

San Clemente, California
February 7, 1968

Regular meeting of the City Council of the City of San Clemente, California, Council Chambers, Civic Center Building, Wednesday, February 7, 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 Mayor Massie.

ROLL CALL

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

Also Present: Kenneth E. Carr, City Manager; George D. Jackson, Deputy City Clerk; and Carl S. Kegley, City Attorney.

APPROVAL OF THE MINUTES

Minutes of the regular meeting of January 17, 1968, having been previously presented to the members of the Council, IT WAS MOVED BY COUNCILMAN CHILTON, SECONDED BY COUNCILMAN LOWER, AND UNANIMOUSLY CARRIED that said minutes be approved as presented, and the reading in full thereof waived.

WRITTEN COMMUNICATIONS

98 - Request for Waiver of Sidewalk Requirements.

Letter from ROBERT L. ANDERSON requesting waiver of sidewalk requirements (Municipal Code Section 31-9) at 251 La Rambla.

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

77 - Community Recreational Facilities and Proposed High School Swimming Pool.

Letter from the CAPISTRANO UNIFIED SCHOOL DISTRICT proposing a joint session with the Council for the purpose of discussing the future development of community and recreational facilities with particular reference to the proposed construction of a swimming pool at the San Clemente High School.

Following comments by Councilman Chilton and Mayor Massie regarding the advantages of joint recreational facilities, the Mayor set a tentative Study Session, subject to approval by the School Board, for Wednesday, February 28, 1968, at 7:30 P.M.

IT WAS MOVED BY MAYOR MASSIE, SECONDED BY COUNCILMAN CHILTON, AND UNANIMOUSLY CARRIED to refer the communication to the previously set Study Session.

109 - Appreciation for Use of City Hall Space and Report from Social Security Administration.

Letter from RALPH A. DILLMAN, District Manager, Social Security Administration, expressing appreciation for use of space in the Civic Center for the Social Security Representative and submitting a report of their activities in this area during 1967.

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

77 - Linda Lane Area Proposed Location for Art Museum.

Letter from J. M. "MAC" JONES suggesting that the Council give consideration to the possibility that Linda Lane area could be proffered to the Hunt Food Company as a proper location for their proposed art museum.

Discussion ensued and the Council concurred that the Linda Lane area is primarily for a parking lot, but expressed the desire to pursue the idea further with the possibility that some other area would be more suitable. The Mayor then appointed Councilmen Northrup and O'Keefe to study the matter and report back.

27 - 1968 Underground Conversion Funds to Proposed Montalvo-Lobeiro Assessment District.

Letter from AARON BANK suggesting that the Council should decide, announce, and apply the full amount (\$21,000+) of the 1968 conversion funds allocated by San Diego Gas & Electric Company for undergrounding utilities in San Clemente to the proposed Montalvo-Lobeiro conversion assessment district, in order to obtain a maximum number of signatures from property owners in the area.

The City Manager apprised the Council that following receipt of cost estimate from the San Diego Gas & Electric Company, a meeting was called with interested property owners of the Montalvo-Lobeiro area which resulted in said letter. Discussion ensued on the distribution of funds per lot for conversion purposes and whether the total amount should be specified for one area or equally divided between the recommended priority list established at the meeting of 12-20-67, viz, (1) Montalvo-Lobeiro area, (2) Hillcrest Pacesetters, (3) "Bowl" area, (4) Golf Course area, and (5) Riviera District.

Councilman O'Keefe commented that it would be appropriate to figure some method of division between those actively seeking undergrounding; e.g., Montalvo-Lobeiro, Hillcrest Pacesetters, & "Bowl" area; with Councilman Chilton countering that it was his recollection that the first discussions were with representatives from the Montalvo-Lobeiro area and that the entire amount should be expended in that area. Lynn Hicks addressed the Council explaining the interest of the property owners in the Montalvo-Lobeiro area for the past year and one-half for street improvements as well as the undergrounding of utilities at the same time.

