



CITY OF SAN CLEMENTE ADJOURNED REGULAR CITY COUNCIL MEETING AGENDA

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

July 2, 2013
4:30 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 (4:30 P.M.) If there are no Closed Session items, the City Clerk will recess the meeting to 6:00 p.m.

- A. CONFERENCE WITH REAL PROPERTY NEGOTIATOR, pursuant to Government Code Section 54956.8

Property: 1100 N. El Camino Real, San Clemente

Agency Negotiator: Pall Gudgeirsson, City Manager

Negotiating Parties: Lynn Wood, CEO, San Clemente Chamber of Commerce

Under Negotiation: Price and terms of payment

- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, pursuant to Government Code Section 54956.9(a):

Magnus Oxford v. American Youth Soccer Organization et al., OCSC No. 30-2011-00489135-CU-PO-CJC

- C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, pursuant to Government Code Section 54956.9(a):

Walker et al. v. City of San Clemente, OCSC No. 30-2012 00591239

- D. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, pursuant to Government Code Section 54956.9(a):

Joseph A. Arriola v. L.H.C. Investments LLC, et al., OCSC 30-2011-00450299-CU-CD-CXC

BUSINESS MEETING (6:00 P.M.)**CALL TO ORDER****INVOCATION****PLEDGE OF ALLEGIANCE****ROLL CALL****1. Special Presentations.****A. Calafia Beach Parking Fee Increase**

Report from Brian Ketterer, District Superintendent, California Department of Parks and Recreation, concerning parking fee increases at Calafia Beach.

B. Certificate of Recognition – Tony Carbonara (2013 Wall of Recognition Recipient)

Presentation of a Certificate of Recognition to the family of Tony Carbonara, who was posthumously named to the Wall of Recognition.

C. “Parks Make Life Better” Month Proclamation

Presentation of a proclamation to Recreation Manager Passow, proclaiming July 2013 as “Parks Make Life Better” Month.

- 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 City Council Regular Meeting Minutes of June 4, 2013 and the Adjourned Regular Meeting Minutes of June 24, 2013.

B. Receive and file:

(1) Planning Commission Adjourned Regular Meeting Minutes of June 11, 2013 and June 19, 2013.

(2) Zoning Administrator Regular Meeting Minutes of June 19, 2013.

(3) Beaches, Parks, and Recreation Commission Regular Meeting Minutes of June 11, 2013.

C. **Warrant Register**

Approve Wire Transfers Nos. 1138 through 1141 and Warrant Nos. 508793 through 508961 paid on 06/14/2013 in the amount of.....	\$1,687,141.03
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Approve Warrant Nos. 508962 through 509163 paid on 06/21/2013 in the amount of.....	\$1,700,460.85
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TOTAL WARRANT REGISTER.....	\$3,387,601.88
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Payroll Register

Approve Warrant Nos. 220 through 223 and Automatic
 Deposit Advises 8269 through 8592 for the period
 5-27-13 through 6-9-13 in the amount of..... \$427,562.50

TOTAL PAYROLL REGISTER..... \$427,562.50

- D. **Contract Award – Main Pump Station Rehabilitation and Force Main Cathodic Protection, Project Nos. 10203, 29203, and 12202** (Pages 6-D-1 through 6-D-4)

Staff Recommendation

1. Approve the plans and specifications for the Main Pump Station Rehabilitation and Force Main Cathodic Protection, Project Nos. 10203, 29203, and 12202.
2. Approve, and authorize the Mayor to execute, Contract No. C13-26, by and between the City of San Clemente and NEWest Construction Company, Inc., providing for the Main Pump Station Rehabilitation and Force Main Cathodic Protection, Project Nos. 10203, 29203, and 12202, in the amount of \$1,086,900.

- E. **Contract Award – Los Mares/Vaquero Storm Drain Upgrade, Project No. 16001** (Pages 6-E-1 through 6-E-4)

Staff Recommendation

1. Approve the plans and specifications for the Los Mares/Vaquero Storm Drain Upgrade, Project No. 16001.
2. Approve a supplemental appropriation in the amount of \$232,000 from the Storm Drain Depreciation Reserve Fund to Account 059-553-45300-000-16001.
3. Approve, and authorize the Mayor to execute, Contract No. C13-27, by and between the City of San Clemente and GCI Construction, Inc., providing for the Los Mares/Vaquero Storm Drain Upgrade, Project No. 16001, in the amount of \$872,223.

F. **Contract Award – Solids Handling Sludge Storage Tank, Project No. 14205** (Pages 6-F-1 through 6-F-3)

Staff Recommendation

Approve, and authorize the Mayor to execute, Contract No. C13-28, by and between the City of San Clemente and Wilson Engineers, providing for design and construction period design support services, for the Solids Handling Sludge Storage Tank, Project No. 14205, in the amount of \$134,100.

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. **Avenida Serra Workforce Housing Project – Amendment to Avenida Serra Disposition and Development Agreement (DDA) and Bond Issuance** (Page 7-A-1)

Public Hearing to consider amending the DDA for the Avenida Serra Workforce Housing Project and bond issuance.

Staff Recommendation

Continue the Public Hearing to the Council Meeting of July 16, 2013.

8. **Unfinished Business.**

None.

9. **New Business.**

- A. **Installation of Donation Boxes on the Beach Trail** (Pages 9-A-1 through 9-A-4)

Report from the Beaches, Parks, and Recreation Director concerning the possibility of installing donation boxes on the beach trail.

Staff Recommendation

That Council take no action at this time.

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**

- B. **City Manager**

- C. **City Attorney**

- D. **Council Members**

- 1) **California Joint Powers Insurance Authority (CJPIA) Report**

Report from Councilmember Donchak, City representative to the California Joint Powers Insurance Authority (CJPIA), relative to CJPIA matters.

2) **Foothill Eastern Transportation Corridor Agency (FETCA) Report**

Report from Mayor Baker, City representative to the Foothill Eastern Transportation Corridor Agency (FETCA), relative to FETCA matters.

3) **San Joaquin Hills Transportation Corridor Agency (SJHTCA) Report**

Report from Councilmember Evert, City representative to the San Joaquin Hills Transportation Corridor Agency (SJHTCA), relative to SJHTCA matters.

12. **Resolutions/Ordinances.**

None.

13. **Adjournment.**

The next Regular Council Meeting will be held on July 16, 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 public business meeting 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.