

Regular meeting of the City Council of the City of San Clemente, California, Council Chambers, Civic Center Building, Wednesday, March 20, 1968, 7:30 P.M., Mayor Howard Massie presiding.

PLEDGE OF ALLEGIANCE AND INVOCATION

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 March 6, 1968, having been previously presented to the members of the Council, IT WAS MOVED BY COUNCILMAN NORTHRUP, SECONDED BY COUNCILMAN LOWER, AND UNANIMOUSLY CARRIED that said minutes be approved as presented, and the reading in full thereof waived.

PUBLIC HEARINGS

27 - Confirmation of Assessments - Assessment District No. 2-67  
(Tract No. 900, etc.).

The Clerk announced that the hour of 7:30 P.M. having arrived, this was the time and place fixed for the hearing of appeals or objections to the confirmation of assessment in the matter of certain improvements in Assessment District No. 2-67 (Tract No. 900, etc.) in the City of San Clemente, California, as described in Resolution of Intention No. 30-67, adopted by the City Council of said City on the 5th day of April, 1967.

The Clerk reported that notice of the Filing of the Assessment and of the time and place for hearing were duly and regularly published, posted and mailed, all as prescribed by law and affidavits showing such compliance are on file in his office.

The Clerk announced that he had received written protests from the following persons: Carl E. Stentz, Bonnie Brett, Mrs. Ruth L. Bryson, Miss Julie Lishka, Robert A. Bouman, H. A. Eager, Mrs. Harry Gorman, and John H. Spangler. The Clerk thereupon read all protests in full.

The Mayor called for oral communications and Fred C. Davies and Joseph Soukoup spoke protesting the workmanship of the job. The City Manager in answering a question posed by Mr. Davies concerning usage of gas tax funds stated that gas tax monies can be used only on major thoroughfares which are designated in the City's select street system. The City Engineer also remarked that with respect to Avenida Dolores which is the only street in this District now in the select street system, the work was classified as maintenance, since anything two inches or less does not qualify as reconstruction for which gas tax funds can be used.

Following a lengthy discussion period and further comments and questions from the audience, it was the opinion of the City Engineer that the work completed by the contractor was very good and recommended confirmation of the assessment with corrections where needed to be done by City forces. The Mayor suggested to the City Manager that replies and explanation be made to questions presented in some of the written protests.

IT WAS MOVED BY COUNCILMAN LOWER, SECONDED BY COUNCILMAN NORTHRUP that all protests be overruled and denied. The MOTION WAS CARRIED upon the following stated vote, to wit:

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

Upon motion of Councilman Northrup, seconded by Councilman Lower, RESOLUTION NO. 13-68, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, CONFIRMING ASSESSMENT IN THE MATTER OF THE CONSTRUCTION OF CERTAIN IMPROVEMENTS IN THE ASSESSMENT DISTRICT NO. 2-67 IN THE CITY OF SAN CLEMENTE, CALIFORNIA, was regularly introduced, passed, and adopted upon the following stated vote, to wit:

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

115 - Annual Weed Abatement Program.

The Clerk announced that this was the time and place for Public Hearing to consider protests or objections to proposed abatement of weeds, rubbish, refuse, and dirt upon, or in front of property in the City of San Clemente, and as more particularly described in Resolution No. 10-68 directing same. The Clerk announced that "Notice of Hearing and Notice to Destroy Weeds" cards have been posted throughout the City, all in accordance with provisions of the law.

There being no written or oral communications, the Mayor declared the Hearing closed. After a full, fair, and impartial hearing and an opportunity having been given to all persons desiring to be heard, IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN NORTHRUP that the City Engineer be authorized to proceed with the necessary work for the removal of said weeds, rubbish, refuse, and dirt. 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 Manager advised that weed abatement work was planned to commence approximately April 15.

WRITTEN COMMUNICATIONS

74 - Request for Removal of Parking Meters - Both Sides of Avenida Del Mar.

Letter and Petition containing 35 signatures from the SAN CLEMENTE GARDEN CLUB requesting that the parking meters on both sides of Avenida Del Mar at the Community Clubhouse be abolished.

