



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

July 3, 2012
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.

- A. CONFERENCE WITH LABOR NEGOTIATOR, pursuant to Government Code Section 54957.6:

Agency Representative: Pall Gudgeirsson, Assistant City Manager.

Employee Organizations: San Clemente City Employees Association, Management Employees, Mid-Management Employees and Confidential Employees.

- B. CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Initiation of litigation pursuant to Government Code Section 54956.9(c): One potential case.

BUSINESS MEETING (6:00 P.M.)

CALL TO ORDER

INVOCATION - Martin Garff, Church of Jesus Christ of Latter-day Saints, San Clemente Stake

PLEDGE OF ALLEGIANCE

ROLL CALL

1. **Special Presentations.**

A. **Presentation of Honoraria - Jeff Oderman, City Attorney**

Presentation of honoraria to Jeff Oderman, City Attorney, for 31 years of outstanding legal services to the City of San Clemente.

B. **Recognition of Outgoing Commission and Committee Members**

Presentation of honoraria to the City's outgoing Commission and Committee members: Bill Osier, Beaches, Parks and Recreation Commission; Harold Larson, Golf Course Committee; Carol Stiff, Human Affairs Committee; Isobel Pelham, Human Affairs Committee.

C. **Presentation of Proclamation - Parks and Recreation Month**

Presentation of a proclamation to Sharon Heider, Beaches, Parks and Recreation Director, declaring the month of July 2012 as "Parks Make Life Better!" Month.

D. **Interstate-5 High Occupancy Vehicle (HOV) Lanes through San Clemente - Status Report**

Presentation by Hamid Torkamanha, Orange County Transportation Authority (OCTA), concerning the Interstate-5, Segment 2, High Occupancy Vehicle (HOV) lanes through San Clemente.

E. **San Clemente General Plan - Status Report**

Report from Alan Korsen, General Plan Advisory Committee representative, concerning the status of the San Clemente General Plan.

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 Adjourned Regular Meeting of June 11, 2012 and Regular Meeting of June 19, 2012.

 - B. Receive and file:
 1. Zoning Administrator Regular Meeting minutes of June 20, 2012.
 2. Planning Commission Special Meeting minutes of June 20, 2012.
 3. Beaches, Parks and Recreation Commission Regular Meeting minutes of June 19, 2012.

C. **Warrant Register**

Approve Wire Transfer Nos. 1000 through 1003, and
Warrant Nos. 500157 through 500324,
for the period 05-07-12 through 05-11-12,
in the amount of\$ 735,674.72

Approve Handwrite No. 500901,
Wire Transfer Nos. 1010 through 1013, and
Warrant Nos. 500773 through 500900,
for the period 06-04-12 through 06-08-12,
in the amount of\$ 823,458.93

Approve Handwrite No. 500902 and
Warrant Nos. 500903 through 501088,
for the period 06-11-12 through 06-15-12,
in the amount of\$ 1,116,846.07

TOTAL WARRANT REGISTER.....\$2,675,979.72

Payroll Register

Approve Warrant Nos. 14 through 21,
Automatic Deposit Advises 778 through 1077,
for the period 05/28/12 through 06/10/12,
in the amount of\$ 440,007.74

TOTAL PAYROLL REGISTER.....\$ 440,007.74

D. **Sports Hall of Fame Program** - Pages 6-D-1 through 6-D-7

1. Approve a Sports Hall of Fame program.
2. Authorize the San Clemente Aquatics Center pool pump wall to be used to showcase the inductees.
3. Approve, and authorize the Mayor to execute, the Letter Agreement, by and between the City of San Clemente and the Friends of the Beaches, Parks and Recreation Foundation, providing for administration of the Sports Hall of Fame program. (Contract C12-27)

- E. **244 West Marquita (Final Parcel Map 2011-118) - Sayer Condominiums** - Pages 6-E-1 through 6-E-2
1. Approve Final Parcel Map 2011-118 as it conforms to the requirements set forth in the Subdivision Map Act and the previously approved Tentative Parcel Map.
 2. Authorize the Public Works Director/City Engineer to execute Final Parcel Map 2011-118.
 3. Authorize the City Clerk to execute and submit Final Parcel Map 2011-118 to the County of Orange Recorder's Office for recordation.
- F. **Transfer of North Beach Concessionaire Lease** - Pages 6-F-1 through 6-F-6
- Deny the transfer of the North Beach concession lease from Eric and Gia Lucy to Martin Fox. (Contract C87-51)
- G. **Parking Prohibition on Calle Negocio at Calle Trepadora Bus Stop** - Pages 6-G-1 through 6-G-4
1. Approve the prohibition of parking on the southwest corner of Calle Negocio at Calle Trepadora for sixty (60) feet.
 2. Adopt Resolution No. 12-44 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING MASTER TRAFFIC RESOLUTION NO. 1846, ESTABLISHING "NO PARKING AREAS" ON CALLE NEGOCIO.
- H. **Parking Prohibition on Camino Mira Costa at Vista Azul (Dana Point)** - Pages 6-H-1 through 6-H-5
1. Approve the prohibition of parking on the west side of Camino Mira Costa, from Vista Azul (Dana Point) curb return in a northeasterly direction for a distance of sixty-five (65) feet and in a southwesterly direction for a distance of twenty (20) feet.
 2. Adopt Resolution No. 12-45 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING MATER TRAFFIC RESOLUTION NO. 1846 ESTABLISHING "NO PARKING AREAS" ON CAMINO MIRA COSTA.

