

San Clemente, California  
July 18, 1984

Regular meeting of the City Council of the City of San Clemente, California, Council Chambers, Civic Center Building, 100 Avenida Presidio, Wednesday, July 18, 1984, at 7:00 P.M., Mayor Kenneth E. Carr presiding.

PLEDGE OF ALLEGIANCE AND INVOCATION

Pledge of Allegiance to the Flag of the United States of America was led by Mayor Carr. Invocation was given by Gary Brown.

ROLL CALL

PRESENT: Council Members - DIEHL, KOESTER, LIMBERG, MECHAM, AND CARR  
ABSENT: Council Members - NONE

Also Present: Gary Brown, Interim City Manager; Max L. Berg, City Clerk; Jeff Oderman, City Attorney; Harry Weinroth, Community Development Director; Marjorie L. Will, Deputy City Clerk; and certain other Staff members present in the audience.

PUBLIC HEARINGS

Subject: 105 - Tentative Parcel Map No. 84-826.

IN RE: Public hearing to consider Tentative Parcel Map 84-826, being the request of John D. Lusk & Son for a tentative parcel map to create four parcels on 2.567 acres of land located at the intersection of Calle Frontera and Avenida Faceta, being Lot 1, Tract 10685, and Lots 32 and 35 of Tract 10880, located in the Open Space-Planned Residential District (O-S-P-R-D).

The Mayor opened the public hearing and there being no one wishing to be heard, the hearing was closed, AND IT WAS MOVED BY COUNCILMAN DIEHL, SECONDED BY COUNCILMAN MECHAM, AND UNANIMOUSLY CARRIED to approve tentative Parcel Map No. 84-826 subject to the condition that the applicant submit a final parcel map for review and approval by the Community Development Department and that the applicant shall then record the map with the County of Orange; further, that the request to discontinue the processing of Abandonment 84-01 be approved.

CONSENT CALENDAR

UPON MOTION OF COUNCILMAN MECHAM, SECONDED BY COUNCILMAN DIEHL, AND UNANIMOUSLY CARRIED, the following Consent Calendar items were approved, each as indicated below.

City Council Minutes

Minutes of 6-20-84, and 7-5-84. -- Approved as presented, and reading in full thereof waived.

Planning Commission Minutes

Minutes of 7-3-84. -- Received and filed.

Golf Course Committee Minutes

Minutes of 6-11-84. -- Received and filed.

Parks & Recreation Commission Minutes

Minutes of 6-26-84. -- Received and filed.

Departmental Activities Report

Departmental Activities Report for month of June, 1984. -- Received and filed.

Subject: 64 - Marine Safety Headquarters Sheet Piling Reconstruction, Project No. 3-84.

IN RE: Report from Community Development Director and City Manager advising that all work was satisfactorily completed by the contractor, Cannan-Bart, Inc. on the Marine Safety Headquarters Sheet Piling Reconstruction, Project No. 3-84. -- Accepted work and authorized filing of Notice of Completion.

Subject: 92 - Request for Issuance of Permit for Use of Sound Amplifying Equipment.

IN RE: Communication from John C. Ott, San Clemente Arts & Crafts Club, submitting permit application for use of sound amplifying equipment to be used in connection with the Annual Art Craft Fair and Exhibition at the Community Center on August 18 and 19. -- Approved the issuance of sound amplification permit.

Subject: 100 - Alley Reconstruction, Project No. 6-84.

IN RE: Report from Community Development Director and City Manager reporting on four bids received for alley reconstruction Project No. 6-84. -- Appropriated additional funds of \$9,393.50 from the unreserved fund balance of the 2106 Gas Tax funds to Account #12-4329-530, Improvements Other Than Buildings, to make available a construction fund of \$109,393.50 for this project; and awarded contract for alley reconstruction, basic project plus additive alternates 1 and 2, to Fecit Strata Construction Company in the amount of \$109,393.50.

Subject: 105 - Final Approval Tract 11565 - Dos Amigos Development.

IN RE: Report from Community Development Director and City Manager advising that Dos Amigos Development has submitted all necessary items for final approval of Tract 11565, being a six-unit office condominium at 113-119 El Portal. -- Approved final map of Tract 11565.

Subject: 58 - Golf Course Irrigation System, Project No. 5-84 - Electrical Control Equipment.

IN RE: Report from Community Development Director and City Manager advising that only one bid was received for the golf course irrigation system, Project No. 5-84 electrical control equipment. -- Rejected bid received and granted authorization to readvertise for bids for supplying the electrical equipment for the golf course effluent pump station.

Subject: 75-85 - Proposed City Policy Regarding Traffic & Parking Matters.

IN RE: Report from Community Development Director and City Manager requesting adoption of a City policy for procedures and guidelines for Planning Commission and Staff review of traffic and parking matters. -- Adopted City Policy as contained in Administrative Report dated 7-10-84.

Subject: 103 - Appeal Filed by Kent A. Koepsell Relating to Estimated Transient Occupancy Tax.

