



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.

02/05/2013
6A

CITY OF SAN CLEMENTE

City Council Minutes

Regular City Council Meeting - December 18, 2012

These minutes reflect the order in which items appeared on the meeting agenda and do not necessarily reflect the order in which items were actually considered.

A Regular Meeting of the San Clemente City Council was called to order on December 18, 2012 at 5:00 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California, by Mayor Baker.

PRESENT BROWN, DONCHAK, EVERT, HAMM, MAYOR BAKER

ABSENT NONE

STAFF PRESENT George Scarborough, City Manager; Jeff Goldfarb, City Attorney; Joanne Baade, City Clerk; Anthony Mejia, Deputy City Clerk.

* * *

CLOSED SESSION

City Attorney Goldfarb requested a Closed Session to discuss the items listed on the Closed Session agenda.

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY MAYOR PRO TEM BROWN, CARRIED 5-0, to recess to Closed Session at 5:02 p.m. to discuss the following:

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

Property: Chamber of Commerce, located at 1100 North El Camino Real, San Clemente

City Negotiator: George Scarborough, City Manager

Negotiating Parties: City of San Clemente and San Clemente Chamber of Commerce

Under Negotiation: Both Price and Terms of Payment.

(Closed Session items continued on the next page)

6A-1

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

Name of Case: Avenida San Juan Partnership v. City of San Clemente, et al., OCSC Case No. 30-2008-00101411-CU-EI-CJC

- C. CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Whether to initiate litigation pursuant to Government Code Section 54956.9(c): One potential case.

The Closed Session was conducted in the Ocean View Conference Room at City Hall. In attendance for the full Closed Session were all members of the City Council, City Manager Scarborough, City Attorney Goldfarb, Assistant City Manager Gudgeirsson, and City Clerk Baade.

MEETING RECONVENED

Council reconvened at 6:05 p.m., with all members present.

INVOCATION

Bishop Collins Harrell, Church of Jesus Christ of Latter-day Saints, San Clemente Stake, gave the invocation.

PLEDGE OF ALLEGIANCE

Councilmember Donchak led the Pledge of Allegiance.

1. **SPECIAL PRESENTATIONS**

- A. **Holiday Serenade - Our Lady of Fatima Elementary School Choir**

The Our Lady of Fatima Elementary School Student Choir, under the direction of Marion Smithson, performed a series of holiday songs.

6A.2

B. Certificate of Recognition - Dorothy Visser Senior Center

Mayor Baker presented a Certificate of Recognition to Cathy Lee and Beth Apodaca, representing the Dorothy Visser Senior Center, recognizing the 1st Anniversary of the Dorothy Visser Senior Center.

C. Certificate of Recognition - Rita DeForrest, Administrative Assistant

Mayor Baker presented a Certificate of Recognition to Rita DeForrest, Administrative Assistant, in recognition of 32 years of exceptional service to the people of San Clemente.

D. Presentation by Lt. Col. Rob Weiler, Commanding Officer of 2nd Battalion, 4th Marines, concerning Battalion Activities

Lt. Col. Rob Weiler, Commanding Officer of 2nd Battalion, 4th Marines, noted that the battalion returned from Afghanistan in late March 2012; provided an update on the activities and achievements of the 2nd Battalion, 4th Marines; conveyed gratitude to the City for its support of the 2nd Battalion, 4th Marines.

E. Orange County Human Relations Commission Report

Presentation by Francisco Marmolejo, of the Orange County Human Relations Commission, concerning human relations in San Clemente and Orange County as a whole.

Francisco Marmolejo, of the Orange County Human Relations Commission, reported on the Commission's activities and services and presented the City with a Certificate of Recognition in appreciation of the City's efforts to create a safe and inclusive community; presented copies of the Commission's annual report. A hard copy of the annual report is on file with the City Clerk.

F. **Project Ho Ho Update**

Beaches, Parks and Recreation Director Heider summarized efforts taken to transplant a new City Christmas tree; pointed out that the Rodriguez and Stewart families donated the workforce and equipment necessary for the project.

Mayor Baker presented Rod Rodriguez and Ed Stewart with honoraria in appreciation for their assistance in relocating the City Christmas tree.

G. **Letter of Condolences to Newtown, Connecticut**

Mayor Baker read a letter of condolences to be sent to the Mayor and School Superintendent in Newtown, Connecticut, on behalf of the City Council and the citizens of San Clemente.

2. **ORAL COMMUNICATIONS (PART ONE)**

Legal Analysis of the Beach Parking Impact Fund

Brad Malamud, San Clemente, questioned the status of Council's request for a legal analysis of the City's ability to use Beach Parking Impact funds to construct certain parking projects and implications of Metrolink parking and to direct Staff to begin an evaluation of the process to return surplus funds to property owners.

City Manager Scarborough advised that a legal analysis is being conducted on the Beach Parking Impact Fund and the results of the analysis are expected to be presented to Council in Spring 2013.

Private Trees Blocking Ocean Views

Ron Brown, San Clemente, expressed concerns that tall trees block the ocean view from his Pacific Shores home; stated that his homeowners association has refused to trim the subject trees; requested assistance from the City to help address the issue.

Alternative Traffic Routes in South Orange County

Melinda Stone, San Clemente, addressed the importance of alternate routes to the I-5; identified situations where traffic on the I-5 was stopped; urged Council to work with other agencies to develop alternate routes in south Orange County.

6A-4

3. MOTION BY COUNCILMEMBER DONCHAK, SECOND BY MAYOR PRO TEM BROWN, CARRIED 5-0, to waive reading in full of all Resolutions and Ordinances.

4. **CONSIDERATION OF AGENDIZING ITEMS REQUIRING IMMEDIATE ACTION**

None.

5. **CLOSED SESSION REPORT**

City Attorney Goldfarb stated that Council took no reportable action during this evening's Closed Session.

6. **CONSENT CALENDAR**

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to approve the Consent Calendar, with the removal of Items A, B(1), H, I, J, K, O, and U.

- B. MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to receive and file the following:

(2) Coastal Advisory Committee Regular Meeting minutes of November 8, 2012.

(3) Zoning Administrator Regular Meeting minutes of December 5, 2012.

(4) Planning Commission Adjourned Regular Meeting minutes of December 5, 2012.

C. **Warrant Register**

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to approve Wire Transfer Nos. 1070 through 1074 and Warrant Nos. 504654 through 504775, for the period 11-19-12 through 11-23-12, in the amount of \$2,569,062.75; approve Warrant Nos. 504776 through 504892, for the period 11-26-12 through 11-30-12, in the amount of \$943,442.02; for a total Warrant Register in the amount of \$3,512,504.77.

Payroll Register

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to approve Warrant Nos. 146 through 152, and Automatic Deposit Advises 4368 through 4637, for the period 11-12-12 through 11-25-12, in the amount of \$469,232.73; for a total Payroll Register in the amount of \$469,232.73.

D. **Contract Amendment - Federal Lobbyist Assistance**

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to:

1. Approve, and authorize the Mayor to execute, Contract C08-04, by and between the City of San Clemente and Marlowe & Company, providing for Federal lobbying and governmental affairs consulting services, in an amount not to exceed \$45,000.
2. Authorize the transfer of an appropriation of \$45,000 from the Council Contingency Fund to Account 001-411-45800-000-19907.

E. **Amendment No. 15 to Orange County Transportation Authority (OCTA) Cooperative Agreement C-95-988**

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to approve, and authorize the Mayor to execute, the Fifteenth Amendment to Cooperative Agreement C-95-988, by and between the City of San Clemente and Orange County Transportation Authority (OCTA). This amendment is to update verbiage related to project audits. (Contract C09-29)

6A-6

F. **Contract Award - Street Rehabilitation for Arriba Linda, Cerrito Cielo, La Ventana, Via Breve, Encino Lane, Arenoso Lane, and South Ola Vista**

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to:

1. Approve the plans and specifications for Street Improvement Projects: Arriba Linda and Cerrito Cielo (from Entrada Paraiso to end of cul-de-sacs), Project No. 13310; La Ventana (from Monte Vista to end of north cul-de-sac), Project No. 13313; Via Breve (from Camino Capistrano to La Ventana), Project No. 13314; and Major Street Maintenance for: Encino Lane (from Avenida Palizada to Avenida Palizada), Arenoso Lane (from Encino Lane to end) and South Ola Vista (at 205 Avenida Valencia), Project 23301.
2. Approve, and authorize the Mayor to execute, Contract C12-55, by and between the City of San Clemente and R.J. Noble Company, providing for Street Improvement Projects: Arriba Linda and Cerrito Cielo (from Entrada Paraiso to end of cul-de-sacs), Project No. 13310; La Ventana (from Monte Vista to end of north cul-de-sac), Project No. 13313; Via Breve (from Camino Capistrano to La Ventana), Project No. 13314; and Major Street Maintenance for: Encino Lane (from Avenida Palizada to Avenida Palizada), Arenoso Lane (from Encino Lane to end) and South Ola Vista (at 205 Avenida Valencia), Project 23301, in the amount of \$526,690.

G. **Orange County Transportation Authority (OCTA) Cooperative Agreement C-2-1847 for Camino De Los Mares Rehabilitation**

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to approve, and authorize the Mayor to execute, Cooperative Agreement C-2-1847, by and between the City of San Clemente and Orange County Transportation Authority, providing for grant funding for the rehabilitation of Camino De Los Mares. (Contract C12-56)

LA-17

L. **Communications Site Lease Agreements - New Crown Castle NG West, Inc. (South El Camino Real at West Avenida Cadiz and North El Camino Real at Boca De La Playa)**

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to:

1. Approve, and authorize the Mayor to execute, a Communications Site Lease Agreement by and between the City of San Clemente and Crown Castle NG West, Inc., providing for the installation and operation of a phazar antenna on a City street light pole located at South El Camino Real at West Avenida Cadiz. (Contract C12-43)
2. Approve, and authorize the Mayor to execute, a Communications Site Lease Agreement by and between the City of San Clemente and Crown Castle NG West, Inc., providing for the installation and operation of a phazar antenna on a City street light pole located at North El Camino Real at Boca De La Playa. (Contract C12-44)

M. **City Policy and Procedure No. 202-1 - Investment Policy**

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to adopt revised Investment Policy No. 202-1, effective December 18, 2012.

N. **City Policy and Procedure No. 202-2 - Pension Investment Policy**

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to adopt the City Pension Investment Policy No. 202-2, with a revision to renumber Section 6.3 "Review and Revisions" to Section 6.4, effective December 18, 2012.

P. **Purchase Order - High Speed Turbo Blowers for Water Reclamation Plant Aeration Blower Replacement**

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to approve, and authorize the Public Works Director/City Engineer to issue, a Purchase Order with Aerzen USA Corporation, for two turbo blower systems for the Water Reclamation Plant Aeration Blowers Replacement, Project No. 12201, in the amount of \$177,715.

6A-8

Q. **Contract Award - Computerized Maintenance Management System (CMMS) Implementation**

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to approve, and authorize the Mayor to execute, Contract C12-58, by and between the City of San Clemente and Westin, providing for the Computerized Maintenance Management System (CMMS) implementation, Project No. 21201, in the amount of \$54,000.

R. **Bid Rejection - Avenida Vaquero Waterline Replacement**

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to:

1. Reject all bids for the Avenida Vaquero Waterline Replacement, Project No. 13405.
2. Authorize Staff to advertise the plans and specifications for new bids for the Avenida Vaquero Waterline Replacement, Project No. 13405.

S. **Contract Award - Building Evaluation and Structural Assessment for City-Owned Buildings**

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to approve, and authorize the Mayor to execute, Contract C12-59, by and between the City of San Clemente and Lawson-Burke Structural Engineers, providing for building evaluation and structural assessment services for City-owned buildings, in the amount of \$76,940.

6A-9

T. Contract Award - Construction Period Services for Recycled Water System Expansion

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to:

1. Approve, and authorize the Mayor to execute, Contract C12-60, by and between the City of San Clemente and Dudek, providing for construction management and inspection services for the Recycled Water System Expansion, Project No. 18201, in the amount of \$569,920.
2. Approve, and authorize the Mayor to execute, Contract C12-61, by and between the City of San Clemente and LGC Geotechnical, Inc., providing for geotechnical engineering and materials testing services for the Recycled Water System Expansion, Project No. 18201, in the amount of \$127,010.
3. Approve, and authorize the Mayor to execute, Contract C12-62, by and between the City of San Clemente and Dudek, providing for environmental compliance monitoring services for the Recycled Water System Expansion, Project No. 18201, in the amount of \$34,310.
4. Approve, and authorize the Mayor to execute, the First Amendment to Contract C12-63, by and between the City of San Clemente and Carollo Engineers, P.C., providing for design period services for the Recycled Water System Expansion, Project No. 18201. This amendment increases the contract amount from \$1,770,864 to \$1,942,864 (an increase of \$172,000).

ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION

A. City Council Minutes

MOTION BY MAYOR BAKER, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to approve the minutes of the City Council Adjourned Regular Meeting of November 8, 2012, as amended to reflect that Westlake Reed Leskosky Design (consultant for the Miramar Theater and Bowling Alley Historic Structures Report) will review the structural analysis and Historic District Report to ensure that the reports are consistent.

6A-10

B(1). Design Review Subcommittee Meeting Minutes of November 14, 2012 and November 28, 2012

In response to Council inquiry, Assistant City Engineer Bonigut advised that Caltrans and Orange County Transportation Authority (OCTA) have approved the use of SoundSorb acoustic tiles on sound walls as part of the I-5 HOV project.

Council requested that a letter of gratitude be sent to Caltrans, OCTA and citizens from south San Clemente who assisted with the Interstate-5 sound wall projects.

MOTION BY MAYOR BAKER, SECOND BY MAYOR PRO TEM BROWN, CARRIED 5-0, to receive and file the Design Review Subcommittee Meeting minutes of November 14, 2012 and November 28, 2012.

H. Notice of Completion - Battery Backup Systems and Traffic Signal Light Emitting Diode (LED) Replacements

Council noted that the subject project came in under budget and on time and commended Staff for its management of the project. MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to:

1. Accept the Battery Backup Systems and Traffic Signal Light Emitting Diode (LED) Replacements, Project Nos. 12334 and 12335, from the contractor, Steiny and Company, Inc.
2. Authorize the Mayor to execute, and City Clerk to record, the Notice of Completion for the Battery Backup Systems and Traffic Signal Light Emitting Diode (LED) Replacements, Project Nos. 12334 and 12335. (Contract C12-08)
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 Steiny and Company, 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.

I. Notice of Completion - Max Berg Plaza Park, Las Palmas Elementary Safe Routes to Schools Sidewalk Improvements

Following clarification, MOTION BY MAYOR BAKER, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to:

1. Accept the Max Berg Plaza Park, Las Palmas Elementary Safe Routes to Schools Sidewalk Improvements, Project No. 11301, from the contractor, ATOM Engineering Construction, Inc.
2. Authorize the Mayor to execute, and City Clerk to record, the Notice of Completion for the Max Berg Plaza Park, Las Palmas Elementary Safe Routes to Schools Sidewalk Improvements, Project No. 11301. (Contract C11-59)
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 ATOM Engineering Construction, 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.
5. Approve a supplemental appropriation of \$19,400 to Account 012-861-45300-000-11301, Improvements Other than Buildings, in the Gas Tax Fund for Max Berg Plaza Park, Las Palmas Elementary Safe Routes to Schools Sidewalk Improvements, Project No. 11301.

6A-12

J. **Contract Award - Signal Synchronization of Avenida Vista Hermosa and Camino De Los Mares Corridors**

Brenda Miller, San Clemente, conveyed support for signal synchronization projects; explained that improved roadway efficiencies will allow additional roadway space to be allocated for non-motorized transportation.

Following discussion, MOTION BY COUNCILMEMBER DONCHAK, SECOND BY MAYOR PRO TEM BROWN, CARRIED 5-0, to:

1. Approve, and authorize the Mayor to execute, Contract C12-57, by and between the City of San Clemente and Advantec Consulting Engineers, providing for traffic engineering services for the Signal Synchronization of the Avenida Vista Hermosa corridor and the Camino De Los Mares corridor, in an amount not to exceed \$194,998.
2. Authorize a supplemental appropriation in the amount of \$382,400 from the Gas Tax Fund balance to Account 012-861-45300-000-13318 for the Avenida Vista Hermosa Traffic Signal Synchronization Project.
3. Accept grant revenue of \$305,856 into Gas Tax Fund Account 012-000-33745-000-13318 for the Avenida Vista Hermosa Traffic Signal Synchronization Project.
4. Authorize a supplemental appropriation in the amount of \$310,300 from the Gas Tax Fund balance to Account 012-861-45300-000-13319 for the Camino De Los Mares Traffic Signal Synchronization Project.
5. Accept grant revenue of \$248,208 into the Gas Tax Fund Account 012-000-33745-000-13319 for the Camino De Los Mares Traffic Signal Synchronization Project.

K. **Grant Submittal for Orange County Transportation Authority (OCTA) Measure M2 Regional Traffic Signal Synchronization Program (Project P)**

In response to Council inquiries, Transportation Engineering Manager Frank summarized the benefits of pursuing grant funds for signal synchronization on the Avenida La Pata, Avenida Talega, and Camino Vera Cruz corridors.

Brenda Miller, San Clemente, conveyed support for the submittal of the grant applications for signal synchronization; spoke on the traffic congestion near Vista Del Mar School, opining that signal synchronization would allow for future bicycle lane improvements.

During the course of discussion, Council noted that the Master Plan of Arterial Highways (MPAH) should be updated to reflect the Camino Vera Cruz connection between Avenida Pico and Avenida Vista Hermosa.

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY MAYOR PRO TEM BROWN, CARRIED 5-0, to:

1. Authorize the submittal of Measure M2 (Project P) grant applications to the Orange County Transportation Authority for signal synchronization on the Avenida La Pata, Avenida Talega, and Camino Vera Cruz corridors.
2. Adopt Resolution No. 12-65 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING THE SUBMITTAL OF "PROJECT P" IMPROVEMENT PROJECTS TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR FUNDING UNDER THE COMPETITIVE MEASURE M2 REGIONAL TRANSPORTATION SIGNAL SYNCHRONIZATION PROGRAM.

O. **Contract Amendment - Traffic Modeling Associated with the New General Plan**

Following clarification, MOTION BY MAYOR BAKER, SECOND BY COUNCILMEMBER HAMM, CARRIED 5-0, to approve, and authorize the Mayor to execute, the First Amendment to Contract C12-09, by and between the City of San Clemente and Stantec Consulting Services, Inc., providing for traffic modeling services associated with the new General Plan. This contract amendment increases the contract amount from an amount not to exceed \$52,000 to an amount not to exceed \$65,000 (an increase of \$13,000).

U. **North Beach Façade and Rehabilitation Grant Program**

In response to Council inquiry, Associate Planner Gregg summarized the North Beach Façade and Rehabilitation Grant Program.

MOTION BY MAYOR BAKER, SECOND BY COUNCILMEMBER EVERT, CARRIED 5-0, to approve the waiver of all building plan check fees associated with the North Beach Façade and Rehabilitation Grant Program.

7. **PUBLIC HEARINGS**

A. **Appeal of Denied Sidewalk Waiver Request - 4015 Calle Mayo**

Public Hearing to consider an appeal by the Property Owner to consider Staff's September 18, 2012 denial of a request to waive sidewalk installation along Calle Mayo as required per Municipal Code 12.08. The project site is within the Single Family Residential Low zoning district (RL1) located at 4015 Calle Mayo. The legal description is Lot 67 of Tract 4469, Assessor's Parcel Number 675-23-606.

Assistant City Engineer Bonigut narrated a PowerPoint presentation entitled "Appeal of Denied Sidewalk Waiver Request" and responded to Council inquiries. A hard copy of Mr. Bonigut's presentation, dated December 18, 2012, is on file with the City Clerk.

Mayor Baker opened the Public Hearing.

Richard Jensen and Sharon Jensen, Applicants, conveyed their rationale in requesting a waiver of the requirement to install sidewalks, pointing out that adjacent properties lack sidewalks; advised that sidewalk installation may necessitate the removal of mature landscaping; opined that existing sidewalk obstructions along Calle Mayo would prevent a sidewalk from becoming compliant with the Americans with Disabilities Act (ADA); suggested that the waiver be approved until it has been established that sidewalks are feasible in the neighborhood.

Lance Calvin, San Clemente, stated that Calle Mayo has very light traffic; asserted that the current sidewalk policy is a disincentive for residents to remodel their homes.

There being no others desiring to speak to this issue, the Public Hearing was closed.

Following discussion, MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER HAMM, CARRIED 4-1 (COUNCILMEMBER EVERT VOTING NOE), to concur with Staff's denial of the sidewalk waiver request and find that based upon the evidence presented, the location of the property, the terrain or condition of the property or other similar reasons do not make the construction of the curb, gutter and sidewalk impractical and/or unnecessary for the primary frontage at 4015 Calle Mayo, except at the existing driveway approach which shall not require a new sidewalk.

MEETING RECESSED AND RECONVENED

Council recessed at 7:53 p.m. and reconvened at 8:00 p.m. with all members present.

B. Fiscal Year 2012 Annual Report Concerning the Mitigation Fee Act

Public Hearing to consider the City of San Clemente's Fiscal Year 2012 Annual Report which details the status of development fees.

Business Services Manager Rendina reviewed the contents of the Administrative Report and responded to Council inquiries.

Mayor Baker opened the Public Hearing.

Brad Malamud, San Clemente, asserted that administrative overhead and research costs charged to the Beach Parking Impact Fund are not permissible expenses; voiced concern that the City has failed to determine whether sufficient Beach Parking Impact funds have been collected; urged Council to reject the subject report as submitted.

There being no others desiring to speak to this issue, the Public Hearing was closed.

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to receive and file the Fiscal Year 2012 Annual Report concerning the Mitigation Fee Act.

LA 16

8. **UNFINISHED BUSINESS**

None.

9. **NEW BUSINESS**

A. **Pavement Management Assessment and a Potential Street Assessment District**

Report from the Public Works Director/City Engineer relative to the pavement management assessment and a potential street assessment district.

Assistant City Engineer Bonigut reviewed the contents of the Administrative Report; advised that assessment districts in other jurisdictions have not been successful or have faced legal challenges; responded to Council inquiries.

Discussion ensued relative to the following: 1) whether or not the City should postpone pursuing an assessment district at this time; and 2) whether the City should set up a maintenance reserve if an assessment district is not pursued.

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER EVERT, CARRIED 4-1 (COUNCILMEMBER DONCHAK VOTING NOE), to revisit the issue of a potential street assessment district during future budget cycles to determine if any new developments on paths to success have occurred.

B. **Recreation Sports Partnership Applications**

Report from the Beaches, Parks and Recreation Director concerning Recreation Sports Partnership applications.

Recreation Manager Passow reviewed the contents of the Administrative Report and responded to Council inquiries.

Kent Yomogida, representing American Youth Soccer Organization (AYSO), urged Council to support granting Senior Partnership status to AYSO.

Andrew Kjellberg, representing Elite Soccer, narrated a slide which depicted a matrix of sports partnership applications, noting that he believes it includes inaccuracies; explained his rationale for believing that Elite Soccer should be granted partnership status. In response to Council inquiries, Mr. Kjellberg explained the benefits of partnership status and pointed out San Clemente players are not denied membership based on skill level.

Keith Kennedy, representing San Clemente Aquatics, summarized the organization of San Clemente Aquatics, pointing out that membership has grown to 475 members; spoke in support of developing a comprehensive agreement between the City and San Clemente Aquatics.

Jack Cannon, representing San Clemente Girls Softball, spoke on the life-long benefits of participating on a girls softball team; urged Council to grant Senior Partnership status for San Clemente Girls Softball.

Sam Masotto, representing San Clemente Little League, stated that San Clemente Little League has partnered with the City since 1954; noted that the organization is 100% volunteer and scholarships are available for military families, at-need children and children with disabilities; noted that the organization maintains the fields in excellent condition.

Lance Scott, representing South Coast Youth Football, advised that South Coast Youth Football is the only tackle football organization in the area; explained the rationale for competing outside of San Clemente; urged Council to grant Senior Partnership status.

Dagmar Foy, member of the Beaches, Parks and Recreation (BPR) Commission, summarized the BPR Commission's review of the Recreation Sports Partnership applications; voiced concerns relative to the Recreational Sports Partnership policy as a whole.

Todd Rowe, San Clemente, suggested that in-city programs should receive priority.

Discussion ensued relative to the following: 1) whether to reduce the term of the partnership statuses; and 2) whether a committee should be formed to review the Recreational Sports Partnership policy.

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY MAYOR PRO TEM BROWN, CARRIED 5-0, to direct Staff to work with San Clemente Aquatics to draft a comprehensive agreement by and between the City of San Clemente and San Clemente Aquatics and present it to the Beaches, Parks and Recreation Commission for review, with the understanding that it will be higher than Junior Partnership status.

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 5-0, to grant Senior Partnership status to American Youth Soccer Organization (AYSO) for a period of one year.

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY MAYOR PRO TEM BROWN, CARRIED 5-0, to grant Senior Partnership status to San Clemente Little League for a period of one year.

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY MAYOR PRO TEM BROWN, CARRIED 5-0, to grant Senior Partnership status to San Clemente Girls Softball for a period of one year.

MOTION BY COUNCILMEMBER EVERT, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to grant Senior Partnership status to South Coast Youth Football for a period of one year.

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to table Elite Soccer's partnership status until a subcommittee of Council, Beaches, Parks and Recreation Commission and Staff have reviewed the issue and made a recommendation relative to the proper Recreational Sports Partnership policy for 2013 forward.

Mayor Pro Tem Brown and Councilmember Hamm will serve as Council's representatives on the subcommittee charged with revisiting the sports partnership issue.

10. **ORAL COMMUNICATIONS (PART TWO)**

None.

11. **REPORTS**

A. **Commissions and Committees**

None.

B. **City Manager**

None.

C. **City Attorney**

None.

D. **Council Members**

(1) **Council Appointed Representatives to Various Committees, Commissions and Boards**

City Clerk Baade reviewed the contents of the Administrative Report.

Council updated its appointees to various committees, commissions, and boards, as follows:

Committee/Commission	Representative(s)
Bicycle Committee	Baker
Capistrano Unified School District Liaison Committee	Donchak/Baker
Chamber of Commerce Representative	Evert (Any Councilmember may serve as Alternate)
Coastal Animal Services Authority (CASA)	Donchak/Hamm (Alt.)
Coastal Coalition (California)/Offshore Oil	Mayor and Mayor Pro Tem
Conservancy (Elected/Appointed Representative to Friends of the Reserve Commission)	Brown
Economic Development	Brown/Evert

GA-20

Emergency Operational Area Council (Orange County)	Mayor and Mayor Pro Tem
Fire Authority (Orange County) - (see action on Page 22 of these minutes.)	
Insurance Authority (California Joint Powers Insurance Authority)	Donchak/Brown (Alt.)
GMA 11 (Measure M \$ Allocation)	Donchak/Brown (Alt.)
Investment Advisory Committee	Baker
League of Cities and ACC-OC - O.C. Monthly - City Selection	All Council Mayor
Legislative Delegate Program - Representative to Senate District 38	Mayor and Mayor Pro Tem
Legislative Delegate Program - Representative to 73 rd Assembly District	Mayor and Mayor Pro Tem
Library Task Force (Orange County)	Donchak/Evert (Alt.)
Mayors (South Orange County Association of Mayors)	Mayor
U.S. Marine Corps Liaison	Brown
MWDOC Interaction of Elected Officials	Evert
Nine South County Water Agencies	Hamm
Pier Bowl Association	Evert
Project Participation Committee (Dana Point Ocean Water Desalination Plant Project)	Evert/Baker (Alt.)
Safety/Quiet Zone	Brown/Donchak
Sand Replenishment Project	Hamm
SCAG General Assembly	Brown
Social Service/Community Service Budget Committee	Donchak
South Orange County Watershed Management Area Executive Committee	Baker/Evert (Alt.)
Sustainability Issues	Donchak/Hamm (Alt.)
Transportation Corridor JPA Board (San Joaquin Hills)	Evert/Baker (Alt.)
Transportation Corridor JPA Board (Foothill)	Baker/Evert (Alt.)
Wall of Recognition	Evert
Vector Control - (see action on Page 22 of these minutes.)	

Orange County Fire Authority

MOTION BY COUNCILMEMBER HAMM, SECOND BY MAYOR PRO TEM BROWN, CARRIED 5-0, to appoint Mayor Baker as the City's representative to the Orange County Fire Authority.

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER HAMM, CARRIED 5-0, to adopt Resolution No. 12-66 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, DESIGNATING AND APPOINTING ITS REPRESENTATIVE AND ALTERNATE TO THE ORANGE COUNTY FIRE AUTHORITY'S BOARD OF DIRECTORS, with the notation that Mayor Baker will serve as the City's representative, and Councilmember Evert will serve as the City's alternative representative, to the Orange County Fire Authority.

Orange County Vector Control District

City Attorney Goldfarb advised that Council previously appointed Jim Dahl to the Orange County Vector Control District in his capacity as a member of Council; related that the position became vacant when Mr. Dahl's term on Council ended; explained that citizen appointments must comply with procedures established by the Maddy Act.

Council directed the City Clerk to advertise the vacancy on the Orange County Vector Control District.

(2) Pet of the Week - Toby

Councilmember Donchak displayed a slide depicting the Coastal Animal Services Authority (CASA) pet of the week; encouraged citizens to adopt Toby from the animal shelter.

(3) Encouragement to be Kind

Mayor Pro Tem Brown reflected on the tragedy that occurred in Newtown, Connecticut, and urged residents to promote kindness and love with each other and their families.

GA-22

(4) Capistrano Unified School District (CUSD)

Mayor Baker commended the Capistrano Unified School District for its communication with parents in light of the tragedy in Newtown, Connecticut.

(5) Cabrillo Playhouse – Christmas Tuna

Mayor Evert announced that “Christmas Tuna” is currently being performed at the Cabrillo Playhouse.

