

San Clemente, California
October 16, 1968

Regular meeting of the City Council of the City of San Clemente, California, Council Chambers, Civic Center Building, Wednesday, October 16, 1968, 7:30 P.M., Mayor Wade F. Lower presiding.

PLEDGE OF ALLEGIANCE AND INVOCATION

Pledge of Allegiance to the Flag of the United States of America was led by Councilman Northrup. Invocation was given by Mayor Lower.

ROLL CALL

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

ABSENT: Councilmen - NONE

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

APPROVAL OF THE MINUTES

Minutes of the regular meeting of October 2, 1968, having been previously presented to the members of the Council, IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN EVANS, AND UNANIMOUSLY CARRIED that said minutes be approved as presented, and the reading in full thereof waived.

PUBLIC HEARINGS

²
110² - Appeal to Denial of Use Permit No. 15-68
(South Coast Broadcasting Company).

The Clerk announced that the hour of 7:30 P.M. having arrived, this was the time and place fixed by the City Council for Public Hearing to consider an appeal to the Planning Commission's denial of Use Permit No. 15-68, being the request of South Coast Broadcasting Company to permit the installation of a 240 foot steel tower and a 10' x 10' transmitter building for FM broadcasting at City Reservoir No. 5.

The Clerk announced that notice of Hearing had been posted and published as required by law and affidavits showing such compliance are on file in the Clerk's office.

The Mayor called for written communications and the Clerk read the memorandum report from the Planning Commission reviewing their action and reasons for denying Use Permit No. 15-68. Also read was a letter from Frank Domenichini, President, El Camino Broadcasting Corporation, opposing the granting of any use permit for use by South Coast Broadcasting Company of the reservoir site for any purpose whatsoever.

Associate Planner Schulte posted and explained the plot plan showing 4 possible sites for said tower and also the location of the existing facilities of San Clemente Cable TV and Decca Survey Systems, which are under ground lease with the City. The Mayor called for oral communications on the matter and Leon Hyzen, South Coast Broadcasting Company partner, reviewed events and actions since their application for FCC license, which proposed a site at Reservoir No. 5, and which was last discussed before the Council on 4-3-68. He commented on the fact that the El Camino Broadcasting Corporation had first indicated their site on land in the general area of Avenida Pico and has since amended their application before the Federal Communication Commission three times.

Discussion centered around the proposed tower site "D" and whether the maps showed clearly if it was on City property inside or outside the fenced area, and it was determined that contrary to one of the maps submitted that the site was on a slope area on City property outside the fence.

Charles Jobbins, partner and engineer, also spoke in support of their appeal commenting that in his conversation with the City Engineer, it was indicated to him that there would be no strong objection to site "D". He added that if the appeal is turned down, the application before the F.C.C. will be dismissed and according to their rules and regulations, application could be made for the frequency assigned to San Clemente by another city within a 25 mile radius.

Mr. Jobbins further advised that it was their intention to develop the only high powered station in Orange County which would cover from and including part of Los Angeles and from and including part of San Diego. In conclusion, Mr. Jobbins suggested that they would like to join with El Camino Broadcasting Corporation and act as one group to bring this station to the City and area.

Vernon Gill, San Clemente Cable TV, commented that they had no objection to an FM station, but did feel if it was located at Reservoir No. 5 it would almost be in a direct line with their signal and this could create picture reception problems.

In rebuttal, Mr. Jobbins stated his qualifications as an engineering consultant, having appeared before the F.C.C. as an expert in his field, commenting that he knows of many such installations and if said installation is properly made no difficulty should develop; and the F.C.C. had complete responsibility and jurisdiction to require correction of electromagnetic interference.

Upon question, the City Engineer did indicate that site 'D' was the least objectionable, but would recommend against any further installation of a facility within the Reservoir site; and regarding the area outside the fence, this would necessitate a structure engineered so as not to endanger the fill material which supports the reservoir.

Gill Essell, 2721 Via Bandita, expressed his comment that in the best interest of the City, the application should be approved and the two companies should get together and work out the details.

