



CITY OF SAN CLEMENTE

REGULAR CITY COUNCIL

MEETING AGENDA

City Council Chambers
San Clemente Civic Center
100 Avenida Presidio
San Clemente, California
www.san-clemente.org

February 5, 2013
5:00 p.m. - Closed Session
6:00 p.m. - Business Meeting

Information concerning City Council Meeting protocols and procedures is contained at the end of this agenda.

RULES FOR ADDRESSING COUNCIL

- Members of the public may address the City Council on matters within the jurisdiction of the City of San Clemente.
- If you wish to address Council, please complete one of the blue speaker cards located at the entrance to the Council Chambers and submit it to the City Clerk or Deputy City Clerk.
- Persons wishing to address Council concerning an **agendized** item will be invited to address Council during the time that Council is considering that particular agenda item. Persons wishing to address Council concerning a **non-agendized** issue will be invited to address Council during the "Oral Communications" portion of the meeting.
- When the Mayor calls your name, please step to the podium, state your name and your city of residence, and then give your presentation. Please limit your presentation to three minutes.

MISSION STATEMENT

The City of San Clemente, in partnership with the community we serve, will foster a tradition dedicated to:

Maintaining a safe, healthy atmosphere in which to live, work and play;

Guiding development to ensure responsible growth while preserving and enhancing our village character, unique environment and natural amenities;

Providing for the City's long-term stability through promotion of economic vitality and diversity...

Resulting in a balanced community committed to protecting what is valued today while meeting tomorrow's needs.

CLOSED SESSION (5:00 P.M.) If there are no Closed Session items, the City Clerk will recess the meeting to 6:00 p.m.

None.

BUSINESS MEETING (6:00 P.M.)

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

1. Special Presentations.

A. San Clemente High School Student Report

Report from Matt Garritson and Gabby Meyer, student representatives of San Clemente High School, concerning campus activities.

B. Certificates of Recognition - Blue Ribbon Week "KindnesSCounts" Campaign

Presentation of Certificates of Recognition to the Capistrano Unified School District, San Clemente Police Services, San Clemente Family of PTAs, Southern California Edison, and San Clemente Kiwanis Club in recognition of the Blue Ribbon Week "KindnesSCounts" campaign.

2. **Oral Communications (Part 1).** Members of the audience who wish to address Council on matters that are within the jurisdiction of the City of San Clemente, but not separately listed on the agenda, may do so during the Oral Communications portion of the meeting. A total time limitation of 30 minutes is allocated for Oral Communications Part 1, with each speaker being allotted 3 minutes in which to give his or her presentation. Speaker order is determined by the order in which speaker cards are provided to the City Clerk or Deputy City Clerk at the meeting. Speakers that cannot be accommodated during Oral Communications Part 1 will be invited to address Council during Oral Communications Part 2, which appears on this agenda as Item No. 10. When the Mayor calls your name, please step to the podium, state your name and the City in which you reside, and make your presentation. Subject to very limited exceptions, Council is not permitted to discuss or take action on items that do not appear on the agenda.

3. **Motion waiving reading in full of all Resolutions and Ordinances.**

4. **Consideration of agendizing items requiring immediate action.** Any items agendized will be considered under New Business, unless otherwise determined by a majority vote of the City Council.

5. **Closed Session Report - City Attorney.**

6. **Consent Calendar.** All items listed on the Consent Calendar are considered to be routine and will be enacted by one motion without discussion unless Council, Staff, or the public requests removal of an item for separate discussion and action.
 - A. **City Council Minutes**

Approve the minutes of the City Council Regular Meeting of December 18, 2012.

 - B. Receive and file:
 - (1) Design Review Subcommittee Meeting minutes of January 9, 2013.
 - (2) Zoning Administrator Regular Meeting minutes of January 23, 2013.
 - (3) Planning Commission Adjourned Regular Meeting minutes of January 23, 2013.
 - (4) Coastal Advisory Committee Regular Meeting minutes of January 10, 2013.