IN RE: Report from City Clerk and Acting City Manager relating to appeal filed by Kent A. Koepsell as to estimated transient occupancy tax for period 4-1-81 to 3-31-84. -- Set for public hearing on 8-1-84. (Note: This motion to be rescinded at next meeting.)

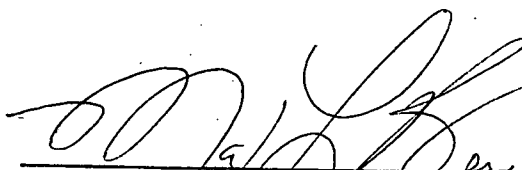
Subject: 77 - Purchase of Gang Mower.

IN RE: Report from Public Services Director and City Manager requesting approval for the purchase of one (1) Roseman HG-7 gang mower from C. R. Joeschke, Inc. of San Diego in the amount of \$18,740.00. -- Based on findings pursuant to Municipal Code Section 5-6(h), approved purchase of gang mower from C. R. Jaeschke and authorized a purchase order in the amount of \$18,740.00.

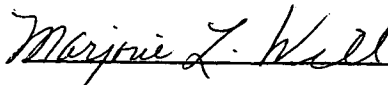
STATE OF CALIFORNIA )  
 )  
COUNTY OF ORANGE ) SS  
 )  
CITY OF SAN CLEMENTE )

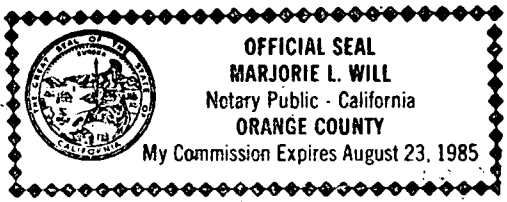
AFFIDAVIT OF POSTING  
OF MEETING

I, MAX L. BERG, being first duly sworn deposes and says:  
that I am the duly chosen, qualified, and acting ex-officio Clerk of the  
City Council of the City of San Clemente; that at the regular meeting of  
the City Council of the City of San Clemente, held July 5, 1984 ,  
said meeting was ordered adjourned to the time and place specified in the  
Order of Adjournment ATTACHED HERETO; that on July 6, 1984 , at the  
hour of 10:00 AM , I posted a copy of said Order of Adjournment at the  
conspicuous place on or near the door of the place at which said meeting of  
July 5, 1984 , was held.

  
\_\_\_\_\_  
CITY CLERK and ex-officio  
Clerk of the City Council  
City of San Clemente

Subscribed and sworn to before  
me this 6th day of July, 1984

  
\_\_\_\_\_



ORDER OF ADJOURNMENT

Regular meeting of the City Council of the City of San Clemente, California, Council Chambers, Civic Center Building, 100 Avenida Presidio, Thursday, July 5, 1984, at 7:00 P.M., Mayor Kenneth E. Carr presiding.

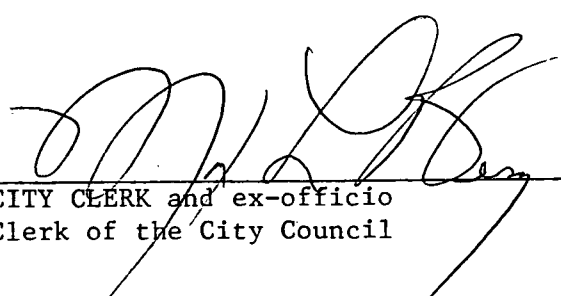
ROLL CALL


PRESENT: Council Members - DIEHL, KOESTER, LIMBERG, MECHAM, AND CARR  
ABSENT: Council Members - NONE

Also Present: Donald Duckworth, Acting City Manager; and Max L. Berg, City Clerk

ADJOURNMENT

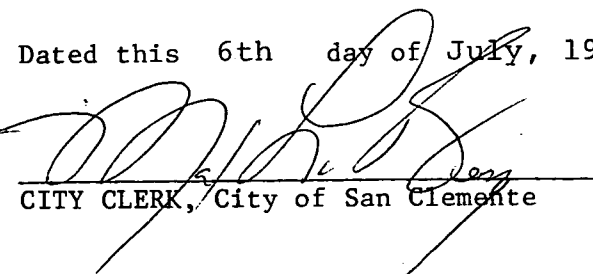
IT WAS MOVED BY COUNCILWOMAN KOESTER, SECONDED BY COUNCILMAN DIEHL AND UNANIMOUSLY CARRIED that the Council Meeting be adjourned in memory of Harold Taylor at 10:06 P.M. to July 18 at 6:00 P.M.

  
CITY CLERK and ex-officio  
Clerk of the City Council

  
MAYOR and President  
of the City Council

Certified to be a true and correct  
copy of excerpts from the July 5  
1984 Council Minutes

Dated this 6th day of July, 1984

  
CITY CLERK, City of San Clemente

Subject: 44 - Approval of Golf Course Restaurant Lease Extension with Revised Terms.

IN RE: Report from Public Services Director and City Manager recommending approval of the form and terms of the proposed lease between Patrick Burke and the City of San Clemente for the operation of the Golf Course Clubhouse Restaurant facility. -- Approved the proposed lease extension with revised terms, and authorized execution by Mayor and City Clerk.