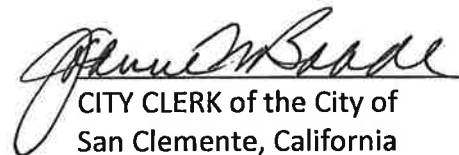
12. RESOLUTIONS/ORDINANCES

None.

13. ADJOURNMENT

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 5-0, to adjourn at 10:38 p.m., in memory of Bertha Henry Taylor, to an Adjourned Regular Council Meeting to be held on Tuesday, January 8, 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.

NOTE: Council previously rescheduled its Regular Meeting of January 1, 2013 to January 8, 2013.


CITY CLERK of the City of
San Clemente, California

MAYOR of the City of
San Clemente, California

6A-23

02/05/13
GB(1)

**CITY OF SAN CLEMENTE
MINUTES OF THE
DESIGN REVIEW SUBCOMMITTEE MEETING
JANUARY 9, 2013**

Subcommittee Members Present: Julia Darden and Bart Crandell

Staff Present: Jim Pechous, Cliff Jones and Amber Gregg

I. MINUTES

Minutes from the December 12, 2012 meeting

II. ARCHITECTURAL REVIEW OF THE FOLLOWING ITEMS

A. Minor Cultural Heritage Permit 12-322, Miller Mixed-Use Remodel (Gregg)

DRSC's second review for a request to consider a façade remodel of a five-unit apartment complex located at 122 Avenida Victoria. The applicant is also proposing to enclose a 116 square foot breezeway of the 5,068 square foot structure. The project is located within the Mixed Use zoning district and the Central Business District and Architectural Overlays (MU3-CA-A). The legal description is Lots 27 and 28 of Block 7, of Tract 779, and Assessor's Parcel Number 058-083-39.

The applicant stated that they felt frustrated with the discretionary process and were confused about what Spanish Colonial Revival style vernacular the City was looking for. Commissioner Darden stated that she was sorry that they were feeling frustrated but that the revised design they submitted was very good and that the goal was to move them forward in the process. Ms. Darden also requested they provide their experience in writing so staff could review any shortcomings and modify them for future applicants.

Associate Planner, Amber Gregg, provided a brief summary of the previous DRSC review and went over how the applicant addressed the Committee's seven concerns.

1. The applicant removed the surrounds from the windows and proposed to inset the windows 1 7/8 inches with a bull nose finish to give a traditional look. The applicant requested that the side windows that are not visible not be required to have the 1 7/8 inch inset because the framing does not permit it. DRSC stated they supported the request.

GB(1)-1

2. The applicant modified the parapets so the roof can not be seen when viewing the building, and modified the parapets so they do not look like plant on features.
3. The window openings were oriented to vertical windows where feasible but the applicant maintained the lintels above the windows. The Subcommittee members stated that the lintels could be added or deleted; it was the applicant's choice, but that they added a lot of character to the front lower windows.
4. The applicant modified the exterior finish from a cats paw to a smooth stucco.
5. The applicant modified the light fixtures from craftsman to a traditional Spanish fixture.
6. The window material was not identified on the plans. The applicant noted the intent was to have wood on the front but they would like to utilize fiberglass on the remainder of the building. The Subcommittee members reviewed the window policy for the Architectural Overlay District and stated that the fiberglass windows would be great as long as all the windows had the same color finish. They also informed the applicant that the Planning Commission will be reviewing the window policy at an upcoming meeting and that if the policy changes to allow fiberglass windows on the ground floor of buildings windows visible from the public right-of-way, they would concur that their recommendation for wood windows be automatically changed to utilize fiberglass on the front elevation. Staff stated that they would make the applicant aware if the Planning Commission revises their interpretation of the window policy. Further the DRSC is a recommending body to the Zoning Administrator who will make the final decision on the window material.
7. The applicant and the DRSC reviewed the symmetry of the front elevation and the property owner agreed that the true arch was a much better look on the building than the segmented arch.

With the submittal of the revised plans, staff had a concern about the lack of symmetry on the bulking and the effects it had on the aesthetics. The applicant stated that she had brought revised drawings with her that added an additional window to help address the concerns. Although the revision looked better on the outside it did not work on the inside of the unit because of the odd placement in the floor plan making furniture arrangement inside very difficult. Commissioner Crandell reviewed the floor plan and concurred that the placement was not ideal with the floor plan. The DRSC and the applicant reviewed the plans and came up with a resolution that worked with the applicant that modified the roof line back to the original design but kept the window design of the resubmitted plans. The applicant was happy with the resolution.

Staff reviewed all the modifications and summarized the discussion. Staff also noted that the project did not need to return to DRSC and that after the meeting Ms. Gregg

6B (1) - 2

would review the public hearing schedule to assure the project is scheduled for the next available public hearing.

III. COMMUNICATIONS

None

IV. ADJOURNMENT

Adjourn to the Design Review Subcommittee meeting of January 23, 2013 at 10:00 a.m. in Conference Room A, Community Development Department, 910 Calle Negocio, Suite 100, San Clemente, CA 92673.

Respectfully submitted,

Julia Darden, Vice Chair

Attest:

Cliff Jones

DRAFT

4B(1)-3

02/05/13
GB(2)

**CITY OF SAN CLEMENTE
MINUTES OF THE REGULAR
ZONING ADMINISTRATOR MEETING
January 23, 2013**

Staff Present: James Holloway, Cliff Jones, Adam Atamian, and Kimberly Maune

2. MINUTES

Minutes of the Zoning Administrator meetings of December 19, 2012 and January 9, 2013 received and filed.

3. ORAL AND WRITTEN COMMUNICATION

None

4. PUBLIC HEARINGS

A. 424 Calle Vista Torito – Minor Architectural Permit 12-408 – Vasilauskas Residence Addition (Atamian)

A request to consider a 468 square foot addition to the rear portion of a non-conforming structure located at 424 Calle Vista Torito in the Residential-Low zoning district (RL-11). The legal description is Lot 99, of Tract 4938, Assessor's Parcel Number 691-252-18.

Assistant Planner Adam Atamian summarized the staff report.

General contractor Kirk Bassett was present representing the owner. He stated that he provided the project plans and Mr. Atamian walked him through the process.

There were no members of the public present to address this item.

Mr. Holloway asked Mr. Atamian to explain the difference between a Minor Architectural Permit (MAP) and a Minor Exception Permit (MEP) regarding this request. Mr. Atamian stated a MEP would allow an encroachment into a setback that would make the entire structure conforming. For this project, there is no exception that will allow the garage to encroach into the 18 foot setback, the applicant's only option is to get the MAP which allows certain additions to nonconforming structures.

Mr. Holloway stated this is a straight forward request. The purpose of the MAP is to accommodate additions, such as this one, to structures that were

GB(2)-1

conforming when they were built 40 years ago, and then the codes changed, rendering them nonconforming. When the codes were changed this process was put into place to deal with this type of situation, which is common. This is a detached, single family, single story home. The addition is in the rear, there will not be any massing or scale issues, the neighborhood will not be impacted. The addition is conforming to the current setbacks. There have not been any comments from any of the neighbors.

Mr. Holloway informed Mr. Bassett of the ten day appeal period and thanked him for working with staff.

Action: The Zoning Administrator approved Minor Architectural Permit 12-408, Vasilauskas Residence Addition, subject to Resolution ZA 13-002 with attached Conditions of Approval.

ACTION SUBJECT TO APPEAL TO OR CALL-UP BY CITY COUNCIL.

B. 306 Avenida San Pablo – Minor Architectural Permit 12-414 – Hanes Entryway Remodel (Jones)

A request to consider a 409 square foot addition to the front portion of a non-conforming structure located at 306 Avenida San Pablo in the Residential-Low zoning district (RL-1). The legal description is Lot 24, of Tract 5586, Assessor's Parcel Number 060-243-04.

Associate Planner Cliff Jones summarized the staff report. Mr. Jones stated the Minor Architectural Permit (MAP) is required because this is an addition to a nonconforming structure. The MAP can be processed as long as the addition to the nonconforming structure does not exceed 50 percent; this request is for a 24 percent increase in size.

Applicant Larry Hanes was present; he had no comments.

Neighbor Tom Benton was present. Mr. Benton stated he believes this will be a great improvement to this property, from the standpoint of both curb appeal and usage of the property.

Mr. Holloway stated this is a detached, single story, single family residence. The exhibits, photographs, and maps provided by staff show a number of residences on Avenida San Pablo that have a similar garage setback. They are all similar in design; they are all single story, single family residences. All the photographic evidence indicates this request is consistent with the surrounding neighborhood. This request is only for a 24 percent expansion.

LB(2)-2

Mr. Holloway informed the applicant of the ten day appeal period and thanked him for working with staff. Mr. Holloway thanked Mr. Benton for attending the meeting in support of his neighbor.

Action: The Zoning Administrator approved Minor Architectural Permit 12-414, Hanes Entryway Remodel, subject to Resolution ZA 13-003 with attached Conditions of Approval.

ACTION SUBJECT TO APPEAL TO OR CALL-UP BY CITY COUNCIL.

5. NEW BUSINESS

None

6. OLD BUSINESS

None

ADJOURNMENT

The meeting adjourned at 3:20 p.m. to the regular Zoning Administrator meeting to be held on February 6, 2013 at 3:00 p.m., at the Community Development Department, Conference Room A, located at 910 Calle Negocio, Suite 100, San Clemente, California.

Respectfully submitted,

SAN CLEMENTE ZONING ADMINISTRATOR


James Holloway

02/05/2013
6B(3)

**MINUTES OF THE ADJOURNED REGULAR MEETING
OF THE CITY OF SAN CLEMENTE
PLANNING COMMISSION
January 23, 2013 @ 6:00 p.m.
City Council Chambers
100 Avenida Presidio
San Clemente, CA 92672**

1. CALL TO ORDER

Chair Avera called the Regular Meeting of the Planning Commission of the City of San Clemente to order at 6:05 p.m.

2. PLEDGE OF ALLEGIANCE

Chair pro tem Brown led the Pledge of Allegiance.

3. ROLL CALL

Commissioners Present: Nesa Anderson, Barton Crandell, Michael Kaupp and Jim Ruehlin;
Chair pro Tem Donald Brown, Vice Chair Julia Darden, Chairman
Lew Avera

Commissioners Absent: None

Staff Present: Jim Pechous, City Planner
Jeff Hook, Principal Planner
Amber Gregg, Associate Planner
John Ciampa, Associate Planner
Bill Cameron, City Engineer
Thomas Frank, Transportation Engineering Manager
Zachary Ponsen, Senior Civil Engineer
Ajit Thind, Assistant City Attorney
Eileen White, Recording Secretary

4. SPECIAL ORDERS OF BUSINESS - None

5. MINUTES

A. Minutes from the Planning Commission meeting of December 19, 2012

IT WAS MOVED BY CHAIR PRO TEM BROWN, SECONDED BY COMMISSIONER CRANDELL, AND CARRIED 6-0-1, WITH VICE CHAIR DARDEN ABSTAINING, to

6B(3)-1

receive and file the minutes of the Adjourned Regular Planning Commission meeting of December 19, 2012, as presented by staff.

B. Minutes from the Planning Commission meeting of January 9, 2013

IT WAS MOVED BY COMMISSIONER KAUPP, SECONDED BY COMMISSIONER RUEHLIN, AND UNANIMOUSLY CARRIED to receive and file the minutes of the Adjourned Regular Planning Commission meeting of January 9, 2013, as presented by staff.

6. ORAL COMMUNICATIONS - None

7. WRITTEN COMMUNICATIONS - None

8. CONSENT CALENDAR

9. PUBLIC HEARING

A. 240 Avenida La Cuesta – Cultural Heritage Permit 12-027/Minor Exception Permit 12-086 – Skillman Residence (Ciampa)

A request to consider the construction of a house that is adjacent to two historic houses. The project also proposes walls that exceed 42 inches within the required setbacks and a pool within the front yard setback. The project site is located at 240 Avenida La Cuesta within the Residential Low (RL-2) zoning district, legal description being Lot 179 of Tract 898, Assessor's Parcel Number 057-072-34.

John Ciampa narrated a PowerPoint Presentation entitled, "Skillman Residence, CHP 12-027, MEP 12-086, dated January 23, 2013," featuring site plans, elevations, and photos of adjacent properties, historic homes, and views from and to the subject site. Staff recommended approval of the request as conditioned.

In response to questions, Mr. Ciampa confirmed that "open line of sight to the historic home" refers to the immediate street the property is located on, noting that if adjacent streets were considered, it would make many lots unbuildable; advised the Zoning Ordinance defines the front of the lot and demonstrated on the site plans how the front of this lot was determined; noted the protection of the view of the homes is defined from the public right of way.

James Chinn, architect representing the applicant, thanked Jim Pechous and John Ciampa for their help, especially Mr. Ciampa for his detailed presentation this evening; noted the proposed project is smaller in scale and more articulated

6B(3)-2

than the project approved in 1999; advised the Skillman family, long time City residents, envision this as their dream home for entertaining extended family. He noted the home is designed to minimize impacts on adjacent historic homes, which are 20-35 percent larger in mass. He advised the pool is located at the highest point of the lot for topographical reasons and to maintain garage access at street level.

Chair Avera opened the public hearing.

Dena Van Slyke, resident and adjacent historic home owner, referred to her letter dated October 27, 2012, stating opposition to the proposed project. She noted her historic home located at 243 Avenida La Questa, which was designed by a well-known architect and the only home in San Clemente on the National Register of Historic Places, is a City landmark and very special home. She questioned the applicant's ability to establish the front of the home on Avenida La Questa; felt the proposed project's lot coverage was not compatible with adjacent homes; stated no variances should be approved due to the historical significance of her home. The new structure should be setback at least 20 feet from Avenida La Questa and lower in height in order to be more complementary with the existing character of the neighborhood.

Larry Culbertson, Historical Society Member, speaking as an individual citizen, supported the comments made by Dena Van Slyke; questioned why up to 50 percent lot coverage was allowed on this lot when the average of existing adjacent properties' lot coverage was not more than 25 percent.

Chair Avera closed the public hearing.

Jim Pechous described how the lot was measured as required in the Zoning Ordinance in order to establish the front elevation of the lot and determine the vertical setbacks.

Mr. Ciampa advised that the project's proposed 34 percent lot coverage met Zoning Ordinance requirements which allow up to 50 percent lot coverage, pointed out on the aerial view of the area that adjacent, difficult-to-build-on lots look like they have been built from property line to property line; agreed that any structure built on the existing vacant lot between the two historic homes would have to be carefully designed; estimated the structure would be place on grade approximately 340 to 360 feet above sea level.

Commissioners unanimously thanked Ms. Van Slyke for her informative, well presented and heartfelt comments.

Commissioner Crandell pointed out that 50 percent is the existing allowable lot coverage on low density residential lots and that every home in this area with this zoning designation has the ability to extend to that coverage, if they so desire. He understands Ms. Van Slyke's concerns, but noted the applicant and architect worked hard to ensure the design met the existing requirements. In addition, he noted that the home could have been expanded to within 20 feet of the corner if the pool had not been located there, which would have blocked more views. The pool is located in the most suitable spot on the lot, and the proposed open fencing will soften the wall's impacts.

Vice Chair Darden said she was sensitive to Ms. Van Slyke's situation, as she owns a historic home that has been impacted by adjacent development. Ms. Van Slyke has enjoyed a pristine view over the vacant lot for an extended period of time and is facing encroachment of the view due to this project. She has reviewed the proposed home carefully and believes Ms. Van Slyke's home will not be adversely affected by the project. She added that the applicant could have built to maximum standards, which would have impacted Ms. Van Slyke's views and the neighborhood much more than the proposed project will.

Chair pro tem Brown pointed out that the proposed project includes extensive and expensive landscaping around it to soften its impacts; advised the wall height of the pool wall may have been driven by safety requirements.

Commissioner Anderson pointed out that the minor exception permits only came to the Planning Commission for approval because of the Cultural Heritage Permit. Normally, they would have been considered by the Zoning Administrator. She believes the findings have been met for the minor exception permits, which help use the property in a thoughtful way and will not adversely affect the neighborhood.

Commissioner Kaupp agreed with many of the comments stated, noting the extensive and attractive landscaping will offer privacy to the existing home and its neighbors and soften the corner "fortress" feel. He believes the proposed project is sited as well as it could be on the lot, is much smaller than the previously approved project and will nicely complement adjacent homes once landscaping has matured.

Chair Avera agreed the proposed project is sensitive to the historic homes and will not resemble the "feel" of adjacent homes along Patero De Oro, which give a much higher density impression.

Commissioner Ruehlin felt that the high fencing around the pool is out of character with other homes in the neighborhood, as many of the other homes' fences appear to be only decorative. The proposed reduced pool setback and

increased wall height might take away from adjacent homes, which radiate much openness now. The prominent corner will be walled off and obstruct views. Consequently, although he believes there are many positives with the proposed project, he cannot support the minor exception permits and therefore cannot support the project.

IT WAS MOVED BY VICE CHAIR DARDEN, SECONDED BY CHAIR PRO TEM BROWN, AND CARRIED 6-1-0, WITH COMMISSIONER RUEHLIN OPPOSED, TO ADOPT RESOLUTION NO. PC 13-005, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CULTURAL HERITAGE PERMIT 12-027 AND MINOR EXCEPTION PERMIT 12-086, SKILLMAN RESIDENCE, A REQUEST TO CONSTRUCT A HOUSE THAT IS ADJACENT TO TWO HISTORIC HOUSES WITH WALLS AND A POOL THAT ARE WITHIN THE REQUIRED SETBACKS AT 240 AVENIDA LA CUESTA.

[DECISION FINAL. SUBJECT TO APPEAL OR CALL UP BY COUNCIL]

B. 4159 ½ Costero Risco – Amendment to Conditional Use Permit 12-052 – Verizon at Costero Risco Water Tank (Wright)

A request to consider amending conditions of approval for an approved wireless communication facility near a City water tank within the Forster Ranch Specific Plan at 4159 ½ Costero Risco. The wireless facility includes: 1) nine cellular panel antennas on a 20-foot high "faux" eucalyptus tree and 2) equipment in a walled enclosure. The legal description of the property is Lot A of Tract 15718, Assessor's Parcel Number 679-242-05.

Christopher Wright summarized the staff report. The applicant is requesting removal of use permit condition of approval number 26 instructing staff to investigate the current state of technology every three years and determine if changes to the facilities (e.g. visual screening, stealthing, reduced height, size or number of antennas) would be warranted. Staff recommended approval of the applicant's request.

Peter Blied, representing Verizon, stated that Verizon Management is concerned about the ramifications of including Condition number 26 in the resolution. Mr. Blied stated Verizon requests the condition be removed and the issue be addressed in the City lease. He noted a standard lease is for a 10-year period, with 5-year increments that extend up to 25 years. Verizon is finalizing zoning approvals before fully engaging in lease negotiations with the City. He felt the condition was vague so it could potentially put their land use approval at risk. Although the condition was intended to address the stealth screening of the technological equipment, the way it was written could be interpreted to mean replacement of equipment as technology improves. Technology replacement

requirement is under FCC rules, not City guidelines. He noted condition no. 9 addresses the maintenance and replacement of damaged equipment, which will ensure adequate branch counts and response to tree color changes. He is constantly improving sites, and works on sites from 2 to 20 years old. In addition, as far as technological advances, it is always in Verizon's best interests to upgrade sites as soon as technology improves to better serve their customers. He is concerned that future City planners, Planning Commissions, etc., might not understand the intent of the condition and the condition could have unintended consequences for Verizon. In addition, he noted the Forster Ranch Homeowners Association has indicated enthusiastic support for the proposed antennas.

Chair Avera opened the public hearing, and there being no public testimony, closed the public hearing.

Ajit Thind assured the Commission that the intent of the condition could be addressed in City lease documents and was confident legal personnel dedicated to negotiating the City's leases could be relied on to include this issue in the lease. He noted Council is also tasked with reviewing the City's leases and they may have similar issues, which would be addressed during their review.

Commissioner Ruehlin said he had listened to the meeting tape and read the minutes of the meeting when the CUP was approved. He does not believe the Commission agreed to delete Condition number 26, and expressed concern that removing the condition would absolve Verizon from installing new stealth equipment, such as smaller antennas or less obvious antennas, when that technology becomes available. 10 years is a long time in technology, as illustrated by comparing the advanced technology available today to technology available 10 years ago. In addition, leaving it as part of City lease negotiations may mean that it could become a condition that is removed during negotiations. He suggested increasing the amount of time from 3 to 5 years. In addition, when considering potential improvements for the site, staff could be directed to consider the remoteness of the location when considering whether stealth improvements are warranted. Another option could be keeping the condition in the CUP and bringing back a proposal to eliminate it when lease has been finalized so the Commission can review its language to ensure the lease reflects the CUP intent.

Mr. Wright agreed that the intent of Condition number 26 could be addressed in the lease document and suggested the Commission direct staff on the period of time a review should occur so it can be included in the lease; noted Condition number 9 requires the applicant to maintain the antennas and stealth equipment, including color changes and/or tree damage. Mr. Wright indicated Verizon mentioned a concern of not having due process to refute or discuss antenna changes in the future (based on the current wording of the condition)

should the city review and determine upgrades were warranted. If the City determines change is merited, the Verizon said they want the opportunity for a public hearing to address the proposed changes.

Mr. Pechous advised that staff would only request change if it was a major advance in stealth screening that would significantly reduce aesthetic impacts to the neighborhood.

During discussion, Commissioners established from staff that if the applicant decides to replace equipment in the future, the improvements would come back before the Planning Commission for approval; noted that due to great distance of the site from nearby homes and the trail, the project's stealthing is not as crucial as it would be if located along a more populated area, such as El Camino Real; agreed that Condition number 26 could be interpreted to require replacement of technology for superior equipment, not just to make antennas more stealth as intended; noted the importance of providing improved service, including ability to call 911, for nearby residents; agreed to approve the request to allow removal of the condition from the CUP and instruct staff to ensure the pertinent issue is addressed in the City lease for the site.

IT WAS MOVED BY COMMISSIONER CRANDELL SECONDED BY CHAIR PRO TEM BROWN, AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. PC 13-003, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING AN AMENDMENT TO CONDITIONAL USE PERMIT (AM CUP) 12-052, ALLOWING THE CONSTRUCTION OF A CELLULAR COMMUNICATIONS FACILITY AT 4159 ½ COSTERO RISCO, with the following direction:

The lease should give staff the authority to review the antenna screening materials, not cellular technology, and assess the availability of new stealth methods/materials, at a minimum of every five years, but not more than 10 years if the City Attorney determines a longer time period must be used. Staff's should only require changes if new screening materials would significantly eliminate the potential for aesthetic impacts on surrounding properties. Staff should consider the location of antennas is buffered from residences, when making a decision to require changes. If changes are required by staff, the lease should allow the applicant to appeal decisions to the Planning Commission.

[DECISION FINAL. SUBJECT TO APPEAL OR CALL UP BY COUNCIL]

- C. 831 Via Suerte – Conditional Use Permit 12-380/Minor Architectural Permit 12-381 – Wine Bar Arnoa (Wright)

A request to consider allowing beer and wine sales for on-site consumption at a new wine bar. The wine bar would have indoor and outdoor seating. The subject site is located within the commercial area of the Talega Village Center at 831 Via Suerte, Suite 106. The legal description is Lot 4 of Tract 16936, Assessor's Parcel Number 701-372-01.

Christopher Wright narrated a PowerPoint Presentation entitled "Wine Bar Arnoa, CUP 12-380/MAP 12-381, dated January 23, 2013." Staff recommended approval of the request as conditioned.

Alexandre Ponet, applicant, along with his partner, Anne-Sophie Derre, described the proposed project. They left their native France because they fell in love with the City, and hope to be able to provide superior wine, using local suppliers and wines available in the region, at a wine bar. He will offer appetizers to go with the wines but does not intend to serve food. He intends to partner with nearby Sun Dried Tomato Café to plan coordinating events. In response to questions, he would like to be able to open up the patio to at least 12:00 a.m. to allow customers to enjoy the night air and outdoor ambiance; may consider acoustic entertainment in the future, but does not have the space or ability to provide amplified entertainment; understood that if he wished to add entertainment, patio hours would be limited to up to 10:00 p.m., as is currently limited on Sun Dried Tomato's entertainment permit.

City Planner Pechous advised that the applicant would be required to apply for an entertainment permit if he elects to add entertainment to the site.

Chair Avera opened the public hearing, and there being no public testimony, closed the public hearing.

IT WAS MOVED BY COMMISSIONER CRANDELL SECONDED BY CHAIR PRO TEM BROWN, AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. 13-004, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 12-380/MINOR ARCHITECTURAL PERMIT 12-381, A REQUEST TO ALLOW A RESTAURANT AND BAR USE WITH BEER AND WINE SALES FOR ON-SITE CONSUMPTION INDOORS AND OUTDOORS WITHIN THE TALEGA VILLAGE CENTER AT 831 VIA SUERTE SUITE 106.

[DECISION FINAL. SUBJECT TO APPEAL OR CALL UP BY COUNCIL]

10. NEW BUSINESS

A. Story Poles Interpretation (Gregg)

A request to clarify Zoning Ordinance provisions regarding whether story poles are required for residential projects that are three stories or more in height and located in the Architectural Overlay.

Commissioner Kaupp and Vice Chair Darden excused themselves due to property ownership and left the meeting room.

Associate Planner, Amber Gregg narrated a PowerPoint Presentation entitled, "Story Poles Interpretation 13-012, dated January 23, 2013." This interpretation was prompted by a comment from a member of the public at the Commission's December 19, 2012, regular meeting regarding whether story poles needed to be erected for a residential project. Subsequent to the meeting, staff reviewed the story poles section of the Zoning Ordinance and determined the pertinent language could be interpreted to require the story poles. In addition, staff identified several problems with the story pole ordinance and intends to review these issues when the Zoning Ordinance is updated. Staff recommended the Commission interpret Section 17.24.100 to require story poles on residential projects within the Architectural Overlay.

In response to questions, Ms. Gregg noted the purpose of story poles is to show the outline of a building, indicate how it will fit in the neighborhood, and/or show visual impacts; advised, to her knowledge, staff has never required story poles that would indicate both the proposed building height and massing and also show the maximum height and scale that could be built. City Planner Jim Pechous noted the ordinance was initiated in response to the Ralph's Shopping Center proposal on South El Camino Real. Ms. Gregg also stated, in reading the minutes of the ordinance initiative meetings, as well as reviewing past agenda reports, it appears that the intent of the ordinance initiative was to target commercial developments, but as the meetings progressed the term "and/or Architectural Overlay" were added.

Mr. Pechous advised that the Ordinance gives the City Planner some flexibility in requiring the story poles for controversial projects when they are not specifically required. In regard to location of story poles on-site, Mr. Pechous stated that issues of existing lot usage, access, safety, etc., are also to be considered when requiring story pole placement. In response to comments from Commissioners concerning the appropriateness of the requirement, he noted that tonight the Commission was being asked to consider the interpretation and that staff has identified several problems with the existing language, which will be fully vetted and revised if necessary during the Zoning Ordinance rewrite following approval of the General Plan.

Chair Avera opened the public hearing.

Cristina Leon, resident and original public commenter who questioned the requirement for story poles in residential development, thanked staff for researching the language in the Zoning Ordinance and recommending the interpretation for consideration this evening.

Michael Luna, resident, asked the Commission to agendize and review this issue as soon as possible so that upcoming projects are not negatively affected. He noted story poles add tremendous cost to projects on top of already high costs, and there are visual analysis tools which better assess massing and cost considerably less to the applicant.

Chair Avera closed the public hearing.

Mr. Pechous noted the Planning Commission does not have purview to initiate an amendment to the Zoning Code. He explained the proper procedure is to schedule and discuss the proposal at a study session, look at possibilities, and then direct staff to present a request to City Council for consideration.

Commissioner Anderson recommended that City staff and Council look at the story pole issue as soon as possible, consider rewriting the story pole sections for clarity, and consider lower cost alternatives for story poles.

IT WAS MOVED BY COMMISSIONER ANDERSON SECONDED BY COMMISSIONER CRANDELL, AND CARRIED 5-0-2, WITH COMMISSIONER KAUPP AND VICE CHAIR DARDEN ABSTAINING, TO APPROVE INTERPRETATION 13-012, THAT ALL DEVELOPMENTS WITHIN THE ARCHITECTURAL OVERLAY THAT ARE THREE STORIES IN HEIGHT OR MORE, INCLUDING RESIDENTIAL PROJECTS, BE REQUIRED TO ERECT STORY POLES.

[DECISION FINAL. SUBJECT TO APPEAL OR CALL UP BY COUNCIL]

Commissioner Kaupp and Vice Chair Darden returned to the meeting room.

B. Draft General Plan Mobility and Complete Streets Element and Technical Background Documents (Hook)

This Element addresses the full range of transportation modes, including pedestrian, bicycle, motor vehicle, rail and public transportation. It addresses the general distribution, location and design of public streets, sidewalks, public parking, and other public areas used for public mobility purposes. It also addresses transportation programs, planning and improvements and includes policies and implementation measures to guide transportation changes and meet community needs. The Technical Background Report, which provides data

and evaluation of our current transportation facilities, will also be reviewed and discussed.

Jeff Hook reviewed the staff report and summarized the progress of the new General Plan to date. He introduced the item and consultants and staff in attendance. He identified three Commission objectives for the meeting, to: 1) understand the relationship between proposed land use changes in the "preferred land use plan" and traffic impacts, 2) provide direction to the consultant and staff on several key mobility questions, and 3) review and comment on the draft Mobility and Complete Streets Element. He noted the revised draft Mobility Element will be combined with the other elements already reviewed by the Commission and distributed as the Public Hearing Draft General Plan for final Planning Commission review and action before presentation to the City Council for final action.

Chris Gray, consultant with Fehr and Peers, narrated a PowerPoint Presentation entitled, "San Clemente General Plan, Key Questions and Technical Background, dated January 23, 2013." Information was presented to enable the Commission to answer questions related to LOS impacts due to land use changes and regional traffic growth, impacts on identified on/off ramps due to changes in LOS levels, potential elimination of roadway segment LOS, the effects of street widening on multi-modal approaches, impacts on ADT and LOS caused by roadway extensions, impacts on LOS from road diets, potential effect of a pilot project on a section of South El Camino Real, impacts and mitigation on identified "road diet" scenarios, identification and consideration for removal/modification of the most problematic change, consideration of whether the installation of multi-modal facilities could mitigate anticipated LOS impacts, consideration of whether a more balanced transportation system policy would be consistent with General Plan goals, and summary of impacts.