The Mayor then declared the Hearing closed and IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN NORTHRUP that the matter be referred back to the Planning Commission in view of the newly presented facts.

During ensuing discussion, Councilman Northrup commented that the Planning Commission would have to know the intention of the Council as to whether or not they would consider leasing the site. Referring to the discrepancy in maps and information as to location and ownership of the property designated at site 'D', Councilman O'Keefe pointed out that the Planning Commission did not have the correct facts when they made their decision. Councilman Chilton contended that there are other sites available, that the Use Permit has been denied twice, and further, from the aesthetic standpoint such a high tower would be an eyesore, a hazard to aircraft, and the property should be available for future water storage expansion. Mr. Jobbins countered that the application has been approved by the Federal Aviation Administration and found to be no hazard to navigation.

Following the one hour and ten minute hearing and discussion, the MOTION for referral back to the Planning Commission was called and CARRIED. Councilman Chilton voted 'NO'.

WRITTEN COMMUNICATIONS

35 - Report from Chamber of Commerce of Expenditures Through Third Quarter of 1968.

Letter from CHAMBER OF COMMERCE reporting the expenditures through the third quarter of 1968 from the grant provided to the Chamber by the City.

IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY MAYOR LOWER, AND UNANIMOUSLY CARRIED that the report be received and filed.

73 - Request Use of Pier Area to Hold Surf Capades.

Letter from SAN CLEMENTE SURFING CLUB requesting permission to hold the San Clemente Surf Capades on November 9-10, 1968, in the San Clemente Pier area.

Following comment by the City Manager, IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN EVANS, AND UNANIMOUSLY CARRIED that the request be approved.

76 - Request Change of Requirement of a Revocable Encroachment Permit.

Letter from THE LUTHERAN CHURCH OF OUR SAVIOUR requesting that the encroachment permit issued August 4, 1965, requiring the Church to name the City as an additional insured on its liability policy be changed to require the Church only to

provide a certificate of insurance until such time as the encroachment is physically used.

Following comment by the City Manager that there is no reason why the request not be approved, IT WAS MOVED BY COUNCILMAN NORTHRUP, SECONDED BY COUNCILMAN EVANS, AND UNANIMOUSLY CARRIED that the request of the Lutheran Church be granted.

103 - Request for Council to Take an Affirmative Position Opposing Proposition 9.

Letter from MRS. CHARLEEN WERT, Local Campaign Chairman of the Orange County Committee to Defeat Proposition 9, requesting the Council reconsider their "no stand" position by voting either unanimously or overwhelmingly to oppose said Proposition; and also to join in the local campaign by putting a statement in a mailer to the voters.

The Clerk reported that further communications have also been received from the cities of Newport Beach and Placentia requesting support in opposing Proposition 9.

In view of the Council's previous action of 10-2-68, IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN CHILTON that the letter be received and filed.

During brief discussion, Councilman Evans suggested that the voters should know how the Council feels about the Proposition since he felt it was badly written and should be defeated. Councilman Northrup commented that he didn't like to see the Council take an action urging a "yes" or "no" vote on propositions at a General Election, but that he wouldn't be opposed to taking an action pointing out to the voters what the Council believes the bill will mean. Mayor Lower referred to the strong opposition to the bill taken at the League of Cities Conference. Councilman Chilton commented on the initiative system of submitting the proposition and letting the voters decide.

The Mayor called the question on the MOTION to file and it was UNANIMOUSLY CARRIED.

54 - Request for Approval and Consent to Transfer and Assignment of TV Franchise (San Clemente Cable TV Company).

Letter from CO-AXIAL SYSTEMS ENGINEERING COMPANY, operating under franchise as the San Clemente Cable Television Company, requesting approval and consent of the City to transfer and assignment of the aforesaid franchise to The Times Mirror Company.

The City Manager apprised the Council that the request was in conformance with provisions contained in Section 11-8 (d) of the Municipal Code.

Vernon Gill, San Clemente Cable Television, spoke from the audience advising that they will continue to operate with the same name, personnel, and organization, but with plans to do bigger and better things.

IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN EVANS, AND UNANIMOUSLY CARRIED that a Resolution be prepared approving the transfer of the Co-Axial Systems Engineering Company franchise to The Times Mirror Company.

103 - Tax Reform Measures Proposition 7 and Proposition 1A.

Letter and Resolution from CITY OF NEWPORT BEACH endorsing Proposition 7 which authorizes the State Legislature to provide that money allocated from the State General Fund be used for local purposes; and supporting Proposition 1A which provides tax relief to homeowners and renters.

Regarding Proposition 7, Mayor Lower commented that it was explained and passage strongly recommended at the recent League of California Cities Annual Conference.

Following discussion and upon motion of Councilman Evans, seconded by Councilman O'Keefe, RESOLUTION NO. 83-68, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ENDORSING PROPOSITION 7 WHICH WOULD AUTHORIZE THE STATE LEGISLATURE TO PROVIDE THAT MONEY ALLOCATED FROM THE STATE GENERAL FUND TO ANY COUNTY OR CITY MAY BE USED FOR LOCAL PURPOSES, was regularly introduced, passed, and adopted upon the following stated vote, to wit:

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

Following discussion, it was determined by the Council that since no action was taken on Proposition 9, that they also refrain from any action on Proposition 1A, and IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN CHILTON, AND UNANIMOUSLY CARRIED to receive and file the Resolution regarding Proposition 1A.

75 - Report of Joint Parking Committee.

Letter and Report from JOINT PARKING COMMITTEE, Ed Chaffee, Chairman, requesting the Council study the formation of a Parking District to be financed by an increase in business licenses and allotment of 25% of the revenue from parking meters and report the amount of money which could be expected from said sources; and advising of their request to the Planning Commission to study the recommendation that the "In Lieu Certificate Ordinance" require one parking space for each 400 square feet with a cost of \$1,000 for each parking space not provided.

As a member of the Committee, Councilman Northrup explained the type of information and answers which the Parking Committee was seeking from the Council.

During discussion, Councilmen Chilton and O'Keefe questioned the usage of beach area parking meter revenue for such a purpose as it was their understanding that it would be used for the improvement and maintenance of the beach. The City Manager pointed out that the Council had taken no such action and if they wished to earmark beach area parking meter revenues for beach maintenance, an Ordinance amendment would be necessary.

Following further discussion relative to the amount of revenue collected from business licenses, IT WAS MOVED BY COUNCILMAN EVANS, SECONDED BY COUNCILMAN O'KEEFE, AND UNANIMOUSLY CARRIED that the matter be held over for a Study Session.

ORAL COMMUNICATIONS

58 - Junior Golf Fee.

Bruce Deacon, 1401 Toledo, spoke from the audience regarding the increase in Junior Golf Fees and the proposed \$40 Annual Ticket for Juniors. Mayor Lower advised Mr. Deacon that the matter is scheduled later on the Agenda.

UNFINISHED BUSINESS

27 - Proposed Improvement District Requested by Noah Cheatum.

Further consideration was given to the petition of Mr. & Mrs. Noah Cheatum for the City to initiate the 1911 Act to allow the construction of an alley at the rear of Lots 8, 9, 10, & 11, in Tract No. 3172.

For Council information, the City Clerk referred to the conditions of the original approval of proposed Minor Subdivision No. 12-65 which at one time involved a similar proposal to allow alley construction at the rear of said lots.

Discussion ensued regarding Lot 7 included in the original Minor Subdivision but not owned by Mr. & Mrs. Cheatum, and the portion of Lots 10 & 11 which would be left beyond the rear of the proposed alley.

Mr. Cheatum explained the posted map and informed the Council that the owner of Lot 7 was sympathetic to the dedication of the proposed alley, and further, that the land beyond Lots 10 & 11 would not constitute a split and the owners could either plant the area with ice plant or use it for a cul-de-sac or parking area.