The City Manager, upon question, acknowledged that no study of the request has as yet been made, and IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY MAYOR MASSIE, AND UNANIMOUSLY CARRIED that the matter be referred to the Traffic Engineer for study and report back at the next regular meeting.

Councilman O'Keefe commented that a later Agenda item regarding proposed annual parking permits could, to some extent, relate to the request from the San Clemente Garden Club.

44 - Request for One Year Renewal of Present Lease for Skeet & Trap Range, Report of Activities, and Proposing an Additional Skeet Range.

Letter from the SAN CLEMENTE LODGE NO. 2068, B.P.O. ELKS, requesting a one year renewal of present Lease for the Skeet & Trap Range; submitting a report of their activities during the past year and requesting a budgetary appropriation in the forthcoming budget for the addition of a new Skeet Range.

Noting that the present Lease expires the 1st of April, IT WAS MOVED BY COUNCILMAN NORTHRUP, SECONDED BY COUNCILMAN CHILTON, AND UNANIMOUSLY CARRIED to approve renewal of the Lease for one year and instruct the City Attorney to prepare the necessary Lease.

Discussion ensued relative to the request that an additional new Skeet Range be considered for budgetary appropriation, and IT WAS MOVED BY COUNCILMAN NORTHRUP, SECONDED BY COUNCILMAN CHILTON, AND UNANIMOUSLY CARRIED that the matter of an additional new Skeet Range be referred to the City Manager for Budget study.

23 - Proposed Committee for Improving Standards and Quality of Existing Emergency Medical Services in Community.

Letter from the SOUTH COUNTIES AMBULANCE proposing a committee be formed of representatives of law enforcement agencies, fire and rescue departments, medical association, charitable organizations, and civic leaders to function as a coordinating and consulting body for the improvement of standards and quality of existing emergency medical service in the community.

Bryan Peterson, Coordinator of Emergency Service, addressed the Council further outlining the intent and purpose of such a committee and the fact that his proposal is based upon the recommendation from the American Medical Association and the United States Health Service. Mr. Peterson commented that there is such a County organization, with cities to follow, and it would be well for San Clemente to be one of the first Cities to initiate such a committee.

Mayor Massie suggested the petitioner pursue the matter further as to who would appoint such a committee and concurring in the fine and worthwhile purpose, IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN LOWER, AND UNANIMOUSLY CARRIED that the letter be received and filed with approval.

31 - Appearance of Structure at 225 Serena.

Letter from MRS. D. HOPSON rebutting remarks made at a recent Council meeting regarding the appearance of the new building at 225 Serena; and suggesting that the Council should plan and control tree heights along beach front properties which would not necessitate the building of two story buildings in order to obtain a view.

Mayor Massie expressed his apology if he had offended Mrs. Hopson in any way, but pointed out that it was her neighbors who had objected to the structure.

As to the cutting down of trees, the Mayor expressed doubt that such was possible and IT WAS MOVED BY MAYOR MASSIE, SECONDED BY COUNCILMAN CHILTON, AND UNANIMOUSLY CARRIED that the letter be received and filed.

77 - Suggested Rejuvenation and Redecoration of Community Clubhouse for Historical Purposes.

Letter from EDWIN W. CHAFFEE recommending inclusion of funds in the Budget for the coming fiscal year to rejuvenate and redecorate the Community Clubhouse because of the building's great historical value to San Clemente.

Councilman Northrup questioned the City Manager if an estimate had ever been made to determine what the cost would be to restore the Community Clubhouse to the condition where full utilization could be made of the building. The City Manager replied that periodic estimates as to critical needs have been made and if it were the desire of the Council, such a request would be pursued.

Councilman Lower commented that a list of suggested Capital Improvements has been submitted to the Chamber of Commerce with no mention of the Community Clubhouse and in view of improvement suggestions sent in to the City by various Clubs, that perhaps community groups might be interested due to the fact that the building is used on the average of 26 times a month by approximately 1200 persons.

Due consideration being given, IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN LOWER, AND UNANIMOUSLY CARRIED to refer the matter to the City Staff for engineering studies and cost estimates, and report back during Budget sessions.

109 - Proposed Establishment of New National Cemeteries for Veterans and Their Families.

