurred in the Court compensation allowance to Police personnel and the uniform allowance to all such designated employees.

Discussion ensued on the question of salary increase for the City Attorney and whether to place his services on a retainer basis or keep the position on a monthly salary, and it was determined that the position be removed from the proposed salary Resolution and placed on a retainer basis.

Upon motion of Councilman Evans, seconded by Councilman Northrup, RESOLUTION NO. 52-68, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ESTABLISHING A COMPENSATION PLAN; ASSIGNING COMPENSATION SCHEDULES FOR ALL CLASSES OF EMPLOYMENT IN THE CITY SERVICE; PROVIDING FOR CERTAIN OTHER COMPENSATION BENEFITS; AND REPEALING RESOLUTION NO. 66-67 AND ALL OTHER RESOLUTIONS IN CONFLICT THEREWITH, was regularly introduced, passed, and adopted upon the following stated vote, to wit:

- AYES: Councilmen - CHILTON, EVANS, NORTHRUP, O'KEEFE, AND LOWER
- NOES: Councilmen - NONE
- ABSENT: Councilmen - NONE

IT WAS THEN MOVED BY COUNCILMAN EVANS, SECONDED BY COUNCILMAN CHILTON to instruct preparation of an amending Resolution to provide that the City Attorney shall be engaged on a retainer basis and without the 5% increase, said Resolution to be brought back at the next regular meeting. The MOTION WAS UNANIMOUSLY CARRIED upon the following stated vote, to wit:

- AYES: Councilmen - CHILTON, EVANS, NORTHRUP, O'KEEFE, AND LOWER
- NOES: Councilmen - NONE
- ABSENT: Councilmen - NONE

77 - Request for Park or Playground to block end of Via Manzana

Reference was made to the letter from the Harbor Estates Homeowners' Association introduced at the meeting of 6-5-68 during the Hearing on the Preliminary Budget, requesting that the City develop a park or playground of sufficient size near the corner of Calle Bienvenido and Via Manzana to block the end of Via Manzana because of the proposed future development of an apartment complex contiguous to said area.

General discussion ensued and IT WAS MOVED BY COUNCILMAN EVANS, SECONDED BY COUNCILMAN O'KEEFE, AND UNANIMOUSLY CARRIED to refer the matter to the Planning Commission for study and recommendation, and for examination of the possibility of abandonment of that end of the street.

REPORTS AND MISCELLANEOUS ITEMS

68 - Area League of California Cities' position on dissolution of Orange County Harbor District.

Referring to the recent special meeting of the Orange County Division of the League of California Cities to establish the Division's position on the Briggs Bill as amended, to require a vote of the people at the General Election November 5, on the question of dissolution of the Orange County Harbor District and the assumption of its functions as part of an integrated and interrelated County Department of Parks, Beaches, and Harbors, Councilman Northrup who attended the meeting, advised the Council of his "NO" vote on the basis that the proposals included by the City of Newport Beach clouded the issues involved.

54 - Proposed Resolution to commend San Clemente Cable TV

Referring to activities of the San Clemente Cable TV Company, IT WAS MOVED BY COUNCILMAN EVANS, SECONDED BY COUNCILMAN O'KEEFE, AND UNANIMOUSLY CARRIED that a Resolution be prepared for the next meeting commending the San Clemente Cable TV Company for their civic mindedness in video taping local news events for later presentation on Channel 3 to their cable customers.

Councilman O'Keefe suggested that the monthly departmental activities report would be more meaningful if the year-to-date figures also included year to year comparison totals.

68 - Resolution No. 53-68 for Preservation of Dana Point Harbor Cliffs and Bluffs

In connection with the Dana Point Harbor and breakwater completion, Councilman O'Keefe suggested that the Council go on record to the Board of Supervisors, Harbor Department, and Army Corps of Engineers that in order to preserve to the greatest extent possible the natural beauty of the Dana Point cove and bluffs that they abstain wherever possible from any cut and fill operations which would irreparably damage the great scenic beauty of the existing natural condition of the bluffs and cliffs surrounding Dana Point Harbor.

Upon motion of Councilman O'Keefe, seconded by Councilman Chilton, RESOLUTION NO. 53-68, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, URGING PRESERVATION OF THE NATURAL BEAUTY OF DANA POINT COVE AND BLUFFS, AND ABSTENTION WHEREVER POSSIBLE FROM ANY CUT AND FILL OPERATIONS WHICH WOULD IRREPARABLY DAMAGE THE SCENIC BEAUTY OF THE EXISTING NATURAL CONDITION OF THE BLUFFS AND CLIFFS SURROUNDING DANA POINT HARBOR, was regularly introduced, passed, and adopted upon the following stated vote, to wit:

- AYES: Councilmen - CHILTON, EVANS, NORTHRUP, O'KEEFE, AND LOWER
- NOES: Councilmen - NONE
- ABSENT: Councilmen - NONE

Mayor Lower advised the Council of the two tickets available to each Councilman to the Laguna Art Festival, July 11, in conjunction with the dinner meeting of the League of California Cities.

