

City Hall
San Clemente, California
July 2, 1952

The regular meeting of the City Council of the City of San Clemente was held in the Council Chambers, 408 North El Camino Real, San Clemente, California on Wednesday, July 2, 1952 at 8:00 P.M. Mayor Henry T. Read in the Chair.

PRESENT: Councilmen - Read, Blakelock, Carrick, Fortune and Hempel
ABSENT: Councilmen - None.

Minutes of the regular Council meeting held June 18, 1952 having previously been presented to the members of the Council were approved as presented, and ON MOTION OF COUNCILMAN BLAKELOCK, SECONDED BY COUNCILMAN FORTUNE the reading of these minutes was dispensed with.

On roll call the following was the stated vote, to wit:

AYES; Councilmen - Read, Blakelock, Carrick, Fortune and Hempel
NOES; Councilmen - None
ABSENT: Councilmen - None

The motion was declared carried.

BIDS

PURCHASE OF
4,428' of
WATER LINES

This being the time and place, as legally advertised in the "San Clemente Sun", for the opening of sealed bids or proposals for the installation of 4,428 feet of water lines, the City Clerk reported that he had received bids from the following:

Pernel Barnett
E. W. Cannell, Engineering Contractor
E. C. Losch Company
W. A. Robertson & Company
Royal Pipeline Construction Company
S E Pipe Line Construction Company

The Mayor publicly opened and read the bids which are quoted below, and announced that they would be referred to a Committee composed of the City Engineer and City Attorney for tabulation and recommendation:

Pernel Barnett -	\$3,327.84
E. W. Cannell, Engineering Contractor -	4,766.44
E. C. Losch Company -	4,373.40
W. A. Robertson & Company -	5,381.80
Royal Pipeline Construction Company -	5,094.48
S E Pipe Line Construction Company -	6,764.64

PURCHASE OF
POLICE CAR

This being the time and place, as legally advertised in the "San Clemente Sun", for the opening of sealed bids or proposals for the purchase of a Police Car, the Clerk reported he had received bids from the following:

Brandt Motors
George Dunton

LATE BID

The Clerk pointed out that the bid of Brandt Motors had been received at 7:20 P.M. whereas the notice calling for bids specified a 5:00 P.M. deadline, and requested the Council to determine if the late bid should be accepted.

UPON MOTION OF COUNCILMAN BLAKELOCK SECONDED BY COUNCILMAN FORTUNE, the late bid of Brandt Motors was ordered accepted and opened.

Upon roll call the following was the stated vote, to wit:

AYES: Councilmen - Read, Blakelock, Carrick, Fortune and Hempel
NOES: Councilmen - None
ABSENT: Councilmen - None

The motion was declared carried.

The Mayor publicly opened and read the bids which are quoted below, and referred them to a committee composed of the Chief of Police and the City Attorney for their recommendation:

- Brandt Motors - \$2,063.81, less allowance of \$895.37 on used 1950 Ford 8, 4-door Sedan.
- George Dunton - \$2,070.09, less allowance of \$803.09 on used 1950 Ford 8, 4-door Sedan.

PURCHASE OF CASH RECORDING MACHINE

This being the time and place, as legally advertised in the "San Clemente Sun", for the opening of sealed bids or proposals on the purchase of one Cash Recording Machine, the Clerk reported that he had received one bid, from the National Cash Register Company.

The Mayor publicly opened and read the bid, which is quoted below, and referred it to the City Attorney for his recommendation:

The National Cash Register Company - \$1,385.35.

WRITTEN COMMUNICATIONS

REQUEST OF V. D. BAILEY FOR PERMISSION TO LEAVE STATE

LETTER FROM VERNE D. BAILEY, City Treasurer, requesting permission to leave the State while on vacation, was read.

UPON MOTION OF COUNCILMAN HEMPEL, SECONDED BY COUNCILMAN BLAKELOCK AND UNANIMOUSLY CARRIED, Verne D. Bailey, City Treasurer, was authorized to leave the State of California while on vacation.

