

San Clemente, California
September 25, 1968

An adjourned regular meeting of the City Council of the City of San Clemente, California, Conference Room, Civic Center Building, September 25, 1968, 7:30 P.M., Mayor pro tem Stanley C. Northrup presiding.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance to the Flag of the United States of America was led by the Mayor pro tem.

ROLL CALL

PRESENT: Councilmen - CHILTON, EVANS, O'KEEFE, AND NORTHROP
ABSENT: Councilmen - LOWER

Also Present: Kenneth E. Carr, City Manager; Max L. Berg, City Clerk;
and Carl S. Kegley, City Attorney.

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

73 - Request from San Clemente Community Theatre to
Suspend Banner Advertising "The Heiress".

Letter from SAN CLEMENTE COMMUNITY THEATRE requesting that its banner, to be erected and removed by City forces, be permitted at the customary location on Avenida Del Mar from October 3 through October 26 for the purpose of advertising their production of the "The Heiress".

Upon question, the City Manager advised that there would be no conflict of usage and IT WAS MOVED BY COUNCILMAN EVANS, SECONDED BY COUNCILMAN CHILTON, AND UNANIMOUSLY CARRIED to approve the request.

73 - Request from South Coast Choral & Light Opera Association
to Suspend Banner Advertising "The Pirates of Penzance".

Letter from SOUTH COAST CHORAL AND LIGHT OPERA ASSOCIATION requesting permission to suspend a banner, with City assistance, across El Camino Real at a location to be selected by the City, from October 1 through October 26, to advertise their production of "The Pirates of Penzance".

Due consideration being given, IT WAS MOVED BY COUNCILMAN EVANS, SECONDED BY COUNCILMAN CHILTON, AND UNANIMOUSLY CARRIED that the request be granted.

62 - Request for Change in Penal Code Section 243 re Minimum Sentence
for the Conviction of any Person in the Death or Injury of a Police
Officer or Fireman in the Performance of His Duties.

Letter from CITY OF TEHACHAPI referring to the death of their Chief of Police as a result of gunshot wounds received while serving a warrant for arrest, and proposing legislation requiring a 5-year minimum sentence for conviction of any person committing a battery with a deadly weapon or by any means likely to produce great bodily injury upon a peace officer or fireman while engaged in the performance of his duties.

Discussion ensued relative to what constituted a deadly weapon or instrument under certain circumstances and Councilmen Chilton and O'Keefe debated the pros and cons of the proposed legislation. It was suggested that no action be taken until the legislation was introduced and available for perusal.

IT WAS MOVED BY COUNCILMAN EVANS, SECONDED BY COUNCILMAN O'KEEFE, AND CARRIED that until the Bill is written, the communication be filed. Councilman Chilton voted "NO".

103 - Requests for Support in Opposing "Watson
Amendment" (Proposition No. 9).

Letter and Resolution from CITY OF HUNTINGTON BEACH opposing the "Watson Amendment" and urging City to join in the opposition.

Letter and enclosures from law offices of O'MELVENY & MYERS advising that San Clemente is among the agencies that would be prohibited from incurring any further general obligation bonds if the "Watson Amendment" passes and requesting support in opposing the measure.

A MOTION by Councilman Evans that the communications be filed and the matter held over to the next meeting DIED FOR LACK OF A SECOND.

Councilman Chilton voiced his objection to the position taken by O'Melveny & Myers and his MOTION to dismiss said firm as legal representatives of the City for any further bond proceedings DIED FOR LACK OF A SECOND.

Following a MOTION by Councilman O'Keefe to adopt the Resolution of Huntington Beach which also DIED FOR LACK OF A SECOND, IT WAS MOVED BY COUNCILMAN EVANS, SECONDED BY COUNCILMAN O'KEEFE, AND CARRIED to hold the matter over until the next meeting. Councilman Chilton voted "NO".

ORAL COMMUNICATIONS

77 - Pier Entrance Modification Application to P.U.C.

Upon inquiry by Ian Kennedy concerning the status of the application for pier entrance modification for a grade crossing, the City Manager advised that the application has been filed with the Public Utilities Commission.

64 - Commendation of Lifeguard Department.

Councilman O'Keefe commenting on the recent banquet meeting of the San Clemente Surf Lifesaving Association expressed appreciation on behalf of the Council for the Honorary Membership plaques received by the individual Councilmen, and commended the Lifeguard service as a whole for their accomplishments and also certain members thereof who received special awards at the ceremonies.

IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN CHILTON, AND UNANIMOUSLY CARRIED that a letter be written to the Lifeguard Department with copies to the award recipients commending them on their achievements.

Mayor pro tem Northrup advised that at a recent meeting at Camp Pendleton he learned that the construction of the effluent disposal line from the City limits into the San Mateo Basin is going out for bid soon.