Due consideration being given, IT WAS MOVED BY COUNCILMAN EVANS, SECONDED BY COUNCILMAN O'KEEFE, AND UNANIMOUSLY CARRIED to initiate a 1911 Act encompassing Lots 7, 8, 9, 10, & 11, Tract No. 3172, for construction of the alley.

68 - Proposal that County Build and Equip Fire Stations for Municipalities in Orange County.

Further consideration was given to Resolutions received from other cities expressing opposition to the proposal that the County of Orange build and equip a fire

station for any municipality in the County from County General Funds.

Letter was also presented from the Orange County Division of the League of California Cities transmitting a copy of the report and recommendation of the County Administrative Officer to the Board of Supervisors concerning proposed creation of a Fire Service area in a portion of Western Orange County.

Following brief discussion, IT WAS MOVED BY COUNCILMAN NORTHRUP, SECONDED BY COUNCILMAN EVANS, AND UNANIMOUSLY CARRIED that the matter be tabled until such time as more information is received.

106 (76) - Traffic Engineering Recommendations.

(1) Intersection of Ola Vista and Palizada. Consideration was given to the recommendation from the Traffic Engineer (Police Chief) to change from a one-way stop to a three-way stop at the intersection of Ola Vista and Palizada. IT WAS MOVED BY COUNCILMAN EVANS, SECONDED BY COUNCILMAN CHILTON, AND CARRIED to approve the recommendation. Councilman Northrup voted "NO".

(2) Intersection of Calle Puente and Avenida Pelayo. Discussion ensued on the traffic engineering recommendation to install a four-way stop at the intersection of Calle Puente and Avenida Pelayo. Upon question, Police Chief Murray, Traffic Engineer, justified his recommendation by citing the high volume of traffic flow in all four directions and the increase in the number of children in the vicinity.

Due consideration being given, IT WAS MOVED BY COUNCILMAN EVANS, SECONDED BY COUNCILMAN NORTHRUP, AND UNANIMOUSLY CARRIED that stop signs be installed on Pelayo only, stopping traffic entering Calle Puente.

(3) Revise El Camino Real Speed Limits. Discussion and debate ensued between the Council, Police Chief, and members of the audience on the traffic engineering recommendation that the present speed limit of 50 mph commencing at the north city limits be reduced to 35 mph, reducing to 25 mph from Avenida Estacion to the Mendocino overcrossing, and increasing to 35 mph to the south city limits.

IT WAS MOVED BY COUNCILMAN CHILTON, SECONDED BY COUNCILMAN NORTHRUP that the speed limit beginning at the north city limits of the City of San Clemente to Avenida Estacion be 40 mph, speed limit of 25 mph be established from Avenida Estacion to the Mendocino overcrossing, and from the Mendocino overcrossing to the southerly end of the city limits a speed limit of 30 mph. The MOTION WAS CARRIED with Councilmen Evans and O'Keefe voting "NO".

It was pointed out that an amending Ordinance would be brought back to the next meeting incorporating the approved speed limits.

(4) Revise Parking Regulations on Monterey Lane. Following discussion on the recommendation to change the present seasonal metered parking zone from the northwesterly side of Monterey Lane to the southeasterly side between the respective streets of Avenida Victoria and Corona Lane resulting in "No Parking" on the northwesterly side, IT WAS MOVED BY COUNCILMAN EVANS, SECONDED BY COUNCILMAN O'KEEFE, AND UNANIMOUSLY CARRIED to approve the recommendation.

(5) Two-Way Stop at the Intersection of Via Montecito and Via Montego.

Councilman O'Keefe reiterated remarks made earlier in the meeting regarding the need for a four-way stop at Via Montego and Via Montecito. It was reported that investigation revealed that with the existing two-way stop for traffic on Montecito, there is no justification to stop traffic on Montego as evidenced by a traffic count, visibility is no problem, and the intersection meets none of the state warrants for the installation of a four-way stop.

IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN EVANS to approve a four-way stop at the intersection of Via Montecito and Via Montego. The MOTION FAILED TO CARRY with Councilmen Chilton and Northrup, and Mayor Lower voting "NO".