Subject: 35 - Request for Citywide Sidewalk Sale.

IN RE: Communication from Alex W. Goodman, Executive Manager, advising that the Board of Directors of the San Clemente Chamber of Commerce would like to hold a citywide "Sidewalk Sale" all day Sunday, July 22. -- Approved the request.

Subject: 42 - Claim for Damages Filed by Auto Club/Richardson.

IN RE: Claim for damages filed by Automobile Club of Southern California as subrogee of Richardson, Robert G. III and Cherryl L., in the amount of \$3,479.19 alleging failure to maintain roadway resulting in damage to vehicle. -- Based on insurance adjuster's recommendation, the claim was denied.

Subject: 42 - Claim for Damages Filed by Robert S. Saari.

IN RE: Claim for damages filed by Robert S. Saari for medical expenses to date in the amount of \$375.00, plus additional damages and expenses, for alleged inadequate supervision and dangerous condition at the golf course driving range resulting in personal injury. -- Based on insurance adjuster's recommendation, the claim was denied.

CONSENT CALENDAR (items removed for separate action)

Subject: 29 - DRC 84-08 - Casa de Seniors.

IN RE: DRC 84-08, being a request for final DRC approval on design package prepared for Casa de Seniors housing project, as required under Use Permit 84-01.

IT WAS MOVED BY COUNCILMAN LIMBERG, SECONDED BY COUNCILMAN DIEHL, AND UNANIMOUSLY CARRIED that DRC 84-08 be called up for review by the City Council.

IT WAS THEN MOVED BY COUNCILMAN LIMBERG, SECONDED BY COUNCILMAN DIEHL, AND UNANIMOUSLY CARRIED to receive and file the DRC Minutes of 7-3-84.

Subject: 56 (100) - Resolution No. 72-84 Requesting Increase in Allocation from AHFP for Reconstruction of Avenida Vaquero Between Camino Capistrano and Camino de Los Mares.

IN RE: Report from Community Development Director and City Manager recommending adoption of resolution requesting the allocation of additional County Arterial Highway Financing Program (AHFP) funding in the amount of \$31,299.02 to cover the actual cost of the reconstruction of Avenida Vaquero, AHFP Project No. 1074.

Staff responded to questions from Councilwoman Koester following which upon motion of Councilwoman Koester, seconded by Councilman Mecham, and unanimously carried RESOLUTION NO. 72-84, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, REQUESTING THE COUNTY OF ORANGE TO INCREASE THE ALLOCATION FROM THE ARTERIAL HIGHWAY FINANCING PROGRAM FOR THE RECONSTRUCTION OF AVENIDA VAQUERO BETWEEN CAMINO CAPISTRANO AND CAMINO DE LOS MARES, AHFP PROJECT NO. 1074, was regularly introduced, passed, and adopted.

PAYING OF THE BILLS

IT WAS MOVED BY COUNCILMAN MECHAM, SECONDED BY COUNCILMAN DIEHL, AND UNANIMOUSLY CARRIED that Warrants No. 23985 through No. 23996, and No. 13010 through No. 13317, as audited be paid. Councilwoman Koester commended the Finance Department for preparing the warrants for review inasmuch as the checks were late in arriving.

Total demands approved for payment for period ending July 17, 1984 . . . . .	\$ 533,555.85
Ratification of Payroll Warrant No. 23988 for period June 18, 1984 through July 1, 1984 . . . . .	<u>\$ 167,838.67</u>
TOTAL WARRANT REGISTER	<u>\$ 701,394.52</u>

UNFINISHED BUSINESS

Subject: 20 - Abatement Proceedings at 2809 South El Camino Real.

IN RE: Further consideration of implementing abatement of public nuisance at 2809 South El Camino Real as authorized by Resolution No. 112-83 adopted 8-3-83.

The Community Development Director recommended that if the Council decides to take action to allow for further construction in the area that the review period not exceed one month. The Council discussed the condition of the property and the lack of progress in completing the construction project under the issued building permit. Councilman Mecham mentioned certain current conditions which he felt were hazardous and dangerous. Councilman Diehl suggested that the current nuisance abatement proceedings be terminated and at the end of a 90-day review period, if necessary, to initiate new abatement proceedings.

IT WAS MOVED BY COUNCILMAN DIEHL, SECONDED BY COUNCILWOMAN KOESTER, AND UNANIMOUSLY CARRIED to terminate this nuisance abatement proceeding.

The City Attorney advised that the 90-day period does not give Mr. Mamian the right to maintain a nuisance during that period, and if Staff determines that a nuisance exists with current conditions as mentioned by Councilman Mecham, the matter could be brought back to Council at the next meeting.

Subject: 96 - Water Reclamation Plant Project Report Update - 1984.

IN RE: Report from Community Development Director and City Manager regarding water reclamation plant project report update.