C. **Warrant Register**

Approve Warrant Nos. 505444 through 505631,
for the period 01-07-13 through 01-11-13,
in the amount of\$ 1,071,783.86

Approve Wire Transfer Nos. 1089 through 1092
and Warrant Nos. 505632 through 505768,
for the period 01-14-13 through 01-18-13,
in the amount of\$ 1,099,270.48

TOTAL WARRANT REGISTER..... \$ 2,171,054.34

Payroll Register

Approve Warrant Nos. 168 through 172 and
Automatic Deposit Advises 5441 through 5715,
for the period 01-07-13 through 01-20-13,
in the amount of \$ 396,537.42

TOTAL PAYROLL REGISTER.....\$ 396,537.42

D. **Notice of Completion - Via Alegre Storm Drain Rehabilitation** - Pages 6-D-1 through 6-D-4

1. Accept the rehabilitation of the Via Alegre Storm Drain, Project No. 23002, from the contractor, Sancon Engineering, Inc.
2. Authorize the Mayor to execute, and City Clerk to record, the Notice of Completion for the rehabilitation of the Via Alegre Storm Drain, Project No. 23002. (Contract C12-49)
3. Authorize the City Clerk to release the Payment Bond 35 days from the recordation of the Notice of Completion upon verification with the Engineering Division that no liens have been levied against Sancon Engineering, Inc.
4. Authorize the City Clerk to release the Performance Bond upon receipt of a Warranty Bond in the amount of 25% of the construction cost.

E. **Purchase of Quiet Zone Insurance Coverage** - Page 6-E-1

Authorize a transfer of \$31,000 from the General Fund undesignated fund balance to Account 068-816-44080-000-00000, General Liability Fund-Excess Insurance, for the purchase of Quiet Zone insurance coverage.

7. **Public Hearings.** The Public Hearing process includes a staff presentation, a presentation by the applicant not to exceed ten (10) minutes, and public testimony (not to exceed three minutes per speaker). Following closure of the Public Hearing, the City Council will respond to questions raised during the hearing, discuss the issues, and act upon the matter by motion.

- A. **410 Arenoso Lane – (Conditional Use Permit 12-270/Cultural Heritage Permit 12-271/Site Plan Permit 12-272) - Reef Pointe Villas** - Pages 7-A-1 through 7-A-57

Public Hearing to consider an appeal by the City Council of the Planning Commission's approval of Conditional Use Permit 12-270, Cultural Heritage Permit 12-271 and Site Plan Permit 12-272, a request to demolish an existing apartment building and construct a new three-story building with five residential units and a subterranean garage located at 410 Arenoso Lane. The project is located in the Pier Bowl Specific Plan and the Architectural and Coastal Zone Overlays. The legal description is Lot 46, of Block 3, of Tract 784 and Assessor's Parcel Number 692-012-06.

Staff Recommendation

Continue the Public Hearing to the Council Meeting of February 19, 2013.

- B. **100 Mira Puerta – (General Plan Amendment 12-184/Zoning Amendment 12-185) - Evans Residence** - Pages 7-B-1 through 7-B-20

Public Hearing to consider a request for a General Plan Amendment and Zoning Amendment to a 0.63 acre lot at 100 Mira Puerta to allow the General Plan land use and zoning designations to be changed from Private Open Space (OS2) to Residential Low (RL). The property is improved with a mobile home unit. The request for a change in the Zoning and General Plan designations would change the current residential use from legal non-conforming to conforming. The project site's legal description is P BK 272 PG 30 Parcel 2, Assessor's Parcel Number 680-011-61.

Planning Commission Recommendation

Introduce Ordinance No. 1562 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADOPTING GENERAL PLAN AMENDMENT 12-184/ZONING AMENDMENT 12-185, AMENDING THE GENERAL PLAN AND ZONING DESIGNATION FROM PRIVATE OPEN SPACE TO RESIDENTIAL LOW FOR A PROPERTY LOCATED AT 100 MIRA PUERTA.

8. **Unfinished Business.**

None.

9. **New Business.**

A. **Disposal of Household Pharmaceutical Waste** Pages 9-A-1 through 9-A-4

Report from the Public Works Director/City Engineer concerning potential approaches for disposal of household pharmaceutical waste.

Staff Recommendation

Concur with enhanced outreach for proper disposal of household pharmaceutical waste, as outlined in the Administrative Report, dated February 5, 2013, that is on file with the City Clerk, or provide direction on an alternate approach if desired.

B. **City Policy and Procedure No. 702-6 - Beach Ecology and Maintenance** - Pages 9-B-1 through 9-B-18

Report from the Beaches, Parks and Recreation Director concerning City Policy and Procedure No. 702-6 relating to beach ecology and maintenance.