Resolution No. 84-68 - Amending the Master Traffic Resolution. To formally establish the above traffic engineering items, a Resolution was proposed and upon motion of Councilman Evans, seconded by Councilman Chilton, RESOLUTION NO. 84-68, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING MASTER TRAFFIC RESOLUTION NO. 1846 BY ADDING THERETO NEW

SECTIONS ESTABLISHING STOP SIGNS AT AVENIDA PALIZADA AND OLA VISTA, AND AT AVENIDA Pelayo AND CALLE PUENTE; AND ESTABLISHING "NO PARKING" REGULATIONS ON THE NORTHWESTERLY SIDE OF MONTEREY LANE BETWEEN AVENIDA VICTORIA AND CORONA LANE, was regularly introduced, passed, and adopted upon the following stated vote, to wit:

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

REPORTS AND MISCELLANEOUS ITEMS

103 - Bay Cliff Village De-Annexation from Capistrano Beach County Water District.

Regarding the efforts of Bay Cliff residents to de-annex from the Capistrano Beach County Water District, Councilman Northrup apprised the Council that they were successful before the Local Agency Formation Commission and were released from paying further taxes for maintenance and operation as well as for bonded indebtedness.

106 - Traffic Signs.

Councilman Evans questioned the "Yield" and "Stop" signs at the intersection of Avenida Presidio and Avenida Pico and was informed that the "Yield" sign had not been removed as yet through an oversight.

Upon question by Councilman Evans, the City Manager apprised the Council that the proposed alternate one-way traffic for the alley between El Portal and Avenida Mateo is still under study.

43 - Commendation - City Manager and Police Department.

Following favorable comments by Councilman O'Keefe regarding the more understandable monthly activities report and the marked decrease in major crimes and felonies, IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN CHILTON, AND UNANIMOUSLY CARRIED to compliment the City Manager and Staff on the preparation of the new monthly activities report and commend the Police Department on their activities in reducing crime in 1968 as compared with 1967.

Mayor Lower set a joint Study Session with members of the Planning Commission for Wednesday, October 30, 1968, at 7:30 P.M., in the Council Chambers. Mayor Lower also invited members of the Parks and Recreation Commission if they wished to attend.

Mayor Lower reported briefly on the recent Annual Conference of the League of California Cities.

Monthly Departmental Activities Report

The City Manager drew attention to the monthly activities report for the month of September, 1968.

27 - Proposed Modification of Improvement in Lobeiro-Montalvo Underground Utility District No. 4-68-U.

The City Manager gave a work progress report concerning Improvement District No. 4-68-U, and advised of receipt of a petition from 19 residents of the area for the construction of sidewalks, not included as part of the original plans or assessment.

Discussion ensued regarding the lack of sufficient right-of-way which would only allow sidewalks approximately 18" wide and would necessitate the elimination of an estimated 20-25 beautiful trees, except that sidewalk placement on the outside perimeter only of the two streets would require removal of only a few trees. Comments were made from the audience from Mrs. Lynn Hicks and

and Mr. William Sammons that it was their understanding that sidewalks were to have been included in the Improvement District, and also the change from the low ornamental decorative type of street lights, which they were first shown, to high light standards was disturbing.

It was determined to propose the placement of sidewalks on the outside perimeter of the two streets which would only eliminate a small number of trees, and which would not require additional assessment. Upon motion of Councilman Chilton, seconded by Councilman Evans, RESOLUTION NO. 85-68, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, DECLARING ITS INTENTION TO ORDER CERTAIN CHANGES AND MODIFICATIONS IN THE WORK, CONTRACT AND PLANS FOR THE CONSTRUCTION OF CERTAIN IMPROVEMENTS IN IMPROVEMENT DISTRICT NO. 4-68-U (AVENIDA MONTALVO AND AVENIDA LOBEIRO) IN SAID CITY; DESCRIBING SAID PROPOSED CHANGES AND MODIFICATIONS AND FIXING A TIME AND PLACE FOR HEARING OBJECTIONS TO SAID PROPOSED CHANGES AND MODIFICATIONS, 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

Discussion ensued regarding a possible change in type of light standard, but still meeting the minimum lighting standards as adopted by Resolution No. 35-67. Following explanation, the City Engineer stated that the contractor has already bid on a certain specified light standard, and further, that he could not recommend the purchase of another type of street light at a greater cost for less illumination. Possible substitute lighting standards were deliberated which would still keep the cost within the assessment, and Mr. Sammons again addressed the Council urging consideration of a decorative type of standard.