Some of the main comments during the lengthy discussion are briefly noted as follows: Gail Lynch and Dennis Wood of Carollo Engineers, addressed the Council and reviewed the highlights of their report dated 7-13-84. They noted that the report generally updates that information presented in the 1981 project report, and specifically examines those facilities required to expand the existing wastewater treatment facilities from the present capacity of 4.0 MGD up to 6.8 MGD; that it would be a state of the art plant and would have all energy efficient features with all improved operation features and changes that have occurred in the field of sanitary engineering over the last 5 to 10 years; that they prepared a possible plant layout proposing new headworks be constructed which can be enclosed for odor control; that they propose primary clarifiers be built adjacent to the existing units and very similar in their configuration and design; and that it is proposed to double the volume of aeration basins for future flow. Mr. Wood referred to Title 22 of the California Administrative Code which defines the level of treatment required for different types of application of reclaimed water and that health officials have stipulated that in the future San Clemente must go to the highest level of treatment due to the homes surrounding the golf course; therefore, the further steps of wastewater treatment consist of filters and chlorination of wastewater which could be used for golf course irrigation and other landscape irrigation within the community; that it is proposed to digest the solids to stabilize the sludge and as a byproduct release methane gas to be used to run an engine generator to produce electricity within the treatment plant; that the incinerator would be relocated within a new building; that the proposed layout would minimize some of the visual impacts; and with the expansion of existing facilities and refinement thereof it will meet the current state of the art.

Main Council questions and comments are noted as follows: Councilwoman Koester had questions concerning the headworks, the Los Molinos pump station, and the thickener. Councilman Limberg referred to effluent that is used on the golf course and need to bring reclaimed production into conformance with Title 22 since the existing permit for the golf course expires in 1985 at which time the Regional Water Quality Control Board might take action. He noted that in the 1981 report the estimated cost was \$13 million, and the 1984 report is up to almost \$30 million and was advised that a good portion of costs is in required pump stations and pipe lines at \$1.4 million, and an outfall booster station needed at a cost of \$1.2 million; that a new operations building and laboratory is also proposed; and that the entire underground electrical system must be replaced along with other electrical improvements.

Councilman Mecham had questions regarding the plant layout, and need for the chemical building; Councilman Diehl inquired whether an office building could be constructed next to the rehabilitated plant.

During comments from the public, Brian Day suggested that the \$30 million proposal could be down-scaled as far as cost estimate and felt that the City was going for something that is totally out of line in cost and not effective.

Keith French, former member of Plan 2000, felt that the discussion regarding upgrading of the existing facility is entirely inappropriate; that the plant would be best removed from current site; that previous economic studies have demonstrated clearly that economic benefits that would accrue to the City would be substantial if it were removed and relocated inland; that the goals of Plan 2000 are to improve economic base of the City and that the keystone of that improvement was the accommodation of tourist activities in North Beach; and urged City Council to reconsider offer of developers in the back country.

Charles Mitchell questioned if all information that is being developed on the existing plant by the City and Staff is accessible to the public and questioned the existence of a "confidential" Staff memo. The City Attorney responded as to the matter of records that are public and those which are not.

Norman J. Ream suggested that discussion on the item should be delayed until all information, both for Council members as well as interested public is laid out for public inspection; that he felt there is a serious problem with Carollo Engineers in that they are apparently in a state of conflict of interest, which is difficult to prove, however, they are accepting fees at this point from developers to develop all the information concerning the new plant and at the same time they are accepting fees from the City on a non-competitive basis for the report which they are presenting tonight; that their findings may be subjected to thorough review by qualified people; and requested a copy of the Carollo report and a copy of the report prepared by the Community Development Director be made available to him.

Walter Webb had various questions concerning the digester and generating facilities and questioned whether our investment is really warranted since sometimes the equipment works and sometimes it does not.

Gary Wiggle stated that the logistics shown in the Plan 2000 report require moving of the plant; that a simple look at the map shows it should be moved inland; that Pico is our front door and that the existing plant is not the best and highest use of that property; that he wanted to go on record in favor of relocation of the plant; and that the planning should go forward in a progressive fashion.

Mayor Carr noted that the moving of the plant could only be done after an affirmative approval of the electorate.

Following various comments and concerns regarding the upgrading of the present plant or relocating and constructing a new water reclamation plant at the middle Pico site, Staff advised they have been meeting with the ranchland developers regarding relocation of the wastewater treatment plant to middle Pico, subject to the item being placed on the ballot for the voters to determine whether the plant should be relocated or remain at its present site; that tentative discussion is that the City's maximum financial contribution toward this objective shall not exceed \$5,500,000; that if the relocation of the wastewater plant is rejected by the voters, the developers would agree to a similar financial arrangement for upgrading and expanding the plant at the existing site with the City's share also at \$5,500,000.

Following further discussion and deliberations, IT WAS MOVED BY COUNCILMAN DIEHL, SECONDED BY COUNCILMAN MECHAM that wording be developed by the City Attorney for a ballot measure as to the question of relocating the plant to the "middle Pico" site for the November 6 election.

Councilman Diehl clarified that the purpose of his motion is so that if Council, through their study session process, are in agreement that it should be put to vote then we have the wording to go ahead, approve it and send to the County in time to meet the November ballot deadline.

