

San Clemente, California
January 17, 1968

Regular meeting of the City Council of the City of San Clemente, California, Council Chambers, Civic Center Building, Wednesday, January 17, 1968, 7:30 P.M., Mayor Howard Massie presiding.

PLEDGE OF ALLEGIANCE AND INVOCATION

Pledge of Allegiance to the Flag of the United States of America was led by the Mayor. Invocation was given by Councilman O'Keefe.

ROLL CALL

PRESENT: Councilmen - CHILTON, LOWER, NORTHRUP, O'KEEFE, AND MASSIE
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 January 3, 1968, having been previously presented to the members of the Council, IT WAS MOVED BY COUNCILMAN NORTHRUP, SECONDED BY COUNCILMAN O'KEEFE, AND UNANIMOUSLY CARRIED that said minutes be approved as presented, and the reading in full thereof waived.

PUBLIC HEARING

31 - Adoption of 1967 Edition of Uniform Building Code - Ordinance No. 508.

The City Clerk announced that this was the time and place set for Public Hearing to consider adoption of proposed Ordinance No. 508, which will adopt by reference the "Uniform Building Code, 1967 Edition, Volume I" including the Appendix thereto, and the "Uniform Building Code Standards, 1967 Edition."

The Clerk reported that Notice of Hearing was duly published as required by law and affidavit showing such compliance is on file in the Clerk's office.

The Clerk announced that he had received no written communications on the matter, and the Mayor then inquired if anyone present wished to speak for or against the adoption by reference of said 1967 Uniform Building Code. There being no protests either oral or written, the Mayor declared the Hearing closed.

Councilman Chilton questioned if there had been any additional changes since the previous memorandum and was advised that the Ordinance incorporated only the amendments directed by the Council at the meeting of 12-20-67. Councilman Chilton then voiced his objections to the increase in building fees as stated in Section 303, Table 3-A, and questioned whether it was really warranted in light of present building conditions in the City. Richard Ahlman, Director of Building & Safety, commented that this was the first increase since 1958 and would effect uniformity with other areas within California.

Following discussion, upon motion of Councilman O'Keefe, seconded by Councilman Lower, ORDINANCE NO. 508, BEING AN ORDINANCE OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADOPTING THE "UNIFORM BUILDING CODE, 1967 EDITION, VOLUME I" INCLUDING THE APPENDIX THERETO, AND THE "UNIFORM BUILDING CODE STANDARDS, 1967 EDITION" AND THE WHOLE THEREOF, SAVE AND EXCEPT SUCH PORTIONS AS ARE HEREINAFTER DELETED, MODIFIED OR AMENDED, SAID CODES REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA OF BUILDINGS AND STRUCTURES IN THE CITY OF SAN CLEMENTE; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; AMENDING CHAPTER 24 OF THE CODE OF THE CITY, having been regularly introduced by title only at the meeting of 12-20-67, was again introduced, the reading in full thereof waived by a 4/5ths vote, duly passed and adopted upon the following stated vote, to wit:

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

WRITTEN COMMUNICATIONS98 - Waiver of Sidewalk Requirements.

Letter from NOAH CHEATUM CONSTRUCTION COMPANY requesting waiver of sidewalk requirements (Municipal Code Section 31-9) at 225 Calle Serena.

Upon recommendation of the City Manager, IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN CHILTON, AND UNANIMOUSLY CARRIED that the request be granted.

77 - Proposed Plan for Redesign of Entry at the Pier.

Letter from VIRGINIA Z. BROWN suggesting that in the proposed redesigning of the approach to the Pier, it should include a row of small low Spanish design shops for food, beach and gift items; and further suggesting the establishment of a fresh fish market in the Pier area.

Letter from the CHAMBER OF COMMERCE suggesting that in case the proposed plan for the redesign of the entrance to the Pier is not feasible due to existing sewer and storm drain lines, then the matter be referred to the Planning Consultant for study and advice.

Consideration was given to both related items and the City Manager reported that the plan as submitted by the Chamber of Commerce Beautification Committee was checked by the Engineering Department and found not only to be unfeasible due to the location of underground sewer and storm drain lines, but would cost in the neighborhood of \$60,000 to \$70,000.

The City Engineer then reviewed the following posted plans which had been prepared by the Engineering Department some months ago: (1) Plan A - estimated cost of \$15,000, which would include a center sloping walk and retention of the stairways on each side; and (2) Plan B - estimated cost of \$22,000, which would eliminate the side stairways and replace them with a center sloping walkway.