Brian Judd, consultant with The Planning Center, narrated a PowerPoint Presentation entitled, "Land Use and Circulation Impacts, dated January 23, 2013," including resulting traffic impacts and potential options to address the traffic impacts, which are expected to occur as a result of proposed land use changes for the Rancho San Clemente and Los Molinos Focus Areas. He explained that the traffic impacts identified are limited to two these two areas, and of these, eight of the nine impacts result from the proposed increase in floor area ratios (FAR) in the Rancho San Clemente Business Park.

Bill Cameron advised that impacts associated with Housing Area 8 of the Rancho Mission Viejo Plan were addressed in the 2035 forecasts for the Current General Plan and the Proposed Preferred General Plan. He noted many of the identified impacts along Avenida Pico near I5 have been mitigated by the I-5/Avenida Pico interchange improvements, already planned by Caltrans.

Chair Avera opened the public hearing.

Brenda Miller, representing PEDal, noted there are two basic approaches to improving road conditions. One is to widen roadways to accommodate more cars; another is to increase the efficiency of the roadway network to make more room for those who choose to walk, bike, or use public transport. While high levels of service have been desirable in the past, they come at the expense of those desiring to walk or bike, and decrease safety for all. She suggested allowing the accepted Citywide Level of Service standard to drop from LOS D to LOS E so that roads accommodate no greater traffic than what they are designed to hold, which will also help develop safe routes to school, maintain the City's compliance with Measure M, and compliance with the County's arterial plans. She compared San Clemente's roadways with the City of Newport Beach's roadways, which are considered some of the most deadly in the state of California because they were designed for speeding cars. Experiments undertaken by the City of Newport Beach to improve pedestrian access have resulted in reduced LOS ratings and have had adverse funding impacts. She recommended the City establish LOS E ratings so it would have room to improve.

Pete van Nuys, resident, quoted language from J. R. Tolkien about roads; cautioned the City not to follow the example of the San Fernando Valley in designing roadways to accommodate nothing but cars, resulting in loss of Measure M funds and unfriendly roads; and increased frequency of rear end collisions due to increased traffic speed. He noted the elimination of bike lanes and sidewalks along Avenida Pico has banished people from using the road unless in a car. He asked the Commission to increase safety for all and think about citizen safety rather than cars when considering the draft Mobility Element.

Chair Avera closed the public hearing.

Bill Cameron explained that while there may not be much difference in LOS levels D and E, most of the City's intersections are rated LOS B or C, and advised that lowering the level of service to LOS E would allow much more congestion than currently exists; stated most traffic impacts identified in the traffic study for the preferred general plan scenario are at internal street intersections rather than at freeway on/off ramp intersections; noted Caltrans and OCTA have completed and are planning many improvements that greatly benefit the City's traffic situation. He is not sure of the best way to handle multi-modal enhancements, but did not see the advantage of allowing intersections to go to LOS E. He questioned data indicating increase in rear end accidents tied to increased speed, and noted that although the City has three motor officers to

issue traffic citations, speed limits cannot be reduced unless traffic slows down due to state law requiring speed limits be set per the 85% percentile speed. He noted removal of the bike lanes on Avenida Pico in front of the high school was generated by the City, not OCTA, and clarified restrictions associated with OCTA routes. He noted the City of Newport Beach has very different traffic issues than the City of San Clemente and he is not familiar with their accidents rates, statistics, etc. He noted most of the roadways in the City are built out, but stated that the City was very interested in accommodating multi-modal streets. He advised that adding bike lanes along Avenida Pico would significantly impact traffic, but he would not be able to quantify the impact unless traffic models are run. He agreed to summarize his comments for inclusion in the Commissioner's packets for their next meeting.

Thomas Frank noted that average daily flow numbers reflect weekday traffic, not worst case conditions throughout the year. He cautioned that there will still be gridlock along I-5, which has a significant impact on the City traffic from cut-through traffic as well as from City residents avoiding the gridlock. He endorsed the goal of multi-modal streets, but cautioned that the public has to be informed and aware of impacts to vehicular traffic when building bike lanes and sidewalks. He explained that the most effective way to deliver a project embraced by the community is to include the public in the process to scope and design the project. Many public workshops and hearings are needed to result in a project embraced by the community. He agreed to summarize his comments for inclusion in the Commissioner's packets for their next meeting.

Due to the late hour and the Commission's stated desire not to deliberate past 10:00 p.m., Mr. Hook suggested the Commission consider continuing this item to their regular February 20 meeting to allow for necessary noticing.

IT WAS MOVED BY CHAIR PRO TEM BROWN, SECONDED BY COMMISSIONER RUEHLIN, AND UNANIMOUSLY CARRIED TO CONTINUE DRAFT GENERAL PLAN MOBILITY AND COMPLETE STREETS ELEMENT AND TECHNICAL BACKGROUND DOCUMENTS TO THE REGULAR PLANNING COMMISSION MEETING OF FEBRUARY 20, 2013.

[ITEM CONTINUED. PLANNING COMMISSION DECISION PENDING.]

11. OLD BUSINESS- None

12. REPORTS OF COMMISSIONERS/STAFF

Included in the Commissioners' packets for their review:

A. Change of Planning Commission Agenda Items (Pechous)

6B(3)-13

- B. Tentative Future Agenda
- C. Minutes from the Zoning Administrator meeting of December 19, 2012
- D. Minutes from the Zoning Administrator meeting of January 9, 2013
- E. Staff Waiver 12-404, 511 Avenida Del Mar #4
- F. Staff Waiver 12-425, 653 Camino De Los Mares #109
- G. Staff Waiver 12-433, 212 W. Avenida Alessandro
- H. Staff Waiver 12-441, 420 Cazador Lane
- I. Staff Waiver 13-003, 674 Camino De Los Mares
- J. Staff Waiver 13-004, 3826 Calle Ariana
- K. Staff Waiver 13-011, 530 Camino De Estrella

Chair pro tem Brown reported that at their last Coastal Advisory Committee meeting, the Committee voted to include Plastic Bag Ban, Street Sweeping signage, Poche Beach Clean-up and Clean Ocean Program Fee Renewal as their 2013 Strategic Planning Priorities; announced consideration of Mayor's Walk of entire watershed ending up at Poche Beach.

13. ADJOURNMENT

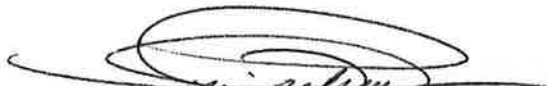
IT WAS MOVED BY COMMISSIONER KAUPP, SECONDED BY COMMISSIONER RUEHLIN, AND UNANIMOUSLY CARRIED to adjourn at 10:09 p.m. to an Adjourned Regular Meeting to be held at 6:00 p.m. on February 6, 2013, in Council Chambers at City Hall located at 100 Avenida Presidio, San Clemente, CA.

Respectfully submitted,

DRAFT

Lew Avera, Chair

Attest:


Jim Pechous, City Planner

LB (3) -14

02/05/13
6B(4)

**MINUTES
CITY OF SAN CLEMENTE
REGULAR COASTAL ADVISORY COMMITTEE MEETING**

Thursday, January 10, 2013 @ 7:00 p.m.
Community Center, Ole Hanson Fireside Room
100 N. Seville, San Clemente, CA 92672

1. CALL TO ORDER/ PLEDGE OF ALLEGIANCE

Chair Hart called the meeting to order at 7:03 p.m. Committee Member Smith led the Pledge of Allegiance.

2. ROLL CALL

Present: Susan Ambrose, Don Brown, Robert Jordan, Ken Nielsen, Michael Smith; Chair pro tem Peter Salgado and Chairman Bill Hart

Absent: None

Staff Present: Tom Bonigut, Assistant City Engineer
Eileen White, Recording Secretary

3. APPROVAL OF MINUTES - None

4. PUBLIC INPUT

Ben Swefield, The Loftin Firm, LLP, Attorneys at Law, representing Capistrano Shores, distributed copies of previous communication submitted on behalf of Capistrano Shores and requested response from staff and discussion of issues described in letter at Coastal Advisory Committee level.

Chair Hart advised that the Coastal Element portion of the General Plan had already been reviewed by this Committee and would be considered again at the Planning Commission level for final review before moving on to City Council. Mr. Swefield agreed to forward this comment to principals at the Loftin Firm.

Committee Member Brown advised that similar requests had been submitted at the January 9, 2013, Planning Commission meeting, and that the City Planner had indicated the Loftin Firm would shortly be receiving a response to its communications. He suggested staff interface with Planning Division staff to determine its next steps.

5. OLD BUSINESS - None

6B(4) -1

6. NEW BUSINESS

A. Strategic Priority Planning

Tom Bonigut, Assistant City Engineer, reviewed the staff report, an explanation of the Strategic Priorities process, summary of City Council's 2013 Strategic Priorities voting record, and copies of the Street Sweeping and Plastic Bag Ban strategic priority requests submitted by the CAC in 2012. Staff recommended the CAC discuss and develop its list of strategic priorities to recommend to the City Council.

Poche Beach Pond Clean Up

In response to questions from the Committee Members, Assistant City Engineer Bonigut advised that Poche Beach Pond clean-up and the Army Corps of Engineers Sand Replenishment Study were ongoing issues considered priority by Council.

Committee Members considered including the Poche Beach Pond Clean up and Westin Study on Poche Beach results as a strategic priority, and decided that including it will indicate to the Council and community that the CAC considers it an important issue and priority; requested staff provide an outline indicating the action plan/activities to pursue under the Proposition 84 Clean Beaches Initiative (CBI) grant regarding the Poche Beach Westin Study recommendations in strategic priority format for Committee revision/action at its next meeting.

Chair Hart opened the item for public comment concerning Poche Beach Pond and there being no testimony, closed public comment.

Citywide Parking Restriction for Street Sweeping

Assistant City Engineer Bonigut reviewed the Citywide Parking Restriction for Street Sweeping 2012 Strategic Priority Request and requested the Committee provide direction to staff; noted this request and all its supporting information had been transmitted to City Council before its Strategic Planning Meeting in 2012.

During discussion, the Committee Members, either individually or in agreement, provided the following commentary:

- Felt that City Council did not see the study results, maps, or information provided to the CAC supporting a Citywide Parking Restriction for Street Sweeping before its decision to reject it as a Strategic Priority for 2012.
- Discussed strategies to ensure presentation of pertinent facts at a regular City Council meeting.

- Suggested the new City Council may be more receptive to consider the project's merits.
- Commented concerning the enormous amount of information presented at Council's Strategic Planning Session.
- Established from staff that Council made the decision last year to agendize discussion of the CAC's recommended strategic priorities at the Strategic Planning Session. Staff was present at the Session to make the presentation and directed by Council to answer questions only.
- Stressed the importance of standing behind the priorities they elect to put forth for Council consideration.
- Discussed success of program in Neighborhood Pride areas, including variety of ways residents can be notified/reminded to move their cars.
- Suggested the Committee consider recommending a lower-cost pilot program, which would potentially include the top three areas indicated in the survey, rather than city-wide to showcase that it can be done and provide positive results.
- Discussed potential that increased public awareness, without ticketing, could deter motorists from parking on the street when street cleaning occurs.
- Established from staff that if the program is approved, staff and the contractor will work on schedules to alternate street cleaning areas to ensure parking is available.
- Stressed the importance of the program in conjunction with the Clean Ocean Program, including increasing public awareness of the issue.

Chair Hart opened the item for public comment concerning Citywide Parking Restriction for Street Sweeping and there being no testimony, closed the public comment.

Committee Members concurred to direct staff to write a memo to the City Manager requesting City Council consider a presentation regarding the results of the survey and potential Citywide Parking Restriction for Street Sweeping; include Citywide Parking Restriction for Street Sweeping as a 2013 Strategic Priority Request.

Single Use Plastic Bag Ban

Assistant Engineer Bonigut reviewed the Single Use Plastic Bag Ordinance 2012 Strategic Priority Request and requested the Committee provide direction.

Chair Hart opened the item for public comment.

Denise Irgo, representing Surfrider Foundation, noted wholehearted support for the plastic bag ban and advised that many businesses, including grocery

and big box stores, have indicated support for bans. She noted Laguna Beach enacted its ban in January 2013, and Dana Point's ban is expected to be effective in April 2013. Both cities have been threatened with lawsuits from the plastic bag industry, but no lawsuits have been filed. She pointed out the devastating effects of plastic bags on the marine environment, and urged the Committee to keep working toward enacting a ban. She distributed a legal brief supporting the ban.

Curly Snider, resident, advised the City does not currently have a problem with plastic bag waste, and questioned the definition of "single use plastic bag." He noted many people reuse plastic bags, using them for trash, dog waste, etc., and questioned if people were going to have to buy plastic bags to use in place of the bags currently distributed with the paper, in grocery stores, etc. He felt that cloth bags are unsanitary, and can pick up any germs in a grocery cart, including germs from dirty diapers. Although the City provides free plastic bags on the Beach Trail for dog waste, many dog owners still do not pick up after their own dogs. In addition, large plastic bags are still needed for trash bins.

Chair Hart closed the public comment.

In response to committee member questions, Assistant Engineer Bonigut noted an increase in cities enacting bans and that cities were having more success in prevailing against legal challenges.

Chair Hart stressed that sanitary issues have been aired out. Paper bags are still an option, and produce bags will not be included in the ban. He stressed the need to remain consistent with other cities, and making the plastic bag ban consistent throughout the State. He advised that dog litter bags available along the Beach Trail are biodegradable. He agreed that there are issues to address if the ban is enacted, including the use of trash bags, but felt that the ban would eliminate a great many wasteful plastic bags in the environment. If the ban is adopted, businesses and the public will adjust. Many cities have enacted bans, and it is time now for the City to follow their lead. He suggested the Committee make a formal request that City Council hear the Committee's presentation.

Committee Member Nielsen advised that although there are not that many plastic bags all over the beach, he sees hundreds of thousands of bags floating and suspended in the water when he is out in the ocean.

Chair Hart and Chair pro tem Salgado narrated their PowerPoint Presentation entitled, "Coastal Advisory Committee – Recommendation to Prioritize an Ordinance to Ban the Distribution of Single-use Plastic Bags, dated January 10, 2013," including the Ban's goals, global and local impacts, listing of cities with active bans, environmental documentation, and photographs of plastic bag litter.

Chair pro tem Salgado reiterated his offer to write the negative declaration if authorized by the City and volunteered to present the PowerPoint presentation if Council agrees.

Committee Members complimented Chair Hart and Chair pro tem Salgado for an informative and concise presentation; concurred that the Single-use Bag Plastic Bag Ban be included as a 2013 Strategic Priority Request.

Clean Ocean Program

Assistant City Engineer Bonigut advised that staff has already submitted a paper advocating the renewal of the Clean Ocean Fee, and that the current approved budget includes funds for mailers in anticipation of a Fee renewal effort.

Committee Members concurred that renewal of the Clean Ocean Fee Program be included as a 2013 Strategic Priority Request.

Recap

Assistant City Engineer Bonigut summarized and Committee Members agreed that the Committee desired to include Poche Beach Clean-up, renewal of the Clean Ocean Program, Single-use Plastic Bag Ban, and Citywide Parking Restriction for Street Sweeping as the Committee's 2013 Strategic Priority Requests.

Committee Members requested that City Council consider presentations on the Single-use Plastic Bag Ban and Citywide Parking Restriction for Street Sweeping at regular meetings or Strategic Planning Session; stressed the importance of correlating the Clean Ocean Program with cleaner streets resulting from a proposed Citywide Parking restrictions; requested staff clarify the areas, data and results of the street sweeping study for ease of understanding.

B. Prima Deshecha Watershed Tour

Tom Bonigut, Assistant City Engineer, summarized the memo regarding a tour of the Prima Deshecha (Poche) watershed for the CAC. Staff recommended the Committee discuss and provide direction to staff.

Committee Members concurred that they would prefer to do the watershed tour as a group, and notice the event so that interested residents could participate. They requested staff set up the event on a Saturday, in April or May at the end of the rainy season, and agreed the tour could be their regular April or May meeting.

Assistant City Engineer Bonigut agreed to ask Mayor Baker if he wants to feature the tour as a "Mayor's Walk."

Chair Hart and Chair pro tem Salgado volunteered to help out/provide presentation materials.

Committee Member Smith agreed to research whether participants could get authorization to use Shorecliffs' Clubhouse parking lot and report back.

Report received and filed.

C. Environmental Sustainability Grant Application Recommendation

Tom Bonigut, Assistant City Engineer, reviewed the memo by Mary Vondrak, Senior Management Analyst, and recommended that the Coastal Advisory Committee make a recommendation to the City Manager to deny funding of the Ocean Institute grant application because the requested project application does not conform to the grant policy.

Committee Members discussed potential to make an exception to the ongoing funding for well-established program rule for this application, and questioned whether the rule is appropriate. They noted that the subject proposal is different from the proposal that received grant funding in 2009 in that it is being proposed at a different school.

Assistant City Engineer Bonigut agreed to forward their recommendation that the Committee would like to make an exception and fund the request; agreed to agendaize discussion concerning potential to change the policy for their next meeting.

MOVED BY COMMITTEE MEMBER SMITH, SECONDED BY COMMITTEE MEMBER AMBROSE, AND UNANIMOUSLY CARRIED to deny the staff recommendation and approve an Environmental Sustainability Grant for Los Palmas to fund a field trip to the Ocean Institute, with the following commentary:

- It is important to provide the program for San Clemente school children.
- The school is different than the one that was previously funded.

7. COMMUNICATIONS

- A. Bacterial Monitoring Report Dated January 2, 2013
- B. December 2012 Environmental Programs Update

Committee Members received and filed items 7A and 7B.

8. ITEMS FROM STAFF

A. Potential Future Agenda Items

Assistant City Engineer Bonigut reviewed the Potential Future Agenda Items and requested the Committee Members provide input.

Committee Members added Grant Policy Discussion, Poche Beach Watershed Walk, Potential increase in Transient Occupancy Tax to be dedicated to Sand Replenishment costs to the February agenda.

B. Staff Announcements

Assistant City Engineer Bonigut recommended the Committee Members read a story about beach erosion available on the internet by googling ABC News-LA that he found to be balanced, accurate, and interesting.

9. ITEMS FROM COMMITTEE MEMBERS

Committee Member Brown reported that at their next meeting, the Planning Commission will consider the Circulation Element of the General Plan Update; noted the complete document may be available for final Planning Commission review/public hearing in approximately 2 months.

Chair Hart commented that the newly formed North Beach Residents Association arranged for the Santa Train to stop at North Beach and conducted a fundraiser. He expects them to continue their efforts to raise funds for North Beach improvements. In addition, he discussed potential to reschedule the February meeting from its regularly scheduled meeting on the 14th, to perhaps the 21st (1st choice) or 7th (2nd choice). Assistant City Engineer Bonigut agreed to check for facility availability and contact the Committee Members. He advised them to adjourn to the February 14th meeting and await further information.

10. ADJOURNMENT

MOVED BY COMMITTEE MEMBER AMBROSE, SECONDED BY COMMITTEE MEMBER BROWN, AND UNANIMOUSLY CARRIED to adjourn at 9:37 p.m. to the next regular meeting of the Coastal Advisory Committee on Thursday, February 14, 2013, at 7:00 p.m. in the Fireside Room at the Community Center located at 100 N. Seville, San Clemente, CA.

Respectfully submitted,

Bill Hart, Chair

Attest:

Tom Bonigut, Assistant City Engineer

CITY OF SAN CLEMENTE
CERTIFICATION OF WARRANTS

I HEREBY SUBMIT THE ATTACHED
WARRANT REGISTER FOR AUDIT
AND APPROVAL BY THE CITY
COUNCIL, CITY OF SAN CLEMENTE

APPROVED AND ORDERED PAID AT
THE MEETING OF THE CITY COUNCIL
HELD February 5, 2013
IN THE AMOUNT OF \$ 1,071,783.86

CITY MANAGER

MAYOR

ATTEST: _____
CITY CLERK

I HEREBY CERTIFY TO THE ACCURACY OF THE FOREGOING
DEMANDS AND THAT FUNDS ARE AVAILABLE FOR PAYMENT
THEREOF:

PAID BY WARRANTS SIGNED BY LEGALLY
DESIGNATED PERSONS IN ACCORDANCE
WITH THE STATE OF CALIFORNIA
GOVERNMENT CODE, SECTION-41003

ASSISTANT CITY MANAGER

CITY TREASURER

Bank : city BANK OF THE WEST

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
505444	1/18/2013	002108	AA EQUIP RENTALS CO INC P10801	12/13/2012	BELTS, SPRING	722.36	722.36
505445	1/18/2013	022130	ABOVE IT ALL ROOFING INC B12-1768	11/16/2012	REFUND OF WMP FEE	250.00	250.00
505446	1/18/2013	006532	ACTION CHEMICAL CO 19880	1/1/2013	ACTION CHEM - NEGOCIO C	270.00	270.00
505447	1/18/2013	003558	AIRGAS WEST DBA AIRGAS 9011243386	12/17/2012	CO2 FOR AQUATICS CENTER	512.30	
			9011119460	12/13/2012	CO2 FOR AQUATICS CENTER	205.91	
			9011361255	12/21/2012	CO2 FOR AQUATICS CENTER	156.88	
			9011430844	12/26/2012	CO2 FOR AQUATICS CENTER	144.71	
			9011323828	12/20/2012	CO2 FOR AQUATICS CENTER	133.18	1,152.98
505448	1/18/2013	015621	ALEXANDER'S CONTRACT SV201212280014	12/28/2012	MONTHLY METER READING :	17,476.40	17,476.40
505449	1/18/2013	009876	ALL CITY MANAGEMENT SVC:29652	12/27/2012	FY 2013 CROSSING GUARD E	2,758.80	2,758.80
505450	1/18/2013	009105	ALLIANT INSURANCE SVCS IN123112	12/31/2012	QUARTER ENDING - ONLINE	988.04	988.04
505451	1/18/2013	020689	ALTEC INDUSTRIES INC 8116314	11/19/2012	REPLACEMENT FOR UNIT 95	137,191.04	137,191.04
505452	1/18/2013	019075	AMERICAN EXPRESS 122812	12/28/2012	LOAD #004489, A/C 3785-9787	6,195.93	6,195.93
505453	1/18/2013	022272	AMERICAN INTEGRATED SVCAIS-130429	10/15/2012	CLEAN OUT FRONTERA & LO	13,920.00	13,920.00
505454	1/18/2013	002603	ANIMAL PEST MGMT SERVICE105987	12/31/2012	LANDSCAPE RODENT CONTI	1,229.74	
			105994	12/31/2012	LANDSCAPE RODENT CONTI	500.00	
			106064	12/31/2012	LANDSCAPE RODENT CONTI	300.00	
			106168	12/31/2012	LANDSCAPE RODENT CONTI	215.00	
			106174	12/31/2012	LANDSCAPE RODENT CONTI	85.00	
			106121	12/31/2012	LANDSCAPE RODENT CONTI	65.00	2,394.74
505455	1/18/2013	019002	APPLIED TECHNOLOGY GROIIINV0000000596	1/4/2013	SUPPLIES	3,008.50	3,008.50
505456	1/18/2013	001484	ARC 6724067	12/21/2012	BLANKET/BID UPLOAD/ REPF	2,374.93	
			6724068	12/21/2012	BLANKET/BID UPLOAD/ REPF	1,621.66	
			6724072	12/21/2012	BLANKET/BID UPLOAD/ REPF	1,410.42	
			6695013	11/30/2012	BLANKET/BID UPLOAD/ REPF	53.60	
			6728937	12/26/2012	BLANKET/BID UPLOAD/ REPF	16.40	
			6737068	1/2/2013	BLANKET/BID UPLOAD/ REPF	4.99	
			6667195	11/13/2012	BLANKET/BID UPLOAD/ REPF	4.22	5,486.22
505457	1/18/2013	019069	AT&T 000003974990	12/27/2012	COMMUNICATION LINES	2,993.74	2,993.74
505458	1/18/2013	001766	AWARDS 'N MORE 31193	1/7/2013	NAME PLATE	11.72	11.72
505459	1/18/2013	022362	B & B GENERAL CONST SVCSB12-1789	11/26/2012	REFUND OF WMP FEE	250.00	250.00
505460	1/18/2013	017337	BACKER & ASSOCIATES P13-27	1/7/2013	CASH REGISTER ROLLS	83.16	83.16
505461	1/18/2013	009038	BAKERCORP 1201149-062	12/28/2012	6,500 GALLON TOTAL DRAIN	2,184.00	2,184.00

Bank : city BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
505462	1/18/2013	007031	BAY VIEW FUNDING FOR A/C 24087	12/21/2012	LABOR & SERVICE CALL	533.75	
			24096	1/3/2013	LABOR & SERVICE CALL	160.00	693.75
505463	1/18/2013	019902	BRAHAM, NATALIE 010713	1/7/2013	CONTRACT INSTRUCTOR PA	91.00	91.00
505464	1/18/2013	022366	BRENNAN, COLLEEN 1306610	1/2/2013	SECURITY DEPOSIT REFUND	500.00	500.00
505465	1/18/2013	004193	BSN SPORTS INC 25223	9/28/2012	E-SCOREBOARDS	748.48	
			12860	9/24/2012	FOOTBALLS AND BLOCKING	174.62	923.10
505466	1/18/2013	022358	BUSSJAEGER, KAY 1308599	1/4/2013	REFUND OF CLASS	62.00	62.00
505467	1/18/2013	002474	CA PUB EMPLOY RETIREMENPP#1/13	1/6/2013	PAYROLL DEDUCTIONS	7,264.53	7,264.53
505468	1/18/2013	022369	CA PUBLIC UTILITIES COMMIS1303521	12/19/2012	SECURITY DEPOSIT REFUND	150.00	150.00
505469	1/18/2013	017726	CALIF BUILDING STANDARDS010713	1/7/2013	FEE FOR 4TH QUARTER	406.00	406.00
505470	1/18/2013	019062	CALIF COAST CARPET & FLOI9249	12/28/2012	REPLACE CARPETING IN BUI	9,182.54	9,182.54
505471	1/18/2013	022197	CALIF FUELS & LUBRICANTS 34788	12/12/2012	GAS / DIESEL	1,396.06	1,396.06
505472	1/18/2013	017884	CANON SOLUTIONS AMERICA418134617	11/10/2012	COPIER MAINTENANCE CHAI	152.01	152.01
505473	1/18/2013	001464	CARQUEST AUTO PARTS #777457-163645	12/13/2012	BELT	32.92	32.92
505474	1/18/2013	016075	CDPH-OCP 36067	2/1/2013	CERT. FEE - J. BOYCE	80.00	80.00
505475	1/18/2013	014350	CERTIFIED FIRE EXTINGUISH137144	12/11/2012	QUARTERLY INSPECTION & 1	241.85	241.85
505476	1/18/2013	009363	CERTIFIED LABORATORIES 950321	12/18/2012	UNIVERSAL SORBENT PADS	1,000.81	
			950322	12/18/2012	SORBENT PADS	785.62	
			950323	12/18/2012	SORBENT PADS	553.94	2,340.37
505477	1/18/2013	010591	CHURM PUBLISHING GOLF G 13823	1/1/2013	QUARTER PAGE AD	300.00	300.00
505478	1/18/2013	019519	CINTAS CORPORATION 640701686	1/3/2013	RENTAL AND CLEANING OF U	149.99	
			640701687	1/3/2013	RENTAL AND CLEANING OF U	115.86	
			640698181	12/27/2012	UNIFORM RENTAL	59.50	
			640701663	1/3/2013	UNIFORM RENTAL	59.50	
			640691252	12/13/2012	UNIFORM RENTAL	59.50	
			640694708	12/20/2012	UNIFORM RENTAL	59.50	
			640694729	12/20/2012	MATTS	20.85	
			640701683	1/3/2013	MATTS	20.85	545.55
505479	1/18/2013	020612	CINTAS FAS LOCKBOX 636520168538426	12/20/2012	FIRST AID SUPPLIES	126.23	
			0168534619	11/27/2012	FIRST AID SUPPLIES	119.16	245.39
505480	1/18/2013	001196	COASTLINE EQUIPMENT 111018	1/7/2013	JD 310KEP BACKHOE LOADE	72,035.28	72,035.28
505481	1/18/2013	009692	COLLETTI, MARY 010413	1/4/2013	RECORDING / TRANSCRIPTIK	112.50	112.50