60 - Employees Group Health & Accident Insurance Policy

Consideration was given to the proposal from the City Manager that on and after July 1, 1968, Aetna Life Insurance Company be retained in place of Blue Cross, currently the policy holder for Group Health & Accident Insurance for the employees of the City. Mr. Carr explained that an

employees committee was formed to study the matter after receipt of information from Blue Cross of a substantial rate increase for said insurance to take effect July 1, and after careful study the committee had formulated their recommendation for acceptance of the Comprehensive Medical Expense proposal submitted by Aetna.

General discussion ensued with comments by Councilman Chilton questioning the desirability of an employees' committee recommending on such matters. Councilman O'Keefe proposed extension of coverage with Blue Cross for one month to enable other companies who are interested to submit proposals. The Finance Director and City Clerk explained the financial and coverage ramifications of the two plans and commented that the committee had had excellent unbiased, professional insurance advice in considering all the aspects involved.

IT WAS THEN MOVED BY COUNCILMAN NORTHRUP, SECONDED BY COUNCILMAN EVANS to accept the proposal submitted by Aetna Life Insurance Company effective July 1, 1968. The MOTION WAS CARRIED upon the following stated vote, to wit:

AYES: Councilmen - EVANS, NORTHRUP, AND LOWER
 NOES: Councilmen - CHILTON AND O'KEEFE
 ABSENT: Councilmen - NONE

RESOLUTIONS

For Resolution No. 52-68 see under "UNFINISHED BUSINESS" on Page 3.
 For Resolution No. 53-68 see under "REPORTS & MISCELLANEOUS ITEMS" on Page 4.

ORDINANCES

24 - Ordinance No. 519 - Establishing Certain Animal Control Regulations in Addition to the County Animal Control Ordinance.

Upon motion of Councilman Northrup, seconded by Councilman Evans, ORDINANCE NO. 519, BEING AN ORDINANCE OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING CHAPTER 17 OF THE CODE OF THE CITY OF SAN CLEMENTE, BY ADDING THERETO SECTION 17-2 ESTABLISHING CERTAIN ANIMAL CONTROL REGULATIONS WHICH ARE IN ADDITION TO THE COUNTY ANIMAL CONTROL ORDINANCE, having been regularly introduced at the meeting of 6-19-68, was again introduced, the reading in full waived upon a 4/5ths vote, duly passed and adopted upon the following stated vote, to wit:

AYES: Councilmen - EVANS, NORTHRUP, O'KEEFE, AND LOWER
 NOES: Councilmen - CHILTON
 ABSENT: Councilmen - NONE

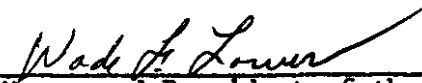
117 - Ordinance No. 520 - Amending "The San Clemente City Zoning Ordinance"- Zoning Ordinance Amendment No. 02-68.


Upon motion of Councilman Chilton, seconded by Councilman Evans, ORDINANCE NO. 520, BEING AN ORDINANCE OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING SECTIONS 4.4 AND 5.16 OF ORDINANCE NO. 397, KNOWN AS "THE SAN CLEMENTE CITY ZONING ORDINANCE," BY ADDING, "SINGLE FAMILY DWELLING" AND "DUPLEX" TO THE USES ALLOWED IN THE R-3-G GARDEN APARTMENT DISTRICT, AND AMENDING THE LOT SIZE OF SAID R-3-G GARDEN APARTMENT DISTRICT FROM 6,000' TO 7,500'; ALSO AMENDING THE FENCE HEIGHT REQUIREMENT FOR SWIMMING POOLS FROM SIX FEET TO FIVE FEET, having been regularly introduced at the meeting of 6-19-68, was again introduced, the reading in full unanimously waived, duly passed and adopted upon the following stated vote, to wit:

AYES: Councilmen - CHILTON, EVANS, NORTHRUP, O'KEEFE, AND LOWER
 NOES: Councilmen - NONE
 ABSENT: Councilmen - NONE

ADJOURNMENT

There being no further business, IT WAS MOVED BY COUNCILMAN NORTHRUP, SECONDED BY COUNCILMAN EVANS, AND UNANIMOUSLY CARRIED that the Council meeting be adjourned at 11:25 P.M.


 Wade A. Lower
 Mayor and President of the
 City Council


 City Clerk and ex officio
 Clerk of the City Council