Letter and Resolution from the CITY OF COSTA MESA urging the establishment of new National Cemeteries for veterans and their families.

Councilman O'Keefe commented that he felt this subject was outside the purview of the City Council and IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN NORTHRUP, AND UNANIMOUSLY CARRIED that the letter and Resolution be received and filed.

77 - Requested Support for Declaration of Policy for Preservation and Protection of Tidelands in Newport Beach Area.

Letter and Resolution from the CITY OF NEWPORT BEACH declaring its opposition to offshore drilling operations along the Pacific Coast and declaring a policy of preservation and protection of tidelands in the Newport Beach area for recreational purposes.

During brief discussion, Councilman O'Keefe commented on certain areas where

offshore drilling operations are very satisfactory. Mayor Massie reviewed the history of the oil drilling question in this area and mention was made of the existing ordinance prohibiting such within the San Clemente City limits.

IT WAS MOVED BY COUNCILMAN NORTHRUP, SECONDED BY COUNCILMAN LOWER, AND UNANIMOUSLY CARRIED that the letter and Resolution be filed with no action.

73 - Request to Suspend Banner Publicizing Community Production of "Oklahoma."

Letter from the SOUTH COAST LIGHT OPERA ASSOCIATION requesting permission and City assistance to suspend a banner at the intersection of Avenida Del Mar and El Camino Real from April 29 to May 27 to publicize its forthcoming community production of "Oklahoma."

Councilman Northrup expressed the opinion that this was the type of community-wide event which falls within the policy recently adopted by Council Resolution No. 9-68 and IT WAS MOVED BY COUNCILMAN NORTHRUP, SECONDED BY COUNCILMAN O'KEEFE, AND UNANIMOUSLY CARRIED that the request be granted.

33 - Need Expressed for State to Landscape Their Property - Calafia & Ola Vista.

Letter from DUDLEY HAMILTON suggesting that the City prevail upon the State Park to landscape their property on the south side of Avenida Calafia at the intersection of South Ola Vista in line with beautification plans for San Clemente.

Upon suggestion of the City Manager, IT WAS MOVED BY COUNCILMAN LOWER, SECONDED BY COUNCILMAN CHILTON, AND UNANIMOUSLY CARRIED that the letter be referred to the District Superintendent of the State Division of Beaches and Parks.

77 - Request for Permission to Operate Baseball School.

Letter from JIMMY PIERSALL BASEBALL SCHOOLS requesting permission to operate a baseball school, using the Babe Ruth and Little League ball fields, and the high school field, the last two weeks in July or the first two weeks in August.

Ed Snyder spoke in support of the program and the opportunity of expert training that would be given to the boys in the San Clemente area, and urged that such a program be sponsored by the Parks and Recreation Department as a means to gain needed recognition.

General discussion ensued regarding the free clinic offered; and the business license required for the type of operation in the amount of \$30.00, due to the fact that they were beginning their operation at the beginning of the next fiscal year at which time there is no proration of business license tax.

IT WAS MOVED BY COUNCILMAN NORTHRUP, SECONDED BY COUNCILMAN LOWER, AND UNANIMOUSLY CARRIED that permission be granted for the use of facilities in either of the two weeks applied for; that the fee charged would be the minimum business license for that category; that a free clinic will be held for use of facilities, as per letter; and that liability insurance will be provided to the City in the amount of \$300,000 Single Limits.

73 - Request from Girl Scouts for Use of Plaza Park.

Letter from the SAN CLEMENTE GIRL SCOUTS requesting permission to hold a Day Camp for Brownies and Junior Girl Scouts at Plaza Park during the week of June 17-21, 1968, from 9:00 A.M. to 3:00 P.M.

IT WAS MOVED BY COUNCILMAN LOWER, SECONDED BY COUNCILMAN O'KEEFE, AND UNANIMOUSLY CARRIED that the request be granted.

74 - Protest of Installation of Parking Meters on Cristobal, Trafalgar, Calafia, and Surrounding Beach Areas.

Letter and Petition containing 74 signatures from MRS. NORMAN RICHARDS, et al, protesting the additional payment for beach privileges via the installation of parking meters on Cristobal, Trafalgar, Calafia, and surrounding beach areas.