The Mayor then called for the QUESTION WHICH CARRIED UNANIMOUSLY.

Noting that the Carollo report on relocation of the plant would be available soon, IT WAS THEN MOVED BY COUNCILMAN MECHAM, SECONDED BY MAYOR CARR, AND UNANIMOUSLY CARRIED that a study session (adjourned meeting) be scheduled for July 25 at 7:00 P.M. for the purpose of reviewing publicly the second Carollo report dealing with the new "middle Pico" site and other items as related to the site.

ORDINANCES (order advanced)

Subject 57 - Proposed Ordinance Restricting Development of Certain Property within the Pico-North Beach Area of Plan 2000.

IN RE: Proposed urgency interim ordinance restricting development of certain property within the Pico-North Beach area of Plan 2000.

Discussion is summarized as follows: The City Attorney advised that based upon the determination by the Community Development Department that the moratorium or urgency interim ordinance is not necessary at this particular time in order to prevent any kind of public health, safety, or welfare problem pending a resolution of the land use issue in Plan 2000, it is recommended that the Council not act at this time to adopt the urgency ordinance with the understanding that we may come back at some later date and again make the recommendation that action be taken depending upon the pace of the existing development applications being considered in that area, and the resolution of the land use issues.

IT WAS MOVED BY COUNCILMAN MECHAM, SECONDED BY MAYOR CARR to table the proposed interim urgency ordinance.

In response to questions from Phil Peter the City Attorney confirmed that the matter can be taken off the table at any time, and if Council has concerns Staff could notify interested parties. Mayor Carr then withdrew his second, therefore the MOTION DIED FOR LACK OF SECOND.

In regard to the late administrative report dated 7-18-84, submitted by the Community Development Director regarding this matter, IT WAS MOVED BY COUNCILMAN LIMBERG, SECONDED BY COUNCILMAN MECHAM, AND CARRIED to authorize Staff to issue a Request for Proposal (RFP) for consultant services to prepare specific details of implementing the policies of Plan 2000 in the Pico/North Beach area, including costs of implementation and returning to City Council by 8-15-84 with detailed study proposal, including costs. Councilwoman Koester voted "NO."



Referring to the proposed moratorium ordinance, Keith French noted that the keystone of Plan 2000 was development of a multimodal center in the vicinity of North Beach which would allow increased use of that area and would enhance income to the City and potentially have a beneficial impact on the Del Mar-Pier Bowl area by reducing the amount of traffic there and focusing tourist activity to North Beach; and it would be a shame to lose that opportunity by allowing development to take place in a way which would preclude the Plan 2000 benefits to the North Beach area.

Norman J. Ream expressed opposition to this action suggesting that it is inverse condemnation and referred to previous opinion expressed by the City Attorney in regard to the Avenida San Juan Partnership Parcel Map 82-832; further that he has reviewed Plan 2000 and found only one mention concerning traffic; and that there is no reason for an urgency ordinance.

Walter Webb expressed various comments and noting that a person is willing to invest some money in San Clemente to build a needed motel; that the proposed action would force him to take his investment dollars elsewhere thus losing tax revenue; that if there are plans in that area for realignment of El Camino Real in the future then perhaps it might be appropriate to consider giving him aerial rights over the drainage channel; further that a motel is needed in this area.

IT WAS THEN MOVED BY MAYOR CARR, SECONDED BY COUNCILWOMAN KOESTER, AND UNANIMOUSLY CARRIED not to adopt the proposed urgency interim ordinance.

#### COMMUNICATIONS FROM COMMISSIONS, BOARDS, AND COMMITTEES

Subject: 99 - Subdivision Signage Policy.

IN RE: Communication from Planning Commission, in response to Council referral, recommending approval of the proposed Subdivision Signage Policy.

Staff responded to questions from Council members Limberg and Mecham following which, IT WAS MOVED BY MAYOR CARR, SECONDED BY COUNCILMAN DIEHL to approve Subdivision Signage Policy as attached to Administrative Report dated 7-12-84. Councilman Diehl later withdrew his second AND THE MOTION DIED.

Following further discussion, IT WAS THEN MOVED BY COUNCILMAN MECHAM, SECONDED BY COUNCILMAN DIEHL to approve Subdivision Signage Policy as attached to Administrative Report dated 7-12-84 with the following amendments: "Item 2(a)----Such temporary sign shall not exceed sixty-four (64) square feet in area and shall not exceed ten (10) feet in height"; and under "Other Temporary Signs" language be added, with exact language to be left to the Staff and City Attorney, that would indicate that temporary signs under this particular section will come down after 30 days and that they cannot be put up more than once or twice a year.

At the request of Councilman Limberg, and in concurrence with the motion makers IT WAS ADDED TO THE MOTION that the sign arms under the Directional Sign Program shall remain at 9" in width and 48" in length.

The Mayor then called for the QUESTION WHICH CARRIED with Mayor Carr voting "NO," stating that he was not against the basic policy but had some philosophical differences with the amendment.

