



# 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](http://www.san-clemente.org)

October 2, 2012  
4:30 p.m. - Interviews/Appointment of Talega HOA  
Representative to the Friends of the Reserve Commission  
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.*

**TALEGA HOMEOWNERS ASSOCIATION REPRESENTATIVE TO THE FRIENDS OF THE RESERVE COMMISSION INTERVIEWS AND APPOINTMENT (4:30 P.M.)**

1. **Talega Homeowners Association Representative to the Friends of the Reserve Commission**

Staff Recommendation

Interview applicants and appoint an individual to serve as the Talega Homeowners Association representative to the Friends of the Reserve Commission, for a term to expire June 30, 2014.

**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 LEGAL COUNSEL - EXISTING LITIGATION, pursuant to Government Code Section 54956.9(a):

Daniel Walker as Trustee for the 1997 Walker Family Trust v. City of San Clemente, Orange County Superior Court Case No. 30-2012-00591239-CU-WM-CJC

B. CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

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

*(Closed Session items continued on next page)*

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

Property: Municipal Golf Course Restaurant, located at 150 East Avenida Magdalena, San Clemente

City Negotiator: George Scarborough, City Manager

Negotiating Parties: City of San Clemente and Z Golf Food & Beverage Service

Under Negotiation: Long Term Lease - Both Price and Terms of Payment.

**BUSINESS MEETING (6:00 P.M.)**

**CALL TO ORDER**

**INVOCATION - Rev. Dr. Paula A. Ferris, St. Andrews by the Sea United Methodist Community of Faith**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**1. Special Presentations.**

**A. Presentation of Proclamation - Pancreatic Cancer Awareness Month**

Presentation of a Proclamation to Bob and Alice Sottile, Pancreatic Cancer Action Network - Orange County, proclaiming November 2012 as Pancreatic Cancer Awareness Month.

**B. Presentation of Proclamation - Physician Assistant Week**

Presentation of a Proclamation to Joseph Francisco proclaiming October 6-12, 2012 as Physician Assistant Week.

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 minutes of the City Council Regular Meeting of September 4, 2012.
  
  - B. Receive and file:
    - (1) Design Review Subcommittee Meeting minutes of August 29, 2012.
    - (2) Golf Course Committee Regular Meeting minutes of September 6, 2012.
    - (3) Planning Commission Adjourned Regular Meeting minutes of September 19, 2012.

C. **Warrant Register**

Approve Warrant Nos. 502942 through 503050,  
for the period 09-03-12 through 09-07-12,  
in the amount of ..... \$ 1,762,186.07

Approve Wire Transfer Nos. 1046 through 1049,  
and Warrant Nos. 503051 through 503223,  
for the period 09-10-12 through 09-14-12,  
in the amount of ..... \$ 2,463,763.35

TOTAL WARRANT REGISTER..... \$ 4,225,949.42

**Payroll Register**

Approve Warrant Nos. 103 through 112, and  
Automatic Deposit Advises 2955 through 3244,  
for the period 09-03-12 through 09-16-12,  
in the amount of ..... \$ 426,849.89

TOTAL PAYROLL REGISTER..... \$ 426,849.89

D. **Contract Award - Alameda Lane Drainage System Rehabilitation** - Pages 6-D-1 through 6-D-5

1. Approve the plans and specifications for the Alameda Lane Drainage System Rehabilitation, Project No. 10011.
2. Approve, and authorize the Mayor to execute, Contract C12-39 by and between the City of San Clemente and GCI Construction, Inc., providing for the rehabilitation of the Alameda Lane Drainage System, Project No. 10011, in the amount of \$103,180.

E. **Contract Award - Main Pump Station Rehabilitation** - Pages 6-E-1 through 6-E-13

Approve, and authorize the Mayor to execute, Contract C12-40, by and between the City of San Clemente and Pacific Advanced Civil Engineering, providing for engineering design and construction support services for the Main Pump Station Rehabilitation, Project Nos. 10203 and 29203, in the amount \$92,883.

- F. **Release of Improvement Bonds - Tract 16631, Pulte Home Corporation** - Pages 6-F-1 through 6-F-5

Adopt Resolution No. 12-54 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AUTHORIZING THE RELEASE OF IMPROVEMENT BONDS, WITHOUT LIMITATION, FOR TRACT 16631, PULTE HOME CORPORATION.

- G. **Finance and Administrative Services Department Reorganization** - Pages 6-G-1 through 6-G-4

1. Approve the elimination of the Central Services Officer classification; approve the creation of the Finance Manager classification, the job description (on file with the City Clerk), the placement of the classification at Range 75 and authorize one position; approve the reclassification of the Central Services Assistant at Range 42 to Central Services Specialist at Range 37, authorize one position, and approve the job description (on file with the City Clerk).
2. Adopt Resolution No. 12-55 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADOPTING A REVISED SALARY SCHEDULE AND NEW CLASSIFICATIONS AND AMENDING RESOLUTION NO. 97-09 AND ANY OTHER RESOLUTIONS IN CONFLICT THEREWITH.

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. **Mitigated Negative Declaration for the City of San Clemente Via Ballena Storm Drain Relocation**

Public Hearing to consider a proposal to divert the street flow that was conveyed through the severed storm drain to a pipeline to be constructed within public streets, Via Ballena and Via Cascadita, to connect to the existing storm facility on Via Cascadita. The project will start at 249 Via Ballena and will include 1,032 linear feet of 42-inch diameter pipe and 1,430 linear feet of 24-inch diameter pipe to be constructed within public street right-of-way.

**Staff Recommendation**

Continue the Public Hearing to the Council Meeting of October 16, 2012.

8. **Unfinished Business.**

None.

9. **New Business.**

A. **Police Services Citizen Academy** - Pages 9-A-1 through 9-A-2

Report from the Chief of Police Services concerning the possibility of establishing a Police Services Citizen Academy.

Staff Recommendation

1. Approve the implementation of the San Clemente Police Services Citizen Academy.
  2. Authorize a supplemental appropriation in the amount of \$15,000 to Police Services Account 001-219-43629 (Citizen Academy - Police) from the General Fund to fund expenditures associated with the Citizen Academy.
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**

- (1) **Intent to Comply with the Ralph M. Brown Act** Pages 11-B(1)-1 through 11-B(1)-3

Staff Recommendation

Adopt Resolution No. 12-56 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AFFIRMING THE CITY'S COMMITMENT TO OPEN GOVERNMENT AND INTENT TO COMPLY WITH THE RALPH M. BROWN ACT.

C. **City Attorney**

D. **Council Members**

- (1) **Report from Jim Dahl, City Representative to the Transportation Corridor Agencies, relative to the TCA Matters**

12. **Resolutions/Ordinances.**

None.

13. **Adjournment.**

The next Regular Council Meeting will be held on Tuesday, October 16, 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.

A subsequent Adjourned Regular Meeting will be held on October 23, 2011 at 6:00 p.m. in the San Clemente Municipal Golf Course restaurant, located at 150 Avenida Magdalena, San Clemente, California, for the purpose of meeting in Joint Session with the City Commissions and Committees.



## **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](http://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](mailto:cityclerk@san-clemente.org) or call 949-361-8200.