MEMBERSHIP RENEWAL DENIED - ANNUAL CONVENTION

LETTER FROM THE SHORELINE PLANNING ASSOCIATION OF CALIFORNIA, INC. regarding membership renewal and announcing that their Annual Convention will be held this year in San Luis Obispo during October, was read.

UPON MOTION OF COUNCILMAN FORTUNE, SECONDED BY COUNCILMAN CARRICK, the request for membership in the Shoreline Planning Association of California, Inc. was denied, and the Clerk instructed to so advise the Association.

On roll call the following was the stated vote, to wit:

- AYES: Councilmen - Read, Blakelock, Carrick, Fortune and Hempel
- NOES: Councilmen - None
- ABSENT: Councilmen - None

The motion was declared carried.

RE: ERROR IN CALCULATING DISCOUNT ON BIDS FOR INSURANCE ON CITY MOTOR VEHICLES

LETTER FROM NEISWENDER-HOLBERT INSURANCE COMPANY advising the City that an error had been made in calculating discount on the bids for insurance on City motor vehicles due to the fact that 10 pieces of equipment had been covered under a liability policy, and requesting that an additional \$44.89 (the amount of the error) be paid to the Neiswender-Holbert Insurance Company. The Mayor referred the matter to a committee composed of the City Clerk and Councilman Hempel for their investigation and recommendation.

AGREEMENT RE: CHAMBER OF COMMERCE BUILDING

LETTER FROM L. A. WINTERTON, MANAGER OF THE SAN CLEMENTE BRANCH OF THE BANK OF AMERICA, enclosing Agreement Modifying Condition and Restriction, with regard to permitting a building to be moved upon said property (Lot 18 of Tract 898) for use and occupancy of the Chamber of Commerce of San Clemente, prepared by their Loan Adjustment Department, together with a duplicate copy of a letter, pertaining to above, from H. C. Groner, Asst. Vice President of the Bank of America, Los Angeles, was read and referred to the City Attorney for preparation of a resolution (see Resolution No. 569).

RECOMMENDING INCREASE IN POLICE CHIEF SALARY

LETTER FROM THE PRESIDENT OF REEVES RUBBER COMPANY complimenting Chief of Police Arthur Daneri on the efficient manner in which he handles his job, and recommending an increase in his salary, was read.

The Mayor stated that he agreed with the opinion of Mr. Reeves regarding the Chief of Police, but regretted that the City was not in a position to increase the Chief's salary to the amount recommended by Mr. Reeves.

GEOLOGICAL
SURVEY

LETTER FROM CONGRESSMAN JOHN PHILLIPS with regard to the information we requested on the U. S. Geological Survey, was read and ordered filed.

GEOLOGICAL
SURVEY

LETTER FROM SENATOR RICHARD NIXON regarding information we requested on the U. S. Geological Survey, was read and ordered filed.

NEW BERTHS
ON PIER

LETTER FROM THE SAN CLEMENTE BOAT CLUB regarding the proposed new berths to be built in connection with the Boat Club facilities on the Pier, was read and ordered filed.

ORAL COMMUNICATIONSJOHN BURNETT
RE: BUDGET

Mr. John Burnett addressed the City Council stating that he had reviewed the proposed budget prepared by the City Council and strongly urged that the Council delay adoption of the budget pending its investigation by the Taxpayers' Association. Mr. Burnett felt that more funds should be allocated to the Water Department for the installation of new lines, and stated that in his opinion economies could be effected in other departments which would allow the installation of some 20,000 feet of new water lines.

BILL CRAWFORD
RE: BUDGET

Bill Crawford addressed the Council also requesting a delay before adopting the budget, so that he and other taxpayers might make certain recommendations.

DUDLEY HAMILTON
RE: BUDGET

Mr. Dudley Hamilton addressed the Council giving the tax rates and budgets of various other cities, and stated that the City of San Clemente's budget was high compared to that of other cities of equal size, and that the budget should not be approved until a thorough study had been made to determine what savings might be effected.

JOHN HEMPEL
RE: BUDGET

Councilman Hempel pointed out that the budget had been in a state of preparation since the early part of May and that the City department heads and officials had held numerous meetings regarding it. He pointed out that the City Council was not obligated to spend the funds allocated to the various departments in those departments, and that the City Council was at liberty, as the year progressed, to use the funds differently if necessary and advisable.