Bank : city BANK OF THE WEST

(Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
505482	1/18/2013	001417	CONSOLIDATED ELECTRIC DI562750	1/7/2013	MATERIALS	3,528.25		
			562563	1/3/2013	MATERIALS	1,155.38		
			563046	1/3/2013	MATERIALS	592.38		
			563047	1/7/2013	MATERIALS	195.75		
			562673	12/19/2012	MATERIALS	180.37		
			563152	1/7/2013	MATERIALS	27.30	5,679.43	
505483	1/18/2013	001394	COOK PGA GOLF SHOP INC, I011513	1/15/2013	1/07/13-1/13/13 WEEKLY PAYM	7,451.21	7,451.21	
505484	1/18/2013	001711	COTNER, JEAN	010813	1/8/2013	INSTRUCTOR PAYMENT	1,896.56	1,896.56
505485	1/18/2013	017544	COURSE TRENDS INC	193401	1/1/2013	WEBSITE	295.00	295.00
505486	1/18/2013	012337	COVER RIGHT ROOFING	B12-1791	11/26/2012	WMP FEE REFUND	250.00	250.00
505487	1/18/2013	006090	COX COMMUNICATIONS	123012	12/30/2012	A/C 001 7601 050931701	6,968.51	
				122912	12/29/2012	A/C 001 7601 053089201	25.29	
				010413	1/4/2013	A/C 001 7601 052941501	17.15	
				010513	1/5/2013	A/C 001 7601 050933801	64.60	7,075.55
505488	1/18/2013	006090	COX COMMUNICATIONS	049351101	1/2/2013	COX SCADA COMMUNICATIO	1,225.80	1,225.80
505489	1/18/2013	006090	COX COMMUNICATIONS	050932702	12/27/2012	A/C 001 7601 050932702	39.00	39.00
505490	1/18/2013	012563	CRW SYSTEMS, INC.	13-107	1/9/2013	BUSINESS LICENSE WEB PR	24,750.00	24,750.00
505491	1/18/2013	011827	CUPITO ROOFING, STEVE	B12-1615	10/24/2012	WMP REFUND FEE COLLECT	250.00	250.00
505492	1/18/2013	000168	CWEA - TCP	090362003	1/31/2013	CERT. - J. BOYCE	80.00	
				110141001	1/7/2013	CERT. RENEWAL - B. GAMBLI	75.00	
				120251002	1/9/2013	CERT. - C. BLECKHERT	75.00	
				090221021	1/7/2013	CERT. - K. SCHNEIDER	75.00	305.00
505493	1/18/2013	005718	DEERE LANDSCAPES, JOHN	63422475	12/12/2012	TRITON FLO FUNGICIDE	2,769.18	
				63429406	12/13/2012	PROMAX, EMERALD	1,899.03	4,668.21
505494	1/18/2013	005410	DEIST-BINSFIELD, INC	1271	1/4/2013	BLANKET/CONSTR. MNGMT S	2,375.00	
				1273	1/4/2013	BLANKET/CONSTR. MNGMT S	1,330.00	
				1276	1/4/2013	BLANKET/CONSTR. MNGMT S	1,235.00	
				1278	1/4/2013	BLANKET/CONSTR. MNGMT S	855.00	
				1274	1/4/2013	BLANKET/CONSTR. MNGMT S	712.50	
				1272	1/4/2013	BLANKET/CONSTR. MNGMT S	665.00	
				1275	1/4/2013	BLANKET/CONSTR. MNGMT S	617.50	
				1279	1/4/2013	BLANKET/CONSTR. MNGMT S	427.50	
				1277	1/4/2013	BLANKET/CONSTR. MNGMT S	380.00	8,597.50
505495	1/18/2013	002749	DELTA DENTAL PLAN OF CALIBE000471062	12/31/2012	DENTAL CLAIMS & ADMIN CO	18,564.62	18,564.62	

Bank : city BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
505496	1/18/2013	015290	DELTACARE USA	5112362	1/1/2013	HMO DENTAL PREMIUMS	1,935.95	
				5112363	1/1/2013	HMO DENTAL PREMIUMS	31.86	1,967.81
505497	1/18/2013	002647	DENAULT'S HARDWARE, INC	427724	1/8/2013	PURCHASE ORDER FOR ALL	99.21	
				427719	1/8/2013	PURCHASE ORDER FOR ALL	55.33	
				427683	1/7/2013	PURCHASE ORDER FOR ALL	40.88	
				427195	12/18/2012	PURCHASE ORDER FOR ALL	37.82	
				426965	12/11/2012	PURCHASE ORDER FOR ALL	34.31	
				427578	1/3/2013	PURCHASE ORDER FOR ALL	29.12	
				427734	1/8/2013	PURCHASE ORDER FOR ALL	25.93	
				427626	1/4/2013	PURCHASE ORDER FOR ALL	25.25	
				427579	1/3/2013	PURCHASE ORDER FOR ALL	10.67	
				427186	12/18/2012	PURCHASE ORDER FOR ALL	10.15	
				427689	1/7/2013	PURCHASE ORDER FOR ALL	5.78	
				427025	12/12/2012	PURCHASE ORDER FOR ALL	5.38	379.83
505498	1/18/2013	021906	DENNIS PATRICK CONTRACT	121912	12/19/2012	Linda Lane to Pier Bowl Trail Lig	28,064.68	28,064.68
505499	1/18/2013	016078	DEPARTMENT OF PUBLIC HE	1291050	12/19/2012	AB2995 WATER SYSTEM FEE	1,638.00	1,638.00
505500	1/18/2013	002687	DEPT OF CONSERVATION ADI	010713	1/7/2013	SMIP FEE	857.56	857.56
505501	1/18/2013	006174	DEPT OF HOUSING & COMM	I30	11/15/2012	STATE FEE FOR ANNUAL PEF	975.00	975.00
505502	1/18/2013	007924	DOCTOR'S AMBULANCE SER	01032013-D	1/3/2013	BACK-UP AMBULANCE TRAN	2,375.00	2,375.00
505503	1/18/2013	004462	DOHENY PLUMBING	32542	12/27/2012	BEACHES & PARKS MAINTEN	1,028.30	
				32544	12/28/2012	BEACHES & PARKS MAINTEN	950.40	
				32347	12/6/2012	BEACHES & PARKS MAINTEN	763.55	2,742.25
505504	1/18/2013	004575	DWINNELL, RONALD E	98900	1/7/2013	BUILDING MATERIALS	191.45	
				98685	12/20/2012	BUILDING MATERIALS	42.02	233.47
505505	1/18/2013	004177	E STEWART & ASSOC INC	1886	12/20/2012	Graffiti Abatement 2013: Contr	2,860.00	
				1885	12/20/2012	Graffiti Abatement Administrativ	2,000.00	
				1887	12/20/2012	GRAFFITI REMOVAL	1,938.75	
				1891	12/31/2012	SVC FOR LINDA LANE PUMP	55.00	6,853.75
505506	1/18/2013	011576	EQUIFAX INFORMATION SER	7594247	1/7/2013	Credit Scoring - FY 2013	215.00	215.00
505507	1/18/2013	012614	EVANS, THOMAS	121312	12/13/2012	REIMB. FOR WORK BOOTS	45.22	45.22
505508	1/18/2013	006787	EXCEL PAVING COMPANY	PP3	1/2/2013	PN 10008/ C12-08/LINDA LN R	7,370.12	7,370.12
505509	1/18/2013	002806	FEDEX OFFICE	031600002937	1/2/2013	SUPPLIES	49.87	
				031600002940	1/4/2013	SUPPLIES	19.52	69.39
505510	1/18/2013	017646	FERGUSON ENTERPRISES IN	8946286	12/27/2012	DRAIN TRAP PRIMER REPAIF	239.53	
				8916221-1	12/27/2012	LOCKER RM SHOWER REPAI	123.82	363.35

Bank : city BANK OF THE WEST

(Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
505511	1/18/2013	014785	FINAL ASSEMBLY INC	41867	12/31/2012	FURNITURE MOVING FOR CA	2,623.83	
				41867A	12/31/2012	MOVING BOXES	75.43	2,699.26
505512	1/18/2013	000813	FINCH, KAREN	1306964	1/2/2013	REFUND OF CLASS	150.00	
				1306967	1/2/2013	REFUND OF CLASS	26.00	176.00
505513	1/18/2013	013616	FIRED UP SAN CLEMENTE	010813	1/8/2013	INSTRUCTOR PAYMENT	360.00	360.00
505514	1/18/2013	006232	FIRST BANKCARD CENTER	010313	1/3/2013	#5477-2593-7247-5744	164.99	164.99
505515	1/18/2013	007657	GARDA	191-438613	1/1/2013	Armored Transport Services	1,086.29	1,086.29
505516	1/18/2013	022348	GC8,JOINT VENTURE OF LHC	010813	1/8/2013	PN 16001/AVE VAQUERO SD I	7,500.00	7,500.00
505517	1/18/2013	013320	GCS, INC	41891	12/31/2012	JANITORIAL SERVICE FOR U	970.00	970.00
505518	1/18/2013	000208	GENERAL PETROLEUM CORP	4873644	12/19/2012	GASOLINE AND DIESEL PURC	16,768.88	16,768.88
505519	1/18/2013	022374	GODINEZ, ALEX	011113	1/11/2013	LODGING AND MEAL REIMB.	744.60	744.60
505520	1/18/2013	014194	GOLF SCORECARDS INC	35344	12/10/2012	SCORECARDS	1,832.14	1,832.14
505521	1/18/2013	001140	HACH COMPANY	8094020	1/3/2013	LAB SUPPLIES	91.13	91.13
505522	1/18/2013	021838	HAMPTON TEDDER TECHNIC	79012	12/28/2012	EMERGENCY CALL OUT	2,897.40	2,897.40
505523	1/18/2013	018614	HATCO INTERNATIONAL	221826	12/14/2012	JG HATS	545.85	545.85
505524	1/18/2013	003389	HDS WHITE CAP CONST SUP	5160885-00	12/18/2012	PURCHASE ORDER FOR ALL	185.17	185.17
505525	1/18/2013	002045	HIRSCH PIPE & SUPPLY	3166245	1/8/2013	PART TO RETROFIT FLUSH V	213.89	213.89
505526	1/18/2013	016954	HSBC BUSINESS SOLUTIONS	072045	12/28/2012	A/C #7003-7331-0000-9867	803.16	
				038964	12/20/2012	A/C #7003-7331-0000-9867	769.99	
				029206	12/30/2012	A/C #7003-7331-0000-9867	531.54	
				029210	12/30/2012	A/C #7003-7331-0000-9867	131.54	2,236.23
505527	1/18/2013	000912	HYDRO-SCAPE PRODUCTS,IN	7419258-00	12/18/2012	BOX & COVER, GLUE	62.97	62.97
505528	1/18/2013	007033	IMPERIAL SPRINKLER SUPPL	1618279-00	1/2/2013	MISC SUPPLIES & PARTS FOI	504.71	
				1618289-00	1/2/2013	MISC SUPPLIES & PARTS FOI	448.57	953.28
505529	1/18/2013	012787	INFOSEND, INC.	64834	1/3/2013	Printing and distribution of mont	466.87	466.87
505530	1/18/2013	003640	INTERACTIVE DATA PRICING	05536112	11/30/2012	Monthly usage - Sympro Report	100.17	100.17
505531	1/18/2013	019889	INTERNATIONAL LINE BUILDE	749400	12/17/2012	ILB - TS KDOWN 7.28.12 LOS	9,300.00	9,300.00
505532	1/18/2013	019001	IPS GROUP, INC	1541	12/31/2012	IPS - PKG MTR BANK MERCH	946.85	946.85
505533	1/18/2013	010733	IRVINE PIPE & SUPPLY	710334-4	1/2/2013	CPVC/LINE STRAINER/BALL \	20.32	20.32
505534	1/18/2013	018531	JACQUES, NADIA	122712	12/27/2012	MILEAGE REIMB. FOR NOV. -	60.49	60.49
505535	1/18/2013	022373	JOBBEEDU	5523	12/14/2012	DRY FIT SHIRTS / RASHGUAF	1,362.29	1,362.29
505536	1/18/2013	000280	JOBS AVAILABLE, INC.	010713	1/7/2013	RENEWAL OF SUBSCRIPTIOI	45.00	45.00
505537	1/18/2013	000379	JONES CHEMICALS, INC	570550	1/9/2013	CHLORINE FOR WATER REC.	6,422.20	
				570573	1/10/2013	CHLORINE FOR WATER REC.	-4,000.00	2,422.20
505538	1/18/2013	016249	KACZYNSKI, STEVE	142013	1/4/2013	ADULT SOFTBALL LEAGUE O	150.00	150.00

Bank : city BANK OF THE WEST

(Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
505539	1/18/2013	022375	KEMBLE, MERLE 011013	1/10/2013	PARKING METER REFUND	3.50	3.50
505540	1/18/2013	001721	KNORR SYSTEMS, INC. SI143146	12/31/2012	POOL EQUIPMENT	1,600.00	1,600.00
505541	1/18/2013	013599	LIFEGUARD STORE INC INV110836	12/3/2012	LIFEGUARD UNIFORMS	390.00	390.00
505542	1/18/2013	015966	LLOYD PEST CONTROL 3654836	12/22/2012	LLOYD PEST CTRL - 910 NEG	80.00	80.00
505543	1/18/2013	017805	LOFTCRAFTERS INC B12-1505	10/25/2012	REFUND OF WMP FEE	500.00	
			B12-1667	11/28/2012	REFUND OF WMP FEE	250.00	
			B12-1689	12/3/2012	REFUND OF WMP FEE	250.00	
			B12-1730	12/3/2012	REFUND OF WMP FEE	250.00	1,250.00
505544	1/18/2013	007564	LOWE'S COMPANIES, INC. 09052	1/8/2013	PURCHASE ORDER FOR ALL	95.06	
			25983	1/9/2013	PURCHASE ORDER FOR ALL	30.65	
			25822	1/8/2013	PURCHASE ORDER FOR ALL	25.62	151.33
505545	1/18/2013	001812	LUBRICATION ENGINEERS, IN IN211730	12/19/2012	MONOLEC COMPRESSOR / T	729.74	729.74
505546	1/18/2013	008396	LUSSIER, KEVIN 121912	12/19/2012	REFUND OVERPAYMENT - DE	59.93	59.93
505547	1/18/2013	010938	MARIS IMAGING SOLUTIONS, 2013-3213	1/9/2013	PURCHASE ORDER FOR ALL	2,398.67	
			2013-3211	1/9/2013	PURCHASE ORDER FOR ALL	1,627.00	
			2013-3209	1/4/2013	ON SITE TEMPORARY STAFF	170.50	4,196.17
505548	1/18/2013	007651	MARLOWE & COMPANY 13-220-01	1/4/2013	FINAL PAY -CORPS OF ENG S	3,750.00	3,750.00
505549	1/18/2013	020438	MERDA, BRAD 1	1/4/2013	ADULT SOFTBALL LEAGUE O	30.00	30.00
505550	1/18/2013	008528	MORGAN, MIKE 121212	12/12/2012	REFUND OVERPAYMENT OF	59.93	59.93
505551	1/18/2013	003762	NATIONAL CONST RENTALS, 3566203	12/17/2012	TEMPORARY FENCE	288.56	
			3557505	12/3/2012	FENCE RENTAL	16.20	304.76
505552	1/18/2013	007515	NATURE CONSERVANCY, THE 121212	12/12/2012	TMC NCCP FUNDS	85,625.00	85,625.00
505553	1/18/2013	016681	NORCO DELIVERY SERVICES 453334	12/16/2012	DELIVERY	147.03	147.03

Bank : city BANK OF THE WEST

(Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
505554	1/18/2013	001207	OFFICE DEPOT	636705312001	12/17/2012	PURCHASE ORDER FOR ALL	107.74
				635161410001	12/4/2012	PURCHASE ORDER FOR ALL	78.96
				636726458001	12/13/2012	PURCHASE ORDER FOR ALL	75.12
				1534258874	12/17/2012	PURCHASE ORDER FOR ALL	59.11
				636705246001	12/13/2012	PURCHASE ORDER FOR ALL	56.95
				635443336001	12/6/2012	PURCHASE ORDER FOR ALL	34.26
				637856298001	12/20/2012	PURCHASE ORDER FOR ALL	31.22
				1535301259	12/20/2012	PURCHASE ORDER FOR ALL	23.48
				636986346001	12/14/2012	COPY AND PRINTER PAPER F	22.41
				636735833001	12/13/2012	PURCHASE ORDER FOR ALL	18.51
				637693167001	12/19/2012	PURCHASE ORDER FOR ALL	17.74
				636726910001	12/13/2012	PURCHASE ORDER FOR ALL	17.44
				637175728001	12/17/2012	COPY AND PRINTER PAPER F	16.58
				636847895001	12/13/2012	PURCHASE ORDER FOR ALL	11.31
				635477514001	12/6/2012	PURCHASE ORDER FOR ALL	10.82
				636848007001	12/13/2012	PURCHASE ORDER FOR ALL	6.39
505555	1/18/2013	021763	OFFICEMAX INCORPORATED	605797	12/13/2012	DESK CALENDARS, GAS DUS	28.03
				628561	12/14/2012	PENS & BINDERS	24.42
							52.45
505556	1/18/2013	011510	OFSI	1985234	12/29/2012	POLICE SERVICES COPIER L	449.73
							449.73
505557	1/18/2013	008225	OLEN COMMERCIAL REALTY	430473	1/11/2013	REFUND BALANCE IN DEPOS	12,500.00
							12,500.00
505558	1/18/2013	022371	OLSEN, ALBERT W	Ref002359551	1/14/2013	UB Refund Cst #015125	2,275.28
							2,275.28
505559	1/18/2013	016911	ORANGE COUNTY DANCE PR	011113	1/11/2013	INSTRUCTOR PAYMENT	1,649.06
							1,649.06
505560	1/18/2013	019277	ORIGINAL WATERMEN	21344	12/20/2012	20 PAIR LIFEGUARD SHORTS	528.19
				21345	12/20/2012	10 PAIR LIFEGUARD SHORTS	291.83
							820.02
505561	1/18/2013	022363	OWENS, GEORGE W	B12-1515	11/21/2012	REFUND WMP FEE	250.00
							250.00
505562	1/18/2013	020153	PACIFIC ADVANCED CIVIL EN	94107	11/30/2012	C12-40/PN 29203 & 10203/MAI	14,167.93
				94106	11/30/2012	C12-11/PN 12201/WTR REC P	11,741.50
				94108	11/30/2012	PN 12201,24200,24401/WRP A	7,932.00
				94104	11/30/2012	C11-3/PN 10204/WTR RECL P	1,125.00
							34,966.43
505563	1/18/2013	004101	PARENT PROJECT, INC	012113	1/11/2013	FACILITATOR TRAINING	750.00
							750.00
505564	1/18/2013	004449	PERKINS, DENISE	010813	1/8/2013	INSTRUCTOR PAYMENT	302.40
							302.40
505565	1/18/2013	003049	PITNEY BOWES INC.	706334	12/20/2012	SUPPLIES	152.95
							152.95
505566	1/18/2013	001502	POSTMASTER	134	12/20/2012	RENEWAL PERMIT #134 PRE:	190.00
							190.00
505567	1/18/2013	001502	POSTMASTER	131000	12/20/2012	BRM PERMIT #131000 RENEV	190.00
							190.00

Bank : city BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
505568	1/18/2013	000937	PRAXAIR DISTRIBUTION, INC 44862688	12/20/2012	CHEMICALS	219.85	
			44862689	12/20/2012	CHEMICALS	121.75	341.60
505569	1/18/2013	021786	QUAN, EDDIE 010713	1/7/2013	CONTRACT INSTURCTOR PA	207.81	207.81
505570	1/18/2013	004113	RANCHO SAN CLEMENTE BU:25975	1/1/2013	ASSOCIATION FEES	774.18	
			25974	1/1/2013	ASSOCIATION FEES	556.55	1,330.73
505571	1/18/2013	001029	RED WING SHOE STORE 4080000005520	12/27/2012	WORK BOOTS	306.87	306.87
505572	1/18/2013	000308	REFRIGERATION SUPPLIES D50119634-00	1/2/2013	CUST #32970	915.66	915.66
505573	1/18/2013	004049	REGISTER, INC 0091344002	12/31/2012	A/C #0091344002	622.05	622.05
505574	1/18/2013	004049	REGISTER, INC 0084032001	12/31/2012	A/C #0084032001	438.90	438.90
505575	1/18/2013	004049	REGISTER, INC 0002344005	12/31/2012	A/C #0002344005	138.60	138.60
505576	1/18/2013	000270	RHINO ENTERPRISES 6257	12/20/2012	JUNIOR LIFEGUARD T-SHIRT	2,949.23	
			6256	12/20/2012	LIFEGUARD T SHIRTS	1,258.76	4,207.99
505577	1/18/2013	000067	RINCON TRUCK PARTS & REF246874	12/14/2012	BELT	80.47	
			246918	12/27/2012	BELT	5.92	86.39
505578	1/18/2013	000207	RODRIGUEZ, RICHARD R 120-706-13	1/4/2013	TREE MAINTENANCE CONTR	2,200.00	2,200.00
505579	1/18/2013	004166	ROHAN & SONS INC 71100	12/28/2012	MONTHLY MAINTENANCE SE	268.00	268.00
505580	1/18/2013	014574	ROTORK CONTROLS INC CI05874	12/20/2012	FINAL PAY-REPLACE STA AUM	14,717.57	14,717.57
505581	1/18/2013	000467	SAFETY KLEEN CORP 59525037	12/18/2012	PARTS WASHER	226.15	226.15
505582	1/18/2013	022346	SAN CLEMENTE FITNESS INC010813	1/8/2013	CONTRACT INSTRUCTOR PA	54.60	54.60
505584	1/18/2013	001174	SAN DIEGO GAS & ELECTRIC 010813	1/8/2013	06191078453 DISTRIBUTION (	86,486.45	
			122712A	12/27/2012	00046178238 DISTRIBUTION (	9,427.14	
			122812A	12/28/2012	35467212181 DISTRIBUTION (	2,528.97	
			123112	12/31/2012	02166944878 DISTRIBUTION (	1,594.68	
			010213	1/2/2013	01151356015 DISTRIBUTION (	547.49	
			010313	1/3/2013	17228764239 DISTRIBUTION (	87.10	
			122612	12/26/2012	87322212229 DISTRIBUTION (	10.97	
			122412	12/24/2012	96260435882 DISTRIBUTION (	10.50	100,693.30
505585	1/18/2013	001106	SANCON ENGINEERING, INC PP1	12/12/2012	PN 26001/ REHAB OF STORM	90,549.25	90,549.25
505586	1/18/2013	014307	SC TIMES 15971	12/28/2012	SC TIMES WATER CONSER. &	630.00	630.00
505587	1/18/2013	010879	SCCCA 010313	1/3/2013	REGISTRATION A. MEJIA	40.00	40.00
505588	1/18/2013	005035	SCHROEDER, KAYNE A 010913	1/9/2013	INSTRUCTOR PAYMENT	2,205.00	2,205.00
505589	1/18/2013	002406	SCHS GRAD NITE 120612	12/6/2012	GRAD NITE GRANT	1,000.00	1,000.00
505590	1/18/2013	021122	SCOTT, MEREDITH 100012	12/10/2012	REIMB FOR PAYMENT TO BAI	750.00	750.00
505591	1/18/2013	016076	SIEMENS WATER TECH CORF901027233	12/11/2012	BIOXIDE-COLLECTIONS SYS	1,087.47	
			901036419	12/19/2012	BIOXIDE-COLLECTIONS SYS	940.41	2,027.88

Bank : city BANK OF THE WEST

(Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
505592	1/18/2013	002196	SIERRA ANALYTICAL LABS, IN2L10044-COSC	12/10/2012	WATER QUALITY ANALYSIS B	720.00	
			2L26031-COSC	12/26/2012	WATER QUALITY ANALYSIS B	400.00	
			2L26032-COSC	12/26/2012	WATER QUALITY ANALYSIS B	125.00	
			2L26036-COSC	12/26/2012	WATER QUALITY ANALYSIS B	30.00	
			2L26035-COSC	12/26/2012	WATER QUALITY ANALYSIS B	30.00	
			2L26034-COSC	12/26/2012	WATER QUALITY ANALYSIS B	25.00	
			2L26033-COSC	12/26/2012	WATER QUALITY ANALYSIS B	25.00	
			3A07038-COSC	1/7/2013	WATER QUALITY ANALYSIS B	25.00	
			3A07039-COSC	1/7/2013	WATER QUALITY ANALYSIS B	25.00	
			3A07040-COSC	1/7/2013	WATER QUALITY ANALYSIS B	25.00	
			2L10043-COSC	12/10/2012	WATER QUALITY ANALYSIS B	15.00	
			3A07037-COSC	1/7/2013	WATER QUALITY ANALYSIS B	15.00	1,460.00
505593	1/18/2013	001784	SIGNS BY CREATIONS UNLIM 12022	1/8/2013	DOWNTOWN FACADE - BIKR.	1,999.00	1,999.00
505594	1/18/2013	006836	SIMS-ORANGE WELDING SUF00250023	12/31/2012	ACETYLENE, OXYGEN	20.71	20.71
505595	1/18/2013	020546	SMART SOURCE OF CALIF LL 1276285	12/20/2012	RED TAGS FOR TRASH CAN `	1,098.81	1,098.81
505596	1/18/2013	020437	SOLARIO, JODY DAYLE 2	1/4/2013	ADULT SOFTBALL UMPIRE	30.00	30.00
505597	1/18/2013	015733	SONITROL GOLD COAST 110043	1/1/2013	MONTHLY MONITORING CLU	213.64	
			110417	12/28/2012	MONTHLY MONITORING CLU	13.46	227.10
505598	1/18/2013	000311	SOUTH COAST AIR QUALITY I2549887	12/18/2012	ICE DIESEL	621.70	
			2550786	12/18/2012	FLAT FEE FOR LAST FY EMIS	115.56	737.26
505599	1/18/2013	012397	SOUTH COAST ANSWERING S130100768101	1/1/2013	MONTHLY ANSWERING SERV	475.75	
			130100794101	1/1/2013	S.COAST ANS. SVC - MAINT I	90.95	566.70
505600	1/18/2013	002755	SOUTH COAST DISTRIBUTING 168322	1/3/2013	SUPPLIES	731.48	
			168351	1/3/2013	SUPPLIES	242.35	
			167938	12/20/2012	SUPPLIES	206.23	
			168352	1/3/2013	SUPPLIES	38.77	
			167929	12/20/2012	SUPPLIES	26.83	1,245.66
505601	1/18/2013	012848	SOUTH COAST PRINTERCARI116372	12/18/2012	TONER CARTRIDGE	372.70	
			116595	1/18/2013	TONER CARTRIDGE	227.74	
			116560	1/7/2013	TONER CARTRIDGE	135.92	736.36
505602	1/18/2013	000170	SOUTH COAST WATER DISTR07377164	1/3/2013	WATER USAGE FOR MEDIAN	211.70	
			07180461	1/3/2013	WATER USAGE FOR MEDIAN	52.57	
			08518708	1/3/2013	WATER USAGE FOR MEDIAN	23.72	
			07377404	1/3/2013	WATER USAGE FOR MEDIAN	23.72	311.71
505603	1/18/2013	008089	SOUTH OC WASTEWATER AUCSC-OPS-3RD-	1/7/2013	SOCWA QUARTERLY BUDGE	46,200.00	46,200.00

Bank : city BANK OF THE WEST

(Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
505604	1/18/2013	003204	SOUTHERN CALIF GAS CO, IN122812A	12/28/2012	01060702006 GAS SERVICES	341.92	
			122712A	12/27/2012	05900755900 GAS SERVICES	199.19	541.11
505605	1/18/2013	011672	SPARKLETTS	12/1/2012	WATER	12.23	12.23
505606	1/18/2013	021426	SPIRE STRUCTURAL ENG INC12339	12/21/2012	PN 11547/PSA FOR CORP YAF	2,050.00	2,050.00
505607	1/18/2013	003563	STANDARD INSURANCE	1/1/2013	VOLUNTARY LIFE INSURANC	1,269.99	1,269.99
505608	1/18/2013	014098	STANDARD INSURANCE	1/1/2013	INSURANCE	8,501.57	8,501.57
505609	1/18/2013	001969	STAPLES ADVANTAGE	12/19/2012	PURCHASE ORDER FOR ALL	73.28	
			3187687710	12/7/2012	PURCHASE ORDER FOR ALL	73.27	
			3188068922	12/14/2012	PURCHASE ORDER FOR ALL	73.27	
			3187911987	12/8/2012	PURCHASE ORDER FOR ALL	43.09	
			3188696496	12/22/2012	PURCHASE ORDER FOR ALL	36.35	
			3188445933	12/20/2012	PURCHASE ORDER FOR ALL	28.44	
			3187687713	12/7/2012	PURCHASE ORDER FOR ALL	20.22	
			3187911988	12/8/2012	PURCHASE ORDER FOR ALL	10.03	
			3188404708	12/19/2012	PURCHASE ORDER FOR ALL	6.61	
			3187687712	12/7/2012	PURCHASE ORDER FOR ALL	4.81	369.37
505610	1/18/2013	001033	STATE BOARD OF EQUALIZAT20124THQTR	1/3/2013	SALES & USE TAX RETURN A	1,493.00	1,493.00
505611	1/18/2013	018727	TALLEY	12/27/2012	CABLE ASSY	300.24	
			10114437	12/27/2012	CABLE ASSY	136.28	
			10114436	12/27/2012	CABLE ASSY	71.26	507.78
505612	1/18/2013	019220	THE ADVANTAGE GROUP	12/31/2012	COBRA ADMIN FEE	171.90	171.90
505613	1/18/2013	006409	THOMPSON INDUSTRIAL SUP100781	12/19/2012	HTD BELT	196.70	196.70
505614	1/18/2013	007928	TIFCO INDUSTRIES, INC.	12/12/2012	GLOVES, HOSE, WORKLIGHT	1,039.65	
			70821080	12/14/2012	SPARKPLUGS	598.01	1,637.66
505615	1/18/2013	014025	TORO NSN	1/1/2013	TORO NSN	184.00	184.00

Bank : city BANK OF THE WEST

(Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
505616	1/18/2013	001239	TRUGREEN LANDCARE COMI7427447	12/31/2012	PARKS MAINTENANCE CONT	57,910.00	
			7427448	12/31/2012	LANDSCAPE MAINT AVH SPO	20,019.00	
			7427446	12/31/2012	STREETSCAPE MAINTENANC	12,883.60	
			7427444	12/31/2012	BEACH MAINTENANCE CONT	7,921.00	
			7427445	12/31/2012	RESTROOM MAINTENANCE (	7,346.00	
			7435270	12/20/2012	PARKS MAINTENANCE CONT	4,500.00	
			7427449	12/31/2012	RESTROOM MAINT AVH SPOI	3,552.00	
			7435269	12/20/2012	STREETSCAPE MAINTENANC	1,575.00	
			7427769	12/12/2012	PARKS MAINTENANCE CONT	1,070.00	
			7427451	12/31/2012	STREETSCAPE MAINTENANC	866.67	
			7427546	12/11/2012	PARKS MAINTENANCE CONT	800.00	
			7427545	12/11/2012	PARKS MAINTENANCE CONT	460.00	
			7435271	12/20/2012	LANDSCAPE MAINT AVH SPO	360.00	
			7427450	12/31/2012	NEGOCIO LANDSCAPE MAIN	344.40	
			7430172	12/18/2012	PARKS MAINTENANCE CONT	275.00	
			7427885	12/13/2012	PARKS MAINTENANCE CONT	150.00	120,032.67
505617	1/18/2013	000976	TURBO DATA, INC	19700	12/31/2012 CITATION PROCESSING	2,420.79	
				19701	12/31/2012 ADMIN CITATION PROCESSIN	204.93	2,625.72
505618	1/18/2013	012461	TURF MAKER	34839	12/18/2012 BANNER MAXX, DACONIL	1,491.74	1,491.74
505619	1/18/2013	001088	UNDERGROUND SERVICE AL	1220120553	1/1/2013 UNDERGROUND SERVICE FC	84.00	84.00
505620	1/18/2013	005869	USI, INC	007448700015	12/26/2012 DESKTOP LAMINATOR	195.54	195.54
505621	1/18/2013	002067	V W R INTERNATIONAL INC	8052599655	1/2/2013 LABORATORY SUPPLIES	146.19	
				8052380063	12/3/2012 LABORATORY SUPPLIES	76.40	222.59
505622	1/18/2013	008202	VALLEY COURIERS, INC.	173585	12/20/2012 Monthly Courier Services - FY 2	306.21	306.21
505623	1/18/2013	013109	VERIZON	1149928185	12/25/2012 A/C#361144577-00002	177.37	
				1149928184	12/25/2012 A/C#361144577-00001	58.55	235.92
505624	1/18/2013	016334	VISION SERVICE PLAN (CA)	300053940001	12/20/2012 A/C #30-005394-0001 VISION I	4,167.79	
				300053940002	12/20/2012 A/C #30-005394-0002 VISION I	290.92	4,458.71
505625	1/18/2013	016070	VISTA DEL VERDE LANDSCAP	19786	1/1/2013 LANDSCAPE MAINT. OF CITY	1,478.25	1,478.25
505626	1/18/2013	008024	WACHS COMPANY, E.H.	INV068943	11/15/2011 SUPPLIES	205.29	205.29
505627	1/18/2013	008950	WAIZINGER, JOHN	CSC12-2012	1/4/2013 RESTROOM SANITIZING	1,501.25	
				MAINT.JAN-201	1/4/2013 PACIFIC SVCS - MAINT SVCS	222.48	1,723.73
505628	1/18/2013	009334	WALKER PARKING CONSULT	37832700002	12/31/2012 DESIGN AND FEASIBILITY ST	2,651.15	2,651.15
505629	1/18/2013	021974	WATKINS, TERESA	3	1/4/2013 ADULT SOFTBALL UMPIRE	30.00	30.00

Bank : city BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
505630	1/18/2013	001131	WHITE, EILEEN BERNADETTE	SCPC-12-2012	1/7/2013	PROFESSIONAL SERVICES	1,080.00
				CAC-12-2012	1/6/2013	FY2012 CAC RECORDING TR	360.00
				SCPC-9-2012AC	9/30/2012	PROFESSIONAL SERVICES	-200.00
505631	1/18/2013	000566	ZUMAR INDUSTRIES, INC	0142761	12/31/2012	ZUMAR - STRT./TRAFFIC SIG	1,685.17
				0142766	12/31/2012	ZUMAR - STRT./TRAFFIC SIG	245.02
				0142670	12/27/2012	ZUMAR - STRT./TRAFFIC SIG	122.40
				0142811	12/31/2012	ZUMAR - STRT./TRAFFIC SIG	55.97
Sub total for BANK OF THE WEST:							1,071,783.86

187 checks in this report.