The City Manager noted that the petition submitted by residents of Hillcrest Pacesetters under the 1911 act was certified as to its sufficiency by the City Clerk, but upon advice of Special Legal Counsel Brown that undergrounding should be taken under the 1913 Act, petitions are now being circulated in the Montalvo-Lobeiro area and such petition forms are also available to residents of the Hillcrest Pacesetter area.

Upon question, Keith Hutchens, S. D. G. & E. Co., advised that the funds were allocated on a calendar year basis and that an annual allocation was indicated by the PUC, but that it would be unwise to anticipate any set amount as this is a flexible arrangement subject to modification.

Due consideration being given, IT WAS MOVED BY COUNCILMAN CHILTON, SECONDED BY COUNCILMAN LOWER to authorize the expenditure of this amount of money to the Montalvo-Lobeiro project as requested, provided that the petition is presented at the first meeting in March; and that a letter be written to Hillcrest Pacesetters explaining that if they submit their petition, they could possibly be considered for next year. 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

Ian Kennedy questioned the Council whether a policy was being established wherein total monies would be expended in one area only and the Mayor answered that the action taken tonight would not bind any future Council.

32 - Request for Business License to Expand Business Activities.

Memorandum from the PLANNING COMMISSION advising of their approval for a one year period of Use Permit No. 01-68, being a request from Jim & Mary Jenkins to permit a teen-age center to include entertainment, dancing and snack bar on a portion of Lot 76 and Lots 77 & 78, Tract No. 789, 302 Avenida Estrella, in a C-1 District. (Referred back to Council for consideration of dance license.)

Referring to previous action of the Council which referred the original request to the Planning Commission for the granting of a Use Permit, the City Manager stated that the applicant is willing to comply with the requirements of the Building, Fire, and Police Departments and further that the granting of the business license should be contingent upon customary procedure and reminded the Council of the involvement of teen-agers and the existence of a curfew law.

Concurring that if the establishment caused any particular problem, the Council could review and revoke said license for cause, IT WAS MOVED BY COUNCILMAN LOWER,

SECONDED BY COUNCILMAN O'KEEFE, AND UNANIMOUSLY CARRIED that the request for an annual dance license be granted subject to standard policy.

Mrs. Jenkins expressed her appreciation to the Council, stating their intention to be a credit to the community.

32 - Request from I. L. Lawlor to Operate Recreational and Amusement Facilities (Use Permit No. 03-68).

Memorandum from the PLANNING COMMISSION referring Use Permit No. 03-68 to the City Council and Police Department for recommendations and return to the Commission, being a request from I. L. Lawlor to permit the operation of recreational and amusement facilities, privately operated to include billiards sss and other facilities, on a portion of Lot 6, Block 16, Tract No. 693, 528 North El Camino Real, in a C-2 District.

The City Manager read a report from the Police Chief stating that they had no objections, but calling attention to the curfew hours which should be considered in this matter.

Due consideration being given, IT WAS MOVED BY COUNCILMAN CHILTON, SECONDED BY COUNCILMAN O'KEEFE, AND UNANIMOUSLY CARRIED to recommend affirmative action by the Planning Commission.

73 - Request for Blanket Approval to Suspend Advertising Banners for Productions of the Community Theatre.

Letter from the COMMUNITY THEATRE requesting a blanket approval to suspend their banner advertising on an average of 4 plays a year at the customary location at the upper part of the first block of Avenida Del Mar, said banners to be erected and removed by City forces.

The Council concurred to hold the request to later on the Agenda following discussion on a proposed Resolution implementing policy as respects suspension of banners over public streets.

ORAL COMMUNICATIONS

The Mayor called for Oral Communications and there were none.

UNFINISHED BUSINESS

103 - Transient Occupancy Tax Increase (Ordinance No. 510).

Further consideration being given to the proposed amendment of transient occupancy tax from 4% to 5%, upon motion of Councilman O'Keefe, seconded by Councilman Lower, ORDINANCE NO. 510, BEING AN ORDINANCE OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING SECTION 7-2 OF THE CODE OF THE CITY OF SAN CLEMENTE, CHANGING THE RATE OF THE TRANSIENT OCCUPANCY TAX FROM FOUR TO FIVE PER CENT, was regularly introduced by title only, the reading in full thereof waived by a 4/5ths vote, upon the following stated vote, to wit:

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

49 - Consolidation of Saddleback Junior College District Bond Election with General Municipal Election.