MAYOR READ
RE: BUDGET

Mayor Read informed those present that, under the laws governing sixth class cities, it was not mandatory that a budget be adopted, and if adopted, that it be followed; and stated that the budget was purely a guide for expenditures and that the City Council was not obligated to follow it.

Mr. Crawford again addressed the Council stating that much time would be saved if the Council would express themselves as to their feelings regarding the adoption of the budget.

MR. BURNETT
ON WATER
LINES

Mr. Burnett recommended that the City dispose of the off-street parking lots, and use the proceeds of the sale thereof for the installation of new water lines.

Mayor Read stated that a Citizens' Committee had been appointed to study the water situation and the method of financing the rehabilitation of our water system.

MR. CARRICK
RE BUDGET

Mr. Carrick stated that he concurred with the views of the Taxpayers' Association and recommended that before the budget is officially adopted, the Association be given an opportunity to study it and make recommendations.

BUDGET
ADOPTED

IT WAS MOVED BY COUNCILMAN HEMPEL, SECONDED BY COUNCILMAN FORTUNE that the Council adopt the budget as revised and presented to the Council.

Upon roll call the following was the stated vote, to wit:

AYES: Councilmen - Read, Fortune and Hempel
NOES: Councilmen - Blakelock and Carrick
ABSENT: Councilmen - None

The motion was declared carried.

REPORTS OF SPECIAL COMMITTEES AND OFFICIALS

INCREASING RATES AT THE COMMUNITY CENTER The report of the Committee appointed at the last meeting, submitted by Councilman Hempel and approved by Councilman Carrick; relative to increasing rates at the Community Club House, was read. The revised rates as recommended in the report are as follows:

For dances	\$60.00
For use of any one component part of premises	6.00
For use of two component parts of premises . .	9.00
For use of entire building	12.00

Messrs. Crawford, Hamilton and Wagner each addressed the Council recommending that the rates at the Community Club House be increased above those recommended by the Committee.

Mrs. Carrick, Mrs. Schneider and Mr. Hanson addressed the Council cautioning them against raising the rates beyond the ability of the organizations using the Club to pay.

NEW RATES ADOPTED

UPON MOTION OF COUNCILMAN HEMPEL, SECONDED BY COUNCILMAN BLAKELOCK, the recommendation of the Committee with regard to raising the rates at the Community Center, was accepted.

Upon roll call the following was the stated vote, to wit:

AYES: Councilmen - Read, Blakelock, Carrick, Fortune and Hempel
 NOES: Councilmen - None
 ABSENT: Councilmen - None

The motion was declared carried.

POLICE COURT REPORT

Report of Judge Vander Ziel on the activities of the Police Court during the month of June, 1952 was read and ordered filed.

POLICE DEPT. REPORT

Report of the activities of the Police Department for the month of June, 1952, was read and ordered filed.

COMMUNITY CENTER REPORT

Report from Charles Elterman, Custodian, on the activities of the Community Center, for the month of June, 1952 was read and ordered filed.

MINNIE McCORMICK DEED

Mr. B. Z. McKinney, City Attorney, reported that the City had received a deed, some time ago, on Lot 40, Block 15, Tract 779, from Minnie C. McCormick and that the deed had been recorded. It was discovered, however, that the title was vested in Minnie C. Davie, now known as Minnie C. McCormick. Mr. McKinney pointed out that it will be necessary to have the deed re-recorded, which will clear up the title. The matter was referred to resolutions (See Resolution No. 570)

PAYING OF THE BILLS**EXTRA CHARGES MADE BY SMITH RICE RE: OUT-FALL SEWER**

The Mayor spoke regarding the matter of our agreement with Smith-Rice Derrick Barges, Inc. with respect to the Outfall Sewer Line and the charges made by them over and above the total amount of the contract, which is \$19,726.00. He stated that Smith-Rice Derrick Barges had submitted a bill in the amount of \$21,177.73, which included charges for an extra 32 feet of piping, a difuser and the services of a tug boat, diver, tender and gear, etc., constituting an increase over the contract price of some \$1,500, for which Mayor Read stated, offhand he could see no excuse. The Mayor further stated that he had talked the matter over with the City Engineer, Wm. Ayer, and Supt. of Public Works, Dick Parker, and Mr. Parker had informed him that he had not authorized any such extra expenditures though there had been some discussion concerning a possible difuser which he thought was a good idea; but that no question had been raised as to cost.