Councilman O'Keefe commented that the answer could be in the establishment and sale of annual parking permits and offered his independent research findings on this question to the City Attorney for his review.

Mrs. Jack Wilkinson and Mrs. Norman Richards addressed the Council reiterating the protests of the petitioners and stating that they would be glad to have a reasonable solution such as the proposed permits.

Discussion and debate ensued regarding the recent opinion of the City Attorney that the City does not have the authority for the granting of on-street parking permits with rebuttal from Councilmen O'Keefe and Chilton expressing their opinions that the right is not denied since there is no case or court interpretation on record against such permits; and concluding that such permits would alleviate a burden to local taxpayers.

The City Attorney maintained that the control of public streets is not in the municipalities except for such matters as installation of parking meters as specifically delegated. Mr. Kegley further stated that if taken to court on this question the City would lose, and suggested that he would be willing to furnish his services free of charge, if authorized by the Council, to bring an action to ask the Superior Court of Orange County to give a decision as to the lawfulness of the proposed legislation. Councilman Chilton countered that while there may be a question of legality, it is fair and right; and in the absence of the fact that it is not denied, we have no right to go to court and cause something to happen that could injure other cities which have such legislation on their books.

Councilman Chilton suggested going ahead now with an Ordinance providing for issuance of parking stickers and also sponsoring legislation through the Legislature to specifically permit such parking permits, thereby doubling the City's position.

Councilman O'Keefe started a motion to have the City Attorney draw a parking permit Ordinance and following the statement by the City Attorney that he would not prepare such an Ordinance, IT WAS THEN MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN CHILTON to refer the matter to the City Manager to have drawn by an Attorney, an Ordinance authorizing the issuance for a fee of an annual permit to allow parking by permit in lieu of payment to existing or future installed parking meters. The MOTION WAS CARRIED with Councilman Lower and Mayor Massie voting "NO."

#### ORAL COMMUNICATIONS

##### 110 - Applications to F.C.C. for FM Station.

Leon Hyzen, representing South Coast Broadcasting Company, addressed the Council and introduced Charles Jobbins and Leon Westendorf, also members of the Company. Mr. Hyzen requested an opportunity to present a matter relating to the applications of their Company and that of El Camino Broadcasting Corporation now pending before the Federal Communications Commission, and particularly concerning a legal document entitled "Reply to South Coast Opposition to El Camino Petition to Enlarge Issues" as filed by El Camino Broadcasting Corporation with the F.C.C. The document was presented for file.

Councilman O'Keefe interrupted Mr. Hyzen and commented that there were certain affidavits previously circulated to individual Council members which were misleading, and he recommended that both applicants be notified that a time has been set before the Council in order that the entire matter could be aired in the presence of both applicants.

Due consideration being given, IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN CHILTON, AND UNANIMOUSLY CARRIED that the matter be set on the Agenda for the next meeting (April 3, 1968) and both applicants given an opportunity to attend and present their cases at that time.

Charles Jobbins explained that their case would be before the F.C.C. prior to the next Council meeting and the Council concurred that a copy of the action taken this evening would be sent to the South Coast Broadcasting Company in order that it could be included with their pleading for an extension of time from the F.C.C.

##### 99 - Sign Exception No. 05-68 - Gulf Oil Corporation.

Edward Hard, resident of Harbor Estates, addressed the Council and read a statement posing several questions relating to City administrative procedure as applied to a most recent application for Sign Exception (No. 05-68) by Gulf Oil Corporation. Mr. Hard chronologically reviewed three recent Sign Exception

requests by major oil companies and subsequent Planning Commission action, appeals filed by applicants, and denial of appeals by the Council.

In view of the demonstrated position of the Council in denial of the appeals, Mr. Hard questioned administrative procedures and requested clarification in regard to a further Sign Exception request (No. 05-68) by Gulf Oil Corporation to permit a pole sign which exceeds the allowable sign area, and which was heard and approved by a 3 to 2 vote of the Planning Commission at their meeting of March 13.