Deputy City Clerk Jackson read a memorandum from the City Clerk explaining the need for further consideration in regard to the requested consolidation of the Saddleback Junior College District Bond Election with the General Municipal Election due to the fact that further research by Bond Attorneys O'Melveny and Myers has revealed that a fully consolidated election as planned was not legal, thus necessitating a consolidated election with a separate ballot, separate roster, and separate canvass by the County Superintendent of Schools. The Clerk recommended that even though there would be some confusion and voter inconvenience, it would still be in the best interest of the voters and taxpayers in general to permit consolidation with separate ballot, etc.

IT WAS MOVED BY COUNCILMAN LOWER, SECONDED BY COUNCILMAN O'KEEFE, AND UNANIMOUSLY CARRIED to rescind the action taken at the meeting of 1-17-68, consenting to a fully consolidated election.

Following further discussion, IT WAS MOVED BY MAYOR MASSIE, SECONDED BY COUNCILMAN O'KEEFE, AND UNANIMOUSLY CARRIED that the City of San Clemente hereby consents to the consolidation of the bond election of the Saddleback Junior College District to be held on April 9, 1968, with the Municipal Election to be held on that same day in the City of San Clemente.

Upon motion of Councilman Lower, seconded by Councilman Northrup, RESOLUTION NO. 6-68, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ORDERING THE BOND ELECTION OF THE SADDLEBACK JUNIOR COLLEGE DISTRICT TO BE HELD ON APRIL 9, 1968, TO BE CONSOLIDATED WITH THE GENERAL MUNICIPAL ELECTION TO BE HELD ON THAT SAME DAY IN THE CITY OF SAN CLEMENTE, 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

IT WAS THEN MOVED BY COUNCILMAN CHILTON, SECONDED BY MAYOR MASSIE, AND UNANIMOUSLY CARRIED to request our representatives in the State Legislature to sponsor enabling legislation to permit, in instances of such necessity, the full consolidation of School District Elections with General Municipal Elections, allowing school measures to be placed on City ballots and canvass of all returns by the City.

64 - Lifeguard Headquarters and Beach Maintenance
Facility - Award of Contract.

Further consideration was given to the awarding of a contract for the construction of the Lifeguard Headquarters and Beach Maintenance Facility and the fact that the lowest bid received exceeded the amount budgeted and the possible elimination of certain features of the original design to cut down the total cost.

Upon question by Councilman Northrup, the Lifeguard Chief explained that all equipment is washed off each evening and the heaters designed in the plan would eliminate damage caused by rusting due to dampness in the air.

Discussion ensued relative to the bid by McCaslin Construction in the amount of \$62,990, and estimated costs of \$13,500 for off-site improvements and \$2,000 for furnishings. Upon question, the City Engineer stated that the off-site improvements (Avenida Del Mar as an access) would also be used when the Linda Lane project is completed at a later date, thus serving a dual purpose.

Councilman O'Keefe restated his position that without a master plan of the entire beach area, such a project should not be undertaken. Councilman Chilton countered that communications he has received, with very few exceptions, have been in the affirmative even though the expense is more than anticipated, and further, that the Pier area and parking facilities should also be improved.

IT WAS MOVED BY COUNCILMAN NORTHRUP, SECONDED BY COUNCILMAN LOWER to approve McCaslin Construction as the lowest responsible bidder and award the Contract in the amount of \$62,990.00. The MOTION CARRIED upon the following stated vote, to wit:

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

Upon recommendation of the City Manager, IT WAS MOVED BY COUNCILMAN CHILTON, SECONDED BY COUNCILMAN NORTHRUP to appropriate into the Budget for fiscal year 1967-1968, the additional sum of \$30,000 from the Budgeted Reserve Account to Capital Outlay, Account No. 10-3491.01 for the construction of the new Lifeguard Facility. The MOTION CARRIED upon the following stated vote, to wit:

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

The Council concurred to include the latest plans for Pier entrance modification for study at the scheduled study session on February 28, 1968.