The Mayor suggested that for the present, we pay the contract price of \$19,726.00 and notify Smith-Rice Derrick Barges, Inc. that we wish more information on the balance requested.

Mr. Hempel stated that this seemed the logical thing to do adding that we should ask Smith-Rice to explain on what basis they have charged the extra amount. Mr. Hempel asked if the job had been completed and the Mayor replied that it had.

IT WAS MOVED BY COUNCILMAN HEMPEL SECONDED BY COUNCILMAN FORTUNE, that the contract price of \$19,726.00, as agreed upon by the Contractor, Smith-Rice Derrick Barges, Inc. and the City of San Clemente, be paid, and that the request of the Contractor for the additional sum, be denied until further information is forthcoming, at which time the Council can consider the request for the additional amount.

Upon roll call the following was the stated vote, to wit:

AYES: Councilmen - Read, Blakelock, Carrick, Fortune and Hempel
 NOES: Councilmen - None
 ABSENT: Councilmen - None

The motion was declared carried.

IT WAS MOVED BY COUNCILMAN HEMPEL SECONDED BY COUNCILMAN FORTUNE that the audited bills as read, be paid, and that the payroll period of June 15th through June 30th, 1952, be ratified.

On roll call the following was the stated vote, to wit:

AYES: Councilmen - Read, Blakelock, Carrick, Fortune and Hempel
 NOES: Councilmen - None
 ABSENT: Councilmen - None

The motion was declared carried.

Payroll June 15 through June 30, 1952 \$7,454.53
 Total warrants paid to June 30, 1952 9,705.34

NEW BUSINESS

BIDS

WATER LINES BID

The Committee appointed to study the bids for the installation of 4,428 feet of water lines reported that all bids were in the form prescribed, and stated that the bid from Pernel Barnett of \$3,327.84 appeared to be the lowest bid.

AWARDED TO P. BARNETT

IT WAS MOVED BY COUNCILMAN BLAKELOCK SECONDED BY COUNCILMAN CARRICK that the bid of Pernel Barnett, offering to install 4,428 feet of 6" Transite Pipe for the sum of \$3,327.84, be accepted.

On roll call the following was the stated vote, to wit:

AYES: Councilmen - Read, Blakelock, Carrick, Fortune and Hempel
 NOES: Councilmen - None
 ABSENT: Councilmen - None.

The motion was declared carried.

FORD SEDAN BID

The Committee appointed to study the bids on the Police Car reported that the bid of Brandt Motors to supply one Police Special for the sum of \$2,036.81 less turn-in allowance on the used 1950 4-door Sedan of \$895.37, with a net bid of \$1,168.44, be accepted.

AWARDED TO BRANDT MOTORS

IT WAS MOVED BY COUNCILMAN CARRICK, SECONDED BY COUNCILMAN HEMPEL that the bid of Brandt Motors to supply one new 1952 Ford-8 4-door Sedan, for the sum of \$1,168.44, be accepted.

On roll call the following was the stated vote, to wit:

AYES: Councilmen - Read, Blakelock, Carrick, Fortune and Hempel
 NOES: Councilmen - None
 ABSENT: Councilmen - None.

The motion was declared carried.

CASH RECORD-
ING MACHINE

The Committee appointed to study the bids on one 5-Total Cash Recording Machine, reported that the bid of the National Cash Register Company to supply one 5-Total Cash Recording Machine was in proper form.

AWARDED TO
NATIONAL
CASH REGIS-
TER CO.

IT WAS MOVED BY COUNCILMAN HEMPEL SECONDED BY COUNCILMAN BLAKELOCK that the bid of the National Cash Register Company to supply one 5-Total Cash Recording Machine equipped with Cash Drawer, a Master Tape for all totals, and an Issuing Tape for one Individual Total, for the sum of \$1,385.35, be accepted.