76 - All-Day Parking by Marines on Streets in Tract No. 900.

Mayor pro tem Northrup apprised the Council that in discussion with officials at Camp Pendleton he was told that any step the City wished to take regarding the problem of all-day parking by Marines on the streets in Tract No. 900 would be fine with them.

During discussion, the City Manager stated that he felt serious thought should be given to the situation and that the matter would be discussed and studied by the Chief of Police with a report back at the next meeting.

REPORTS AND MISCELLANEOUS ITEMS

96 - Resolution No. 82-68 Awarding Bid for \$2,200,000 General Obligation Sewer Bonds.

The City Manager reported that pursuant to published notice inviting bids on \$2,200,000 par value general obligation bonds, the following bids were received and publicly opened, examined, and read at 11:00 A.M., Wednesday, September 25, 1968, in Room 1201, Bank of America N. T. & S. A., 111 West Seventh Street, Los Angeles, California. In attendance were Mr. E. A. Wells of Bartle Wells Associates, the City Clerk, and City Manager.

United California Bank - Manager; Dean Witter & Company; Goldman, Sachs & Company; E. F. Hutton & Company, Inc.; Bache & Company, Incorporated; Shearson, Hammill & Company, Incorporated; Paine, Webber, Jackson & Curtis; Roberts, Scott & Company, Inc., bid par, accrued interest to date of delivery, and a premium of \$435.00 for bonds bearing interest payable annually the first year and semi-annually thereafter at the rates of:

<u>Rates</u>	<u>Years</u>
6 %	1970 to 1977
5½ %	1978
4½ %	1979 to 1981
4.60 %	1982 to 1983
4.70 %	1984
4 3/4 %	1985 to 1986
4.80 %	1987 to 1992
4 %	1993

(Average net interest rate 4.776358%)

Bank of America N. T. & S. A. and Associates bid par, accrued interest to date of delivery, and a premium of \$220.00 for bonds bearing interest payable annually the first year and semiannually thereafter at the rates of:

<u>Rates</u>	<u>Years</u>
6 %	1970 to 1975
4½ %	1976 to 1980
4.60 %	1981 to 1982
4.70 %	1983 to 1984
4 3/4 %	1985 to 1986
4.80 %	1987 to 1988
4.90 %	1989 to 1993

(Average net interest rate 4.8392%)

Security Pacific National Bank and Associates bid par, accrued interest to date of delivery, and a premium of \$71.00 for bonds bearing interest payable annually the first year and semiannually thereafter at the rates of:

<u>Rates</u>	<u>Years</u>
6 %	1970 to 1975
4.30 %	1976
4.40 %	1977
4.50 %	1978
4.60 %	1979 to 1980
4.70 %	1981 to 1982
4.75 %	1983 to 1984
4.80 %	1985 to 1986
4.90 %	1987 to 1993

(Average net interest rate 4.8691%)

Weeden & Company bid par, accrued interest to date of delivery, and a premium of \$93.00 for bonds bearing interest payable annually the first year and semiannually thereafter at the rates of:

<u>Rates</u>	<u>Years</u>
6 %	1970 to 1975
4 3/4 %	1976 to 1981
4.80 %	1982 to 1984
4.90 %	1985 to 1989
5 %	1990 to 1993

(Average net interest rate 4.954%)

Each bid was accompanied by a good faith check in an amount not less than \$10,000.

Mr. Carr further advised that following the bid opening, all bids were referred to Mr. Wells for checking and computation, and that the bid of United California Bank (and associates) is the bid yielding the lowest net interest cost. Mr. Carr recommended that the necessary Resolution be adopted accepting the bid and awarding the bonds to said United California Bank (and associates) and rejecting all other bids. Mr. Wells concurred and commented that he felt this was a very satisfactory and reasonable interest rate in view of the current bond market.

After considering the various bids and the report thereon, upon motion of Councilman Evans, seconded by Councilman O'Keefe, RESOLUTION NO. 82-68, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AWARDING \$2,200,000 BONDS OF SAID CITY TO THE BEST BIDDER AND REJECTING ALL OTHER BIDS, was regularly introduced, passed, and adopted upon the following stated vote, to wit:

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

In further discussion, the Council and City Manager commended Mr. Wells of Bartle Wells Associates for their work in the bond sale proceedings and the fine official statement containing data and information about the City. Mr. Wells briefly reviewed the method and means of developing the official statement, the number of copies mailed to potential bidders, and their intent and obligation as the City's financial consultant, to follow up with periodic information about the City to the bond holders.

96 - Sewer Connection and Sewer Service Charges

Referring to the bond sale just completed, the City Manager reminded the Council that beginning in fiscal 1969-1970 funding must be found for the \$100,000 plus per year required for bond interest and redemption.