96 - Engineering-Science, Inc. Report - Waste Water Treatment and Disposal Facilities.

The Mayor commented that progress is being made by the communities to our north on a joint agreement for the use of waste water treatment and sewage disposal facilities; and the request by the City to the Marine Corps for disposal of effluent in the San Mateo creek basin is being pursued.

Referring to the Reeves property recently acquired by Brigham Young University, the Mayor proposed that rather than the Negotating Committee (City Manager, City Engineer, and Mayor) communicating with just one man representing the University, they meet personally with officials in Provo, Utah, for the purpose of discussing in greater detail the effect of our proposed expansion upon their future plans for development.

Due consideration being given, IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN LOWER to authorize the Negotating Committee to travel to Provo, Utah, for the purpose of negotiating with Brigham Young University regarding sewer plant expansion. The MOTION WAS CARRIED upon the following stated vote, to wit:

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

REPORTS AND MISCELLANEOUS ITEMS

77 - Community Clubhouse Repairs.

Councilman Lower commented on repairs needed at the Community Clubhouse and the City Manager apprised the Council of the anticipated installation by City forces of a new sink, dishwasher, and disposal proposed to be donated by the San Clemente Woman's Club. Councilman Lower further commented on the need for a new stove and refrigerator and the added problem of poor acoustics, suggesting that carpet be included in the coming Budget sessions.

77 - Tree Planting.

Councilman Lower broached the subject of the need for the planting of trees and the fact that many people do not know that the subdividers have provided for trees and they are available for those wishing to plant trees.

The City Manager remarked that the City has not had a formal tree planting program, but they have been planting trees recently in the Shorecliffs development which was a budgetary allocation included in this years budget; and many favorable letters of appreciation for the planting has been received. Mr. Carr concluded that a more logical schedule of planting will be considered.

Councilman O'Keefe thanked the City for the tree planting, commenting that the Shorecliffs Community Association has also conducted a tree planting program on various banks and good results have been obtained when the problem is attacked from several directions.

- - - - -

Councilman O'Keefe reported on the poor street conditions on Avenida San Gabriel.

- - - - -

Councilman O'Keefe reported that the Harbor, Beaches, and Parks Committee of the League of California Cities will submit their report on 2-8-68, which will make several recommendations regarding the status and make-up of the Harbor Commission and the operation of the County Harbor, Beaches, and Parks Department.

- - - - -

The Mayor reported on his attendance at a recent award presentation involving the Cities competing in the "Forty Miles of Christmas Smiles"; he expressed his pride in the fact that San Clemente won the Grand Sweepstakes for the third consecutive year and other awards won by citizens of the City.

- - - - -

The Mayor suggested the possibility of getting together with surrounding communities to promote a program of tree planting.

100 - Question of Maintenance of Non-Dedicated Alleys.

The Mayor remarked on the substandard condition of two non-dedicated alleys; viz, alley north of and running parallel with Avenida Del Mar in the 100 block, and the alley north of and running parallel with Avenida De La Grulla. Considerable discussion ensued relative to the proper action for the City to take to permit the maintenance of said alleys as public funds cannot be spent on private property; and it was determined that the City Attorney research the matter and report back his findings.

37 - Pending Suit by Nimlo Against Certain Chemical Companies.

Referring to the pending Chlor-Alkali suit by the National Institute of Municipal Law Officers, the City Attorney read a communication from the General Counsel of NIMLO stating that it would not be improper for the City to make a separate demand. Mr. Kegley suggested the City proceed on this basis with the offered assistance of the General Counsel of NIMLO.

Following discussion relative to the extent of damage and the possible amount involved in settlement, IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN CHILTON, AND UNANIMOUSLY CARRIED to authorize the City Attorney to prepare a demand in cooperation with the City Staff to be submitted back to the Council for approval and transmission to defendants of the law suit.

85 - Proposed Resolution Implementing Policy as Respects Suspension of Banners Over Public Streets.

As previously directed, the City Manager presented a draft of a proposed Resolution establishing a more definite policy with respect to suspending banners over public streets.