Grand Total All Checks: 1,071,783.86

CITY OF SAN CLEMENTE
CERTIFICATION OF WARRANTS

I HEREBY SUBMIT THE ATTACHED
WARRANT REGISTER FOR AUDIT
AND APPROVAL BY THE CITY
COUNCIL, CITY OF SAN CLEMENTE

APPROVED AND ORDERED PAID AT
THE MEETING OF THE CITY COUNCIL
HELD February 5, 2013
IN THE AMOUNT OF \$ 1,099,270.48

CITY MANAGER

MAYOR

ATTEST: _____
CITY CLERK

I HEREBY CERTIFY TO THE ACCURACY OF THE FOREGOING
DEMANDS AND THAT FUNDS ARE AVAILABLE FOR PAYMENT
THEREOF:

PAID BY WARRANTS SIGNED BY LEGALLY
DESIGNATED PERSONS IN ACCORDANCE
WITH THE STATE OF CALIFORNIA
GOVERNMENT CODE, SECTION-41003

ASSISTANT CITY MANAGER



CITY TREASURER

Bank : city BANK OF THE WEST

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
1089	1/25/2013	004156	CALIF, STATE OF, EMPLOYME	Ben2360031	1/25/2013	STATE TAX: Payment	21,782.56	21,782.56
1090	1/25/2013	000010	CALIF, STATE OF, EMPLOYME	Ben2360033	1/25/2013	SDI INS: Payment	5,226.01	5,226.01
1091	1/25/2013	001819	FEDERAL WITHOLDING TAX	Ben2360029	1/25/2013	FEDERAL TAX: Payment	147,852.77	147,852.77
1092	1/25/2013	014754	STATE DISBURSMENT UNIT	Ben2360035	1/25/2013	CHILD SUPPORT: Payment	1,666.60	1,666.60
505632	1/25/2013	017063	ADMINSURE INC.	6236	1/7/2013	WORKERS COMP ADMINISTF	2,841.71	2,841.71
505633	1/25/2013	010213	AFLAC	Ben2360025	1/25/2013	AFLAC INSURANCE: Payment	265.96	265.96
505634	1/25/2013	006448	AGE WELL SENIOR SERVICES	9011113	1/11/2013	SENIOR MOBILITY PROGRAM	16,950.24	16,950.24
505635	1/25/2013	006640	AICPA	10489965	12/1/2012	JOURNAL OF ACCOUNTANCY	69.00	69.00
505636	1/25/2013	006530	AMERICAN ASPHALT SOUTH, 3		1/9/2013	C12-35/PN 27304/ANNUAL ST	63,735.41	63,735.41
505637	1/25/2013	022378	AMERICAN ROOF TOPS INC	B12-1930	12/17/2012	REFUND OF WMP FEE	250.00	250.00
505638	1/25/2013	000946	ANTIMITE TERMITE & PEST C	1162084	10/24/2012	CASA R. FUMIGATION - ANTIM	9,300.00	
				121643	1/15/2013	CASA R. FUMIGATION - ANTIM	1,900.00	11,200.00
505639	1/25/2013	017323	APOSHIAN, SHERI	011613	1/16/2013	EMPLOYEE SERVICE AWARD	50.00	50.00
505640	1/25/2013	001484	ARC	6742920	1/8/2013	REPROGRAPHICS FY13	1.89	1.89
505641	1/25/2013	019070	ATOM COMPANY INC	15207	1/3/2013	SAW CUT ASPHALT	398.00	
				15210	1/9/2013	EQUIP MOBILIZATION & SET I	398.00	
				15215	1/10/2013	EQUIP MOBILIZATION & SET I	435.00	
				15212	1/10/2013	EQUIP MOBILIZATION & SET I	365.00	1,596.00
505642	1/25/2013	001766	AWARDS 'N MORE	31198	1/9/2013	EMBOSSING BINDER	545.07	
				31187	1/3/2013	NAME PLATES	23.44	568.51
505643	1/25/2013	002435	BENDER & CO INC, MATTHEW	41274369	12/19/2012	CA CODE 2013 SUPS/INDEX/F	1,483.65	1,483.65
505644	1/25/2013	022281	BIG TEX TRAILERS WEST	09897	11/29/2012	TRAILER	4,716.68	4,716.68
505645	1/25/2013	003200	BLAKELY, DANA L.	30158	1/3/2013	CDD NEWS LETTER	484.38	484.38
505646	1/25/2013	021231	BLECKERT'S TRANSPORTATI	113-954	1/7/2013	FILL SAND	385.92	385.92
505647	1/25/2013	007778	BOISSERANC, ALYSSA	011613	1/16/2013	EMPLOYEE SERVICE AWARD	50.00	50.00
505648	1/25/2013	004461	BOISSERANC, KADE	011613	1/16/2013	EMPLOYEE SERVICE AWARD	200.00	200.00
505649	1/25/2013	015651	BURTON, IAN	011613	1/16/2013	EMPLOYEE SERVICE AWARD	50.00	
				2676-219543	1/9/2013	VEHICLE JUMP STARTER	105.83	155.83
505650	1/25/2013	001182	CALIF, STATE OF, FRANCHISE	Ben2360027	1/25/2013	STATE TAX LEVY: Payment	360.00	360.00
505651	1/25/2013	001182	CALIF, STATE OF, FRANCHISE	201883747	1/22/2013	RED W STUDIO CASE #20188	87.50	87.50
505652	1/25/2013	003231	CALIFORNIA DEPT OF JUSTIC	918177	6/30/2012	FINGERPRINT PROCESSING	256.00	
				922708	8/6/2012	FINGERPRINT PROCESSING	864.00	1,120.00
505653	1/25/2013	012027	CALIFORNIA WATER TECHNO	23217	11/20/2012	FERRIC CHLORIDE FOR WRF	6,439.20	6,439.20
505654	1/25/2013	014672	CAPISTRANO CRANE SERVIC	4674	1/8/2013	CRANE RENTAL	300.00	300.00

Bank : city BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
505655	1/25/2013	003654	CARBONARA TRATTORIA ITAL628260	12/29/2012	CITY COUNCIL HOLIDAY DINN	450.00	450.00
505656	1/25/2013	016572	CASAGRANDA, BRIAN 011613	1/16/2013	EMPLOYEE SERVICE AWARD	50.00	50.00
505657	1/25/2013	018914	CATAPANG, ELMER 011613	1/16/2013	EMPLOYEE SERVICE AWARD	50.00	50.00
505658	1/25/2013	015477	CELL BUSINESS EQUIPMENT IN1485459	1/5/2013	COPIER MAINTENANCE	2,144.35	2,144.35
505659	1/25/2013	005359	CHAMORRO, AUGUSTO 011613	1/16/2013	EMPLOYEE SERVICE AWARD	250.00	250.00
505660	1/25/2013	016595	CIAMPA, JOHN 011613	1/16/2013	EMPLOYEE SERVICE AWARD	50.00	50.00
505661	1/25/2013	019519	CINTAS CORPORATION 640705140	1/10/2013	UNIFORM RENTAL	59.50	
			640706034	1/11/2013	CINTAS - MAINT. SVCS. DIV. -	120.22	
			640694731	12/20/2012	CINTAS - MAINT. SVCS. DIV. -	96.88	
			640708620	1/17/2013	CINTAS - MAINT. SVCS. DIV. -	96.88	
			640698205	12/27/2012	CINTAS - MAINT. SVCS. DIV. -	96.88	
			640699084	12/28/2012	CINTAS - MAINT. SVCS. DIV. -	120.22	
			640701685	1/3/2013	CINTAS - MAINT. SVCS. DIV. -	96.88	
			640705161	1/10/2013	CINTAS - MAINT. SVCS. DIV. -	96.88	784.34
505662	1/25/2013	004444	CLABAUGH, TYSON 011613	1/16/2013	EMPLOYEE SERVICE AWARD	250.00	250.00
505663	1/25/2013	003559	COASTAL ANIMAL SERVICES ,JAN13	1/1/2013	CONTRACTED SERVICE PAYI	54,469.16	54,469.16
505664	1/25/2013	001241	COLONIAL LIFE & ACCIDENT Ben2360023	1/25/2013	ACCIDENT INSURANCE: Payn	150.62	150.62
505665	1/25/2013	001417	CONSOLIDATED ELECTRIC DI562524	12/14/2012	MATERIALS	25.86	
			563454	1/15/2013	ELECTRICAL LIDS @ SAN GC	19.71	
			563225	1/9/2013	MATERIALS	26.78	
			562613	1/3/2013	MATERIALS	467.59	539.94
505666	1/25/2013	001394	COOK PGA GOLF SHOP INC, I012213	1/22/2013	01/14/13-01/20/13 WEEKLY PA	10,259.20	10,259.20
505667	1/25/2013	006090	COX COMMUNICATIONS 010413A	1/4/2013	A/C 001 7601 050934601	23.27	
			010613	1/6/2013	A/C 001 7601050935601	370.10	393.37
505668	1/25/2013	006090	COX COMMUNICATIONS 5017601048750	12/30/2012	A/C 501 7601 048750601	157.52	157.52
505669	1/25/2013	020272	CROWDER, BRETT 430309	1/16/2013	REFUND - EL CAMINO REAL C	276.93	276.93
505670	1/25/2013	000168	CWEA - TCP 100321020	1/17/2013	COLL. SYS MAINT. CERT. - N.	75.00	75.00

Bank : city BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
505671	1/25/2013	002647	DENAULT'S HARDWARE, INC	427766	1/9/2013	PURCHASE ORDER FOR ALL	61.67
				427838	1/11/2013	PURCHASE ORDER FOR ALL	-24.79
				427230	12/19/2012	PURCHASE ORDER FOR ALL	32.96
				427095	12/14/2012	PURCHASE ORDER FOR ALL	14.98
				426979	12/11/2012	PURCHASE ORDER FOR ALL	10.03
				427829	1/11/2013	PURCHASE ORDER FOR ALL	24.83
				427803	1/10/2013	PURCHASE ORDER FOR ALL	21.76
				427877	1/14/2013	PURCHASE ORDER FOR ALL	38.64
				427907	1/15/2013	PURCHASE ORDER FOR ALL	51.51
				427900	1/15/2013	PURCHASE ORDER FOR ALL	11.62
				427876	1/14/2013	PURCHASE ORDER FOR ALL	11.64
				427159	12/17/2012	PURCHASE ORDER FOR ALL	9.19
				427235	12/19/2012	PURCHASE ORDER FOR ALL	27.10
505672	1/25/2013	000929	DENDEL, DAVID	011613	1/16/2013	EMPLOYEE SERVICE AWARD	400.00
505673	1/25/2013	003034	DEWEYS TV & APPLIANCES, I	3001102	1/11/2013	REFRIGERATOR	1,512.00
505674	1/25/2013	004462	DOHENY PLUMBING	32669	1/7/2013	BEACHES & PARKS MAINTEN	180.00
505675	1/25/2013	022381	DOMINAS, AMBROCIA	011613	1/16/2013	EMPLOYEE SERVICE AWARD	50.00
505676	1/25/2013	015991	DUNCAN, MARK	011613	1/16/2013	EMPLOYEE SERVICE AWARD	50.00
505677	1/25/2013	004575	DWINNELL, RONALD E	98933	1/8/2013	BUILDING MATERIALS	42.12
				99059	1/15/2013	BUILDING MATERIALS	23.11
505678	1/25/2013	004177	E STEWART & ASSOC INC	1785	10/22/2012	STORM DRAIN MAINTENANC	390.00
				1878	12/10/2012	Weed Abatement 2013	350.00
				1896	1/2/2013	FORSTER TRAIL EROSION C	250.00
				1923	1/15/2013	TRAIL MAINTENANCE CONF	439.92
				1924	1/15/2013	TRAIL MAINTENANCE CONF	250.00
				1921	1/15/2013	STEED PARK MAINTENANCE	6,900.00
				1910	1/14/2013	STEED PARK MAINTENANCE	855.00
				1920	1/14/2013	STEED PARK MAINTENANCE	235.00
				1922	1/15/2013	COASTAL TRAIL MAINTENAN	3,854.00
505679	1/25/2013	010878	EWING IRRIGATION PRODUC	5790496	1/10/2013	IRRIGATION SUPPLIES A/C#4	631.37
505680	1/25/2013	000026	FEDERAL EXPRESS CORP	2-134-97635	1/4/2013	SHIPPING CHARGES	13.17
505681	1/25/2013	002806	FEDEX OFFICE	031600002951	1/15/2013	SUPPLIES	37.75
505682	1/25/2013	017646	FERGUSON ENTERPRISES IN	8946269	1/10/2013	SHOWER HOSE KIT	59.34
				8956984	1/10/2013	ELEC. URINAL FLUSH VALVE	644.76
505683	1/25/2013	016501	FERNANDEZ, WENDYANN	011613	1/16/2013	EMPLOYEE SERVICE AWARD	50.00

Bank : city BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
505684	1/25/2013	002042	FIRST VEHICLE SERVICES 10763401	1/9/2013	FY2012-13/ FLEET MAINTENA	10,318.44	10,318.44
505685	1/25/2013	001825	FORSTER, ROBERT 011613	1/16/2013	EMPLOYEE SERVICE AWARD	350.00	350.00
505686	1/25/2013	016310	GAMBLE, ROBERT 011613	1/16/2002	EMPLOYEE SERVICE AWARD	50.00	50.00
505687	1/25/2013	016376	GCI CONSTRUCTION INC PP#4 2288	1/8/2013 1/10/2013	C12-33/PN 13201/SN GABRIEL PN 23002/VIA ALEGRE SD OU	23,857.85 342.50	24,200.35
505688	1/25/2013	000208	GENERAL PETROLEUM CORP 4878631	1/4/2013	GASOLINE AND DIESEL PURC	12,658.01	12,658.01
505689	1/25/2013	013136	GENERAL PUMP COMPANY PP#5	11/21/2012	PN 16522/ WELL NO. 6 - C11-5	46,188.90	46,188.90
505690	1/25/2013	009663	GENTLE-ZENTS, LAUREN L 011613	1/16/2013	EMPLOYEE SERVICE AWARD	50.00	50.00
505691	1/25/2013	022377	GHEYSAR, KENNETH B12-1029	8/9/2012	REFUND OF WMP FEE	500.00	500.00
505692	1/25/2013	001926	GRAINGER, INC. W.W. 9034820382	1/8/2013	COMPRESSOR / VACUUM PU	965.61	965.61
505693	1/25/2013	000642	GREAT-WEST TRUST COMPA Ben2360019	1/25/2013	PENSION BUYBACK: Payment	165,815.95	165,815.95
505694	1/25/2013	009969	HANKLA, JEREMY LESTER 011613	1/16/2013	EMPLOYEE SERVICE AWARD	200.00	200.00
505695	1/25/2013	021399	HERITAGE ARCHITECTURE 21212014	12/1/2012	SC MIXED USE PROJECT AN/	2,280.98	2,280.98
505696	1/25/2013	002045	HIRSCH PIPE & SUPPLY 3170318 3173438 3173465 3173432 3166255	1/10/2013 1/14/2013 1/14/2013 1/14/2013 1/8/2013	PARTS FOR URINAL REFURB PARTS FOR URINAL REFURB URINAL PARTS PARTS FOR URINAL REFURB FLAT CLEANOUT	213.89 427.78 25.27 855.56 4.78	1,527.28
505697	1/25/2013	004071	HOFFENBERG, BRENT 011613	1/16/2013	EMPLOYEE SERVICE AWARD	300.00	300.00
505698	1/25/2013	016872	HOPPER, STEVE 102012BAL	10/20/2012	FY 12 DESIGN AT 711 N. ECR	262.50	262.50
505699	1/25/2013	012759	HOSE GUYS, INC., THE 060997 061082	12/26/2012 12/26/2012	SUPPLIES SUPPLIES	115.90 51.72	167.62
505700	1/25/2013	003619	ICMA RETIREMENT TRUST #3 Ben2360015	1/25/2013	DEFERRED COMP ICMA: Payi	51,861.52	51,861.52
505701	1/25/2013	017218	ILKHANIPOUR, KHOSROW 011613	1/16/2013	EMPLOYEE SERVICE AWARD	50.00	50.00
505702	1/25/2013	014213	IMAGE MAKERS B12-1103	7/24/2012	REFUND OF WMP FEE	500.00	500.00
505703	1/25/2013	007033	IMPERIAL SPRINKLER SUPPL 1620496-00	1/7/2013	MISC SUPPLIES & PARTS FOI	279.08	279.08
505704	1/25/2013	012787	INFOSEND, INC. 65144	1/15/2013	Postage for monthly mailing of t	9,062.61	9,062.61
505705	1/25/2013	019630	INTELINET, INC PP#3	1/2/2013	C12-11/PN 12605/SEWER SC/	4,489.15	4,489.15
505706	1/25/2013	003680	ISAAC, LARRY 011613	1/16/2013	EMPLOYEE SERVICE AWARD	500.00	500.00
505707	1/25/2013	021263	JFL ELECTRIC INC 15104	10/31/2012	PN 10811/ C11-44/TRAFFIC SI	19,177.03	19,177.03
505708	1/25/2013	015832	JONES, CLIFF 011613	1/16/2013	EMPLOYEE SERVICE AWARD	50.00	50.00
505709	1/25/2013	006381	JTB SUPPLY COMPANY, INC 95553	1/7/2013	JTB - TRAF SIG MNT SUPPLIE	2,397.60	2,397.60
505710	1/25/2013	001253	LAURA'S HOUSE 2	1/8/2013	CDBG SOCIAL SVCS 2ND QR	2,000.00	2,000.00
505711	1/25/2013	019315	LEE & RO, INC LR-15352	1/2/2013	PSA/PN 26201 & 10202/ LOS M	2,000.00	2,000.00

Bank : city BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
505712	1/25/2013	006643	LIPPERT BUILDING COMPANY	456	1/13/2013	MISC REPAIRS/CONSTRUCTI	360.00
				459	1/16/2013	PLAYGROUND MAINTENANCI	1,100.00
				458	1/13/2013	PLAYGROUND MAINTENANCI	1,440.00
				457	1/13/2013	PLAYGROUND MAINTENANCI	540.00
505713	1/25/2013	007564	LOWE'S COMPANIES, INC.	25523	1/7/2013	PURCHASE ORDER FOR ALL	26.98
				23411	1/7/2013	PURCHASE ORDER FOR ALL	92.25
				25344	1/11/2013	PURCHASE ORDER FOR ALL	19.47
				12439	1/11/2013	PURCHASE ORDER FOR ALL	10.21
				25146	1/16/2013	PURCHASE ORDER FOR ALL	84.11
				09084	1/8/2013	PURCHASE ORDER FOR ALL	91.99
				25108	1/4/2013	PURCHASE ORDER FOR ALL	30.76
				23434	1/9/2013	PURCHASE ORDER FOR ALL	151.14
				21449	1/16/2013	PURCHASE ORDER FOR ALL	26.98
				12518	12/17/2012	PURCHASE ORDER FOR ALL	60.88
				09981	1/14/2013	PURCHASE ORDER FOR ALL	64.67
				12088	1/15/2013	PURCHASE ORDER FOR ALL	73.98
				25982	1/9/2013	PURCHASE ORDER FOR ALL	39.92
				25082	1/10/2013	PURCHASE ORDER FOR ALL	59.31
				25683	1/8/2013	PURCHASE ORDER FOR ALL	15.37
505714	1/25/2013	011666	LUONG, VINH	011613	1/16/2013	EMPLOYEE SERVICE AWARD	200.00
505715	1/25/2013	010938	MARIS IMAGING SOLUTIONS,	2013-3218	1/10/2013	PURCHASE ORDER FOR ALL	1,190.51
				2013-3212	1/9/2013	PURCHASE ORDER FOR ALL	2,436.66
505716	1/25/2013	012772	MBF CONSULTING, INC.	900-587	1/15/2013	BLANKET/ENG. CONSULTATI	1,740.00
				900-588	1/15/2013	BLANKET/ENG. CONSULTATI	4,920.00
				900-589	1/15/2013	BLANKET/ENG. CONSULTATI	8,760.00
505717	1/25/2013	003646	MCCALL`S METERS, INC.	23398	1/3/2013	CERTIFIED FLOW TEST	42.68
505718	1/25/2013	011378	MECHANICAL SEAL REPAIR	84383	1/4/2013	REPAIR CARTRIDGE SEALS	1,995.59
505719	1/25/2013	007340	MUELLER, RITA	011613	1/16/2013	EMPLOYEE SERVICE AWARD	350.00
505720	1/25/2013	006627	MUNI WATER DIST OF ORAN	1221	12/21/2012	MWDOC SMART TIMER REB/	150.00
505721	1/25/2013	004185	MUTUAL LIQUID GAS & EQUIP	109721	1/3/2013	PROPANE PURCHASES	625.55
				110053	1/7/2013	PROPANE PURCHASES	299.99
505722	1/25/2013	004348	NATIONAL EMBLEM, INC	351248	1/8/2013	PATCHES FOR HATS	279.04
505723	1/25/2013	000514	NATIONAL SAFETY COMPLIAN	55102	12/31/2012	DOT TESTING	209.85
505724	1/25/2013	004901	NEXTEL COMMUNICATIONS	393116317-134	1/15/2013	CELLULAR SERVICES A/C #3	4,468.13
505725	1/25/2013	022382	NICHOLAS, RON	011613	1/16/2013	EMPLOYEE SERVICE AWARD	50.00

Bank : city BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
505726	1/25/2013	020020	NOBLE AMERICAS ENERGY S1301600027589	1/16/2013	ELECTRICITY A/C #281213	156.62	
			1301600027592	1/16/2013	ELECTRICITY A/C #271426	8,247.99	
			1301600027589	1/16/2013	ELECTRICITY A/C #281216	186.25	
			1301600027589	1/16/2013	ELECTRICITY A/C #281219	5,884.84	
			1301600027589	1/16/2013	ELECTRICITY A/C #281217	599.02	
			1301600027589	1/16/2013	ELECTRICITY A/C #281212	5,219.68	
			1301600027589	1/16/2013	ELECTRICITY A/C #281215	1,952.20	
			1301600027592	1/16/2013	ELECTRICITY A/C #281211	42.55	
			1301600027589	1/16/2013	ELECTRICITY A/C #281218	34,922.83	57,211.98
505727	1/25/2013	001207	OFFICE DEPOT	639501360001	1/9/2013	COPY AND PRINTER PAPER I	24.98
				639795690001	1/4/2013	PURCHASE ORDER FOR ALL	85.00
				639279339001	1/8/2013	PURCHASE ORDER FOR ALL	23.65
				639279338001	1/8/2013	PURCHASE ORDER FOR ALL	122.96
				638888836001	1/7/2013	PURCHASE ORDER FOR ALL	108.81
				639278165001	1/8/2013	PURCHASE ORDER FOR ALL	40.50
				639501130001	1/9/2013	PURCHASE ORDER FOR ALL	97.72
				639316374001	1/9/2013	PURCHASE ORDER FOR ALL	46.17
							549.79
505728	1/25/2013	008563	ONESOURCE DISTRIBUTORS	S3925760.001	12/28/2012	PVC, MISC	586.85
				S3925760.002	12/28/2012	HARDWARE	302.49
				S3929859.001	1/3/2013	PVC COATED HUB	283.66
				S3930705.001	1/7/2013	COVER BOX	247.34
				S3930629.001	1/8/2013	CABLE SHIELD	168.17
							1,588.51
505729	1/25/2013	001098	ORANGE COUNTY AUDITOR (W1301075257	1/7/2013	BIO SOLIDS DISPOSAL AT OC	5,154.63	5,154.63
505730	1/25/2013	002372	ORANGE COUNTY FIRE AUTHS0257005	1/10/2013	CONTRACT FIRE AND AMBUL	136,147.39	136,147.39
505731	1/25/2013	001086	ORANGE COUNTY TREAS(TA)DEC12	12/31/2012	PARKING VIOLATION SURCH.	10,796.44	
			SC06834	1/4/2013	POLICE RADIO MAINTENANC	3,770.85	14,567.29
505732	1/25/2013	001081	ORANGE EMPIRE CHAPTER C011013	1/10/2013	MEMBERSHIP DUES - M. JOR	360.00	360.00
505733	1/25/2013	012346	PACIFIC PRODUCTS & SVCS I15805	12/11/2012	SIGN POST	4,491.93	4,491.93
505734	1/25/2013	017067	PALOMINO, CHRIS	011613	1/16/2013	EMPLOYEE SERVICE AWARD	50.00
				011613	1/16/2013	EMPLOYEE SERVICE AWARD	350.00
							350.00
505736	1/25/2013	009583	PAYFLEX SYSTEMS USA INC	100576-385618	1/10/2013	ADMIN FEES HEALTH / DEP C	1,304.25
				Ben2360017	1/25/2013	SEC 125 MEDICAL: Payment	4,930.47
							4,930.47
505738	1/25/2013	000267	R & R INDUSTRIES, INC	423118	1/10/2013	JACKETS; SWEATSHIRTS	232.20
							232.20
505739	1/25/2013	000207	RODRIGUEZ, RICHARD R	120-707-13	1/15/2013	TREE MAINTENANCE CONTR	20,885.37
				Ben2360021	1/25/2013	DUES - SCCEA: Payment	1,356.00
							1,356.00

Bank : city BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
505741	1/25/2013	000768	SAN CLEMENTE CITY WATER 011013	1/10/2013	WATER SERVICE	31,485.51	31,485.51
505742	1/25/2013	001174	SAN DIEGO GAS & ELECTRIC 123112A	12/31/2012	79897912341 DISTRIBUTION (	1,179.56	1,179.56
505743	1/25/2013	002274	SAN JOAQUIN HILLS T C A DEC12	12/31/2012	FEE COLLECTED	9,831.52	9,831.52
505744	1/25/2013	017069	SANDERS, THOMAS 011613	1/16/2013	EMPLOYEE SERVICE AWARD	50.00	50.00
505745	1/25/2013	009896	SANTA MARGARITA WATER D 1140130-511255	1/9/2013	PARK WATER USAGE	57.90	
			1140130-502985	1/9/2013	PARK WATER USAGE	23.11	
			940050-457885	1/9/2013	PARK WATER USAGE	36.32	
			940050-448465	1/9/2013	PARK WATER USAGE	28.48	
			1140130-523035	1/9/2013	PARK WATER USAGE	77.17	
			1140130-523105	1/9/2013	PARK WATER USAGE	19.53	
			1140130-523095	1/9/2013	PARK WATER USAGE	19.53	262.04
505746	1/25/2013	005090	SCUBA MANIA, INC. 85778-1	1/12/2013	FILL & SERVICE	21.00	21.00
505747	1/25/2013	016187	SEGI, NUUULI 011613	1/16/2013	EMPLOYEE SERVICE AWARD	50.00	50.00
505748	1/25/2013	002196	SIERRA ANALYTICAL LABS, IN 3A07034-COSC	1/7/2013	WATER QUALITY ANALYSIS B	1,972.00	
			3A12020-COSC	1/12/2013	WATER QUALITY ANALYSIS B	15.00	
			3A12021-COSC	1/12/2013	WATER QUALITY ANALYSIS B	15.00	
			3A12019-COSC	1/12/2013	WATER QUALITY ANALYSIS B	55.00	
			3A17016-COSC	1/17/2013	WATER QUALITY ANALYSIS B	150.00	
			3A17015-COSC	1/17/2013	WATER QUALITY ANALYSIS B	37.00	
			3A17014-COSC	1/17/2013	WATER QUALITY ANALYSIS B	25.00	
			3A17013-COSC	1/17/2013	WATER QUALITY ANALYSIS B	25.00	2,294.00
505749	1/25/2013	001784	SIGNS BY CREATIONS UNLIM 12040	1/15/2013	DIGITAL LAMINATED PRINTS	262.83	262.83
505750	1/25/2013	002755	SOUTH COAST DISTRIBUTINC 168613	1/10/2013	SUPPLIES	1,216.24	1,216.24
505751	1/25/2013	012848	SOUTH COAST PRINTERCARI 116633	1/10/2013	TONER CARTRIDGE	228.82	228.82
505752	1/25/2013	011672	SPARKLETTS 6243099010513	1/5/2013	BOTTLED WATER FOR BP IN:	18.39	18.39
505753	1/25/2013	000740	SQUIRES, MATTHEW 012713-020113A	1/22/2013	BANKUP EXEC TRAINING TR,	224.32	224.32
505754	1/25/2013	000740	SQUIRES, MATTHEW 011613	1/16/2013	EMPLOYEE SERVICE AWARD	200.00	200.00
505755	1/25/2013	001969	STAPLES ADVANTAGE 3189556659	1/4/2013	PURCHASE ORDER FOR ALL	161.48	
			3188502392	12/21/2012	PURCHASE ORDER FOR ALL	36.64	198.12
505756	1/25/2013	003615	STAPLES CREDIT PLAN 43235	1/9/2013	A/C 6035517820753365	17.27	17.27
505757	1/25/2013	001753	SUMMERS/MURPHY & PARTN 13-45	1/9/2013	LAN12-014 LANDSCAPE PLAN	1,380.00	1,380.00
505758	1/25/2013	006485	SYNAGRO SOUTHWEST 30-101798	1/3/2013	BIO SOLIDS TRANSPORT ANI	25,190.79	25,190.79
505759	1/25/2013	018727	TALLEY 10115864	1/10/2013	ANTENNA, BRACKET	167.40	167.40
505760	1/25/2013	022380	THE SHORES BAR & GRILL IN 430443	1/16/2013	REFUND IN DEPOSIT A/C	150.05	150.05
505761	1/25/2013	022383	THOMAS, MARK 011613	1/16/2013	EMPLOYEE SERVICE AWARD	50.00	50.00

Bank : city BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
505762	1/25/2013	013794	THORDAHL, JOHANNE 011613	1/16/2013	EMPLOYEE SERVICE AWARD	250.00	250.00
505763	1/25/2013	003436	TONY'S LOCKSMITH 12327	1/15/2013	KEYS	75.44	75.44
505764	1/25/2013	013331	ULTRA SYSTEMS INC 10377	12/31/2012	CAL DEP. OF FISH & GAME P	2,101.50	2,101.50
505765	1/25/2013	001354	UNITED PARCEL SERVICE 0000895499023	1/12/2013	DELIVERY SERVICE	121.82	121.82
505766	1/25/2013	002067	V W R INTERNATIONAL INC 8052605259 8052562735	1/3/2013 12/21/2012	LABORATORY SUPPLIES LABORATORY SUPPLIES	346.10 68.15	414.25
505767	1/25/2013	005046	WELLS PIPELINE MATERIALS INV000037455 INV000037454	1/10/2013 1/10/2013	MISC SERVICE PARTS FOR V MISC SERVICE PARTS FOR V	1,701.00 68.04	1,769.04
505768	1/25/2013	000870	WITTMAN ENTERPRISES, LLC 121223	1/18/2013	Ambulance Billing Services for I	2,973.18	2,973.18
Sub total for BANK OF THE WEST:							1,099,270.48

141 checks in this report.