Discussion ensued relative to the physical needs of the storm drains. Councilman Lower commented that if the proposed redesign of the Pier entry is not a budgeted item and could not be completed before June, then the matter should be referred for consideration at the budget session for the coming fiscal year.

Due consideration being given, IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN LOWER, AND UNANIMOUSLY CARRIED that letters of thanks for their expressions be written to Virginia Z. Brown and the Chamber of Commerce; and that their letters be referred to the Planning Commission and Planning Consultant for study.

68 - Proposed Detachment of Cities from Orange County Harbor District.

Letter and enclosures from the CITY OF TUSTIN regarding the matter of detachment of cities from the Orange County Harbor District and their actions thus far in communicating with the Orange County Division of the League of California Cities and the Local Agency Formation Commission.

The Council was apprised that the matter will be taken up at the next session of the Orange County Division of the League of California Cities and a letter will possibly be received from the Orange County Harbor District recounting the amount of monies received and the services rendered.

Councilman O'Keefe informed the Council that the Harbor, Beaches, and Parks Committee of the League, of which he is a member, has been studying the question presented by Huntington Beach and suggested that until the report is finalized and proffered, no action be taken.

Due consideration being given, IT WAS MOVED BY COUNCILMAN CHILTON, SECONDED BY COUNCILMAN O'KEEFE, AND UNANIMOUSLY CARRIED to table the letter from the City of Tustin until such time as we have a report from the appropriate agencies and the League of California Cities

53 - Annual Request to Sell Fireworks.

Letter from the VETERANS OF FOREIGN WARS POST 7142 requesting permission for themselves and the American Legion Post 423 to sell fireworks in the City from June 27, 1968 to and including July 4, 1968.

The Clerk advised the Council that according to the Fire Chief, the legal sale date should be from noon of June 28, 1968 instead of the requested June 27 date.

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

35 - Report for Expenditures for Calendar Year 1967 (Chamber of Commerce).

Letter from the CHAMBER OF COMMERCE reporting the expenditure for the calendar year 1967 from the grant provided to the Chamber by the City.

IT WAS MOVED BY COUNCILMAN NORTHRUP, SECONDED BY COUNCILMAN LOWER, AND UNANIMOUSLY CARRIED that the report be received and filed.

74 - Request for Removal of Parking Meters (Clinton E. Sherrod).

Letter from CLINTON E. SHERROD requesting removal of the parking meters in front of his apartment building located at 247 Avenida Del Mar and citing reasons for requesting such removal.

The City Manager commented that since these parking meters had just recently been installed following extensive study of all parking meter areas in the City, there is not sufficient justification to grant the request.

Discussion ensued relative to whether the removal would solve the mentioned hardship or compound it; and what effect it would have on other apartments where similar problems might exist.

Concurring that more of a trial should be given, IT WAS MOVED BY COUNCILMAN NORTHRUP, SECONDED BY COUNCILMAN O'KEEFE, AND CARRIED that the request be denied. Councilman Chilton voted "NO".

35 - Request to Suspend Banner Proclaiming "National Jaycee Week."

Letter from the SAN CLEMENTE JAYCEES requesting permission to suspend a banner over the intersection of El Camino Real and Avenida Del Mar proclaiming "National Jaycee Week" from January 21-28, 1968.

The Clerk apprised the Council that a verbal request was received for assistance in suspending said banner. Following comments by Councilmen Chilton and Northrup regarding the continued request for such banners and the need for a set policy, IT WAS MOVED BY COUNCILMAN LOWER, SECONDED BY COUNCILMAN CHILTON, AND CARRIED that the request be granted. Councilmen Northrup and O'Keefe voted "NO".

Further consideration was given to the adoption of a set policy regarding the granting of requests for the suspension of banners over City streets. Following discussion, IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN CHILTON to adopt a Resolution that banners be allowed only to advertise public events of interest to substantial groups in the City rather than for any purely promotional purposes not advertising specific public events.

It was determined to allow the City Staff to come up with some recommendations as to the wording and specifics of such a Resolution as it was felt more study was desirous. The MOTION DIED after discussion when the SECOND WAS WITHDRAWN.

73 - Request for Permission to Suspend Banner (Interfaith Servicemen's Center).