Discussion ensued relative to the three Sections contained in the proposed Resolution. The Council concurred on #1 which establishes the type of events for which banners may be suspended, and #3 which provides for insurance coverage to protect the City from claims resultant in suspension of any banner, but questioned the advisability of #2 which establishes a \$25.00 charge to cover City expense for suspension and removal of any banner. The Council then directed the City Manager to bring back, at the next meeting, the proposed Resolution excluding #2

Referring back to the Community Theatre request for blanket approval to suspend banners advertising their productions, IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN CHILTON that the request be granted subject to applicant agreeing to hold the City harmless for any claims or damages arising out of the banner suspension and agreeing to furnish evidence of insurance in an amount determined adequate to the City Manager.

Discussion ensued on the length of time the banner should be suspended and IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN CHILTON TO AMEND THE MOTION to grant only the request for the current play for the next two weeks unless the application is renewed. The MOTION TO AMEND WAS CALLED AND UNANIMOUSLY CARRIED. The ORIGINAL MOTION AS AMENDED WAS THEN CALLED AND WAS UNANIMOUSLY CARRIED.

93 - Resolution No. 7-68 Increasing Rates for Collection of Garbage and Trash.

Pursuant to Council directive at the meeting of 1-17-68, the City Manager presented two sample Resolutions increasing charges levied for the collection of garbage and trash. Mr. Carr explained that sample Resolution identified as "Exhibit A" results in an overall increase of 6% to the Contractor with the collection rates increased and maintained in a multiple of five; and "Exhibit B" provides a 10% increase in charges, but is also maintained as to increased collection rates in a multiple of five, and provides a 6% increase to the Contractor, but changes the percentage basis for payment to the Contractor to allow for future increases by revision of the distribution formula without the necessity to revise the charges.

Discussion ensued relative to the two proposed Resolutions and whether the charges for mobile home parks are compatible to those for apartments. The Council concurred in approval of the Resolution designated "Exhibit A" and upon motion of Councilman O'Keefe, seconded by Councilman Chilton, RESOLUTION NO. 7-68, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ESTABLISHING RATES FOR THE COLLECTION OF GARBAGE AND TRASH, was

regularly introduced, passed, and adopted upon the following stated vote,

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

79 - Mandatory City Employee Retirement at Age 65.

Pursuant to previous direction, the City Manager presented the proposed Resolution establishing mandatory retirement for City employees at the age of 65, and upon motion of Councilman Chilton, seconded by Councilman Lower, RESOLUTION NO. 8-68, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ESTABLISHING MANDATORY RETIREMENT FOR ALL REGULAR FULL TIME CITY EMPLOYEES UPON THE ATTAINMENT OF AGE 65; PROVIDING FOR THE PAYMENT OF CERTAIN PENSION BENEFITS TO CERTAIN EMPLOYEES WHO WILL BE REQUIRED TO RETIRE EFFECTIVE JULY 1, 1968, AND WHO ARE NOW OVER AGE 65 OR WHO WILL ATTAIN AGE 65 ON OR BEFORE SEPTEMBER 17, 1968; AND DIRECTING REQUIRED AMENDMENT TO THE CITY'S PRESENT RETIREMENT PLAN TO PROVIDE FOR SAID MANDATORY RETIREMENT, 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

85 - Proposed Resolution Establishing Policy for Governing Attendance at Conferences & Meetings.

As previously directed, the City Manager presented a proposed Resolution establishing a more definitive policy for expense reimbursement at governmental conferences and meetings by officers and employees of the City. Following general discussion and determining the need for further study, IT WAS MOVED BY MAYOR MASSIE, SECONDED BY COUNCILMAN CHILTON, AND UNANIMOUSLY CARRIED to table the matter for further study.

36 - Request from City Manager to Attend League of California Cities Annual Meeting.

The City Manager requested permission to attend the League of California Cities, City Managers' Department, Annual Meeting in Palm Springs from February 28 to March 1, 1968. IT WAS MOVED BY COUNCILMAN NORTHRUP, SECONDED BY COUNCILMAN LOWER, AND UNANIMOUSLY CARRIED that the request be granted.

52 - Fire Department 1967 Annual Report.

