

Council Chamber, Room 210,
Bank of America Building,
San Clemente, California,
November 4th, 1936.

The regular meeting of the City Council of the City of San Clemente was held in the Council Chamber, Room 210, Bank of America Building, San Clemente, California, Friday, November 4th, 1936, at 8.00 o'clock, p.m. - Mayor Dan Mulherron in the Chair.

The following was the state of the roll-call:
PRESENT: COUNCILMEN: Fate, Coe, Bartlett and Mulherron,
ABSENT : COUNCILMEN: Smith.

The Minutes of the last regular meeting held Friday, October 21st, 1936, were read and approved as read.

Councilman Smith entered the Council Chamber during the reading of the Minutes and took his seat at the Council table.

BUILDING
KNOWN AS THE
STRANG-SWIGART
BUILDING OFFERED
TO CITY FOR SUM
OF \$10,000.00

Communication from Mr. Robert N. Hockaday, 201-209 Spurgeon Street, Santa Ana, offering the building in San Clemente, known as the Strang-Swigart Building, for sale to the City for the price of \$10,000.00 with insurance for three years from July 1936 and taxes for 1936-1937 paid in full.; said offer to be in effect until November 10th, 1936; was read and referred to the Committee of the Whole Council.

Mr. E. L. Holloway said he had listened attentively during the reading of the Communication from Mr. Hockaday. It looked liked a pretty good thing - like a chance to find a City Hall if the Council could see their way clear at this time, because the option was something that could not stand very long and he would very much like to see a motion or proposition entertained towards the buying of the building for the City as he considered, at the price offered, \$10,000.00; we were just finding a City Hall.

Mr. George E. Higgins said arrangements could be made whereby the building could be purchased out of the saving in rent and janitor services and would be a saving and a very good thing to.

Mr. R. Terrett said he personally went down and inspected the building. It was well built and he noticed the lower floor had approximately 8,000 square feet of space which would be adequate for all equipment of the City - the upper floor was the same. Part was now rented for a garage which would also bring in a little revenue to the City and the rest of the upper floor would be very suitable for the City offices etc. If it could be bought at a reasonable figure there was no reason why we should not go through with it.

City Engineer William A. Ayer asked if the building was once offered to the City for \$ 7,500.00 - Councilman A. T. Smith replied "Yes." -

PROPOSED
PURCHASE OF
STRANG-SWIGART
BUILDING FOR
CITY HALL.

Councilman A. T. Smith said it was offered as late as April, 1936. A party made a personal contact with the owner at his request - the price now had been raised \$2,500.00 - At that, it was a good property and the City ought to have it. The reason the sale did not go through before was on account of the City having no funds with which to work. He believed the City should put over a Bond Election - it was a \$30,000.00 property for 30¢ on the dollar - it was a fire proof building - He had gone into the matter very thoroughly, either last February or March - He thought a Bond Election would carry. People would be very foolish not to vote for it.

Councilman Coe explained that for the \$10,000.00 there was included unexpired fire insurance paid ahead for 2½ years and this years taxes and assessments paid in full.

Mr. L. M. Strang said the building was constructed to carry a load of 250# to the square foot - this ordinarily ran from 125 to 150# - the superstructure was all reinforced concrete - band goes throughout the whole building. There was eight thousand square feet on the upper floor. It was all built at actual cost - no profit or anything added - the cost of the building was round \$32,000.00. The building was capable of having another storey put on, as when it was built it was felt that if a go could not be made of it as a garage it could readily be converted into a theatre.

City Attorney McKinney said regarding the liability he would read the section in the Act applicable to City expenditures. If bought outright it would be incurring an indebtedness in excess of revenue that could not be incurred for city purposes this year. Another way he believed they could do it was by leasing it for say 10 years on a monthly rental figured out so that building will cost \$10,000.00 - figure interest and principal charges each year and provide a bond in the lease giving the City an option to purchase it the last year for the balance of the years rental - in other words, the years rental would be (say) \$1,200.00 with option to purchase for \$10,000.00 - last years rental would be approximately \$4,000.00 - It would simply be a lease proposition with option to purchase at the end of the term for whatever balance there was due at that time.

In reply to a question from Councilman Smith if that would be a safe way to do it, the City Attorney said it would be safe in this way - that if the Contract were carried three to four years the City could have enough in it that any succeeding Council of the City would carry on the lease, but he pointed out there would be no question any succeeding Council would have the power to abandon the lease if they saw fit, but, as stated before, he could see no reason why any future Council would want to abandon the lease after several years payments had been made on it.

Councilman Smith said he thought the only way we could buy it now would be to call a Bond Election and get the approval of the Citizens to purchase. This Council could not bind any future Council by its action but could only confine same during present Council's tenure of office - that was the only question in his mind.