Staff Recommendation

Adopt Beach Ecology and Maintenance Policy No. 702-6, effective February 5, 2013.

10. **Oral Communications (Part 2).** Members of the audience who wish to address Council on matters that are within the jurisdiction of the City of San Clemente, but not separately listed on the agenda, may do so during the Oral Communications portion of the meeting. When the Mayor calls your name, please step to the podium, state your name and the City in which you reside, and make a presentation not to exceed three minutes. Subject to very limited exceptions, Council is not permitted to discuss or take action on items that do not appear on the agenda.

11. **Reports.**

A. **Commissions and Committees**

- (1) **Establishment of Dates for Council to Meet in Joint Session with the City Commissions and Committees** – Page 11-A(1)-1

Report from the City Clerk concerning the possibility of establishing the schedule of joint meetings with City Commissions and Committees.

Staff Recommendation

1. Determine whether to meet individually with one or more of the City's Commissions and Committees.
2. Determine whether one or more consolidated joint meetings should be scheduled.
3. Select a venue for the joint meeting(s).
4. Determine which, if any, of the joint meetings should be televised.

B. **City Manager**

C. **City Attorney**

D. **Council Members**

- (1) **Consideration of Cancelling a Regular Council Meeting in August 2013**
- (2) **Report from Mayor Baker, City Representative to the Orange County Fire Authority (OCFA), relative to OCFA Matters**
- (3) **Report from Councilmember Donchak, City Representative to the California Joint Powers Insurance Authority (CJPIA), relative to CJPIA Matters**

12. **Resolutions/Ordinances.**

None.

13. **Adjournment.**

The next Regular Council Meeting will be held on Tuesday, February 19, 2013 in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California. Closed Session items will be discussed at 5:00 p.m. The General Session will commence at 6:00 p.m.

CITY COUNCIL MEETING PROCEDURES

PRESENTATION OF WRITTEN MATERIALS TO COUNCIL

In order to ensure that Councilmembers have adequate time to consider written materials concerning agenda items, it is strongly recommended that such materials be submitted to the City Clerk by noon the date preceding the Council meeting.

MEETINGS RECORDED AND TELEVISED

City Council meetings are broadcast live and are replayed periodically on Cox Communications Local Access Channel 30 (or Channel 854 for high-definition televisions). Meetings are also recorded via audio CD and DVD and retained as a City record in accordance with the City's records retention schedule.

LENGTH OF MEETINGS

At 11:00 p.m., the City Council will determine which of the remaining agenda items can be considered and acted upon at this meeting and will continue all other agenda items to a future meeting.

AMERICANS WITH DISABILITIES ACT

Pursuant to the Americans with Disabilities Act, persons with a disability who require a disability-related modification or accommodation in order to participate in a meeting, including auxiliary aids or services, may request such modification or accommodation from the City Clerk at (949) 361-8200. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

COMMUNICATION DEVICES

To minimize meeting distractions and sound system interference, please be sure all personal communication devices are turned off or on silent mode.

MEETING SCHEDULE

Regular Council Meetings are held on the first and third Tuesdays of each month in the Council Chambers, located at 100 Avenida Presidio, San Clemente. Closed Session items are considered at 5:00 p.m. and the Business Meeting begins at 6:00 p.m. Additional meetings of the City Council may be called as needed.

AGENDAS, ADMINISTRATIVE REPORTS AND SUPPLEMENTAL WRITTEN MATERIALS

Agendas and Administrative Reports are available for review and/or copying at the City Clerk's Office as soon as agendas are posted (a minimum of 72 hours prior to the meeting). Agendas and Administrative Reports can also be viewed at the San Clemente Library, located at 242 Avenida Del Mar, or by accessing the City's website at www.san-clemente.org. An "Inspection Copy" of agenda materials is also located at the entrance to the Council Chambers during meetings for public review. All written material distributed to a majority of the Council after the original agenda packet was distributed is available for public inspection in the City Clerk's Office, located at 100 Avenida Presidio, San Clemente, during normal business hours.

The City Clerk's Office also offers an agenda packet subscription service free of charge. If you wish to receive email copies of City Council agendas, which include hyperlinks to staff reports and other back-up material, please send an email to cityclerk@san-clemente.org or call 949-361-8200.