Mr. Carr pointed out that sewer connection fees proposed for funding the bond issue have fallen far short and that 800 new construction starts a year would be required to pay the annual interest and redemption. General discussion ensued concerning the sewer connection fee and sewer service charge, and the planned analysis and report on the sewer service charge revenues after a full year's operation and billing cycle.

96 - Plans for New Sewage Treatment and Water Reclamation Facility.

Consideration was given to the new sewage treatment and water reclamation facility. Consulting Project Engineers, Robert White and John Olson of Engineering Science, Inc., brought the Council up to date on what progress has been made on the specific plans of layout, design criteria, and unit size, and presented plot plans for Council perusal.

Discussion ensued on the following three items in order that a determination could be made to allow Engineering Science, Inc. to proceed full scale to meet the 12 month construction schedule, hopefully going to bid by February, 1969: (1) Rectangular primary and secondary tanks proposed by Engineering Science, Inc. as opposed to circular tanks recommended by the City Engineer; (2) Enlarging the existing pump station at present location or abandoning same and constructing a new one to serve the new plant location; and (3) Incinerator to be included in new facility as shown in the plans or the disposal of sludge through the Capistrano Beach Sanitary District by means of an agreement.

During lengthy discussion and debate it was determined to enlarge the pump station at its present location due to the high cost in constructing a new one, and to provide for an incinerator in the new facility as shown in the plans.

Pros and cons were discussed concerning the construction of circular tanks rather than rectangular tanks with the City Engineer strongly recommending that circular tanks be used which would require less maintenance and be a distinct advantage with the limited personnel of the City. Engineering Science representatives expressed their reasons for recommending rectangular tanks emphasizing the savings in land usage.

IT WAS THEN MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN NORTHRUP to accept the recommendation of Engineering Science, Inc. and construct rectangular tanks. The MOTION WAS CARRIED upon the following stated vote, to wit:

AYES: Councilmen - EVANS, O'KEEFE, AND NORTHRUP
 NOES: Councilmen - CHILTON
 ABSENT: Councilmen - LOWER

In discussing certain aesthetic features and screening of the new facility, it was the consensus of the Council that this should not be a cost to the City.

56 - A.H.F.P. Project No. 459 with County of Orange (Camino Capistrano)

Referring to the approval at the meeting of 5-15-68 covering the Arterial Highway Financing Project No. 459 with the County of Orange for the improvement of Camino Capistrano from El Camino Real to Via Breve in the total amount of \$100,400 with \$50,200 to be financed each by the City and

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County, the City Manager discussed with the Council whether or not to contract for the preparation of plans and specifications because of staff shortage due to recent resignations of Engineering Department personnel.

Discussion ensued on the loss of aforementioned personnel for the reason of higher salaries elsewhere, and whether the limited engineering staff would have the time to complete the work.

74 - Revenue from Beach Parking Meters

For information only, the City Manager reported the following revenue collected at the various parking metered areas from 6-1-68 to date: (1) Cristobal, Calafia and North Beach - \$4,728.94; (2) Pier and "Bowl" area - \$5,428.28; (3) Avenida Del Mar - over \$5,000; and (4) Pier parking lot - \$1,913.24.

22 - Proposed Master Planning of Air Transportation for Orange County

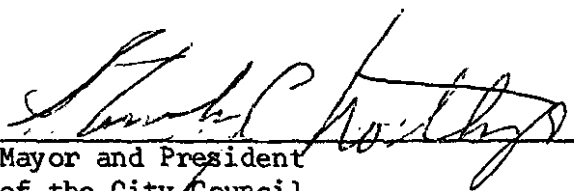
Upon question, the City Attorney reported briefly on his recent attendance at the meeting of the Orange Coast Association relative to "Phase I, Master Plan of Air Transportation for Orange County" stating that all of Orange County is hostile to the proposals, and to date no flight patterns have been determined for the possible airport site on Camp Pendleton.

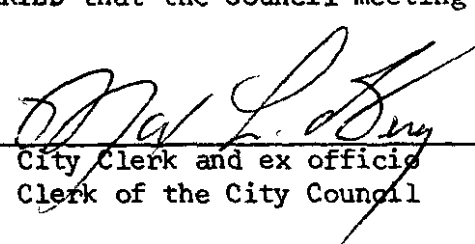
RESOLUTIONS

For Resolution 82-68 see under "REPORTS AND MISCELLANEOUS ITEMS" on Page 3.

ADJOURNMENT

There being no further business, IT WAS MOVED BY COUNCILMAN EVANS, SECONDED BY COUNCILMAN CHILTON, AND UNANIMOUSLY CARRIED that the Council meeting be adjourned at 9:45 P.M.


 Mayor and President
 of the City Council


 City Clerk and ex officio
 Clerk of the City Council