#### URGENT MATTERS

Subject: 77 - Proposed Ballot Measure Concerning Trees and Shrubs Obstructing Views.

IN RE: Communication from C. L. Snider again requesting that the matter of trees obstructing a neighbor's view be placed on the November 6 ballot, said communication having been referred to the Council's "read basket" on 7-11-84.

Mr. Snider reiterated his previous request noting that he was prepared to use the initiative petition process calling for a Special Election but that he hoped the Council would reconsider their previous action and save the City the cost of a Special Election.

Mayor Carr noted that in order for Council to reconsider their previous action to receive and file Mr. Snider's request a motion would have to be initiated by one of the three persons who were on the prevailing side. No motion to reconsider was put forth.

Subject: 92 - Request for Issuance of Permit for Use of Sound Amplifying Equipment.

IN RE: Request from Don Kindred, Chili Challenge '84, for issuance of a permit for use of sound amplifying equipment to be used in connection with the 5th Annual Chili Cook-off at 381 Avenida Pico on August 19 from 11:00 A.M. to 6:00 P.M.

IT WAS MOVED BY COUNCILMAN DIEHL, SECONDED BY COUNCILMAN MECHAM, AND UNANIMOUSLY CARRIED to approve issuance of the sound amplification permit.

ITEMS FROM CITY MANAGER

Subject: 112 - Temporary Permit - Ramada Inn.

IN RE: Issuance of temporary permit to utilize the Ramada Inn for the Chamber of Commerce Installation Dinner on Saturday, July 21, 1984.

Interim City Manager Gary Brown advised Council that he had made an administrative decision to grant a temporary permit, after consulting with the City Attorney, to allow utilization of the Ramada Inn for the Chamber of Commerce Installation dinner on Saturday, July 21, subject to nine conditions.

Subject: 96 - City's Designated Representative to SERRA Board.

IN RE: City's designated representatives to SERRA Board.

The Interim City Manager noted that the present Staff representative to the SERRA Board is Edward Putz with the City Manager as the alternate representative, and requested that the Community Development Director be named as alternate representative.

IT WAS THEN MOVED BY COUNCILMAN DIEHL, SECONDED BY COUNCILMAN MECHAM, AND UNANIMOUSLY CARRIED that the Community Development Director be named as the alternate representative to the SERRA Board.

Subject: 77 - Economic/Financial Feasibility Analysis of Proposed Softball Complex.

IN RE: Economic/financial feasibility analysis of proposed softball complex.

The Interim City Manager referred to previous Council authorization for the City Manager to execute an agreement with the firm of Williams-Keubelbeck and Associates for preparation of an economic/financial feasibility analysis of the proposed softball complex and noted that Mr. Bob Gardner, the principal involved in preparing the proposal, will be leaving Williams-Keubelbeck to form his own company, Benchmark Economics; and in view of his experience in San Clemente and other work he has performed in evaluating a similar softball complex it is recommended to utilize Mr. Gardner who has agreed to perform the analysis.

IT WAS MOVED BY COUNCILMAN MECHAM, SECONDED BY COUNCILMAN DIEHL, AND UNANIMOUSLY CARRIED to authorize the Interim City Manager to execute an agreement between the City and Benchmark Economics to conduct an economic/financial feasibility analysis of the softball complex not to exceed \$8,000.

ITEMS FROM CITY ATTORNEY

Subject: 53 - Proposed Wording for Advisory Ballot Measure re Safe and Sane Fireworks.

IN RE: Proposed ballot measure regarding the sale, possession, and use of "safe and sane" fireworks in the City.

IT WAS MOVED BY MAYOR CARR, SECONDED BY COUNCILMAN LIMBERG to approve the following language for the advisory ballot measure regarding safe and sane fireworks: "Should the City Council of the City of San Clemente act to ban the sale, use and possession of safe and sane fireworks within the City of San Clemente?"

Councilman Diehl stated that the reason for his negative vote last Council meeting was due to the fact that it was not on the agenda and was brought up under items from Council; that he felt a report should have come from Staff along with public input and the issue studied; and that he was not opposed to putting the measure on the ballot, only how it got there.

The Mayor then called for the QUESTION WHICH CARRIED UNANIMOUSLY.

Subject 106 - Language for Advisory Ballot Measure Regarding R.V.  
Parking on Private Property.

IN RE: Language for advisory ballot measure regarding recreational vehicle parking on private property.

Following comments and concerns regarding the suggested final wording of the measure and to applicable existing laws, IT WAS MOVED BY COUNCILMAN DIEHL, SECONDED BY COUNCILMAN MECHAM, AND UNANIMOUSLY CARRIED that Staff come back with alternative wording for the adjourned Council meeting of 7-25-84.

- - - - -

The City Attorney requested a Closed Session to discuss litigation matters.

Subject 92 - Proposed Code Amendment Relating to Issuance of  
Sound Amplification Permits.

IN RE: Memorandum from City Attorney relating to suggested Code amendment relating to issuance of sound amplification permits.