- I. **Contract Award - Reservoir No. 9 Drainage and Slope Repair** - Pages 6-I-1 through 6-I-4
 - 1. Approve the plans and specifications for the Reservoir No. 9 Drainage and Slope Repair, Project No. 22402.
 - 2. Approve, and authorize the Mayor to execute, Contract C12-28, by and between the City of San Clemente and Ted Enterprises, Inc., providing for the repair of the Reservoir No. 9 Drainage and Slope, Project No. 22402, in the amount of \$58,900.

- J. **Bid Rejection - Cathodic Protection System Evaluation** - Pages 6-J-1 through 6-J-4
 - 1. Reject all bids for the Cathodic Protection System Evaluation, Project No. 26402.
 - 2. Authorize Staff to rebid the Cathodic Protection System Evaluation, Project No. 26402.

- K. **Citizens Option for Public Safety Program (COPS)** - Pages 6-K-1 through 6-K-1

Approve the use of COPS funds for a portion of a patrol deputy's position.

- L. **Adoption of Form 806 (Agency Report of Public Official Appointments)** - Pages 6-L-1 through 6-L-7

Adopt Form 806 (Agency Report of Public Official Appointments) as presented in the Administrative Report, dated July 3, 2012, which is on file with the City Clerk.

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. **Code Amendment - One-Day Business License Permits and Pre-Hearing Suspension Modifications to the Business License Code** - Pages 7-A-1 through 7-A-6

Public Hearing to consider modifications to the Business License Ordinance to create a one-day business license permit and the ability to suspend a business license upon violation of City, State or Federal laws.

Staff Recommendation

Introduce Ordinance No. 1554 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING CHAPTERS 5.04 AND 5.08 RELATING TO BUSINESS LICENSES AND REGULATIONS.

8. **Unfinished Business.**

None.

9. **New Business.**

- A. **Code Amendment - Establishment of Speed Limits on Avenida Pico, Avenida Vista Hermosa and Avenida Presidio** - Pages 9-A-1 through 9-A-8

Report from the Public Works Director/City Engineer concerning the possibility of establishing speed limits on Avenida Pico, Avenida Vista Hermosa and Avenida Presidio.

Staff Recommendation

1. Accept the Engineering and Traffic Surveys for sections of Avenida Pico, Avenida Vista Hermosa and Avenida Presidio and establish speed limits on the subject streets as outlined in the Administrative Report, dated July 3, 2012, that is on file with the City Clerk.
2. Introduce Ordinance No. 1555 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING CHAPTER 10 OF THE MUNICIPAL CODE CONCERNING SPEED ZONES ON CERTAIN CITY STREETS.

B. **Contract Award - Water Reclamation Plant Solids Handling Rehabilitation** - Pages 9-B-1 through 9-B-5

Report from the Public Works Director/City Engineer concerning the possibility of awarding a contract for the rehabilitation of the Water Reclamation Plant Solids Handling.

Staff Recommendation

1. Approve the plans and specifications for the Water Reclamation Plant Solids Handling Rehabilitation, Project No. 10204.
2. Approve, and authorize the Mayor to execute, Contract C12-29, by and between the City of San Clemente and Newest Construction, Inc., providing for the rehabilitation of the Water Reclamation Plant Solids Handling, Project No. 10204, in the amount of \$1,818,360.

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) **Appointment of City Representatives/Alternates to the San Joaquin Hills and Foothill/Eastern Transportation Corridor Agencies (TCA)** - Pages 11-A(1)-1 through 11-A(1)-2

Report from the City Clerk concerning the possibility of appointing City representatives/alternates to the San Joaquin Hills and Foothill/Eastern Transportation Corridor Agencies (TCA).

Staff Recommendation

If Council adopts completed Fair Political Practices Commission (FPPC) Form 806 prior to considering this agenda item, Staff recommends that Council appoint one Councilmember to serve as the City's representative to the San Joaquin Hills Transportation Corridor Agency and one Councilmember to serve as the City's representative to the Foothill/Eastern Transportation Corridor Agency, and appoint an alternate representative to each agency.

B. **City Manager**

C. **City Attorney**

D. **Council Members**

- (1) **Request for City Support for Transfer of Ontario International Airport to Local Control** - Pages 11-D(1)-1 through 11-D(1)-3

Report from the City Manager concerning a request for City support for the transfer of Ontario International Airport to local control.

Staff Recommendation

Council discretion.

- (2) **Report from Councilmember Donchak, City Representative to the Coastal Animal Services Authority (CASA) Board, Relative to CASA Matters**

12. **Resolutions/Ordinances.**

None.

13. **Adjournment.**

The next Regular Council Meeting will be held on Tuesday, July 17, 2012 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.