On roll call the following was the stated vote, to wit:

AYES: Councilmen - Read, Blakelock, Carrick, Fortune and Hempel
NOES: Councilmen - None
ABSENT: Councilmen - None

The motion was declared carried.

FUNDS FOR
IMPROVEMENTS
TO GOLF
COURSE

Mr. William Crawford addressed the Council with regard to the matter of the profits earned by the golf course being reserved for its future improvement and extension.

Mr. Hempel stated that he was in favor of the improvements and also the extension of the course to an 18-hole course, but that the City could not afford such improvements at present.

Mr. Carrick concurred with Mr. Hempel's views and MADE A MOTION, SECONDED BY COUNCILMAN FORTUNE, THAT THE ENTIRE COUNCIL FAVOR setting aside surplus funds for the improvement of the condition of the golf course and for extending its number of holes, and to make such improvements as the funds for this purpose are received.

On roll call the following was the stated vote, to wit:

AYES: Councilmen - Read, Blakelock, Carrick, Fortune and Hempel
NOES: Councilmen - None
ABSENT: Councilmen - None

The motion was declared carried.

Mr. Hempel stated that when the new sprinklers are installed the cost of running the golf course would be reduced, and that the money thus saved would help to pay for the other improvements mentioned above.

Mr. Crawford again addressed the Council offering to have the Past President of the Green-Keepers Association look over the golf course and make recommendations as to the enlargement of the course.

Mayor Read thanked Mr. Crawford for this offer and stated that the City would welcome any assistance.

RESOLUTIONSRESOLUTION
NO. 569ACCEPTING
AGREEMENT ON
LOT 18, TRACT
898

Upon motion of Councilman Carrick, seconded by Councilman Blakelock, RESOLUTION NO. 569, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA accepting Agreement Modifying Condition and Restriction on Lot 18, Tract 898, was regularly introduced, passed and adopted by the following stated vote, to wit:

AYES: Councilmen - Read, Blakelock, Carrick, Fortune and Hempel
NOES: Councilmen - None
ABSENT: Councilmen - None.

RESOLUTION
NO. 570AUTHORIZING
DEED TO M.
McCORMICK BE
RECORDED

Upon motion of Councilman Hempel, seconded by Councilman Blakelock, RESOLUTION NO. 570, BEING A RESOLUTION OF THE CITY OF SAN CLEMENTE, CALIFORNIA authorizing that the Deed of Minnie C. McCormick (formerly known as Minnie C. Davie) covering Lot 40, Block 15, Tract 779, be recorded by the City Treasurer, was regularly introduced, passed and adopted by the following stated vote, to wit:

AYES: Councilmen - Read, Blakelock, Carrick, Fortune and Hempel
NOES: Councilmen - None
ABSENT: Councilmen - None.

REPORTS OF COUNCILMENSTAIRWAY FROM
BUENA VISTA
TO BEACH

Councilman Hempel reported that he had received a cost estimate on installing a stairway from Buena Vista Avenue to the beach in the sum of \$450.00, and it was felt by the Council in general, that the City could not afford to spend that sum. It was thought by Mr. Hempel, however, that the Council should cooperate with the property-owners and stated that he would contact the property-owners in the area and determine what financial assistance might be expected from them, and that he hoped to have a report at the next regular meeting.

Mayor Read stated that he had spoken with Mr. W. O. Taylor who had indicated that the property-owners would be willing to assist in the program.

Mr. Hempel recommended that the sign, warning people who use the walkway that they do so at their own risk, should be left in place pending investigation as to the improvement of the walkway.

LIVING IN
TRAILERS

Councilman Fortune stated that on July 18, 1951, a Trailer Ordinance was passed prohibiting living in trailers in San Clemente, and that at that time the Council had agreed to allow the occupants of trailers one year in which to find other living quarters and remove the trailers. Mr. Fortune recommended that the City Clerk advise these persons that the time allowed by the City Council in which to ~~cease living~~ in trailers will expire on July 18, 1952.