Letter from INTERFAITH SERVICEMEN'S CENTER requesting permission to suspend a banner across Avenida Del Mar at the 100 Block advertising their fund raising show from January 19 - February 16, 1968.

Discussion ensued whether the location requested was preempted by the Cabrillo Playhouse; and the lengthy time said banner was to remain suspended. IT WAS THEN MOVED BY COUNCILMAN LOWER, SECONDED BY COUNCILMAN CHILTON, AND UNANIMOUSLY CARRIED to grant the request, but limited to a seven day period of their selection.

ORAL COMMUNICATIONS

The Mayor called for Oral Communications and there were none.

REPORTS AND MISCELLANEOUS ITEMS73 - SCAG

The Mayor requested Councilman Lower to represent the Council at the meeting of SCAG on February 16, 1968.

Councilman O'Keefe reported on poor street conditions on Avenida Mirador.

Councilman O'Keefe advised the Council that TV Cable has now been installed in the Shorecliffs area.

37 - Pending Suit by NIMLO Against Certain Chemical Companies.

With reference to the pending suit brought by the National Institute of Municipal Law Officers on behalf of a great number of cities against certain chemical companies for monopolistic policies and price fixing in violation of antitrust laws, the City Attorney advised that the suit had been filed on 1-12-68, but those cities who wished could still join in said suit. Mr. Kegley further apprised the Council that some cities have made demands on their own and have settled, and suggested the possibility of doing the same, thus eliminating the \$1,000 fee deposit. The City Attorney was directed to make further inquiry and report back at the next meeting.

105 - Status Report re Subdivision Agreement Enforcement in Tracts No. 5654, No. 5691, and No. 3980.

The City Attorney apprised the Council concerning the status of Subdivision Agreement enforcement in the following Tracts: (1) Tract No. 5654 - All partners have been served and an answer should be received within ten days; (2) Tract No. 5691 - Notice has been served to all partners and the complaint is being prepared for filing; and (3) Tract No. 3980 - Contact has been made with the Attorney and one of the partners and a more complete report will be made at the next meeting.

24 - Amending Animal Control and Licensing Requirements within the City.

As previously directed, the City Attorney reported that in several cities in California, felines have been licensed and regulated with most charging \$1.00 license fee; and that the power to so license has been established by State legislation.

December Departmental Activities Report

The City Manager drew attention to the monthly departmental activities report for the month of December, 1967, attached to all Agendas.

51 - Second Quarter 1967-1968 Revenue, Expenditure & Capital Outlay Report.

The City Manager commented on the Second Quarter 1967-1968 Revenue, Expenditure and Capital Outlay Report transmitted to the Council who concurred that it was a very comprehensive report.

93 - Request for Adjustment of Compensation re Refuse Agreement.

Referring to his memorandum transmitted to the Council regarding the request from the San Clemente Commercial Company for a compensation adjustment, the City Manager pointed out that the Council should consider whether any increase in compensation paid to the Contractor should be passed on to persons receiving benefit of the service. Mr. Carr advised that pursuant to provisions contained in the Refuse Agreement and the applicable cost of living index, that a 7.5% increase in refuse collection rates multiplied by the 80% paid to the Contractor would mean a 6% gain for him.

Discussion ensued relative to the amount of increase to the user and the most equitable adjustment method to follow. IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN NORTHRUP, AND UNANIMOUSLY CARRIED that the requested increase be granted by increasing refuse collection rates by 8%, with the Staff to prepare the necessary Resolution to be brought back at the next meeting.

It was suggested that in applying the percentage the City Manager might arrive at equitable refuse collection rates (ending in multiples of five) equal to an overall 8% increase.

24 - Amending Animal Control & Licensing Requirements Within the City.

Consideration was again given to amending animal control and licensing requirements to conform with the County of Orange and the questions raised at the meeting of 1-3-68 and partially answered in the memorandum from the City Manager showing statistical comparison figures of animal activity experienced by the City. Mr. Carr stated that he was unable to obtain any specific information from the County of Orange since they took over enforcement, due to a machine failure in the data processing division where such information is kept.

Due consideration being given, IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN CHILTON, AND UNANIMOUSLY CARRIED to hold the matter over until we get the requested information from the County of Orange.

There followed further Council discussion and specific comments by Councilman Chilton who expressed his opinion that all animals should be licensed; that the contracting of such services with the County of Orange was an abdication of authority from the City to the County, and that local control should be maintained and the fees collected remain in the City.