Councilman Coe said five years would make it safe anyway.

Councilman Bartlett said it seemed to him that at the price this building is quoted to the City in three or four years it would become more valuable than it was now, and, in his opinion, any future Council would hang on to it.

City Attorney McKinney said that is right - it would be unreasonable to suppose any future Council would abandon the lease.

The matter was then left over till the adjourned regular meeting to be held on the question Monday, November 9th, 1936.

REPORTS OF COMMISSIONERS OFFICIALS.

The City Clerk reported that the Deed to the property recently purchased from Trafford Huteson, situated in the Industrial District, had been duly recorded,; also that 14 Easements granting Right of Way for an Alley between Del Mar and Cabrillo had been recorded.

Report of Activities of the Golf Course for month of October, 1936, submitted by C. O. Eaton, was read and ordered filed.

Report of the Activities of the City Court for month of October, submitted by Fred S. Warner, City Judge, was read and ordered filed.

Report of the Activities of the Social Club for month of October, submitted by F. A. Neddermeyer, was read and ordered filed.

Report of the Activities of the Police Department for month of October, submitted by Wendell B. Lovell, Chief of Police, was read and ordered filed.

REPORT OF THE COMMITTEE OF THE WHOLE COUNCIL.

The Report of the Committee of the Whole Council, Councilman Henry A. Fate, Chairman, was read and, on Motion of Councilman Fate, seconded by Councilman Bartlett, was accepted and adopted as the action of the Council.

On roll-call the following was the stated vote, to-wit:
AYES : COUNCILMEN: Fate, Coe, Bartlett, Smith & Mulherron,
NOES : COUNCILMEN: None,
ABSENT: COUNCILMEN: None.

The Motion was declared carried.
Copy of said report is attached to these Minutes and made a part hereof.

PAYING BILLS.

The Cahri appointed Councilman Bartlett to act on the Auditing Committee.

Moved by Councilman Fate, seconded by Councilman Bartlett, that the following bills, as audited, be paid, as, if and when funds are available.

On roll-call the following was the stated vote, to-wit:
AYES : COUNCILMEN: Fate, Coe, Bartlett, Smith & Mulherron,
NOES : COUNCILMEN: None,
ABSENT: COUNCILMEN: None.

The Motion was declared carried.

Warrant Number.

1550	William Holmes	\$ 80.00
1551	Clyde M. Baxter	75.00
1552	Verne D. Bailey	55.00
1553	Bert H. Latham	50.00
1554	B. Z. McKinney	40.00

PAYING BILLS
continued -

		Brought Forward	\$ 300.00
Regt Number.	Warrant Number.		
	1555	Fred S. Warner	50.00
	1556	Wendell B. Lovell	50.00
	1557	Jay Carlos Decker	50.00
	1558	Richard Parker	50.00
	1559	James B. Hopkins	50.00
	1560	Roland Peterson	67.50
	1561	Chris Anderson	57.50
	1562	Julius Becker	52.50
1299	1563	Frank Farnham	20.00
	1564	George Wilcox	50.00
	1565	Lester T. Abell	60.00
	1566	Floyd Ray	18.00
	1567	C. O. Eaton	64.28
	1568	Capistrano Electric Co	3.00
	1569	Charles O. Anderson	18.00
	1570	Robert Smith	52.50
	1571	F. A. Neddermeyer	50.00
	1572	Eunice Templin	5.00
	1573	William A. Ayer	36.00
	1574	Floyd Ray	6.00
	1575	Evelyn W. Nelson	4.88
	1576	A. Simmen	15.00

TOTAL WAGES LAST HALF OCTOBER, 1936.....\$ 1,130.16

	1577	Petty Cash	5.19
1300	1578	Bowles Electric Company	11.25
1301	1579	Braun Corporation	25.56
1302	1580	Coastline Dispatch	14.50
1303	1581	Equitable Steel Company	16.40
1304	1582	General Paint Corporation	1.55
1305	1583	Heinecke Lumber Yard	31.70
1306	1584	Orange County Treasurer	32.50
1307	1585	Pacific Freight Lines	2.20
1308	1586	Southern Counties Gas Company	11.58
1309	1587	Southern California Telephone Co	38.70
1310	1588	Standard Oil Company	38.26
1311	1589	Standard Oil Company	138.82
1312	1590	Universal Equipment Company	65.57
1313	1591	Western Metal Supply Company	19.51

TOTAL WARRANTS ISSUED ON ACTIVE PUBLIC FUNDS... \$ 1,583.45

1592. San Diego Electric Company.... \$ 615.04 L.F.

TOTAL ALL WARRANTS ISSUED NOVEMBER 4th, 1936... \$ 2,198.49

NEW BUSINESS.