The City Manager questioned if Mr. Hard was not referring to legislative rather than administrative procedures. The matter was clarified when Planning Commissioner Walter Evans explained that when Gulf Oil submitted their original request (Sign Exception No. 02-68), the Planning Department was in the process of changing application forms and in transferring the request to the new form the Associate Planner inadvertently omitted that portion concerning a 10 foot diameter sign disc on the requested pole sign which at the time was not realized as being in excess of the allowable sign area. The matter did not come up again until Gulf Oil recently applied for a building permit at which time the omission was discovered necessitating the filing and Planning Commission consideration of a further Sign Exception request.

Following further questions and discussion, it was the consensus of the Council that the matter should be reviewed by the Council as permitted by recently adopted Ordinance No. 503, and IT WAS MOVED BY COUNCILMAN CHILTON, SECONDED BY COUNCILMAN NORTHRUP, AND UNANIMOUSLY CARRIED that the matter be reviewed, with Public Hearing set for April 3, 1968.

#### UNFINISHED BUSINESS

##### 117 - Zoning Amendment No. 01-68 (Rezoning of Lots 76 & 77, Tract No. 1127).

Further consideration was given to Zoning Amendment No. 01-68, as recommended by the Planning Commission, to rezone Lots 76 & 77, Tract No. 1127 from "U" (Unclassified) to R-2 (Duplex Residential) District.

Upon recommendation of the City Manager concerning the pending Arterial Highway Financing project for the widening of Camino Capistrano, IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN CHILTON, AND UNANIMOUSLY CARRIED that the Zoning Amendment be tabled until such time as the right-of-way and improvement plans have been prepared and approved by the City Council for the widening and improvement of Camino Capistrano.

##### 25 - Question of Change in Annexation Fee Requirements.

The Council took up the question of a possible change of the existing annexation fee requirement of \$600 per acre.

Following discussion, it was suggested that a review be made of the Ordinance with possible amendment to the fee section to provide that the City "may" levy an annexation fee which shall not exceed \$600 per acre, and IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN CHILTON, AND UNANIMOUSLY CARRIED that the matter be referred to the City Manager and Staff for review of the Ordinance.

#### REPORTS AND MISCELLANEOUS ITEMS

##### 27 - Interest Expressed by Residents in La Cuesta Area for Improvement District.

Councilman Northrup advised of the interest expressed by some residents in the La Cuesta area for an assessment district to include the undergrounding of utilities. The City Manager commented that when a street improvement district was first discussed for the area, several protests were received before any proceedings were even initiated. It was then suggested that interested residents could circulate petitions if they wished such improvements.

##### 68 - Harbor, Beaches, and Parks Committee.

Councilman O'Keefe advised that the report of the Harbor, Beaches, and Parks Committee concerning proposed reorganization of the Orange County Harbor

District was rejected by a "straw vote" at the recent League of Cities meeting; that he was named to a newly formed committee as a carry-over member and would keep the Council informed as matters develop.

The Mayor reported briefly on a trip, accompanied by the City Manager and City Engineer, to Salt Lake City, Utah, for the purpose of negotiating with Brigham Young University regarding sewer plant expansion.

87 - Renewal of Lease at 408 North El Camino Real (Old City Hall).

As previously directed, the City Attorney presented new Lease documents covering renewal of Lease at 408 North El Camino Real as requested by Mel Harbert, San Clemente Auto Supply. As instructed by the Council, said Lease had been prepared leaving blank the term and option period provisions.

In considering Mr. Harbert's request for a four year term with a two year renewal option, it was the consensus of the Council that the property should not be tied up for that long a period in the event of sale or other disposition.

After discussing various lease and option periods, IT WAS MOVED BY COUNCILMAN CHILTON, SECONDED BY COUNCILMAN LOWER that the Lease be approved for a period of one year with a one year renewal option, with the option period to contain a 90 day cancellation clause; and that the Mayor and City Clerk be authorized to execute the Lease 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

February Departmental Report

The City Manager drew attention to the monthly departmental activities report for February, 1968, attached to all Agendas.

96 - PL-660 Application for Fiscal Year 1968-1969.

The City Manager requested passage of a Resolution authorizing the filing of PL-660 application for Fiscal Year 1968-1969 for Federal grant for sewage treatment works.