Suggesting that an investigation of substitute light standards be made, IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN CHILTON to direct the contractor to hold off on the ordering of the light standards until after the next regular meeting.

IT WAS THEN MOVED BY COUNCILMAN EVANS, SECONDED BY COUNCILMAN CHILTON that the motion be amended that in the search by the City Engineer for a light to satisfy the property owners in the Lobeiro-Montalvo area, he be allowed to deviate from Resolution No. 35-67 within a reasonable degree.

The MOTION TO AMEND WAS CALLED AND UNANIMOUSLY CARRIED. The ORIGINAL MOTION AS AMENDED WAS THEN CALLED AND WAS UNANIMOUSLY CARRIED.

27 - Improvement of Existing Undedicated De La Grulla Alley by "1911 Improvement Act".

Consideration was given to the instructions of the Council to the City Engineer and Special Legal Counsel Brown at the meeting of 4-17-68 to initiate the necessary proceedings to form an Improvement District to provide for the improvement of Avenida de la Grulla alley which is not a dedicated alley but has been used for many years by the adjacent property owners.

The City Engineer advised that they have been trying to obtain declarations from the adjacent property owners and users that said alley has been in use as a public alley for five years in order to establish public usage and acquire the right-of-way, but have met with little success. He further explained that the apparent reason for the reluctance of property owners to sign the declaration was that they felt the property owners who own title to the alley should be compensated if it is to become a public alley. John Ports, 1413 Calle Mirador, explained that it was their contention that it was unfair to take their property and then split the cost of improvement down the middle with those residents on the other side of the alley.

Following discussion, IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN CHILTON, AND UNANIMOUSLY CARRIED to ask Special Legal Counsel Brown for his opinion regarding the possibility of quiet title or other action for acquiring the Avenida de la Grulla alley.

77 - Assessed Valuation Data of A.T & S.F. Railway Company Right-of-Way.

As previously directed, the City Manager presented information received from the State Board of Equalization regarding the assessed value of the properties

of the Atchison, Topeka and Santa Fe Railway Company within the City included in the 1968 Board Roll as follows: Land - \$452,460, Improvements - \$13,560, and personal Property - \$9,210.

Following brief discussion, IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY MAYOR LOWER, AND UNANIMOUSLY CARRIED to hold the matter over.

It was suggested that the City Manager determine the amount of acreage contained in Santa Fe right-of-way within the City limits.

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28 - Emergency Ambulance Service Contract Renegotiation.

Referring to the authorization at the meeting of 9-4-68 to execute an agreement between the City and Marty's Ambulance Service for emergency ambulance service, the City Manager apprised the Council that they have been unsuccessful in securing a business location and therefore unable to fulfill the terms of their contract. Mr. Carr advised that he had contacted the principals of the La Paz Ambulance Service, Donald Eaton and Robert Duffel who were one of those considered in the earlier negotiations and who came highly recommended.

Mr. Eaton spoke from the audience stating they were definitely interested and outlined their qualifications and their proposal at a fee of \$250 per month for one unit stationed in San Clemente with one backup unit to be moved halfway down the Freeway when the first unit is out of the City.

Following discussion and an understanding that it would take approximately 30 days to move into the City, IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY MAYOR LOWER to rescind the MOTION of 9-4-68 authorizing an Agreement with Marty's Ambulance Service; and approve the Agreement with La Paz Ambulance Service with authorization for the Mayor and City Clerk to execute same on behalf of the City. 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

55 - Grant Deed for Freeway Pedestrian Overcrossing.