The Clerk then read a letter from Mayor Dan Mulherron tendering his resignation as Mayor, effective immediately.

RESIGNATION
OF DAN
MULHERRON AS
MAYOR.

Moved by Councilman Bartlett, seconded by Councilman Fate, that the resignation of Dan Mulherron as Mayor be accepted with deep regret.

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

AYES : COUNCILMEN: Coe, Bartlett, Smith and Fate,
NOES : COUNCILMEN: None,
ABSENT: COUNCILMEN: None.

The Motion was declared carried.

On vacating the Chair Dan said he was sorry to have had to resign but he could see no other way out. He had always had the interest of San Clemente at heart and would still continue to have. He hoped some day to be back on the Council with them. He thanked the Council and Citizens for their generous support and confidence during the time he had been in office.

Councilman Henry A. Fate then occupied the Chair as Mayor pro-tem, and informed the Council that nominations were now in order for the office of Mayor.

Councilman Smith suggested the name of Councilman Guy R. Bartlett for Mayor. Councilman Bartlett declined the honor and suggested Councilman Fate.

COUNCILMEN

HENRY A. FATE

POINTED

MAYOR TO SUCCEED

MAYOR MULHERRON

Moved by Councilman Bartlett, seconded by Councilman Mulherron, that Councilman Henry A. Fate be appointed Mayor.

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

AYES : COUNCILMEN: Mulherron, Coe, Bartlett and Fate,

NOES : COUNCILMEN: Smith,

ABSENT: COUNCILMEN: None.

The Motion was declared carried.

Mayor Fate said he would try to fill Dan's place to the best of his ability also carry out his policy of strict economy. He asked the Council to co-operate with him and they would get some place. He hoped some day Dan would get back with them.

RESIGNATION

OF COUNCILMAN

MULHERRON:

The Clerk next read a letter from Councilman Dan Mulherron tendering his resignation as Councilman.

Moved by Councilman Bartlett, seconded by Councilman Coe, that the resignation of Councilman Mulherron be accepted.

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

AYES : COUNCILMEN: Coe, Bartlett, Smith and Fate,

NOES : COUNCILMEN: None,

ABSENT: COUNCILMEN: None.

The Motion was declared carried.

Mr. E. L. Holloway said this was a great shock as far as he was concerned, so great that he could scarcely realize it. He was so pleased to see Dan in the Chair and was sorry such a thing had to happen. He wanted to thank Dan, as one of the citizens, for what he had done for the City and he wanted him to know that he would always regret that he had to resign.

Mr. David I. Stoddary, of the Capital Company, said he also wished to express how he appreciated the splendid service Mayor Mulherron had given this community and of what had been accomplished under his leadership. He regretted that it was necessary for Dan to resign at this particular time.

Mr. B.Z. McKinney, City Attorney, said he had not been asked by anyone to say anything on this question, but he wanted to say it was with very deep regret that he saw Mayor Mulherron leave his office as Councilman. He had had quite a close acquaintance with Dan for some time and Dan had not resigned because he wanted to - He had a very high regard for San as had all citizens of San Clemente; Dan had no choice in the matter - he had to resign here or his business office and the matter was a wonderful one in the sense of the good that

is being done in that work. You have many good people in San Clemente but you will have a hard time filling the shoes of Dan Mulherron. He hoped that it would be possible at some future time, not too far away, when we would be able to have Dan back on the City Council of San Clemente.

ADJOURNMENT. Moved by Councilman Smith, seconded by Councilman Bartlett, and carried, that the meeting adjourn to Monday, November 9th, 1936, at 8.00 o'clock, p.m. for the purpose of considering the rental of the Hockaday Building.

William Holmes

City Clerk and ex-officio
Clerk of the City Council.

APPROVED: NOVEMBER 18th, 1936.

Henry Fate
Mayor and President of the
City Council.

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COMMITTEE OF WHOLE COUNCIL'S REPORT
ADOPTED NOVEMBER 4th, 1936.

The Honorable Mayor and City Council,
City of San Clemente, California.

Gentlemen,

We, your Committee of the Whole Council, who have had under consideration the matters set forth below, respectfully make the following recommendation:

1. That the City Council authorize the Lease with option to purchase of the property known as the Strang-Swigart Building, situated 408-414 El Camino Real, San Clemente, and appoints a Committee composed of the Whole Council who are hereby empowered to enter into such agreement for the lease with option to purchase of the property, provided that the City Attorney advises the Committee on the legality of the lease with option to purchase on a rental not exceeding \$150.00 a month for lease with option to purchase.

Respectfully submitted,
COMMITTEE OF THE WHOLE COUNCIL,

(Sgd) HENRY A. FATE,
Chairman.