Upon motion of Councilman O'Keefe, seconded by Mayor Massie, RESOLUTION NO. 14-68, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO FILE AN APPLICATION FOR FEDERAL GRANT FOR SEWAGE TREATMENT WORKS UNDER 33 U.S.C. 466, ET SEQ., 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

76 - Suggested Parking Restrictions (Camino Capistrano & Coast Highway).

Pursuant to the recent suggestion from Councilman O'Keefe that parking on the northwest side of Camino Capistrano and Coast Highway be eliminated, the City Manager advised that the City Traffic Engineer does not now recommend any change in the present allowed parking, nor any change in the foreseeable future.

Councilman O'Keefe commented that his suggestion must have been misinterpreted as his intent was the elimination of about five or six parking spaces to allow for a right turn lane onto the Coast Highway.

The City Manager then stated that the suggestion will be reviewed with that thought in mind.

90 - Bids Received for New Fire Department Salvage-Rescue Unit with Pumper.

The City Manager announced that the following bids were received and publicly opened Monday, March 18, 1968, at 10:00 A.M., for the furnishing of a new model conventional cab-truck chassis to be built up into a salvage-rescue unit with pumper as a replacement for the present Fire Department Unit #8641:

<u>BIDDER</u>	<u>AMOUNT</u>
Weseloh Chevrolet	\$ 3,263.75
Patterson Chevrolet	\$ 3,321.01
Carmenita Ford	\$ 3,519.65
Bowles Stamp Ford	\$ 3,749.78

Discussion ensued relative to the recommendation of the City Manager to accept the bid of the local dealer, Patterson Chevrolet, primarily for the purpose of service and since the net differential after allowance for sales tax between the two lowest bidders is only \$21.35. Councilman Chilton commented that he was in favor of doing business in San Clemente whenever possible, but excluding an out-of-town bidder because of service could discourage such bidders from participating in the future.

Following general discussion between the Council, Fire Chief Hackett, and Kevin McAree, representing Weseloh Chevrolet, IT WAS MOVED BY COUNCILMAN LOWER, SECONDED BY COUNCILMAN NORTHRUP to accept the bid of Patterson Chevrolet, in the amount of \$3,321.01, as recommended by the City Manager. The MOTION WAS CARRIED upon the following stated vote, to wit:

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

90 - Bids for One 1968 Model Industrial Wheel Tractor with Skiploader and Backhoe Attachments.

The City Manager announced that the following bids were received and publicly opened at 10:00 A.M., Monday, March 18, 1968, for the furnishing of one 1968 Model Industrial Wheel Tractor with Skiploader and Backhoe attachment:

<u>BIDDER</u>	<u>AMOUNT</u>
Milo Equipment Corporation	\$ 4,774.60
Alt.	5,169.00
Palomar Tractor Company	4,830.00
McCoy Motors Company	No. 1 4,915.60
	No. 2 5,516.43
	No. 3 5,570.49
	No. 4 6,260.07
	No. 5 6,323.48
	No. 6 6,146.60
Cook Tractor	5,558.65
International Harvester	5,800.00
T & H Equipment	6,300.00
Alt.	5,400.00
Harron, Rickard & McCone	7,129.29
Alt.	5,989.48

Upon recommendation of the City Manager, IT WAS MOVED BY COUNCILMAN NORTHRUP, SECONDED BY COUNCILMAN LOWER, AND UNANIMOUSLY CARRIED to withhold the bid award until the meeting of April 3, 1968, in order to properly evaluate those bids received.

58 - Request for Youth Rate During Junior Golf Tournament.

The City Manager advised of the request from the San Clemente Men's Golf Club for special Youth Green Fees during the 10th Annual Southern California Junior Tournament on June 27, 1968. IT WAS MOVED BY COUNCILMAN NORTHRUP, SECONDED BY COUNCILMAN CHILTON, AND UNANIMOUSLY CARRIED that the request be granted.

33 - New On-Sale Beer License at 620 Avenida Pico (Cobb's Country Restaurant).

Following customary procedure, the City Manager presented notice from the Alcoholic Beverage Control Board advising of a new on-sale beer license at Cobb's Country Restaurant, 620 Avenida Pico. Finding no objections, no action was therefore taken.