IT WAS MOVED BY MAYOR CARR, SECONDED BY COUNCILMAN MECHAM, AND UNANIMOUSLY CARRIED that the City Attorney prepare an amendment to the Municipal Code to have sound amplification permits considered as an administrative matter (with adequate input from Police and other interested departments), with a right of appeal to the Council in the event that Staff denies the permit or imposes conditions which the applicant opposes.

ITEMS FROM COUNCIL MEMBERS

Subject 86 - Proclamation re Community Promotion Work Performed by  
Jan Peverill.

IN RE: Proposed proclamation concerning community promotion work performed by Jan Peverill.

Comment was made concerning the time and effort expended by Jan Peverill in obtaining and coordinating media coverage of San Clemente by Elmer Dills both on Channel 7 TV and KABC radio.

IT WAS MOVED BY COUNCILMAN DIEHL, SECONDED BY COUNCILMAN MECHAM, AND UNANIMOUSLY CARRIED that the Mayor issue a proclamation to Jan Peverill for her outstanding work in getting television and radio recognition for San Clemente.

Subject 43 - Commendation to Outgoing Commissioners and Committee  
Members.

IN RE: Commendation service plaques to outgoing Commissioners and Committee members.

Question was raised as to how soon service plaques would be presented to the Commissioners and Committee members who left office as of 6-30-84.

Due to the fact that the City does not have a sufficient number of plaques in stock and is in the process of reordering, IT WAS MOVED BY COUNCILMAN DIEHL, SECONDED BY COUNCILMAN MECHAM, AND UNANIMOUSLY CARRIED that the Mayor be authorized to send a letter to the outgoing Commissioners and Committee members advising that they will be receiving plaques as soon as they are received in recognition of their service to the City.

Subject: 53 - Proposed Resolution re Persons Involved in 4th of July  
Fireworks Show.

IN RE: Proposed resolution re persons involved in 4th of July Fireworks Show.

Mayor Carr requested Council concurrence in having Staff prepare a draft resolution commending all the persons involved in the 4th of July Fireworks Show, noting that they all did an outstanding job. The Council concurred with the Mayor's suggestion.

#### RESOLUTIONS

For Resolution No. 72-84 see under "CONSENT CALENDAR" (items removed for separate action) on page 3.

Subject: 43 - Resolution No. 73-84 Commending South Coast Repertory for Outstanding Service to the County on the Occasion of their Twentieth Anniversary.

IN RE: Resolution commending South Coast Repertory for outstanding service to the County on the occasion of their twentieth anniversary.

Upon motion of Councilman Mecham, seconded by Councilman Diehl, and unanimously carried RESOLUTION NO. 73-84, BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, COMMENDING SOUTH COAST REPERTORY FOR OUTSTANDING SERVICE TO THE COUNTY ON THE OCCASION OF THEIR TWENTIETH ANNIVERSARY, was regularly introduced, passed, and adopted.

#### ORDINANCES (continued)

Subject: 29 - Ordinance No. 896 Consolidating the Functions of the Design Review Committee and the Cultural Heritage Board.

IN RE: Ordinance No. 896 consolidating the functions of the Design Review Committee and the Cultural Heritage Board under a new Commission to be called the "Community Design Commission."

Following comments by the Community Development Director it was agreed that Section E "Requirements for Submittal for Design Review" should be changed back to read: "All requirements for submittal of preliminary and final plans, including application fees, shall be as set forth by resolution of the City Council."

Planning Commissioner Holly Veale noted certain concerns of the Planning Commission in that applicants be advised to go to the DRC first; and that source documents and design guidelines be made available so that applicants will know ahead of time just what is expected.

Tom Davis of the Design Review Committee concurred with Commissioner Veale's comments and suggested where certain other changes might be made in the Ordinance. Following discussion, the Council concurred in the change to Section E as mentioned earlier and also a change to Section D to read: "Single family residences, except as noted above in Section C.2.(b) and following in Section J., and interior modifications, exterior alterations and additions determined to be minor by the Community Development Department."

It was suggested that if there are any other concerns, the Commissions should submit suggested changes to the Ordinance in writing which could be considered at some future date.

IT WAS THEN MOVED BY COUNCILMAN MECHAM, SECONDED BY COUNCILMAN DIEHL, AND UNANIMOUSLY CARRIED to waive the reading in full of Ordinance No. 896.

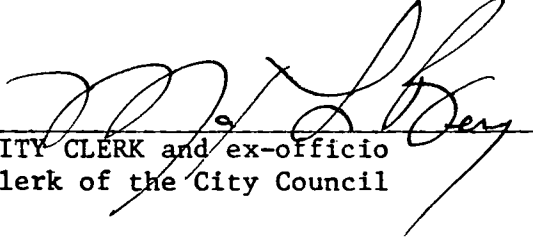
Upon motion of Councilman Mecham, seconded by Councilman Diehl, and carried, ORDINANCE NO. 896, BEING AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, CONSOLIDATING THE FUNCTIONS OF THE DESIGN REVIEW COMMITTEE AND THE CULTURAL HERITAGE BOARD UNDER A NEW COMMISSION TO BE CALLED THE "COMMUNITY DESIGN COMMISSION" was reintroduced by title only, the reading in full thereof having been unanimously waived. Councilwoman Koester voted "NO."