Grand Total All Checks: 1,099,270.48



AGENDA REPORT
SAN CLEMENTE CITY COUNCIL MEETING
 Meeting Date: February 5, 2013

Agenda Item CoD
 Approvals: _____
 City Manager _____
 Dept. Head _____
 Attorney _____
 Finance _____

Department: Public Works / Engineering Division
Prepared By: *AK* Amir K. Ilkhanipour, Senior Civil Engineer *AKS*

Subject: **CITY COUNCIL ACCEPTANCE AND NOTICE OF COMPLETION FOR THE VIA ALEGRE STORM DRAIN REHABILITATION, PROJECT NO. 23002.**

Summary: Sancon Engineering Inc., has successfully completed the contract work for the Via Alegre Storm Drain Rehabilitation project awarded by the City Council on November 8, 2012. The project constructed 345 feet of cured-in-place lining within the 18-inch existing storm drain line. The existing storm drain consists of reinforced concrete pipe (RCP) and a section of corrugated metal pipe (CMP).

A detailed summary of the total expenditure is provided below:

Engineering and Project Management	\$ 4,000
Construction Management & Inspection	2,600
<u>Construction</u>	<u>29,900</u>
Total Project Cost	\$36,500

The project cost is within the approved budget amount of \$40,400 from the Storm Drain Fund Depreciation Reserve.

Recommended

Action: STAFF RECOMMENDS THAT the City Council:

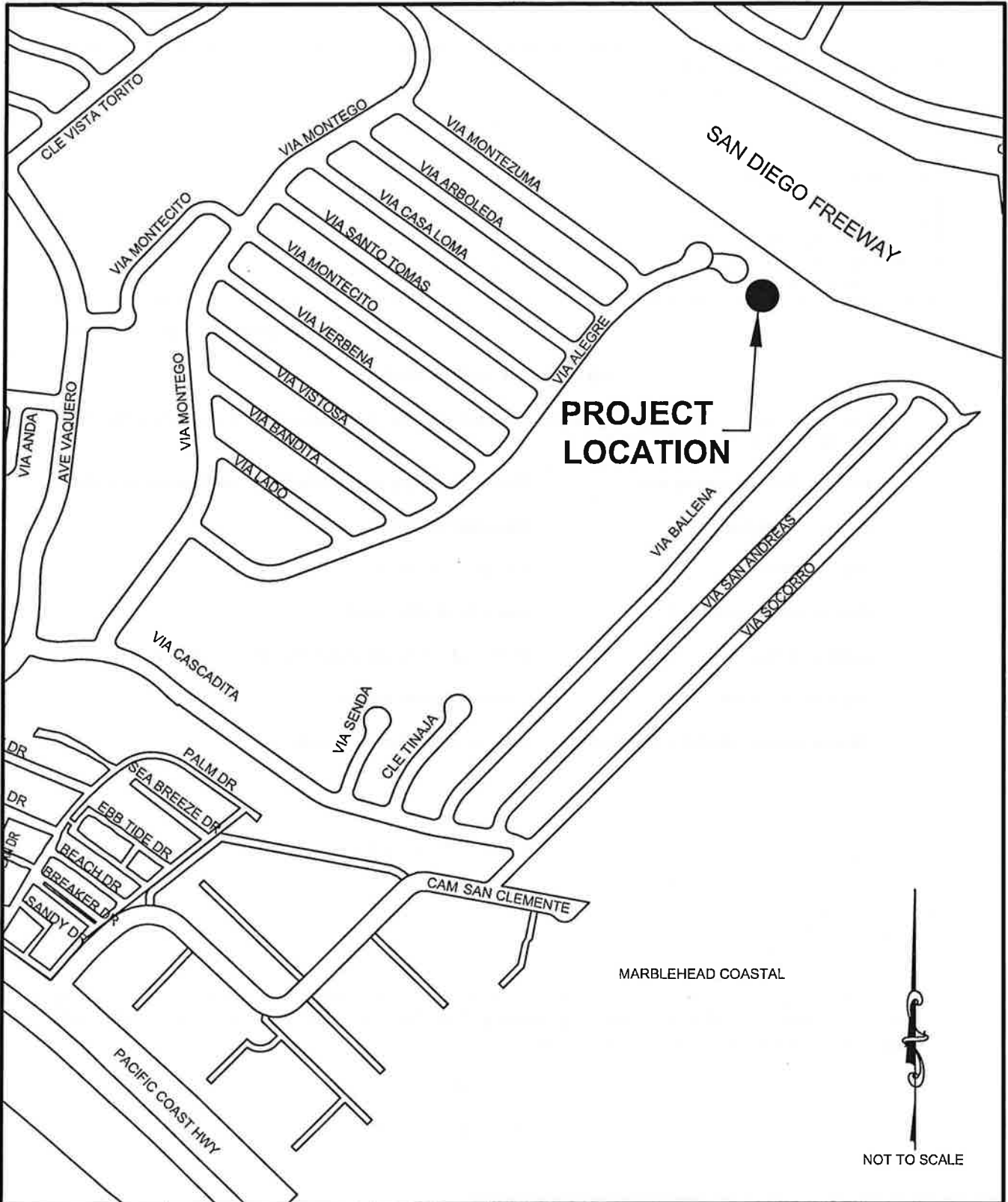
1. Accept the Via Alegre Storm Drain Rehabilitation, Project No. 23002;
2. Authorize the Mayor to execute and City Clerk to record the Notice of Completion for the Via Alegre Storm Drain Rehabilitation, Project No. 23002;
3. Authorize the City Clerk to release the Payment Bond 35 days from the recordation of the Notice of Completion upon verification with the Engineering Division that no liens have been levied against Sancon Engineering Inc.; and
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.

Local Impact: None.

Attachments: Location Map
Notice of Completion

Notification: None.

i:\engineering\admin\2013 admin\02-05-2013\02-05-13-1r.docx



City of San Clemente
 910 Calle Negocio, Suite 100
 San Clemente, CA 92673
 Tel (949) 381-8100
 Fax (949) 361-8316

LOCATION MAP
VIA ALEGRE
STORM DRAIN
 Project No. 23002

6D-3

Exempt recording requested by the City of San Clemente per Gov. Code Sec. 6103 _____ City Clerk When Recorded Mail To: City Clerk City of San Clemente 100 Avenida Presidio San Clemente, CA 92672	
---	--

Space above this line for Recorder's use

NOTICE OF COMPLETION

Notice is hereby given by the undersigned owner, a public entity of the State of California, that a public work of improvement has been completed as follows:

Project title or description of work: Via Alegre Storm Drain Rehabilitation, Project No. 23002
Date of completion: November 15, 2012
Name of owner: City of San Clemente
Interest or estate of owner: Storm Drain Easement
Address of Owner: 100 Avenida Presidio, San Clemente, CA 92672
Name of contractor: Sancon Engineering Inc.
Street address or legal description of site: 424 Via Alegre, San Clemente

Dated: _____

Owner: City of San Clemente

Mayor _____

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

I am the City Clerk of the City of San Clemente, the public entity which executed the foregoing notice, and on whose behalf I make this verification: I have read said notice, know its contents, and the same is true. I certify under penalty of perjury that the foregoing is true and correct.

City Clerk _____

Dated this _____ day of _____, _____

GD-4



AGENDA REPORT
SAN CLEMENTE CITY COUNCIL MEETING
 Meeting Date: February 5, 2013

Agenda Item 6E
 Approvals: [Signature]
 City Manager [Signature]
 Dept. Head [Signature]
 Attorney _____
 Finance _____

Department: City Manager
Prepared By: George Scarborough, City Manager

Subject: *PURCHASE OF QUIET ZONE INSURANCE COVERAGE.*

Summary: California Joint Powers Insurance Authority (CJPIA), the City's liability pool, has arranged for group purchased insurance coverage for quiet zones. CJPIA members with quiet zones can opt to purchase this coverage. The current cost if only the City of San Clemente purchases this insurance is \$31,000 for a one year coverage term. The Cities of Dana Point and San Juan Capistrano may be opting to purchase the insurance also. The cost of insurance is based on a per-crossing calculation with a minimum cost of \$31,000 for the policy, and if Dana Point and San Juan Capistrano both elect to purchase coverage, the City's cost will decrease to \$20,000. Funds need to be allocated in order to purchase this insurance coverage.

**Recommended
 ction:** STAFF RECOMMENDS THAT the City Council 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.

Fiscal Impact: Yes, approval of the transfer will reduce the General Fund balance by \$31,000.

Attachments: None

Notification: None



AGENDA REPORT
SAN CLEMENTE CITY COUNCIL MEETING
 Meeting Date: February 5, 2013

Agenda Item 7A
Approvals: _____
 City Manager _____
 Dept. Head _____
 Attorney _____
 Finance _____

Department: Community Development Department, Planning
Prepared By: Amber Gregg, Associate Planner

Subject: **CONDITIONAL USE PERMIT 12-270 AND CULTURAL HERITAGE PERMIT 12-271, REEF POINTE VILLAS**

Request: At the January 22, 2013 City Council meeting, Council called up the item for review noting that staff indicated a process error had occurred. Per Section 17.24.100 of the Zoning Ordinance, story poles should have been erected for the project. Also, story poles must be erected 14 days prior to the public hearing. The applicant has indicated that the poles can be erected by 14 days prior to the February 19, 2013 regularly scheduled meeting and staff is requesting the item be continued to that date.

Summary: The proposed application is a request to consider the demolition of an existing apartment building, and the construction of a new three story development consisting of five units and a subterranean garage. The project is located at 410 Arenoso Lane and is within the Pier Bowl Specific Plan and Architectural and Coastal Zone Overlays.

The project was reviewed and unanimously approved by the Planning Commission on December 19, 2012. After the approval, staff realized an error was made as the development required that story poles be erected pursuant to Section 17.24.110 of the Zoning Ordinance which states:

Visual Analysis Tools. *Story pole staking, as described in Section 17.12.060 "Applications Requiring Additional Information," of this title, shall be required when a discretionary application is submitted which proposes one of the following:*

1. *A new structure or addition that is three (3) or more stories within a Nonresidential, Mixed Use zone and/or an Architectural Overlay District; or*
2. *Any structures with the potential to affect public view corridors from public places in the Coastal Overlay zone, regardless of number of stories.*

Staff made the City Council and City Manager aware of the error and provided a memo briefing them on the situation. At the January 22, 2013 City Council meeting, Council called up the item noting that the way to correct the procedural error was to have Council review the project once the story poles were constructed. The applicant has since erected the story poles and submitted the required certification.

Project Description

The project site is located on a coastal canyon overlooking Linda Lane Park. It is in the Residential High land use designation of the Pier Bowl Specific Plan. See Attachment 2 for Location Map. The applicant is proposing Spanish Colonial Revival architecture.

The three-story development consists of two units on the first and second floors, and one unit on the third story, for a total of five units. The units range in size from 2,270 to 2,855 square feet, with private oversized balconies that range from 343 to 668 square feet. The balconies are designed to take advantage of the ocean views. Guest parking and parking for four of the units is provided in the subterranean parking garage. The fifth unit has an attached two car garage.

Site Data

The project site is 12,136 square feet and is approximately 115 linear feet wide. The site currently has a one story, and a two story, building on-site. Directly south of the property is a public pedestrian walkway that connects Arenoso Lane to Linda Lane providing access to the beach and park. Adjacent properties are multi-family residential developments and include a four-story, multi-family development with a subterranean garage to the southeast, a three-story multi-family development to the northeast, and three and four-story multi-family developments directly across the street. See Attachment 6 for photographs of existing conditions.

Development Standards

Table 1 outlines the development standards for the Residential High land use designation and Architectural and Coastal Zone overlays and how the project is consistent with these standards.

Table 1
Development Standards

Standard	Code Requirements	Proposed Site Plan	Complies with Code Requirements
Density:	1 unit/1,200 sf	1 unit/2,427 sf	Yes
Building Height (Maximum)	45 feet	40 feet	Yes
Setbacks (Minimum):			
• Front	10 feet	10 feet	Yes
• Side Yard	5 feet	5 feet	Yes
• Rear Yard/ Canyon Edge	15 feet	15 feet	Yes
Lot Coverage	55%	54.7%	Yes
Required Parking (Minimum):	15 spaces	15 Spaces	Yes

7A-2

Standard	Code Requirements	Proposed Site Plan	Complies with Code Requirements
Private Open Space Required:	100 sf	343-668 sf	Yes
Landscaping	4 street trees and 10% of the net lot area	4 street trees and approximately 25% of lot area	Yes

Architecture

The applicant is proposing Spanish Colonial Revival architecture. Traditional features include smooth white stucco finish, bull-nose edges, wood windows and doors, and single barrel tile roofing with 25% random mortar packing. Enhanced details include areas of ornate wrought iron, Cantera stone columns at the back of the building, decorative Spanish tiles on main entry raisers, and guardrails constructed of stacked clay roofing tiles.

The scale, mass and form of the building follow the design guidelines as well as the Pier Bowl Specific Plan requirements. The building is designed in a “wedding cake” style with the larger mass on the bottom two floors and stepping in the third story. The project has varied roof elements creating smaller-scale components.

Site Design

The site design follows basic principals of Spanish Colonial Revival architecture. The building is carefully suited to its site and takes advantage of the topography, climate and view, with exterior patios and balconies used for outdoor living. The buildable area of the site is limited to top portions of the lot 15 feet from the canyon edge. The project exceeds net lot landscaping requirements. The retaining and garden walls for the project meet code requirements and do not require a variance.

PROJECT ANALYSIS

Cultural Heritage Permit

A Cultural Heritage Permit is required for two reasons: 1) the project is located within an Architectural Overlay, and 2) the project is located within 300 feet of two historic properties.

Projects located in the Architectural Overlay must comply with the “Spanish Colonial Revival” District per the Design Guidelines of the City of San Clemente (Design Guidelines). The Design Guidelines provide goals and appropriate use of various architectural elements. The development proposes Spanish Colonial Revival architecture and complies with the Design Guidelines. The project meets the goals of the Architectural Overlay which are to

promote and enhance the City's Spanish character. The project also complies with the required findings. The project is in character with the surrounding neighborhood which made up of predominantly three and four story buildings, with higher density, and subterranean parking (see Attachment 6 for photographs of surrounding neighborhood). The DRSC reviewed the proposal on three separate occasions, offered suggestions and comments on how to meet the Design Guidelines, and is supportive of the final design.

There are two historic properties within 300 feet of the proposed project. One is located at 322 Encino Lane, and the other at 327 Encino Lane. Both of these historic resources can only be seen from Encino Lane public right-of-way. Due to the distance of the historic resources from the proposed project, and the topography of the area, the proposed project will not be visible when viewing the historic resources. See exhibit below. Since the project will not be seen when viewing the historic homes, it can be concluded that the project will not have any negative impacts on the historic resources. Copies of the historic resource survey for both of these properties can be found under Attachment 5.

Exhibit 1
Historic Structures Location



Conditional Use Permit

All residential projects consisting of five or more units are required to obtain a Conditional Use Permit per Section 17.32.032, Residential Use Regulations, of the Zoning Ordinance. The neighborhood and surrounding area are predominantly developed with multi-family residential buildings varying from two, three, and four stories in height, consistent with the Pier Bowl High Density zoning. The permitted density of the district is one unit per 1,200 square feet of net lot area. The applicant is proposing one unit per 2,427 square feet. The last two recent developments approved and constructed in the neighborhood are located at

7A4

405 Arenoso and 412 Arenoso. Their densities were 1 unit per 2,080 square feet and 1 unit per 2,265 square feet respectively, and were also three stories in height with subterranean parking.

The project will not have an adverse negative impact on the surrounding neighborhood as it complies with the development standards of the Zoning Ordinance and the Pier Bowl Specific Plan. The project is consistent with the existing character of the neighborhood and is designed in the required Spanish Colonial Revival architecture, Design Guidelines, and policies of the San Clemente General Plan as detailed later in this report.

GENERAL PLAN CONSISTENCY

Table 3 summarizes how the proposed use is consistent with adopted policies outlined in the City of San Clemente General Plan.

Table 3
General Plan Consistency

Policies and Objectives	Consistency Finding
<i>2.IV.B Preserve and strengthen San Clemente’s unique atmosphere and historic identity as “The Spanish Village by the Sea.”</i>	Consistent. The proposed project site is located within the Architectural overlay and proposes Spanish Colonial Revival architecture. The development is consistent with the City’s Design Guidelines and promotes and enhances the City’s Spanish character.
<i>1.2.9 Require that new residential development in existing residential neighborhoods be compatible with existing structures.</i>	Consistent. The three-story, development is consistent with the surrounding three and four story buildings of the surrounding neighborhood. The Spanish Colonial architecture of the structure is also compatible with the existing developments and will be a positive addition to the street scene both from Arenoso and Linda Lane.
<i>1.2.7(a) Use of building materials, colors, and forms which complement the neighborhood, while allowing flexibility for distinguished design solutions.</i>	Consistent. The proposed multi-family development complements the neighborhood as it fits into the variety of architectural styles and scale of the other residences in the neighborhood.

Policies and Objectives	Consistency Finding
<p><i>1.2.7(b) Modulation and articulation of all building elevations, conveying the visual character of individual units rather than a singular building of mass and volume.</i></p>	<p>Consistent. The multi-family residential project has been designed to incorporate articulation and distinction in order to create a project consistent and beneficial to the area.</p>

ENVIRONMENTAL REVIEW/COMPLIANCE (CEQA):

The Planning Division completed an initial environmental assessment for the application in accordance with the California Environmental Quality Act (CEQA). It was determined that the project is categorically exempt per CEQA Guidelines Section 15303, as a Class 3 activity as it consists of the new construction of a multi-family development of six units or less in an urbanized residential zone.

CALIFORNIA COASTAL COMMISSION REVIEW

The subject property is located within the Coastal Zone and is required to be reviewed and approved by the California Coastal Commission and obtain the necessary permit. California Coastal Commission staff has already met with the applicant and provided preliminary comments on the project and signed off on the location of the project footprint in relation to the canyon edge.

CONCLUSION

The proposed project meets all the development standards and is consistent with the design guidelines of Zoning Ordinance and Pier Bowl Specific Plan. The project is compatible with the surrounding neighborhood. The architecture will add to the streetscape of the surrounding neighborhood and preserve and strengthen San Clemente’s unique atmosphere and historic identity as “The Spanish Village by the Sea.” The project is below the maximum density permitted, and has less density per net area than most developments in the Residential High Zoning District. The mass and form of the building respects the neighboring properties and provides a recessed third story as required by the Pier Bowl Specific Plan. The project will not have a negative impact on the nearby historic resources as it is not visible when viewing the resources from the public right of way. It is staff’s determination that the project meets the required findings and is consistent with Coastal Zone requirements.

Recommended

Action:

STAFF RECOMMENDS THAT the City Council continue CUP 12-270 and CHP 12-271, Reef Pointe Villas, to the regularly scheduled meeting of February 19, 2013.

TA-6

Fiscal Impact: None

- Attachments:**
1. Resolution____
 - A. Conditions of Approval
 2. Location Map
 3. Planning Commission Staff Report of December 19, 2012
 4. Story Pole Interpretation Report
 5. Historic Resources Reports
 6. Photographs of site
 7. Colored Elevation
 8. Correspondence from the public

Notification: All properties owners within 300 feet and the applicant, Steve Smith

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP) 12-270 AND CULTURAL HERITAGE PERMIT (CHP) 12-271, REEF POINTE VILLAS, A REQUEST TO CONSTRUCT A FIVE UNIT RESIDENTIAL DEVELOPMENT AT 410 ARENOSO LANE

WHEREAS, on July 31, 2012 an application was submitted, and on November 14, 2012 completed by Michael Luna of Michael Luna and Associates Architecture Inc., 1531 N. El Camino Real Suite A, San Clemente, CA 92672, for a request to consider the construction of five residential units at 410 Arenoso Lane, the legal description being Lot 46 of Block 3 or Tract 784, and Assessors Parcel Number 692-012-06; and

WHEREAS, on August 16, 2012, October 25, 2012, and November 29, 2012, the City's Development Management Team reviewed the application for compliance with the General Plan, Zoning Ordinance, and other applicable requirements; and

WHEREAS, on June 27, 2012, September 12, 2012 and October 24, 2012, the Design Review Subcommittee reviewed the proposed project and provided comments to the applicant; and

WHEREAS, the Planning Division processed and completed an initial environmental assessment for this project in accordance with the California Environmental Quality Act (CEQA). The Planning Division recommends that the Planning Commission determine that the project is categorically exempt from CEQA in accordance with CEQA Guidelines Section 15303 as a Class 3 exemption because it involves the new construction of the development totaling less than six units in an urbanized area; and

WHEREAS, on December 19, 2012, the Planning Commission held a duly noticed public hearing on the subject application and considered evidence presented by City staff, the applicant, and other interested parties and unanimously approved the proposed project; and

WHEREAS, on January 22, 2013, the City Council called up the proposed project; and

WHEREAS, on February 5, 2013, the City Council held a duly noticed public hearing on the subject application and considered evidence presented by City staff, the applicant, and other interested parties.

NOW, THEREFORE, the City Council of the City of San Clemente hereby resolves as follows:

Section 1: The City Council finds that the project is categorically exempt from the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15303 as a Class 3 exemption because it involves the new construction of the development totaling

7A-8

less than six units in an urbanized area.

Section 2: With respect to CUP 12-270, the City Council finds as follows:

- A. The proposed use is permitted within the subject zone pursuant to the approval of a CUP and complies with all of the applicable provisions of the San Clemente Zoning Ordinance, San Clemente General Plan, the Pier Bowl Specific Plan, and the purpose and intent of the zone in which the use is being proposed and the intent of the City's Design Guidelines and all appropriate addendums, in that the project meets all minimum development standards and exhibits massing, proportion and scale appropriate to the surrounding neighborhood.
- B. The site is suitable for the type and intensity of development that is proposed in that the proposed residential density does not exceed that allowed within the Residential High Density land use designation of the Pier Bowl Specific Plan.
- C. The proposed development will not be detrimental to the public health, safety, or welfare, or materially injurious to properties and improvements in the vicinity, in that the project will meet all of the City's codes and standards and will not involve dangerous or hazardous land uses.
- D. The proposed development will not be unsightly or create disharmony with the locale and surrounding neighborhood in that the density and massing is consistent with surrounding development and the architecture is consistent with the surrounding community.
- E. The proposed development will minimize or eliminate adverse physical or visual effects which might otherwise result from unplanned or inappropriate development, design or location in that the proposed development underwent extensive staff review, is consistent with the development standards, and went through the public hearing process.

Section 3: With respect to CHP 12-271, the City Council finds as follows:

- A. The architectural treatment of the project, as conditioned, complies with the San Clemente General Plan, San Clemente Zoning Ordinance, and the Pier Bowl Specific Plan in that the project is Spanish Colonial Revival architecture and adheres to the requirement of mass, scale and form as stipulated by the City's Design Guidelines.
- B. The architectural treatment for the project complies with the Pier Bowl Specific Plan which requires Spanish Colonial Revival Architecture. In addition, the project meets the height, setback and parking standards of the Residential High zone.

7A-9

- C. The architectural treatment of the project complies with architectural guidelines in the City’s design Guidelines in that the project is Spanish Colonial Revival and utilizes traditional design features and high quality materials which are consistent with styles in the surrounding neighborhood and requirements of the City’s Design Guidelines.
- D. The general appearance of the project is in keeping with the character of the neighborhood and is not detrimental to the orderly and harmonious development of the City, in that the proposed project has been designed substantially in keeping with the City’s Design Guidelines and the scale of previously approved projects in the vicinity.
- E. The proposed project will not be detrimental to the orderly or harmonious development of the City in that it complies will all development standards of the Municipal Code, Zoning Ordinance and Pier Bowl Specific Plan.
- F. The proposed project preserves and strengthens the City’s historic identity as a Spanish Village in that the project is designed in the Spanish Colonial Revival architecture and is designed in traditional basic principals of the architectural style.
- G. The proposed project will not have a negative visual or physical impact upon the historic structures located within a 300-foot radius in that the subject historic structures are located on a street above the project site and due to topography and distance cannot be seen when viewing the historic resources.
- H. The proposed project complies with the purpose and intent of the Architectural Overlay in that the project preserves and strengthens the City’s historic identity as a Spanish Village in that the project is designed in the Spanish Colonial Revival architecture and is designed in traditional basic principals of the architectural style.

Section 4: The City Council hereby approves CUP 12-270 and CHP 12-271, Reef Pointe Villas, subject to the above Findings, and the Conditions of Approval attached hereto as Exhibit 1.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of San Clemente on _____.

PASSED AND ADOPTED this _____ day of _____, _____.