34 - Resolution Requesting Population Estimate by State Department of Finance.

The City Manager requested approval for a new population estimate by the State Department of Finance and upon motion of Councilman Northrup, seconded by Councilman O'Keefe, RESOLUTION NO. 1-68, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, REQUESTING POPULATION ESTIMATE BY THE STATE DEPARTMENT OF FINANCE AND AUTHORIZING EXECUTION OF AGREEMENTS IN CONNECTION THEREWITH, was regularly introduced, passed, and adopted upon the following stated vote, to wit:

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

90 - Bids for Furnishing One-Half Ton Pick-Up Truck.

The City Manager announced that the following bids were received and publicly opened Monday, January 15, 1968, for furnishing a Pick-up Truck, 1/2 Ton (4 x 4) for Beach Maintenance to replace Unit #913, 1952 Jeep, and recommended acceptance of the low bid of Weseloh Chevrolet.

<u>Bidder</u>	<u>Amount</u>
Weseloh Chevrolet	\$2,280.00
Bowles-Stamp Ford	\$2,360.00
Patterson Chevrolet	\$2,470.00
International Harvester	\$2,759.00
Chuchua's Jeep	\$3,197.35
Wilson Jeep	\$3,200.00

Councilman Chilton voiced his opinion that based upon personal experience, an 8 cylinder engine would be more economical and afford more power. Discussion ensued and IT WAS MOVED BY COUNCILMAN LOWER, SECONDED BY COUNCILMAN CHILTON to rebid and specify a V8 engine. Following further discussion the SECOND to the MOTION was withdrawn.

IT WAS THEN MOVED BY COUNCILMAN CHILTON, SECONDED BY COUNCILMAN NORTHRUP to accept the lowest responsible bid as recommended by the City Manager.

A MOTION by Councilman O'Keefe to table the matter to the next meeting to allow the City Staff to make additional recommendations DIED FOR LACK OF A SECOND. The MOTION as originally stated was then called and FAILED TO CARRY upon the following stated vote, to wit:

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

Discussion then centered around the possible establishment of a policy allowing acceptance of local bids within a certain percentage of out of town bids which

might be lower. The City Attorney advised that he would like to investigate the legality of such a policy.

Concurring on the possibility that the question of a V8 engine as opposed to a V6 engine could be left to the City Administration if the price could be kept below \$2,500.00, which would not require public bid, IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN NORTHRUP, AND CARRIED to refer the matter to the City Staff to report back at the next meeting after evaluation of the various V6's & V8's to see if it can be done administratively, Mayor Massie voted 'NO'.

113- Bids for Hydrants, Valves, and Valve Boxes for Water Department.

The City Manager announced that the following bids were received and publicly opened Monday, January 15, 1968, for furnishing hydrants, valves, and valve boxes:

<u>Bidder</u>	<u>Amount</u>
<u>Hydrants</u>	
Chas. A. Estey Company	\$5,668.80
Familian Pipe & Supply	\$5,739.40
Grinnell Company	\$5,679.60
Martin Johnson Waterworks Supply	\$5,719.20
<u>Gate Valves & Valve Boxes</u>	
Familian Pipe & Supply	\$5,084.90
Chas. A. Estey Company	\$5,481.10
Martin Johnson Waterworks Supply	\$5,507.00
Grinnell Company	\$4,284.50 excluding boxes

The Council concurred with the recommendations of the City Manager and IT WAS MOVED BY COUNCILMAN LOWER, SECONDED BY COUNCILMAN O'KEEFE to accept the low bid of Chas. A. Estey Company for hydrants in the amount of \$5,668.80, and Familian Pipe & Supply for valves and boxes in the amount of \$5,084.90. The MOTION WAS UNANIMOUSLY CARRIED upon the following stated vote, to wit:

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

113 - Bid for Reservoir Alarm System.

The City Manager noted that the one bid received from Autocon Industries, Incorporated in the amount of \$18,954 for a Water Reservoir Alarm system was well over the budget appropriation of \$8,500 and concurring in his recommendation, IT WAS MOVED BY COUNCILMAN LOWER, SECONDED BY COUNCILMAN O'KEEFE, AND UNANIMOUSLY CARRIED to reject the bid.

58 - Bid for Addition at Golf Course for Professional.

The City Manager announced that the following bids were publicly received and opened Monday, January 15, 1968, for the addition to the Golf Course Starter Building for the Golf Professional and recommended acceptance of the low bid of McCaslin Construction.