The City Manager presented to the Council the 1967 Annual Report from the Fire Department. IT WAS MOVED BY COUNCILMAN CHILTON, SECONDED BY COUNCILMAN LOWER, AND UNANIMOUSLY CARRIED that the Report be received and filed.

83 - Police Department 1967 Annual Report.

The City Manager presented to the Council the 1967 Annual Report from the Police Department. IT WAS MOVED BY COUNCILMAN CHILTON, SECONDED BY COUNCILMAN LOWER, AND UNANIMOUSLY CARRIED that the Report be received and filed.

74 - Purchase of Parking Meters for Beach Locations.

Pursuant to the adoption of Ordinance No. 500 at the meeting of 10-21-67, which established additional parking meter zones on a seasonal basis on Calafia, Cristobal, and Estacion, the City Manager apprised the Council that following formal proposals and demonstrations by three principal parking meter manufacturers it was his recommendation that the Maximum Security model vault meter, manufactured by M. E. Rhodes, Inc., would represent the best value and presented the following information:

| <u>Area</u> | <u>Spaces</u> | <u>Duet Model</u> | <u>Single Model</u> |
|--|---------------|--------------------|---------------------|
| Cristobal | 61 | 29 | 3 |
| Calafia | 92 | 44 | 4 |
| Estacion | <u>67</u> | <u>33</u> | <u>1</u> |
| Totals | 220 | 106 | 8 |
| 8 Rhodes Sentinel M. S. Single Models @ \$ 75.00 | | | \$ 600.00 |
| 106 Rhodes Sentinel M. S. Duet Models @ \$134.50 | | | \$14,257.00 |
| | | | <u>\$14,857.00</u> |
| | | 5% State Sales Tax | 742.85 |
| | | | <u>\$15,599.85</u> |

Mr. Carr further apprised the Council of the four payment plans available from the manufacturer: (1) 50-50 division of revenue, (2) 24 equal payments, (3) \$2.50 per metered car space per month, and (4) Cash with 5% discount. Discussion ensued relative to the most economical method of purchasing and due consideration being given, IT WAS MOVED BY COUNCILMAN CHILTON, SECONDED BY COUNCILMAN O'KEEFE, AND CARRIED that the City purchase the parking meters for the named locations on a cash basis and the City Manager be authorized to advertise for bids. Councilman Lower and Mayor Massie voted "NO". Upon the suggestion of Councilman Lower, the City Manager concurred that the funds received will be kept separate for record purposes.

Consideration was given to the possibility of the issuing of parking permits and IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN CHILTON, AND UNANIMOUSLY CARRIED that the matter of parking permits be referred to the City Manager for analysis and report back.

87 - Disposal of Surplus Property.

The City Manager submitted a list of City equipment and property which has been determined to be no longer required for public use and recommended that said property be declared surplus and disposed of in the most expeditious manner possible. Due consideration being given, IT WAS MOVED BY COUNCILMAN CHILTON, SECONDED BY COUNCILMAN NORTHRUP, AND UNANIMOUSLY CARRIED that said property and equipment is not required for public use and the City Manager is authorized to arrange for a direct sale or otherwise dispose of same.

90 - Award of Purchase Contract for One-Half Ton (4x4) Pick Up Truck.

As previously directed, referring to the pending question of award of contract for a one-half ton (4x4) Pick Up Truck, the City Manager apprised the Council that Bowles-Stamp Ford was the only original bidder to submit a supplementary offer, said offer to include a V8 engine for the original bid of \$2,360.00. Mr. Carr recommended acceptance of the offer.

Following due consideration, IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN LOWER to reject all bids received and presented at the meeting of 1-17-68; and authorize the City Manager to purchase said vehicle on the open market. The MOTION WAS CARRIED upon the following stated vote, to wit:

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

Discussion again 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; and the City Attorney advised that he would like further time to investigate the legality of such a policy.

77 - Beach Erosion Control Study.