Mayor of the City of
San Clemente, California

7A-10

ATTEST:

CITY CLERK of the City of
San Clemente, California

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

I, JOANNE BAADE, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. _____ was adopted at a regular meeting of the City Council of the City of San Clemente held on the day of , , by the following vote:

AYES:
NOES:
ABSENT:

CITY CLERK of the City of
San Clemente, California

Approved as to form:

City Attorney

7A-11

EXHIBIT 1

Condition of Approval
CUP 12-270 and CHP 12-271 Reef Point Villas

GENERAL CONDITIONS

1. The applicant or the property owner or other holder of the right to the development entitlement(s) or permit(s) approved by the City for the project, if different from the applicant (herein, collectively, the "Indemnitor") shall indemnify, defend, and hold harmless the City of San Clemente and its elected city council, its appointed boards, commissions, and committees, and its officials, employees, and agents (herein, collectively, the "Indemnitees") from and against any and all claims, liabilities, losses, fines, penalties, and expenses, including without limitation litigation expenses and attorney's fees, arising out of either (i) the City's approval of the project, including without limitation any judicial or administrative proceeding initiated or maintained by any person or entity challenging the validity or enforceability of any City permit or approval relating to the project, any condition of approval imposed by City on such permit or approval, and any finding or determination made and any other action taken by any of the Indemnitees in conjunction with such permit or approval, including without limitation any action taken pursuant to the California Environmental Quality Act ("CEQA"), or (ii) the acts, omissions, or operations of the Indemnitor and the directors, officers, members, partners, employees, agents, contractors, and subcontractors of each person or entity comprising the Indemnitor with respect to the ownership, planning, design, construction, and maintenance of the project and the property for which the project is being approved. The City shall notify the Indemnitor of any claim, lawsuit, or other judicial or administrative proceeding (herein, an "Action") within the scope of this indemnity obligation and request that the Indemnitor defend such Action with legal counsel reasonably satisfactory to the City. If the Indemnitor fails to so defend the Action, the City shall have the right but not the obligation to do so and, if it does, the Indemnitor shall promptly pay the City's full cost thereof. Notwithstanding the foregoing, the indemnity obligation under clause (ii) of the first sentence of this condition shall not apply to the extent the claim arises out of the willful misconduct or the sole active negligence of the City. *[Citation – City Attorney Legal Directive/City Council Approval June 1, 2010]* (PIng.)_____

2. Thirty (30) days after project approval, the owner or designee shall submit written consent to all of these imposed conditions of approval to the Community Development Director or designee. *[Citation – City Attorney Legal Directive/City Council Approval June 1, 2010]* (PIng.)_____

7A-12

- 3. Signage is not part of this review. Any signage for this proposed development shall require the owner or designee to submit for review and obtain approval of a Sign Permit or Master Sign Program in accordance with the City's Sign Ordinance.
[Citation - Section 17.16.240.D& 17.16.250.D of the SCMC] (PIng.)_____

CONDITIONS TO BE SATISFIED PRIOR TO ISSUANCE OF BUILDING PERMITS

- 4. Prior to the issuance of building permits, the owner or designee shall include within the first four pages of the working drawings a list of all conditions of approval imposed by the final approval for the project. *[Citation – City Quality Insurance Program]*
(PIng.)_____(Bldg.)_____

Spanish Style Architecture

- 5. Prior to issuance of building permits, the owner or designee shall submit for review and obtain approval of the City Planner or designee for plans indicating the following:
(PIng.)_____
 - A. Two-piece clay tile roofing shall be used with booster tiles on the edges and ridges and random mortar packing. The mortar shall be packed on 100 percent of the tiles in the first two rows of tiles and along any rake and ridgeline, and shall be packed on 25 percent of the tiles on the remaining field. Mortar packing shall serve as bird stops at the roof edges. The volume of mortar pack to achieve the appropriate thickness shall be equivalent to a 6 inch diameter sphere of mortar applied to each tile. *[Citation – City of San Clemente Design Guidelines, November 1991]*
 - B. Stucco walls with a ‘steel, hand trowel’ (no machine application), smooth Mission finish and slight undulations (applied during brown coat) and bull-nosed corners and edges, including archways (applied during lathe), with no control/expansion joints. *[Citation – City of San Clemente Design Guidelines, November 1991]*

Roof Equipment

- 6. Prior to issuance of any building permits, the owner or designee shall submit for review and obtain approval of the Director of Community Development or designee plans indicating that the height of any roof mounted equipment shall not exceed the height of the parapet wall intended to screen the equipment, and the equipment will be painted in such a manner as to cause the equipment to blend with the roof when viewed from surrounding areas. Additional screening devices may be required in conjunction with tenant improvements if deemed necessary by the Director of Community Development.
[Citation - Section 17.24.050.C.2 of the S.C.M.C.] (PIng.)_____

7A-13

Coastal Commission

- 7. Prior to the issuance of building permits, the owner or designee shall demonstrate to the satisfaction of the City Planner or designee that approval by the California Coastal Commission has been obtained for the project. *[Citation – Division 20 of the Public Resources Code & Section 17.56.050 of the S.C.M.C.]* (PIng.)_____

Fees

- 8. Prior to the review of plans, soils report and documents, the owner or designee shall pay the applicable development and plan review fees, which may include, but not limited to traffic, water, drainage, plan check deposit (minimum deposit shall be \$5000.00) for review of grading, drainage, soils. *[Citation – Fee Resolution No. 08-81]* (Eng.)_____
- 9. Prior to issuance of building and/or grading permits, the owner or designee shall pay the applicable permit fees, which may include, but are not limited to, City Attorney review, RCFPP, water and sewer connection. *[Citation – Fee Resolution No. 08-81& S.C.M.C. Title 15, Building and Construction, Sections 15.52, 15.56, 15.60, 15.64, 15.68, 15.72]* (Eng.)_____

Reports –Soils and Geologic, Hydrology

- 10. Prior to issuance of any permits, the owner or designee shall submit for review, and shall obtain the approval of the City Engineer or designee for, a soils and geologic report prepared by a registered geologist and/or geotechnical engineer which conforms to City standards and all other applicable codes, ordinances and regulations. *[Citation – Section 15.36 of the SCMC]* (Eng.)_____

Grading

- 11. Prior to issuance of any permits, the City Engineer shall determine that development of the site shall conform to general recommendations presented in the geotechnical studies, including specifications for site preparation, landslide treatment, treatment of cut and fill, slope stability, soils engineering, and surface and subsurface drainage. *[Citation – Section 15.36 of the SCMC]* (Eng.)_____
- 12. Prior to issuance of any permits, the owner or designee shall submit for review, and shall obtain the approval of the City Engineer or designee for a grading and drainage plan, prepared by a registered civil engineer, that shows grading and drainage plans. *[Citation – Section 15.36 of the SCMC]* (Eng.)_____

7A-14

- 13. Prior to issuance of any permits, the owner shall submit for review, and obtain the approval of the City Engineer or designee, a precise grading plan as required by the City Grading Manual and Ordinance. *[Citation – Section 15.36 of the SCMC]* (Eng.)_____

Improvement Plans

- 14. Prior to issuance of any permits, the owner or designee shall submit for review, and shall obtain the approval of the City Engineer or designee for frontage improvements on the Precise Grading Plan, prepared by a registered civil engineer, including but not limited to the following provisions: *[Citation – Section 15.36 of the SCMC]* (Eng.)_____
 - A. Streets, sidewalks, curbs, gutters, storm drains, catch basins, slope drains, sewer lines, landscaping and street lights. All private and public improvements shall be designed and constructed in accordance with City standards. Sidewalks shall be designed to go up and around the drive apron with a cross fall not to exceed 2% towards the street.
 - B. The owner or his designee shall be responsible for the construction of all required frontage improvements as approved by the City Engineer or his designee.
 - C. Driveway slopes shall not exceed 10% without proper transitions per City Standards. Handicap parking stall slope shall not exceed 2%.
- 15. The developer shall be responsible for all of the frontage improvements, damage to any public improvements, and the relocation of any obstructions for the entire property frontage. The improvements may include, but not limited to, sidewalks, curbs, gutters, failed pavement sections, and street lights and utilities. *[Citation – Section 15.36 of the SCMC]* ■ (Eng.)_____

Drainage

- 16. All storm water shall be conveyed directly to an approved storm drain system. No storm water shall sheet flow over the sidewalks. *[Citation – Section 15.36 of the SCMC]* (Eng.)_____

Easement

- 17. Prior to issuance of any permits, the owner or designee shall submit for review and obtain the approval of the City Engineer for dedication of a sidewalk easement to the City. Sidewalk shall be designed to go up and around the drive aprons with a cross fall not to exceed 2% towards the street. *[Citation – Sections 12.08 & 15.36 of the SCMC]* ■ (Eng.)_____

MA-15

NPDES

18. Prior to issuance of any permit, the owner shall demonstrate to the satisfaction of the City Engineer that the project meets all requirements of the Orange County National Pollutant Discharge Elimination System (NPDES) Storm Drain Program, and Federal, State, County and City guidelines and regulations, in order to control pollutant run-off. The owner shall submit for review, and shall obtain approval of the City Engineer for, plans for regulation and control of pollutant run-off by using Best Management Practices (BMP's). *[Citation – Section 13.40 of the SCMC]* (Eng.)_____
19. Prior to issuance of any permit, the owner or designee shall submit for review a project binder containing the following documents: *[Citation – Section 13.40 of the SCMC]* (Eng.)_____
- A. If the site is determined to be a “Priority Project” (as defined by the Orange County Municipal Storm Water Permit available at <http://www.waterboards.ca.gov/sandiego/programs/ocstormwater.html> a final Water Quality Management Plan (WQMP) must be recorded with the Orange County Recorder’s Office and filed with the City. Site design plans shall incorporate all necessary WQMP requirements which are applicable at the time of permit issuance.
 - B. If a site is determined to be a “Non-Priority Project”, a final Non Priority Project Checklist must be filed with the City.

Water

20. Prior to issuance of any permits, the owner or designee shall submit for review and shall obtain the approval of the City Engineer or designee for water improvement plans specific to the project, prepared by a registered civil engineer, which reflect consistency with the City's Water standards. Said plan shall provide for the following: *[Citation – Resolution 10-88 and Section 15.36 of the SCMC]* (Eng.)_____
- A. Indicate a service system which provides, or allows for, independent water metering.
 - B. All water meters shall be tapped into the public water main and be located in the public ROW.
 - C. A double detector check shall be installed at the transition from public to private for water systems.

TAIC

Financial Security

- 21. Prior to issuance of any permits, the owner or designee shall provide separate improvement bonds or irrevocable letters of credit, as determined by the City Engineer, if required by the project, for 100% of each estimated improvement cost, as prepared by a registered civil engineer as required and approved by the City Attorney and the City Engineer or their designees, for each, but not limited to, the following: rough grading; precise grading; frontage improvements; sidewalks; signage; street lights; sewer lines; water lines; storm drains; and erosion control. In addition, the owner or designee shall provide separate labor and material bonds or irrevocable letters of credit for 100% of the above estimated improvement costs, as determined by the City Engineer or designee.
[Citation – Section 15.36 of the SCMC] (Eng.)_____

Noise

- 22. Prior to the issuance of grading permit, the owner or designee shall provide evidence acceptable to the City Engineer that: *[Citation – Section 15.36 of the SCMC]* (Eng.)_____
 - A. All construction vehicles or equipment, fixed or mobile, operated within 1,000 feet of a dwelling shall be equipped with operating and maintained mufflers.

CONDITIONS TO BE SATISFIED PRIOR TO CERTIFICATES OF OCCUPANCY

- 23. Prior to issuance of certificates of occupancy, the owner shall demonstrate to the satisfaction of the City Engineer and City Maintenance Manager or their designees that all frontage improvements have been completed and accepted and that any damage to new or existing street right-of-way during construction have been repaired/replaced.
[Citation – Title 12 of the SCMC] (Eng.)_____(Maint.)_____

CONDITIONS TO BE SATISFIED PRIOR TO RELEASE OF FINANCIAL SECURITY

- 24. Prior to release of financial security, the owner or designee shall have completed the stenciling of all catch basins and/or storm drain inlets with labels 3" high in black letters, on either the top of the curb or the curb face adjacent to the inlet "NO DUMPING - DRAINS TO OCEAN". These markers shall be maintained in good condition by the Property Owners Association. Also, the owner or designee shall insure that all catch basins have filter basket inserts. *[Citation – Section 15.36 of the SCMC]* (Eng.)_____
- 25. Building permits shall not be issued unless the project complies with all applicable codes, ordinances, and statutes including, but not limited to the Zoning Ordinance, Grading Code, Transportation Demand Ordinance, Water Quality Ordinance, Title 24 of the California Code of Regulations as adopted by the City including, but not limited to the California Administrative, Building, Electrical, Plumbing, Mechanical, Energy,

7A-17

CALGreen, and Fire Codes. *[Citation - S.C.M.C. Title 8, Section 8.16; Fire Code, Title 15, Building and Construction, Sections 15.08, 15.12, 15.16, 15.20; Title 16, Subdivisions; & Title 17, Zoning]* (Bldg.)_____

26. Prior to issuance of building permits, the owner or designee shall submit a copy of the City Engineer approved soils and geologic report, prepared by a registered geologist and/or soil engineer, which conforms to City standards and all other applicable codes, ordinances, statutes and regulations. The soils report shall accompany the building plans, engineering calculations, and reports. *[Section 15.36.160 of the SCMC]*(Bldg.)_____
27. Prior to the issuance of building permits, the owner or designee shall submit for review, and shall obtain the approval of the City Building Official or designee for, plans indicating the location and type of unit address lighting to be installed, and the location of doors and window locks. *[Citation – Section 15.24 & 15. 28 of the SCMC]* (Bldg.)_____
28. Prior to the issuance of building permits, the owner or designee shall pay all applicable development fees in effect at the time, which may include, but are not limited to, Regional Circulation Financing and Phasing Program (RCFPP), park acquisition and development, water and sewer connection, drainage, Public Facility Construction transportation corridor, Avenida La Pata Supplemental Road Fee and school fees, etc. *[Citation - S.C.M.C. Title 15, Building and Construction, Sections 15.52, 15.56, 15.60, 15.64, 15.68, 15.72].* (Bldg.)_____
29. Prior to the Building Division's approval to pour foundations, the owner or designee shall submit evidence to the satisfaction of the City Building Official or designee that a registered civil engineer that is licensed to do surveying or land surveyor has certified that the forms for the building foundations conform to the required front, side and rear setbacks and are in conformance to the approved plans. *[Citation – No Specific Citation/City Council Approval June 1, 2010]* (Bldg.)_____
30. Prior to the Building Division's approval of the framing inspection, the owner or designee shall submit evidence to the satisfaction of the City Building Official or designee that a registered civil engineer that is licensed to do surveying or land surveyor has certified that the height of all structures are in conformance to the approved plans. *[Citation – No Specific Citation/City Council Approval June 1, 2010]* (Bldg.)_____
31. Prior to issuance of certificates of occupancy, the owner or designee shall demonstrate to the satisfaction of the City Building Official or designee that the project has been constructed in conformance with the approved sets of plans and all applicable, codes, ordinances, and standards. *[Citation – Appendix 1, Section 110 of the California Building Code]* (Bldg.)_____

7A18

- 32. Prior to issuance of certificate of occupancy, the project shall be develop in conformance with the site plan, floor plans, elevations, details, and any other applicable submittals approved by the Planning Commission on December 19, 2012, subject to the Conditions of Approval.

Any deviation from the approved site plan, floor plans, elevations, details, or other approved submittal shall require that the owner or designee submit modified plans and any other applicable materials as required by the City for review and obtain the approval of the City Planner or designee. If the City Planner or designee determines that the deviation is significant, the owner or designee shall be required to apply for review and obtain the approval of the Zoning Administrator. *[Citation - Section 17.12.180 of the SCMC]* (PIng.)_____

- 33. All garden and retaining walls shall comply with the requirements of the San Clemente Municipal Code. ■■(PIng.)_____

- 34. Prior to the issuance of building permits the applicant shall submit for review and obtain approval of landscaping plans. ■■(PIng.)_____

- 35. Prior to the issuance Certificates of Occupancy, the owner or designee shall demonstrate to the satisfaction of the City Planner or designee that all exterior lighting is designed, arranged, directed or shielded per the approved plans, and in such a manner as to contain direct illumination on site, thereby preventing excess illumination onto adjoining site(s) and/or street(s). *[Citation – Section 17.24.130 of the SCMC]* (PIng.)_____

- 36. Prior to issuance of certificates of occupancy, the owner or designee shall demonstrate to the satisfaction of the City Planner or designee that the stucco on the entire structure is a smooth finish with slight undulations, painted the approved color. *[Citation – City of San Clemente Design Guidelines, November 1991]* (PIng.)_____

- 37. Prior to issuance of certificates of occupancy, the owner or designee shall submit a letter, signed by a registered landscape architect, to the Community Development Director or designee, stating that all materials for all landscaped areas have been installed in accordance with the approved plans, and shall demonstrate to the satisfaction of the Community Development Director or designee, in consultation with the Beaches, Parks and Recreation Director or designee, that all landscaped areas have been landscaped per the approved landscape plans. *[Citation – Master Landscape Plan for Scenic Corridors, May 1992]* (PIng.) _____(B,P&R)_____

7A-19

ORANGE COUNTY FIRE AUTHORITY (OCFA) CONDITIONS

OCFA Conditions of Approval are arranged by development category and not phase of development.

Prior to issuance of a building permit:

- 38. Fire Master Plan (service code PR145)- The fire master plan shall demonstrate access to all rescue windows. The **minimum** width for the area below the rescue windows is the height of the window sill divided by 5 plus 2 feet. This will ensure adequate room to place a ladder in the event a rescue needs to be made from one of the bedroom windows.
- 39. Architectural (SERVICE CODES PR200-PR285)
- 40. Underground Piping (service code PR470-PR475), if private hydrants are installed/modified or a fire sprinkler system is required by code or installed voluntarily
- 41. Fire Sprinkler System (service codes PR410)

Prior to concealing interior construction:

- 42. Sprinkler Monitoring System (service code PR500)
- 43. Fire Alarm System (service code PR500-PR520), if modified, provided voluntarily, or required by code.
- 44. Should the policy regarding the requirement to paint windows on-site change prior to development, the applicant can choose to use the newly established window policy or the one active at the time of approval. *[Added by Planning Commission on December 19, 2012]* (Plng.)_____

7A-20



LOCATION MAP

CUP 12-270 and CHP 12-271
Reef Point Villas



7A-31



STAFF REPORT
SAN CLEMENTE PLANNING COMMISSION

Date: December 19, 2012

PLANNER: Amber Gregg, Associate Planner

SUBJECT: Conditional Use Permit 12-270 and Cultural Heritage Permit 12-271, Reef Pointe Villas, a request to consider the demolition of an existing apartment building, and the construction of 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.

REQUIRED FINDINGS

Prior to approval of the proposed project, the following findings shall be made. The draft Resolution (Attachment 1) and analysis section of this report provide an assessment of the project's compliance with these findings.

Conditional Use Permit, Section 17.16.060

1. The proposed use is permitted within the subject zone pursuant to the approval of a Conditional Use Permit and complies with all the applicable provisions of this title, the San Clemente General Plan and the purpose and intent of the zone in which the use is being proposed.
2. The site is suitable for the type and intensity of use that is proposed.
3. The proposed use will not be detrimental to the public health, safety or welfare, or materially injurious to properties and improvements in the vicinity.
4. The proposed use will not negatively impact surrounding land uses.

Cultural Heritage Permit, Section 17.16.100

1. The architectural treatment of the project complies with the San Clemente General Plan; and
2. The architectural treatment of the project complies with any applicable specific plan and this title in areas including, but not limited to, height, setback color, etc.; and
3. The architectural treatment of the project complies with the architectural guidelines in the City's Design Guidelines; and

MA-33

4. The general appearance of the proposal is in keeping with the character of the neighborhood.
5. The proposal is not detrimental to the orderly and harmonious development of the City.
6. The proposed project/use preserves and strengthens the pedestrian-orientation of the district and/or San Clemente's historic identity as a Spanish Village; or
7. The proposed project will not have negative visual or physical impacts upon the historic structure.
8. The proposed project complies with the purpose and intent of the Architectural Overlay District, Section [17.56.020](#) of this title.

BACKGROUND

This is a request for a five-unit, three-story building with a subterranean garage. The project site is located on a coastal canyon overlooking Linda Lane Park. It is in the Residential High land use designation of the Pier Bowl Specific Plan, and the Architectural Overlay. See Attachment 2 for Location Map. The applicant is proposing Spanish Colonial Revival architecture.

The Design Review Subcommittee (DRSC) provided comments on the project on June 27, 2012, September 12, 2012 and October 24, 2012. At the meetings, the DRSC provided feedback to help aid the applicant in their design efforts and to ensure the development in the Architectural Overlay is compatible and harmonious with the surrounding neighborhood, and upholds the design guidelines of the City and Pier Bowl Specific Plan. A summary of those comments are provided later in this report, and a copy of the June 27, 2012 and September 12, 2012 DRSC Staff Report and the minutes are provided under Attachments 3 and 4 respectively.

The City's Development Management Team (DMT) reviewed the project on August 16, 2012, October 25, 2012, and November 29, 2012, and has recommended conditions of approval. Public notices for this request were posted at the subject property, printed in the San Clemente Sun Post, and mailed to the owners of properties located within 300 feet of the project site. To date, staff has received no input from the public on this request.

PROJECT DESCRIPTION

The three-story development consists of two units on the first, two units on the second, and one unit on the third story. The units range in size from 2,270 square feet to 2,855 square feet, with private balconies that range from 343 square feet to 668 square feet. The balconies are designed to take advantage of the ocean views. Parking for four of the units, as well as the entire guest parking is provided in the subterranean parking garage. The fifth unit has two spaces located in a two-car garage that takes access from Arenoso Lane.

7A-23

Site Data

The project site is 12,136 square feet and is approximately 115 linear feet wide. The site currently has five residential units within two buildings, one is a two-story building that fronts Arenoso Lane, and the second is a one-story building located down the side and back of the property. Directly south of the property is a public pedestrian walkway that connects Arenoso Lane to Linda Lane providing access to the beach and park. Adjacent properties are multi-family residential developments and include a four-story, multi-family development with subterranean garage to the south east, a three-story multi-family development to the northeast, and three and four-story multi-family developments directly across the street. See Attachment 6 for photographs of existing conditions.

Development Standards

Table 1 outlines the development standards for the Residential High land use designation and Architectural and Coastal Zone overlays and how the project is consistent with these standards.

Table 1
Development Standards

Standard	Code Requirements	Proposed Site Plan	Complies with Code Requirements
Density:	1 unit/1,200 sf	1 unit/2,427 sf	Yes
Building Height (Maximum)	45 feet	40 feet	Yes
Setbacks (Minimum):			
• Front	10 feet	10 feet	Yes
• Side Yard	5 feet	5 feet	Yes
• Rear Yard/ Canyon Edge	15 feet	15 feet	Yes
Lot Coverage	55%	54.7%	Yes
Required Parking (Minimum):	15 spaces	15 Spaces	Yes
Private Open Space Required:	100 sf	343-668 sf	Yes
Landscaping	4 street trees and 10% of the net lot area	4 street trees and approximately 25% of net lot area	Yes

7A-24

Architecture

The applicant is proposing Spanish Colonial Revival architecture. Traditional features included smooth white stucco finish, bull-nose edges, wood windows and doors, and single barrel tile roofing with 25% random mortar packing. Enhanced details include areas of ornate wrought iron, Cantera stone columns at the back of the building, decorative Spanish tiles on main entry raisers, and guardrails constructed of stacked clay roofing tiles.

The scale, mass and form of the building follow the design guidelines as well as the Pier Bowl Specific Plan requirements. The building is designed in a "wedding cake" style with the larger mass on the bottom two floors and stepping in the third story. The project has varied roof elements creating smaller-scale components.

Site Design

The site design follows basic principals of Spanish Colonial Revival architecture. The building is carefully suited to its site and takes advantage of the topography, climate and view, with exterior patios and balconies used for out door living. The buildable area of the site is limited to top portions of the lot 15 feet from the canyon edge.

The project exceeds net lot landscaping requirements. The retaining and garden walls for the project meet code requirements and do not require a variance.

PROJECT ANALYSIS

Cultural Heritage Permit

A Cultural Heritage Permit is required for two reasons: 1) the project is located within an Architectural Overlay, and 2) the project is located within 300 feet of two historic properties.

Projects located in the Architectural Overlay must comply with the "Spanish Colonial Revival" District per the Design Guidelines of the City of San Clemente (Design Guidelines). The Design Guidelines provide goals and appropriate use of various architectural elements. The development proposes Spanish Colonial Revival architecture and complies with the Design Guidelines. As noted earlier, the applicant has incorporated traditional Spanish-Colonial Revival architectural details, including low pitched single-barrel red tile roofs, bull nosed edges, smooth white stucco finishes, and wood windows and doors. The project meets the goals of the Architectural Overlay which are to promote and enhance the City's Spanish character. The project also complies with the required findings. The project is in character with the surrounding neighborhood which is made up of predominantly three story buildings, with higher density, and subterranean parking (see attachment 6 for photographs of surrounding neighborhood). There is even a four story building directly across the street that also has subterranean parking. The project upholds the design guidelines in regard to the required architectural style of Spanish Colonia Revival architecture as

7A-25

well as the mass and scale of the building with its pedestrian elements, varied roof lines and stepped in upper floors.

There are two historic properties within 300 feet of the proposed project. One is located at 322 Encino Lane, and the other at 327 Encino Lane. Both of these historic resources can only be seen from Encino Lane public right-of-way. Due to the distance of the historic resources from the proposed project, and the topography of the area, the proposed project will not be visible when viewing the historic resources, see exhibit below. Since the project will not be seen when viewing the historic homes, it can be concluded that the project will not have any negative impacts on the historic resources. Copies of the historic resource survey for both of these properties can be found under Attachment 5.

Exhibit 1
Historic Structures Location



Conditional Use Permit

All residential projects consisting of five or more units are required to obtain a Conditional Use Permit per Section 17.32.032, Residential Use Regulations, of the Zoning Ordinance. The neighborhood and surrounding area are predominantly developed with multi-family residential buildings varying from two to three stories in height, consistent with the Pier Bowl High Density zoning. The permitted density of the district is one unit per 1,200 square feet of net lot area. The applicant is purposing one unit per 2,427 square feet. The last two recent developments approve and constructed in the neighborhood are located at 405 Arenoso and 412 Arenoso. There densities were 1 unit per 2,080 square feet and 1 unit per 2,265 square feet respectively, and were also three stories in height with subterranean parking.

7A-26

The project will not have an adverse negative impact on the the surrounding neighborhood as it complies with the development standards of the Zoning Ordinance and the Pier Bowl Specific Plan. The project is consistent with the existing character of the neighborhood and is designed in the required Spanish Colonial Revival architecture and is consistent with the Design Guidelines. Please refer to Attachment 6 for photographs. The project is consistent with the goals and policies of the San Clemente General Plan as detailed later in this report.

Design Review Subcommittee

The Design Review Subcommittee (DRSC) reviewed the project on three occasions, as noted earlier. The following recommendations are from the DRSC meeting along the applicant’s response to the Subcommittee’s concerns.

Table 2
DRSC concerns and project modifications

DRSC Comments	Modification
Proposed architecture is more contemporary in style than Spanish Colonial Revival. Although modern materials can be used to construct the building, it should visually appear as though traditional methods and materials were used.	Modified as requested. Applicant incorporated more traditional finishes and architectural details. The applicant thickened the width of the walls and recessed the windows and doors to provide visual appearance of traditional construction, and added mullions to the windows.
At the front elevation a more inviting entry, clearly defining the front pedestrian access to the multi-family homes, should be considered. This area has a great opportunity to add pedestrian scale, interest, and a sense of arrival.	Modified as Requested. The applicant modified front entrance to include columns with decorative light fixtures, decorative tile on the risers and a large archway covered with a tile cap.
Back of the building appears to have a cantilevered deck which is not acceptable in Spanish Colonial Revival architecture.	Modified as requested. The applicant has modified the renderings to show that the deck is not cantilevered.

GENERAL PLAN CONSISTENCY

Table 3 summarizes how the proposed use is consistent with adopted policies outlined in the City of San Clemente General Plan.

7A.27

Table 3
General Plan Consistency

Policies and Objectives	Consistency Finding
<p><i>2.IV.B Preserve and strengthen San Clemente’s unique atmosphere and historic identity as “The Spanish Village by the Sea.”</i></p>	<p>Consistent. The proposed project site is located within the Architectural overlay and proposes Spanish Colonial Revival architecture. The development is consistent with the City’s Design Guidelines and promotes and enhances the City’s Spanish character.</p>
<p><i>1.2.9 Require that new residential development in existing residential neighborhoods be compatible with existing structures.</i></p>	<p>Consistent. The three-story, development is consistent with the surrounding three and four story buildings of the surrounding neighborhood. The Spanish Colonial architecture of the structure is also compatible with the existing developments and will be a positive addition to the street scene both from Arenoso and Linda Lane.</p>
<p><i>1.2.7(a) Use of building materials, colors, and forms which complement the neighborhood, while allowing flexibility for distinguished design solutions.</i></p>	<p>Consistent. The proposed multi-family development complements the neighborhood as it fits into the variety of architectural styles and scale of the other residences in the neighborhood.</p>
<p><i>1.2.7(b) Modulation and articulation of all building elevations, conveying the visual character of individual units rather than a singular building of mass and volume.</i></p>	<p>Consistent. The multi-family residential project has been designed to incorporate articulation and distinction in order to create a project consistent and beneficial to the area.</p>

ENVIRONMENTAL REVIEW/COMPLIANCE (CEQA):

The Planning Division completed an initial environmental assessment for the application in accordance with the California Environmental Quality Act (CEQA). It was determined that the project is categorically exempt per CEQA Guidelines Section 15303, as a Class 3 activity as it consists of the new construction of a multi-family development of six units or less in an urbanized residential zone.

7A-28

CALIFORNIA COASTAL COMMISSION REVIEW

The subject property is located within the Coastal Zone and is required to be reviewed and approved by the California Coastal Commission and obtain the necessary permits. California Coastal Commission staff has already met with the applicant and provided preliminary comments on the project and signed off on the location of the project footprint in relation to the canyon edge.

CONCLUSION

The proposed project meets all the development standards and is consistent with the design guidelines of Zoning Ordinance and Pier Bowl Specific Plan. The project is compatible with the surrounding neighborhood, and the architecture will add to the streetscape of the surrounding neighborhood and preserve and strengthen San Clemente's unique atmosphere and historic identity as "The Spanish Village by the Sea." The project is below the maximum density permitted, and has less density per net area than most developments in the Residential High Zoning District. The mass and form of the building respects the neighboring properties and provides a recessed third story as required by the Pier Bowl Specific Plan. The project will not have a negative impact on the nearby historic resources as it is not visible when viewing the resources from the public right of way. It is staff's determination that the project meets and the required findings and is consistent with Coastal Zone requirements.

ALTERNATIVES; IMPLICATIONS OF ALTERNATIVES

1. The Planning Commission can concur with staff and recommend approval of the proposed project.

This action would result in the project being approved and allow the applicant to apply for permits from the California Coastal Commission to construct a three-story, five-unit residential development.