<u>Bidder</u>	<u>Amount</u>
McCaslin Construction	\$ 9,795.00
Thomas J. Tullius	\$ 9,885.00
Roland Olsen	\$10,404.00
Am-Pell Construction, Inc.	\$10,480.00
Hubbert Construction Company	\$10,894.00
Al J. Vela & Associates	\$11,970.00 00 0

The Council concurred with the recommendation and IT WAS MOVED BY COUNCILMAN CHILTON, SECONDED BY COUNCILMAN O'KEEFE to award the contract to McCaslin Construction in the amount of \$9,795.00. The MOTION CARRIED upon the following stated vote, to wit:

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

64 - Bid for the Lifeguard Headquarters and Beach Maintenance Facility.

The City Manager announced that the following bids were publicly received and opened Monday, January 15, 1968, for construction of the Lifeguard Headquarters and Beach Maintenance Facility:

<u>Bidder</u>	<u>Amount</u>
McCaslin Construction	\$62,990.00
Thomas J. Tullius	\$69,836.00
Harlan J. Goodsell	\$71,945.00
The Vandervort Company	\$73,900.00
Triad Builders, Inc.	\$77,777.00
J. Ray Construction	\$77,888.00
Roland Olsen	\$85,880.00

The City Manager recommended that final action be withheld due to the fact that the lowest bid exceeds the amount budgeted and additional time would allow for discussions with the designer and low bidder and subsequent Council study at the January 29th study session to be set at this meeting.

IT WAS MOVED BY COUNCILMAN CHILTON, SECONDED BY COUNCILMAN NORTHRUP, AND UNANIMOUSLY CARRIED to lay this matter on the table until the next regular meeting.

59 - South Coast Hospital Expansion Program.

Mayor Massie apprised the Council that he had been contacted by a representative of the South Coast Hospital Expansion Program who would like to discuss with the Council and representatives from the local medical association, the possibility of the construction of a hospital on fifteen acres of donated land near the easterly terminus of the Avenida Pico extension. The Mayor set a study session for Monday, January 29, at 7:30 P.M. for the purpose of meeting with the above, and also for the study of expansion of sewage treatment facilities. The Mayor requested the City Manager to advise and invite the attendance of members of the local medical association.

96 - Engineering-Science, Inc. Report.

Joe Feeney, representing Engineering-Science, Inc. presented their report on "Detailed Preliminary Engineering Design Study for Waste Water Treatment and Disposal" in accordance with the Agreement entered into November 15, 1967. Mr. Feeney posted and explained a schematic drawing of the proposed 2.0 MGD addition to the City of San Clemente Water Reclamation Plant, stating that he will go into greater detail at the scheduled study session.

IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY MAYOR MASSIE, AND UNANIMOUSLY CARRIED to acknowledge receipt of the report from Engineering-Science, Inc. and refer over to the study session of January 29, 1968.

96 - Agreement for Use of Certain Property for Sludge Disposal.

The City Manager presented and recommended approval of an Agreement between the City and Brigham Young University, new owners of the Reeves property, for use of their land for the purpose of sludge disposal.

IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN CHILTON that the Agreement be approved and the Mayor and City Clerk authorized to execute same on behalf of the City. The MOTION WAS UNANIMOUSLY CARRIED upon the following stated vote, to wit:

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

44 - Restaurant Concession at North Beach.

Referring to a pending matter and as previously directed, the City Manager presented a plot plan and cost estimate for the proposed restaurant concession at North Beach.

Councilman O'Keefe urged consideration be given to establishing an overall beach master plan for continuity in conjunction with the Lifeguard Headquarters Building to be considered at the scheduled study session. During discussion, it was felt this could be a possible area for study by the Planning Consultant.

The Mayor suggested that in view of the high price paid for this beach area something better than the ordinary "hot dog stand" should be constructed thereon and appointed Councilmen O'Keefe and Chilton to study the matter and report back.

77 - San Luis Rey Park Multi-purpose Court Plan.

As a matter of information, the City Manager presented a plot plan for proposed improvement of an area at San Luis Rey Park to provide a multi-purpose court consisting of two basketball courts, handball area, volleyball or badminton area, wheel toy area and space for a gym set. Mr. Carr further explained that said plan will proceed at the earliest opportunity and will stay within the budgetary allowance with work to be done wherever possible by City forces.