IT WAS MOVED BY COUNCILMAN FORTUNE, SECONDED BY COUNCILMAN CARRICK AND UNANIMOUSLY CARRIED that the Clerk be directed to write such a letter.

HIGHWAY
MAINTENANCE

Councilman Blakelock reported that the Highway Maintenance Department had made a date with Mr. Parker and himself to look over some of the troubles along Highway 101.

RESPONSIBIL-
ITY FOR DAM-
AGE TO
SIDEWALKS BY
CONTRACTORS,
ETC.

Councilman Blakelock stated that a meeting had been held between Messrs. McGurk, Rees and himself regarding various City problems. The first problem to be considered was that of the responsibility for damage to sidewalks by contractors and supply deliverers. No procedure is presently set up for policing or enforcing protection of sidewalks, and usually, by the time breakage is learned of, it is impossible to determine actually who did the damage.

Mr. Blakelock further reported that somewhat of a workable procedure had been arrived at whereby a notice would be sent to all suppliers and contractors in town, and that such a notice would also appear on the back of permits when issued, which would be signed by the person taking up the permit to the effect that the prime contractor would be responsible for furnishing suitable protection for the sidewalks, and that suppliers would use those places so prepared when delivering supplies to the premises, and that upon completion of the work, the prime contractors would remove the protection.

Mr. Blakelock stated that the Building Department would enforce these regulations by not issuing a clearance to proceed with work in any stage where the regulations had been violated, and would not give a permit for the connection of gas and electricity if any of the provisions had been violated and breakage of any pavement had been caused, until it had been repaired.

Mr. Blakelock further stated that if it was agreeable to the Council, he would draft the proposed notice to be printed on the back of building permits, and submit it to Mr. McKinney for his approval.

STATE HIGH-
WAY DEPT. AP-
PROVAL ON 20
MERCURY VAPOR
LIGHTS.

Mr. Blakelock reported that he had been in consultation with the State Highway Department, and that they had approved our proposed plan to install 20 Mercury Vapor Lights on Highway 101 South.

CLERK AUTHORIZED TO ADVERTISE FOR BIDS TO SUPPLY 20 CONCRETE POLES

UPON MOTION BY COUNCILMAN BLAKELOCK SECONDED BY COUNCILMAN HEMPEL, the City Clerk was authorized to advertise for bids for supplying 20 Concrete Poles and appurtenances, bids to be opened at the first Council meeting in August.

On roll call the following was the stated vote, to wit:

AYES: Councilmen - Read, Blakelock, Fortune and Hempel
 NOES: Councilman - Carrick
 ABSENT: Councilmen - None

The motion was declared carried.

REPORT ON COST OF WATER LINES

Councilman Carrick reported that he was extremely satisfied with the figures submitted for the installation of water lines, and recommended that the procedure of calling for bids be followed in the future.

RE: DOGS NEAR EATING ESTABLISHMENTS

Councilman Carrick reported that he had conferred with the County Health Inspector regarding the problem of keeping dogs near eating establishments; that no definite conclusions were reached, and requested an additional two weeks in which in which to study the problem.

REQUEST BY MR. PARKER TO AUTHORIZE CHANGES IN INSTALLATION OF WATER LINES

Mr. Parker requested authority from the City Council to authorize changes, if necessary, in the installation of water lines, and cited instances where it might become necessary to deviate from specifications.

Authorization was granted Mr. Parker, but, should the need for changes arise, it was recommended that he advise one or two of the Councilmen and issue a written order, signed by the contractor and himself.

PLANS FOR STATE GAS TAX STREET IMPROVEMENTS

Mr. Parker reported that the plans with respect to the State Gas Tax Street Improvement Project were progressing, but that the Engineers' strike was holding up completion.

ADJOURNMENT

There being no further business, it was moved by COUNCILMAN BLAKELOCK SECONDED BY COUNCILMAN FORTUNE AND UNANIMOUSLY CARRIED that the meeting be adjourned until 10 o'clock A.M. Thursday, July 3, 1952 for the meeting of the Board of Equalization.

D. L. Evans

 City Clerk and Ex-officio Clerk
 of the City Council

APPROVED: July 16, 1952

H. T. Read

 Mayor and President of the
 City Council