74 - Parking Meter Purchase Award.

The Council concurred in the memorandum of the City Manager, dated 3-20-68, wherein he recommended that previous action of bid award for parking meters be rescinded due to the fact that all bids received at the meeting of 3-6-68,



technically did not conform to all the specifications. IT WAS MOVED BY COUNCILMAN CHILTON, SECONDED BY COUNCILMAN NORTHRUP, AND UNANIMOUSLY CARRIED to reconsider and rescind previous action of the Council in acceptance of the low bid of Rhodes, Inc.

Mr. Carr then indicated he would have all three manufacturers demonstrate the various types of meters available and a selection will be made, utilizing the expertise of Gerald Teachout and Clifford Murray, for the make of meter which offers the greatest advantage to the City of San Clemente.

35 - Request to attach Easter Displays to Light Standards.

The City Manager presented a request from the Trade Promotion Committee of the Chamber of Commerce for permission to attach 40 painted plywood Easter Baskets, 2 by 4 feet, to the light standards on Avenida Del Mar and each side of the intersection of El Camino Real. It was further explained that these displays would be augmented by the real Easter Baskets in each participating store window which will be used for an Easter egg hunt on Saturday, April 13.

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

The City Manager requested an Executive Session at the conclusion of the formal Agenda for the purpose of discussing a matter of personnel to determine qualifications of an appraiser to be employed by the City.

NEW BUSINESS

27 - Initiation of Proceedings for Improvement District No. 1-68 (Los Obreros Lane).

The City Engineer presented and explained to the Council the plans and specifications for the construction of certain improvements in Improvement District 1-68 (Los Obreros Lane) in the City of San Clemente.

Upon motion of Councilman Chilton, seconded by Councilman Northrup, RESOLUTION NO. 15-68, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADOPTING PLANS, PROFILES, SPECIFICATIONS, ESTIMATE OF COSTS AND MAP OF THE ASSESSMENT DISTRICT FOR THE CONSTRUCTION OF CERTAIN IMPROVEMENTS IN IMPROVEMENT DISTRICT 1-68 (LOS OBREROS LANE) IN SAID CITY, 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 Lower, seconded by Councilman O'Keefe, RESOLUTION NO. 16-68, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, COVERING PRELIMINARY DETERMINATION OF THE LEGISLATIVE BODY UNDER "SPECIAL ASSESSMENT INVESTIGATION, LIMITATION AND MAJORITY PROTEST ACT OF 1931"; DETERMINING THE GENERAL NATURE, LOCATION AND EXTENT OF THE PROPOSED WORK AND ORDERING THE PREPARATION OF A REPORT ON SAID IMPROVEMENT, 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

In anticipation of the Council's Resolution, the City Engineer presented and read the Debt Report. Upon motion of Councilman Northrup, seconded by Councilman Lower, RESOLUTION NO. 17-68, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING REPORT UNDER "SPECIAL ASSESSMENT, INVESTIGATION, LIMITATION AND MAJORITY PROTEST ACT OF 1931," AND FIXING A DATE OF HEARING THEREON IN THE MATTER OF THE CONSTRUCTION OF CERTAIN IMPROVEMENTS IN IMPROVEMENT DISTRICT 1-68 (LOS OBREROS LANE), IN SAID CITY, 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 O'Keefe, seconded by Councilman Chilton, RESOLUTION NO. 18-68, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, DECLARING ITS INTENTION TO ORDER THE CONSTRUCTION OF CERTAIN STREET IMPROVEMENTS IN LOS OBREROS LANE (IMPROVEMENT DISTRICT NO. 1-68) IN SAID CITY, DECLARING THE WORK TO BE OF MORE THAN LOCAL OR ORDINARY PUBLIC BENEFIT AND DESCRIBING THE DISTRICT TO BE BENEFITED BY SAID WORK TO PAY THE COSTS AND EXPENSES AND FIXING A TIME AND PLACE FOR HEARING OBJECTIONS TO SAID WORK, 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