ADJOURNMENT TO CLOSED SESSION

IT WAS MOVED BY COUNCILMAN MECHAM, SECONDED BY COUNCILMAN DIEHL, AND UNANIMOUSLY CARRIED to adjourn to a Closed Session to discuss a matter of litigation.

MEETING RECONVENED AND ADJOURNMENT

IT WAS MOVED BY COUNCILMAN MECHAM, SECONDED BY COUNCILWOMAN KOESTER, AND UNANIMOUSLY CARRIED that the Council meeting be adjourned at 10:28 P.M. to July 25, 1984 at 7:00 P.M.

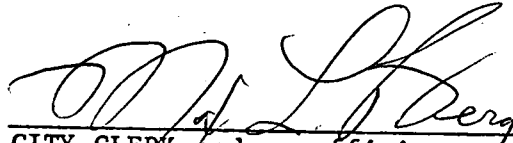
  
 CITY CLERK and ex-officio  
 Clerk of the City Council

  
 MAYOR and President  
 of the City Council

STATE OF CALIFORNIA )  
 )  
COUNTY OF ORANGE ) SS  
 )  
CITY OF SAN CLEMENTE )

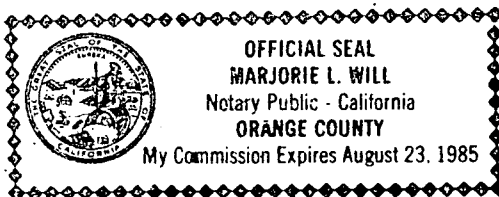
AFFIDAVIT OF POSTING  
OF MEETING

I, MAX L. BERG, being first duly sworn deposes and says:  
that I am the duly chosen, qualified, and acting ex-officio Clerk of the  
City Council of the City of San Clemente; that at the regular meeting of  
the City Council of the City of San Clemente, held July 18, 1984 ,  
said meeting was ordered adjourned to the time and place specified in the  
Order of Adjournment ATTACHED HERETO; that on July 19, 1984 , at the  
hour of 10:00 AM , I posted a copy of said Order of Adjournment at the  
conspicuous place on or near the door of the place at which said meeting of  
July 18, 1984 , was held.

  
CITY CLERK and ex-officio  
Clerk of the City Council  
City of San Clemente

Subscribed and sworn to before  
me this 19th day of July, 1984

  
\_\_\_\_\_



ORDER OF ADJOURNMENT

Regular meeting of the City Council of the City of San Clemente, California, Council Chambers, Civic Center Building, 100 Avenida Presidio, Wednesday, July 18, 1984, at 7:00 P.M., Mayor Kenneth E. Carr presiding.

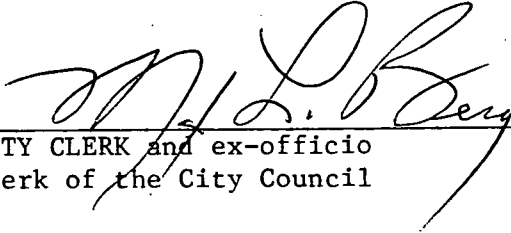
ROLL CALL

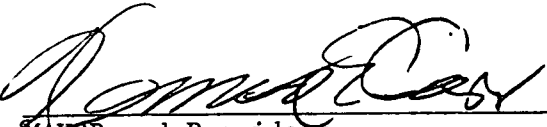
PRESENT: Council Members - DIEHL, KOESTER, LIMBERG, MECHAM, AND CARR  
ABSENT: Council Members - NONE

Also Present: Gary Brown, Interim City Manager, Max L. Berg, City Clerk,  
and Jeff Oderman, City Attorney

ADJOURNMENT

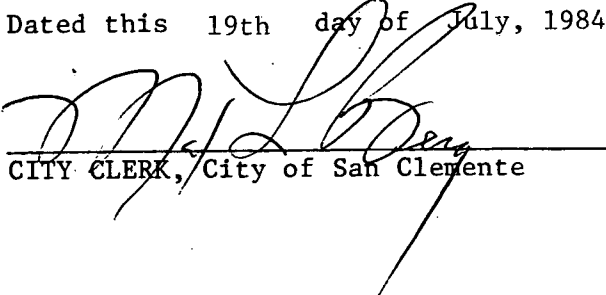
IT WAS MOVED BY COUNCILMAN MECHAM, SECONDED BY COUNCILWOMAN KOESTER,  
AND UNANIMOUSLY CARRIED that the Council Meeting be adjourned at 10:28 P.M.  
to July 25, 1984 at 7:00 P.M.

  
\_\_\_\_\_  
CITY CLERK and ex-officio  
Clerk of the City Council

  
\_\_\_\_\_  
MAYOR and President  
of the City Council

Certified to be a true and correct  
copy of excerpts from the July 18,  
1984 Council Minutes

Dated this 19th day of July, 1984

  
\_\_\_\_\_  
CITY CLERK, City of San Clemente