79 - Mandatory City Employee Retirement at Age 65.

Consideration was given to the memorandum dated 1-16-68 from the City Manager concerning the recommended establishment of a policy providing for mandatory retirement of City employees at the age of 65.

Following due consideration, IT WAS MOVED BY COUNCILMAN CHILTON, SECONDED BY COUNCILMAN O'KEEFE, AND UNANIMOUSLY CARRIED to instruct the preparation of a Resolution providing mandatory retirement at age 65 to be brought back at the next meeting.

102 - Avenida Pico Extension Progress Report.

The City Manager presented a progress report on the extension of Avenida Pico advising that he had attended, along with the City Engineer, the bid opening at County of Orange and following approval by the Board of Supervisors, work could possibly commence on or about February 2, 1968.

48 - Seepage and Erosion Problems of Bluff Area Below Colony Cove.

The City Manager advised the Council that a letter has been written to the Colony Cove Board of Governors in accordance with previous action of the Council, and in cooperation with the City Engineer, some concrete suggestions were presented for remedial measures to be taken by the residents for possible alleviation of the erosion and seepage problems which they have reported to the City.

87 (77) - Grant to City of Lot for Use as Public Park (Dr. Eleanor Leslie).

The City Manager presented for acceptance a Grant Deed for Lot 23, Tract No. 897, (excepting therefrom the northerly ten feet) from Dr. Eleanor I. Leslie to be converted to a park for the residents of San Clemente. IT WAS MOVED BY COUNCILMAN CHILTON, SECONDED BY COUNCILMAN LOWER that the Deed for Lot 23, Tract No. 897 be accepted and the Clerk authorized to record same with the County Recorder. The MOTION WAS UNANIMOUSLY CARRIED upon the following stated vote, to wit:

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

The City Attorney advised that the law firm representing Dr. Leslie requested that the City obtain a fair market appraisal of Lot 23, Tract No. 897. The Council was advised that the San Clemente-Capistrano Valley Board of Realtors have been most helpful in the past by appointing committees for appraisal of property with no cost to the City. IT WAS MOVED BY COUNCILMAN CHILTON, SECONDED BY MAYOR MASSIE, AND UNANIMOUSLY CARRIED to request an appraisal of Lot 23, Tract No. 897, from the San Clemente-Capistrano Valley Board of Realtors.

Upon motion of Councilman O'Keefe, seconded by Councilman Chilton, RESOLUTION NO. 2-68, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ACKNOWLEDGING ACCEPTANCE OF GRANT DEED FROM DR. ELEANOR I. LESLIE, GLENVIEW, ILLINOIS, FOR LOT 23, TRACT NO. 897, FOR USE AS A PUBLIC PARK; AND DESIGNATING AND NAMING SAID LOT 23, TRACT NO. 897, AS "LESLIE PARK", was regularly introduced, passed, and adopted upon the following stated vote, to wit:

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

The Council directed that a letter expressing appreciation accompany a copy of the Resolution to be sent to Dr. Leslie.

27 - Undergrounding Overhead Electric and Communication Facilities.

The City Manager advised that representatives of the Utility Company will also attend the study session on January 29 to present a cost estimate with respect to the question of undergrounding utilities.

NEW BUSINESS

49 - Request of Saddleback Junior College District to Consolidate Their Bond Election with April 9 Municipal Election.

The City Clerk presented a Resolution and letter from the Saddleback Junior College District requesting the consent of the Council to consolidate the District's Bond Election with the April 9 Municipal Election.

The Clerk advised the Council of meetings held with officials of the District and the City Clerks involved (San Juan Capistrano, Laguna Beach, Tustin, and San Clemente) with a resulting decision that a fully consolidated election with only one ballot, one roster, etc., would be acceptable to the Clerks as it would not inconvenience the voters by slowing down voting procedures.

The Clerk also advised that the District wished to pay one-half of the election costs and recommended that the Council grant their consent. IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN LOWER, AND UNANIMOUSLY CARRIED that the City Council give their consent to the consolidation of the Saddleback Junior College District's Bond Election with the April 9 Municipal Election.