The City Manager reported on a recent discussion with the City Engineer, Ken Sampson, Orange County Director of Harbors, Beaches, and Parks; Jim Ballinger, Orange County Harbor Master, Bob Harris, U. S. Corps of Engineers Erosion Control Section; and Dave Gilstrap, representing the State Department of Water Resources, where the principal topic was the request as stated in the Council's Resolution No. 97-67 for the review and updating of previous reports pertaining to beach erosion control of the shoreline within the City limits. Mr. Carr further stated that Mr. Sampson indicated that the request will be taken up at the next meeting of the Harbor Commission (2-13-68) and contingent upon their concurrence, it will then be brought before the Board of Supervisors on February 20, 1968.

96 - Auxiliary Power Unit at Main Sewer Pump Station.

The City Manager presented a recommendation from the City Engineer requesting the purchase of an electric motor to replace the gas engine drive at the main lift station; and a generator, diesel driven to be used as a stand-by unit in the event of a disruption of electrical supply, in the total amount of \$11,359.00. Mr. Carr apprised the Council of a meeting scheduled with representatives of the San Diego Gas & Electric Company to discuss in greater detail said equipment and will report further to the Council at the next regular meeting.

2-7-68

87 - Appraisal of Lot Granted to the City (Dr. Eleanor I. Leslie).

As previously requested, the City Manager apprised the Council of the findings transmitted by the San Clemente-Capistrano Valley Board of Realtors appraising Lot 23, Tract No. 897, recently given to the City by Dr. Eleanor I. Leslie, for park purposes, said Lot being appraised at a value of \$28,600 by the Appraisal Committee of the Board of Realtors

IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN LOWER, AND UNANIMOUSLY CARRIED to approve the amount of \$28,600 as the appropriate value of Lot 23, Tract No. 897, granted to the City.

73 - Request for Temporary Space at Community Clubhouse.

The City Manager read a communication from Roy Gordon, American Red Cross Fund Drive Chairman, requesting use of the space in the Community Clubhouse recently vacated by the Department of Employment, during the months of February and March for headquarters for the annual Red Cross Fund Drive.

Due consideration being given, IT WAS MOVED BY COUNCILMAN LOWER, SECONDED BY COUNCILMAN O'KEEFE, AND UNANIMOUSLY CARRIED that the request be granted at no charge.

NEW BUSINESS

99 - Appeal to Denial of Sign Exception No. 02-68 (Gulf Oil Corporation).

For Council information, the Deputy City Clerk advised that an Appeal has been filed by General Maintenance, Inc. for Gulf Oil Corporation to Planning Commission denial of Sign Exception No. 02-68; and Public Hearing on the Appeal has been set for 2-21-68.

99 - Appeal to Denial of Sign Exception No. 03-68 (Union Oil Company).

For information, the Deputy City Clerk advised that an Appeal has been filed by Union Oil Company to Planning Commission denial of Sign Exception No. 03-68; and Public Hearing on the Appeal has been set for 2-21-68.

PAYING OF THE BILLS

IT WAS MOVED BY COUNCILMAN NORTHRUP, SECONDED BY COUNCILMAN LOWER that Warrants No. 9490 through No. 9681, as audited by the Council, be paid. The MOTION WAS DECLARED CARRIED upon the following stated vote, to wit:

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

Total Demands approved for payment for the period of January 18 through February 7, 1968. \$ 68,769.08

Ratification of Payroll Warrant No. 9493, for period of January 8 through January 21, 1968. \$ 29,222.57

TOTAL WARRANT REGISTER. \$ 97,991.65

RESOLUTIONS

For Resolution No. 6-68 see under "UNFINISHED BUSINESS" on Page 4.
For Resolution No. 7-68 see under "REPORTS AND MISCELLANEOUS ITEMS" on Page 6.
For Resolution No. 8-68 see under "REPORTS AND MISCELLANEOUS ITEMS" on Page 7.

ORDINANCES

For Ordinance No. 510 see under "UNFINISHED BUSINESS" on Page 3.

ADJOURNMENT

There being no further business, IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY MAYOR MASSIE, AND UNANIMOUSLY CARRIED that the Council meeting be adjourned - at 10:45 P.M.

Howard Massie
Mayor and President
of the City Council

MAX L. BERG
City Clerk and ex officio
Clerk of the City Council
by *George D. Jackson*
Deputy City Clerk