The City Manager presented a Grant Deed for portion of Lot B, Tract No. 960, from Pacific-Western Living Units, Incorporated, for Freeway pedestrian overcrossing to Concordia School, said Deed having been obtained and reviewed by officials of the State Division of Highways and found to be in conformance with Freeway widening plans.

Due consideration being given, IT WAS MOVED BY COUNCILMAN EVANS, SECONDED BY COUNCILMAN NORTHRUP that the Grant Deed be accepted and the Clerk directed to have said Deed recorded with the County Recorder. 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

56 - Engineering Services re Camino Capistrano A.H.F.P. Project #459.

In accordance with instructions at the meeting of 10-2-68, the City Manager presented a prepared Agreement between the City and South Coast Engineering Service for engineering services for the Arterial Highway Financing Program Project #459 (Camino Capistrano).

IT WAS MOVED BY COUNCILMAN EVANS, SECONDED BY COUNCILMAN NORTHRUP to approve entering into the Agreement and authorize the Mayor and City Clerk to execute same on behalf of the City. 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

103 - Request for Financial Assistance under G.C. Sec. 25551 for Beach Acquisition and/or Maintenance..

The City Manager called attention to his memorandum dated 10-15-68 regarding the proposed request under Government Code Sec. 25551 for financial assistance from the County for beach acquisition and maintenance. Following determination that it could not be considered or funded by the County until the 1969-1970 fiscal year's budget. IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN EVANS, AND UNANIMOUSLY CARRIED to table the matter until the first meeting in February.

PAYING OF THE BILLS

IT WAS MOVED BY COUNCILMAN CHILTON, SECONDED BY MAYOR LOWER that Warrants No. 11591 through No. 11722, as audited by the Council, be paid, including ratification of Payroll Warrant No. 11591. The MOTION WAS DECLARED CARRIED upon the following stated vote, to wit:

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

Total Demands approved for payment for the period of October 3 through October 16, 1968. \$ 63,633.11

Ratification of Payroll Warrant No. 11591, for period of September 16 through September 29, 1968. \$ 32,045.17

TOTAL WARRANT REGISTER \$ 95,678.28

RESOLUTIONS

For Resolution No. 83-68 see under 'WRITTEN COMMUNICATIONS' on Page 3
For Resolution No. 84-68 see under "UNFINISHED BUSINESS" on Page 5
For Resolution No. 85-68 see under "REPORTS & MISCELLANEOUS ITEMS" on Page 7.

58 - Resolution No. 86-68 Providing for Issuance of Annual Junior Golf Ticket.

As previously directed a prepared Resolution was presented amending Resolution No. 67-68 to provide for the issuance of a \$40 Annual Junior Golf Ticket. The City Manager explained that the establishment of such a ticket does not change any of the provisions applicable to the Junior Golfer.

A. J. Giannestras, 410 La Esperanza, spoke from the audience commenting that he was under the impression that said ticket would not allow play on Saturday or Sunday, and also complained of the poor treatment that he as well as the Junior Golfers have received from one of the golf starters.

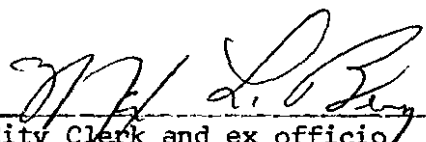
Mr. Carr corrected the misconception regarding Junior play times, and advised that the complaint will be investigated and handled administratively.


Due consideration being given, and upon motion of Councilman O'Keefe, seconded by Mayor Lower, RESOLUTION NO. 86-68, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING RESOLUTION NO. 67-68, PROVIDING FOR ISSUANCE OF ANNUAL PLAY TICKETS FOR JUNIOR GOLFERS AT THE RATE OF \$40, was regularly introduced, passed, and adopted upon the following stated vote, to wit:

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

ADJOURNMENT

There being no further business, IT WAS MOVED BY MAYOR LOWER, SECONDED BY COUNCILMAN EVANS, AND UNANIMOUSLY CARRIED that the Council meeting be adjourned at 11:45 P.M.


City Clerk and ex officio
Clerk of the City Council


Mayor and President
of the City Council