PAYING OF THE BILLS

IT WAS MOVED BY COUNCILMAN LOWER, SECONDED BY COUNCILMAN O'KEEFE that Warrants No. 9391 through No. 9489, as audited by the Council be paid, including ratification of Payroll Warrant No. 9396. The MOTION WAS DECLARED CARRIED upon the following stated vote, to wit:

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

Total Demands approved for payment for the period of January 4 through January 17, 1968.	\$ 45,873.60
Ratification of Payroll Warrant No. 9396, for period of December 25, 1967 through January 7, 1968 . . .	\$ 30,976.13
TOTAL WARRANT REGISTER . . .	\$ 76,849.73

RESOLUTIONS

For Resolution No. 1-68 see under "REPORTS & MISCELLANEOUS ITEMS" on Page 5.
For Resolution No. 2-68 see under "REPORTS & MISCELLANEOUS ITEMS" on Page 8.

37 - Resolution No. 3-68 Rescinding Appointment of Richard B. Lynn as Assistant City Attorney.

The City Attorney advised that due to unforeseen circumstances and developments, Richard B. Lynn was unable to accept his appointment as Assistant City Attorney without compensation, as previously approved by Council Resolution No. 90-67.

Upon motion of Councilman Northrup, seconded by Mayor Massie, RESOLUTION NO. 3-68, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING RESOLUTION NO. 90-67, BY RESCINDING THE APPOINTMENT OF RICHARD B. LYNN AS ASSISTANT CITY ATTORNEY, was regularly introduced, passed, and adopted upon the following stated vote, to wit:

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

49 - General Municipal Election - April 9, 1968 (Resolutions #4-68 & #5-68).

The City Clerk advised the Council of the need for Minute action and Resolutions

concerning the General Municipal Election to be held on April 9, 1968. He reminded the Council of the Elections Code section which permits candidates for office to file a 150 word statement of qualifications which is mailed to all voters, costs of which may be charged by the City to each candidate on a prorated basis. The Clerk inquired if the Council wished to follow the same procedure as the 1966 election wherein the candidates who filed statements were required to pay prorated costs of printing and mailing their statements of qualifications, with a \$75 deposit required at time of filing.

Following considerable discussion, a MOTION by Councilman O'Keefe for the City to bear the expense of printing and mailing of the candidates statement of qualifications DIED FOR LACK OF A SECOND. IT WAS THEN MOVED BY COUNCILMAN LOWER, SECONDED BY COUNCILMAN CHILTON, AND CARRIED that the City bill each candidate filing a statement of qualifications, the prorated costs of printing and mailing and that a \$75 deposit be required at the time of filing. Councilman O'Keefe voted 'NO'.

Upon motion of Councilman Northrup, seconded by Councilman O'Keefe, RESOLUTION NO. 4-68, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF ORANGE TO PERMIT THE COUNTY CLERK OF SAID COUNTY TO RENDER SPECIFIED SERVICES TO THE CITY OF SAN CLEMENTE, RELATING TO THE CONDUCT OF A GENERAL MUNICIPAL ELECTION TO BE HELD IN SAID CITY ON APRIL 9, 1968, was regularly introduced, passed, and adopted upon the following stated vote, to wit:

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

Upon motion of Councilman Chilton, seconded by Councilman O'Keefe, RESOLUTION NO. 5-68, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD IN SAID CITY ON TUESDAY, THE 9TH DAY OF APRIL, 1968, FOR ELECTION OF CERTAIN OFFICERS OF SAID CITY AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES, was regularly introduced, passed, and adopted upon the following stated vote, to wit:

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

ORDINANCES

For Ordinance No. 508 see under "PUBLIC HEARINGS" on Page 1.

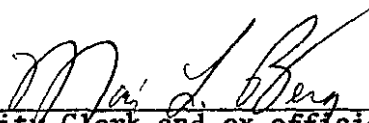
103 - Ordinance No. 509 - Amendment to Transient Occupancy Tax Ordinance No. 436.


Upon motion of Councilman Northrup, seconded by Councilman O'Keefe, ORDINANCE NO. 509, BEING AN ORDINANCE OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING SECTION 7.3 OF THE CODE OF THE CITY OF SAN CLEMENTE RELATING TO EXEMPTION FROM TRANSIENT OCCUPANCY TAX, having been regularly introduced at the meeting of 1-3-68, was again introduced, the reading in full unanimously waived, duly passed and adopted upon the following stated vote, to wit:

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

ADJOURNMENT

There being no further business, IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN CHILTON, AND UNANIMOUSLY CARRIED that the Council meeting be adjourned - at 10:30 P.M.


 City Clerk and ex officio
 Clerk of the City Council


 Mayor and President
 of the City Council