#### PAYING OF THE BILLS

IT WAS MOVED BY MAYOR MASSIE, SECONDED BY COUNCILMAN CHILTON that Warrants No. 9849 through No. 9988, 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 March 7 through March 20, 1968. . . . .	\$ 66,045.39
Ratification of Payroll Warrant No. 9849, for period of February 19 through March 3, 1968 . . . . .	<u>\$ 30,133.59</u>
TOTAL WARRANT REGISTER. . . . .	<u>\$ 96,178.98</u>

#### RESOLUTIONS

For Resolution No. 13-68 see under "PUBLIC HEARINGS" on Page 1.  
 For Resolution No. 14-68 see under "REPORTS & MISCELLANEOUS ITEMS" on Page 7.  
 For Resolution No. 15-68 see under "NEW BUSINESS" on Page 9.  
 For Resolution No. 16-68 see under "NEW BUSINESS" on Page 9.  
 For Resolution No. 17-68 see under "NEW BUSINESS" on Page 9.  
 For Resolution No. 18-68 see under "NEW BUSINESS" on Page 10.

#### ORDINANCES

##### 110 - Ordinance No. 512 - Conversion Procedure for Undergrounding Utilities.

Upon motion of Councilman Northrup, seconded by Councilman Lower, ORDINANCE NO. 512, BEING AN ORDINANCE OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ESTABLISHING REGULATIONS AND PROCEDURES FOR THE REMOVAL OF OVERHEAD UTILITY FACILITIES AND THE INSTALLATION OF UNDERGROUND FACILITIES IN UNDERGROUND UTILITY DISTRICTS, having been regularly introduced at the meeting of 3-6-68, 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

##### 77 - Ordinance No. 513 - Motor Vehicles on Public Beach or Pier.

Upon motion of Councilman Northrup, seconded by Councilman Chilton, ORDINANCE NO. 513, BEING AN ORDINANCE OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING SECTION 18-15 OF THE CODE OF THE CITY OF SAN CLEMENTE REGARDING MOTOR VEHICLES ON PUBLIC BEACH AND PIER, having been regularly introduced at the meeting of 3-6-68, 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 TO EXECUTIVE SESSION

There being no further business, IT WAS MOVED BY COUNCILMAN NORTHRUP, SECONDED BY COUNCILMAN CHILTON, AND UNANIMOUSLY CARRIED that the Council meeting be adjourned to an Executive Session, as previously requested by the City Manager. The meeting was adjourned to Executive Session at 11:22 P.M.

MEETING RECONVENED

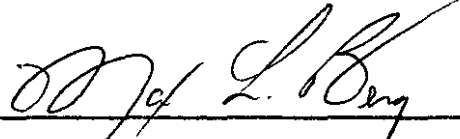
IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN CHILTON, AND UNANIMOUSLY CARRIED to convene the City Council back into regular session at 12:05 A.M. from the called Executive Session.

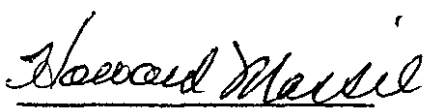
96 - Appraiser Hired re Sewage Plant Sites.

IT WAS MOVED BY COUNCILMAN O'KEEFE, SECONDED BY COUNCILMAN LOWER, AND UNANIMOUSLY CARRIED that the City Council finds, after due consideration, the necessity to employ Mr. Frederic D. Unger, M.A.I., pursuant to the terms and provisions contained in his letter proposal of March 18, 1968, for the express purpose of preparing an appraisal report substantiating values represented by two parcels of land to be identified as: No. 1, approximately 18 acres owned by the City of San Clemente constituting the site of the existing sewage treatment plant and appurtenant facilities; and No. 2, a parcel of land approximately the same acreage located northerly of the Prima Deshecha Canada Drainage Channel, westerly of Los Molinos, and southerly of westerly prolongation of Avenida Pico between Los Molinos and El Camino Real.

ADJOURNMENT

There being no further business, IT WAS MOVED BY COUNCILMAN CHILTON, SECONDED BY COUNCILMAN LOWER, AND UNANIMOUSLY CARRIED that the Council meeting be adjourned - at 12:10 A.M., Thursday, March 21, 1968.

  
 City Clerk and ex officio  
 Clerk of the City Council

  
 Mayor and President  
 of the City Council