2. The Planning Commission can, at its discretion, add, modify or delete provisions of the proposed project or conditions.

This action would result in any modifications being incorporated into the project and/or conditions of approval. Examples of potential modifications could be to reduce the massing of the building whether that is in height or in width. Other examples may be modifications to proposed building materials such as detail elements.

7A 39

3. The Planning Commission can recommend denial of the proposed project.

This action would result in the project's denial. The applicant could appeal Planning Commission's decision to the City Council.

RECOMMENDATION

STAFF RECOMMENDS THAT the Planning Commission approve CUP 12-270, CHP 12-271, and SPP 12-272, Reef Pointe Villas, subject to the attached findings and conditions of approval provided under Exhibit A of Attachment 1.

Attachments:

1. Resolution No. 12-037
Exhibit 1 - Conditions of Approval
2. Location Map
3. June 27, 2012 DRSC Report and Minutes
4. September 12, 2012 DRSC Report and Minutes
5. Historic Resources Reports
6. Photographs
7. Colored Elevations
Plans

7A-30



STAFF REPORT
SAN CLEMENTE PLANNING COMMISSION

Date: January 23, 2013

PLANNER: Amber Gregg, Associate Planner

SUBJECT: **Interpretation 13-012, Story Pole Interpretation**, a request for an interpretation from the Planning Commission regarding story pole requirements for residential projects.

PURPOSE AND INTENT

The purpose and intent of the interpretation process is to provide for review and official interpretation of ambiguities in the Zoning Ordinance. No findings are required as part of this review, as we are not requesting an interpretation on a permitted use.

BACKGROUND

On December 19, 2012, the Planning Commission held a public hearing for the Reef Pointe Villas project, a five-unit, three-story, apartment development located in the Pier Bowl Specific Plan area (410 Arenoso Lane). At the meeting the Commission considered evidence presented by City Staff, the applicant, and other interested parties.

One member of the public, Ms. Christina Leon, spoke in opposition of the project. In her testimony Ms. Leon stated that she had concerns about the view of the ocean being lost and that story poles should be erected to see the true impact of the development.

Prompted by Ms. Leon's comments, staff reviewed the requirement of the story poles section of the Zoning Ordinance (17.24.100) at the meeting, which states the following:

Visual Analysis Tools. Story pole staking, as described in Section 17.12.060 "Applications Requiring Additional Information," of this title, shall be required when a discretionary application is submitted which proposes one of the following:

- 1. A new structure or addition that is three (3) or more stories within a Nonresidential, Mixed Use zone and/or an Architectural Overlay District; or*
- 2. Any structures with the potential to affect public view corridors from public places in the Coastal Overlay zone, regardless of number of stories.*

7A-31

In the past, story poles have only been utilized on three story developments in Commercial or Mixed Use Zones. We have not previously processed a residential project of three or more stories (since the adoption of the story pole requirement section 17.12.060), that was also in the Architectural Overlay District. There are several small portions of the City that have Residential zoned properties within the Architectural overlay; they are identified on Attachment 1.

Staff showed the section of the Zoning Ordinance to the Assistant City Attorney at the Planning Commission meeting. The Assistant City Attorney stated that there was ambiguity in the ordinance, with its reference to development that required story poles. Further, he had concerns that the requirement would violate the permit streamlining act. Specifically, Government Code Section 65940(a) requires the City to compile a list of the information required for an application to be deemed complete. Therefore the Assistant City Attorney recommended not to raise the issue.

Planning Commission addressed Ms. Leon's comments and stated that story poles were not required in this instance. The Planning Commission approved the project unanimously based on the findings, the fact that the building did not maximize the development envelope, was a full story under the permitted height allowance, recessed the third floor on all four sides, and was Spanish Colonial Revival architecture.

ANALYSIS

After the meeting, staff reviewed the entire story pole section of the Zoning Ordinance (17.24.110, Height limitations), and agreed that the language is ambiguous. Upon closer examination and reflection, it appears the intent of the ordinance is to require story poles for any residential projects three or more stories in height within the Architectural Overlay District.

Story Poles are discussed under two sections of the Zoning Ordinance, Section 17.12.060, Review Process, Applications Requiring Additional Information and Section 17.24.110, General Standards Height Limitations. These sections are provided in their entirety under Attachments 2 and 3 respectively.

The first section (17.12.060), outlines the requirements and standards for staking the poles and provides the City Planner flexibility to necessitate story poles for projects that do not require them. The second section (17.24.110) identifies the projects that require story poles to be erected. Staff believes story poles are required for residential project based on the wording in 17.24.110, which states "A new structure or addition that is three (3) or more stories within a Nonresidential, Mixed Use zone and/or an Architectural Overlay District." Although the wording is confusing because it states "Nonresidential", the sentence continues "and/or in an Architectural Zone". The use of the "and/or" ultimately requires all three story developments in the Architectural Overlay to erect story poles.

City Attorney, Jeff Goldfarb, also reviewed the code and concurs with staffs assessment and determination.

JA-32

FUTURE CLEAN UP

In our review, staff identified several problems with the story pole ordinance. Some of the problems that need cleaned up include:

- Clear wording to avoid confusion as to when story poles are required.
- The ordinance can require story poles for residential developments that have a 25 foot height limit.
- The location of the story poles requirement is problematic as it's located under height limitations. Staff would like to add a note in the zoning development standard sections of the code making the requirement more prominent to applicants and staff.

Staff will review these issues as part of the larger Zoning Ordinance update.

CONCLUSION

Based on the above information, staff believes that the intent of the visual analysis tools section of the ordinance is to require all developments that are three or more stories, including residential, that are located within the Architectural Overlay, be required to erect story poles.

ALTERNATIVES; IMPLICATIONS OF ALTERNATIVES

1. The Planning Commission can concur with staff's conclusion and approve the Interpretation.

This would result in all developments within the Architectural Overlay that are three stories in height or more, including Residential projects, be required to erect story poles.

2. The Planning Commission can at its discretion make other interpretations of the intent and purpose of the story poles.

Another interpretation could be that the intent was to require all commercial and mixed-use developments that are three or more stories to provide story poles, and that the requirement was not intended for residential developments.

RECOMMENDATION

STAFF RECOMMENDS THAT the Planning Commission approve Interpretation 13-012, that all developments within the Architectural Overlay that are three stories in height or more, including Residential projects, be required to erect story poles.

7A-33

Attachments

1. Map of Residential Zones in the Architectural Overlay
2. Section 17.12.060, Applications Requiring Additional Information of the Zoning Ordinance
3. Section 17.24.110, Height Limitations of the Zoning Ordinance
4. Memo to City Council members from Community Development Director Jim Holloway

7A-34

CONTINUATION SHEET

Page 1 of 2

Resource Name or #: 327 ENCINO LANE

Recorded by: Historic Resources Group

Date: 8/10/2006

Continuation Update

PROPERTY NAME Unknown
HISTORIC NAME Unknown
PROPERTY ADDRESS 327 Encino Lane
ASSESSOR PARCEL NUMBER 692-052-09
PROPERTY TYPE Single-family residential
OTHER DESCRIPTION
DATE OF CONSTRUCTION 1928 (E) Tax Assessor

INTEGRITY No substantial changes post-1995 Historic Resources Survey prepared by Leslie Heumann & Associates.

SIGNIFICANCE This one-story single family residence sits atop a two-car garage and was built in 1928. This property is a modest example of the Spanish Colonial Revival style as represented in San Clemente. This property appears eligible as a contributor to a potential National Register district under Criterion A for its association with the Ole Hanson/Spanish Village by the Sea period of development (1925-1936).

STATUS CODE 3D

STATUS Appears eligible for the National Register as a contributor to a National Register eligible district through survey evaluation. The property also appears eligible at the local level as a contributor to a potential historic district. It is recommended for retention on the Historic Structures List.

Project City of San Clemente Historic Resources Survey Update
Prepared for City of San Clemente
910 Calle Negocio, Suite 100
San Clemente, CA 92673
Prepared by Historic Resources Group
1728 Whitley Avenue
Hollywood, CA 90028

CONTINUATION SHEET

Page 2 of 2

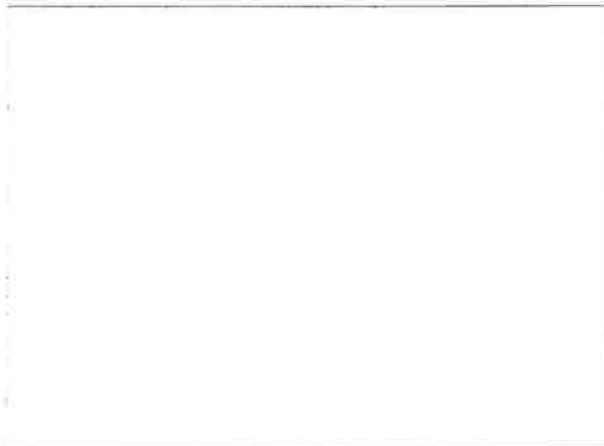
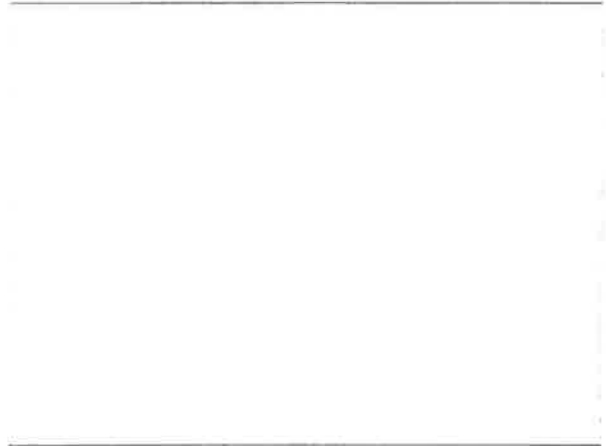
Resource Name or #: 327 ENCINO LANE

Recorded by: Historic Resources Group

Date: 8/10/2006

Continuation Update

Photographs of the Subject Property:



CONTINUATION SHEET

Page 1 of 2

Resource Name or #: 332 ENCINO LANE

Recorded by: Historic Resources Group

Date: 8/10/2006

Continuation Update

PROPERTY NAME Unknown

HISTORIC NAME Unknown

PROPERTY ADDRESS 332 Encino Lane

ASSESSOR PARCEL NUMBER 692-012-03

PROPERTY TYPE Multi-family residential

OTHER DESCRIPTION

DATE OF CONSTRUCTION 1932 (E) Tax Assessor

INTEGRITY No substantial changes post-1995 Historic Resources Survey prepared by Leslie Heumann & Associates.

SIGNIFICANCE This two-story multi-family residence was built in 1932. This property is a good example of the Spanish Colonial Revival style as represented in San Clemente. This property appears eligible as a contributor to a potential National Register district under Criterion A for its association with the Ole Hanson/Spanish Village by the Sea period of development (1925-1936).

STATUS CODE 3D

STATUS Appears eligible for the National Register as a contributor to a National Register eligible district through survey evaluation. The property also appears eligible at the local level as a contributor to a potential historic district. It is recommended for retention on the Historic Structures List.

Project City of San Clemente Historic Resources Survey Update

Prepared for City of San Clemente
910 Calle Negicio, Suite 100
San Clemente, CA 92673

Prepared by Historic Resources Group
1728 Whitley Avenue
Hollywood, CA 90028

CONTINUATION SHEET

Page 2 of 2

Resource Name or #: 332 ENCINO LANE

Recorded by: Historic Resources Group

Date: 8/10/2006

Continuation Update

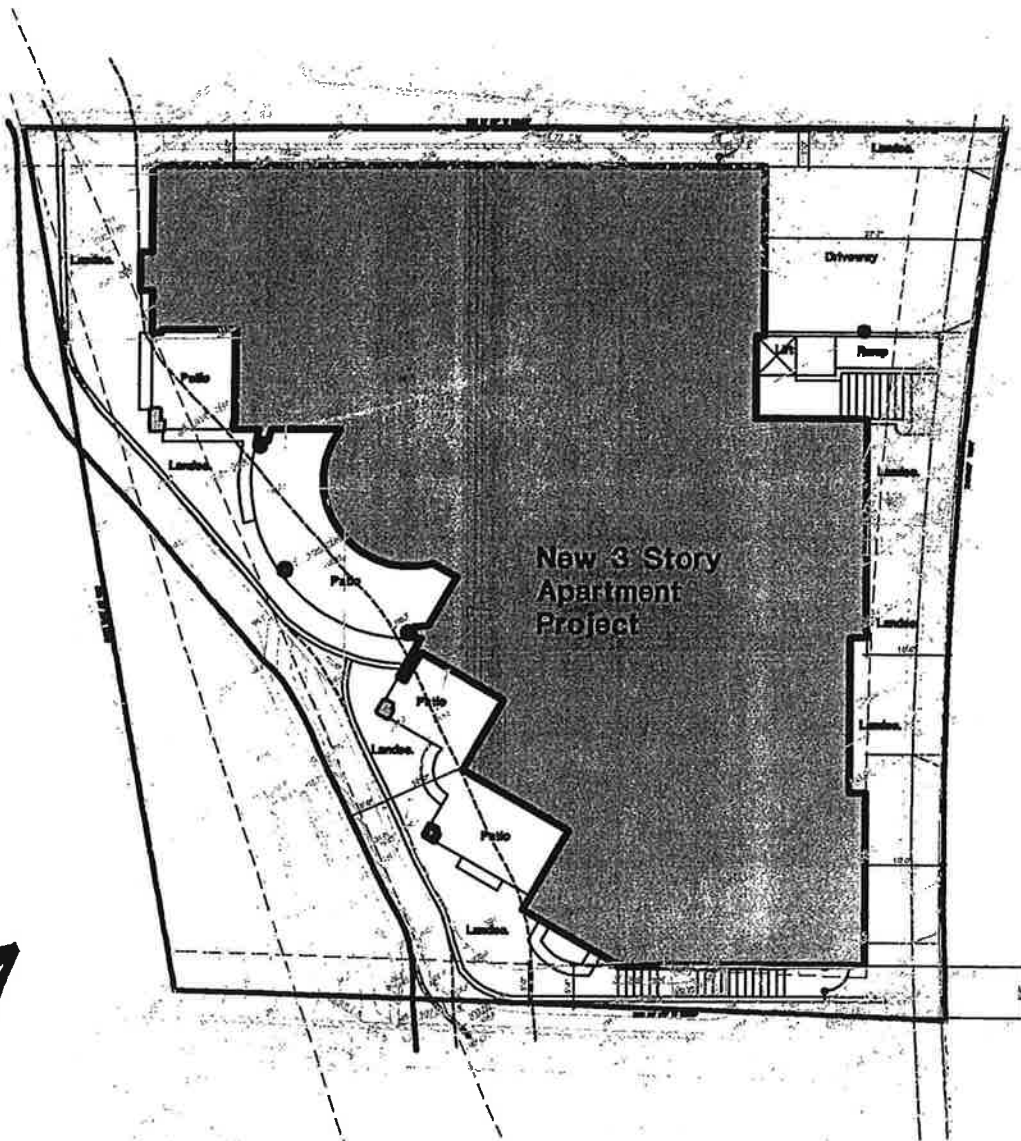
Photographs of the Subject Property:



REEF POINTE VII

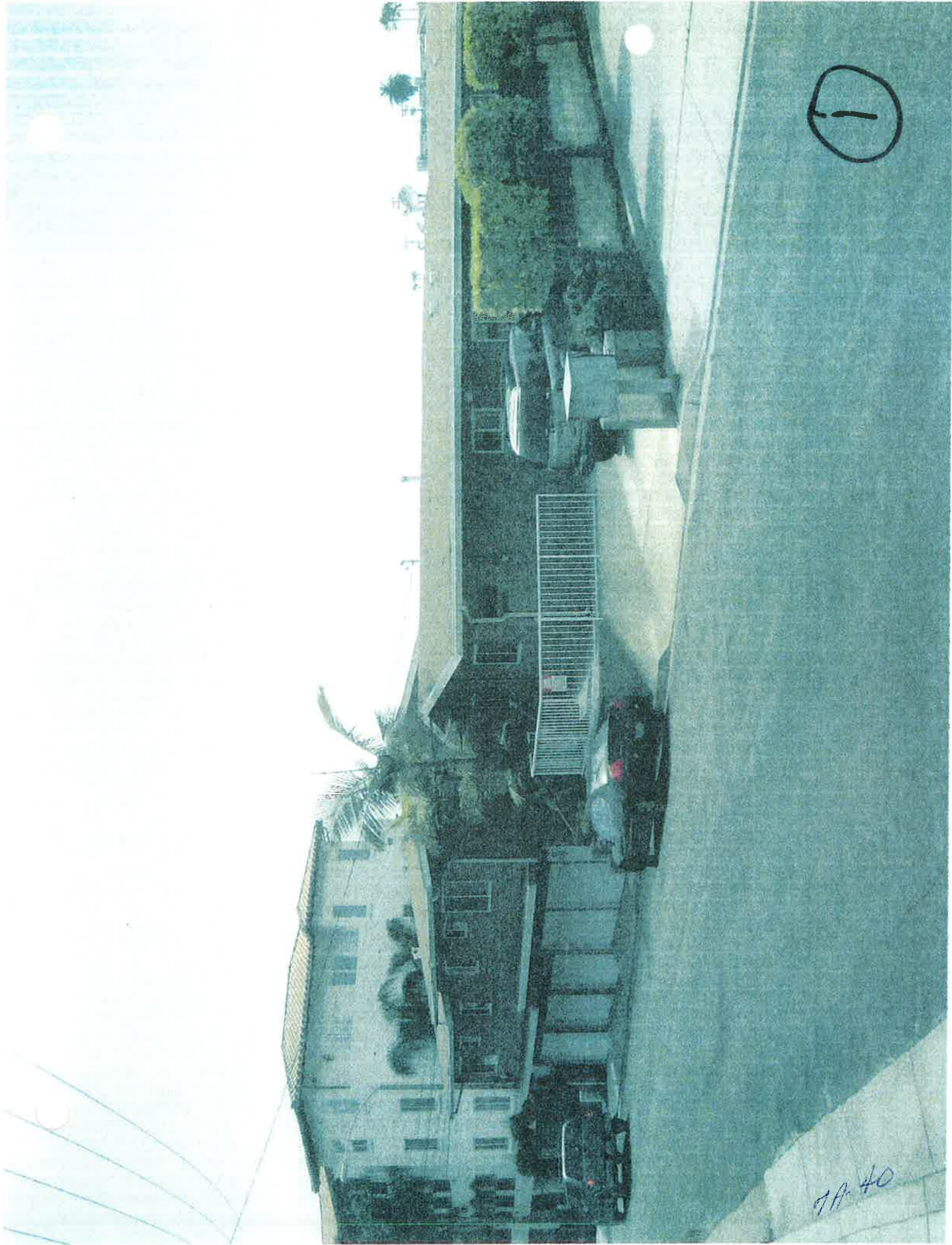
ATTACHMENT 6

410 ARENOSO LANE

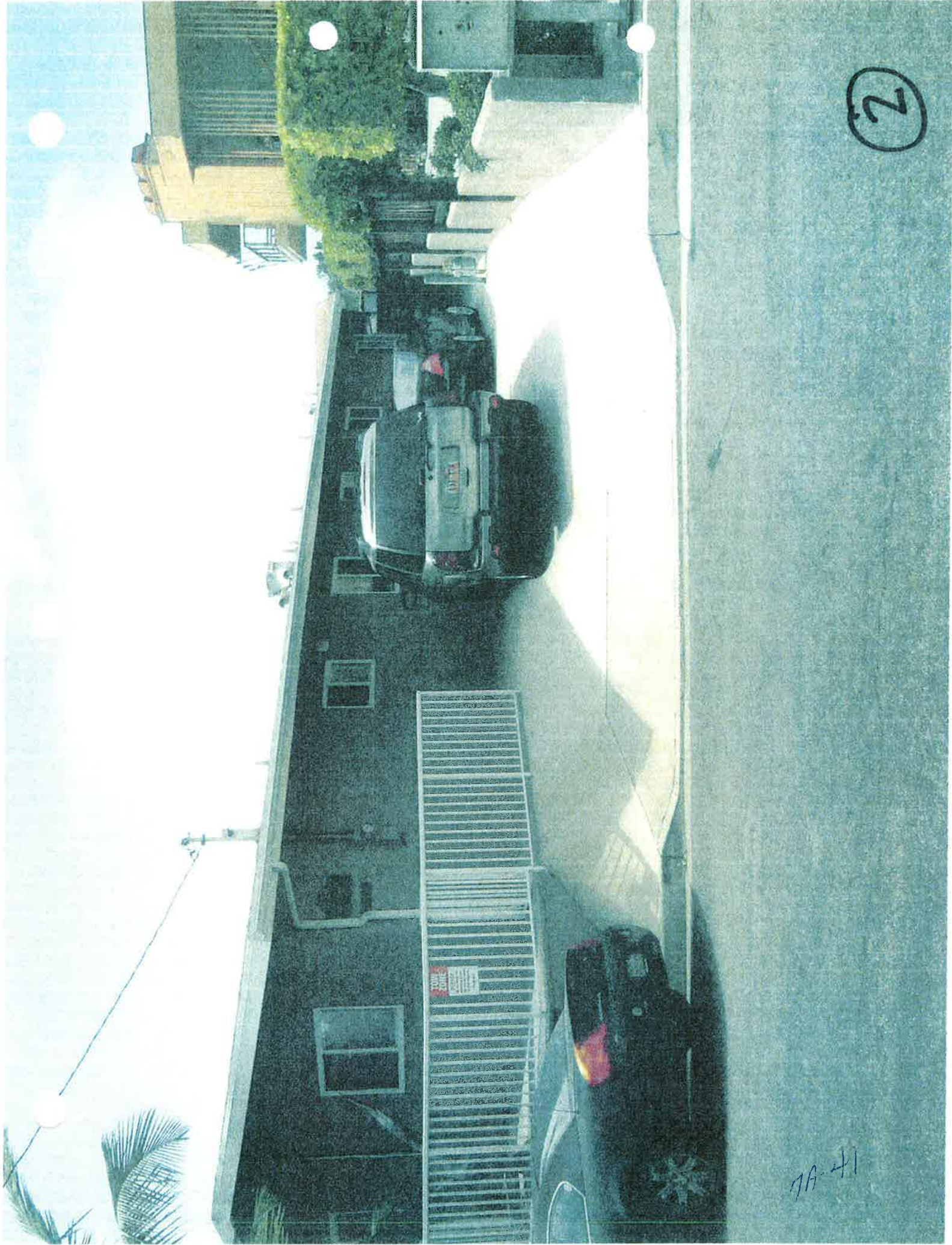


7A-39

①



7A-40

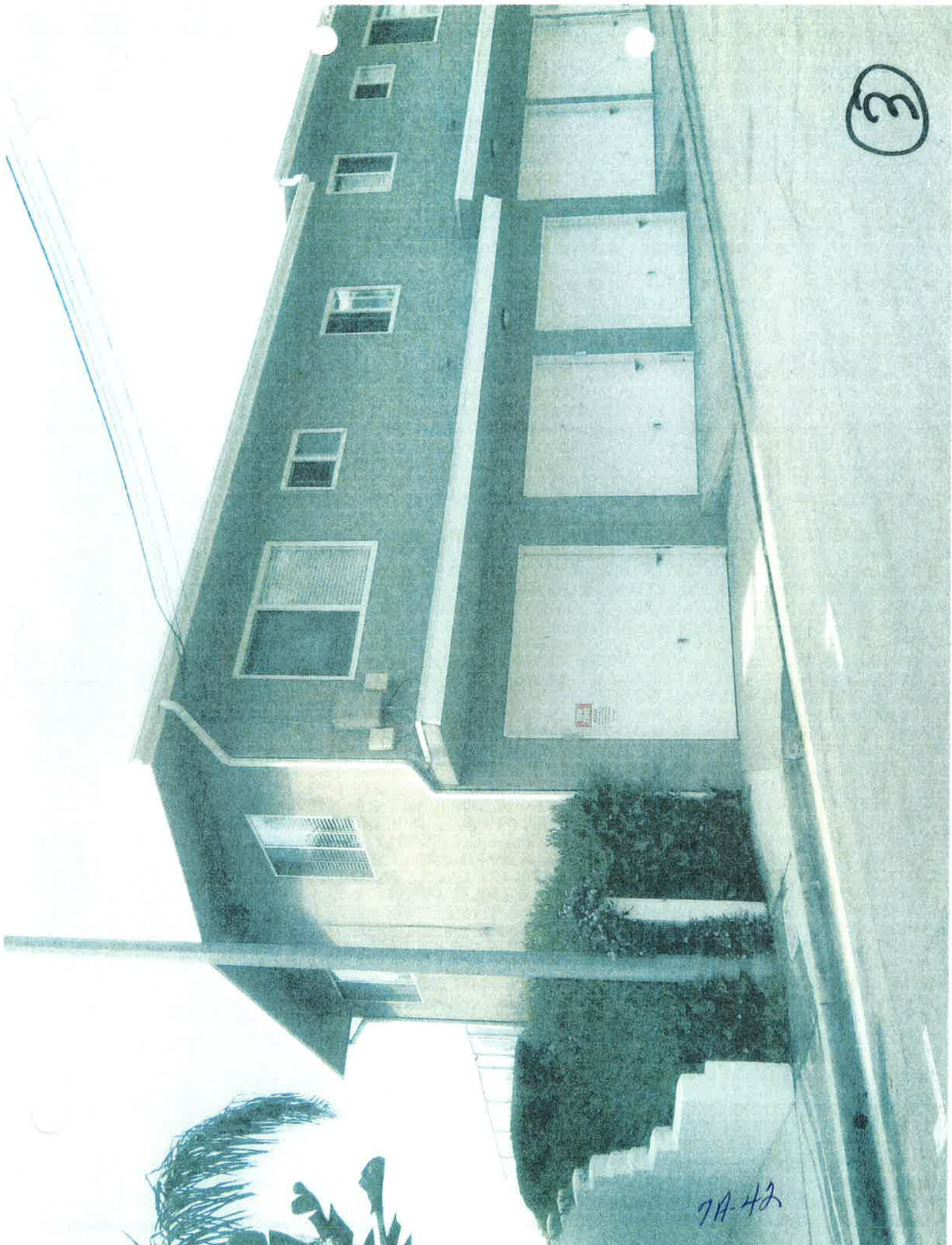


2

7A-41

3

7A-42





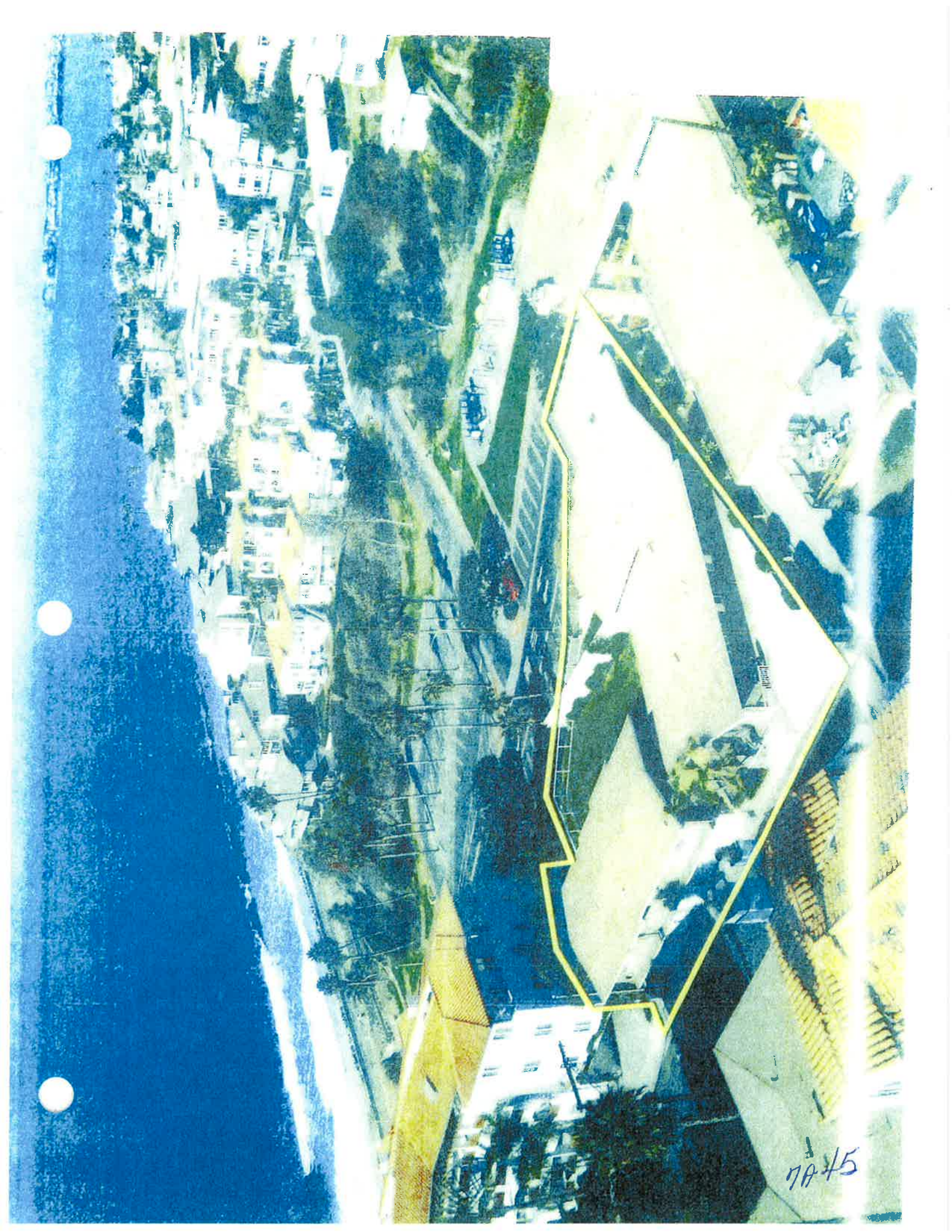
5

9A-4B

5

79-44





7A45



7
A
46



7A-47



7A-48



7A-49



7A-50



7A-51



East Elevation

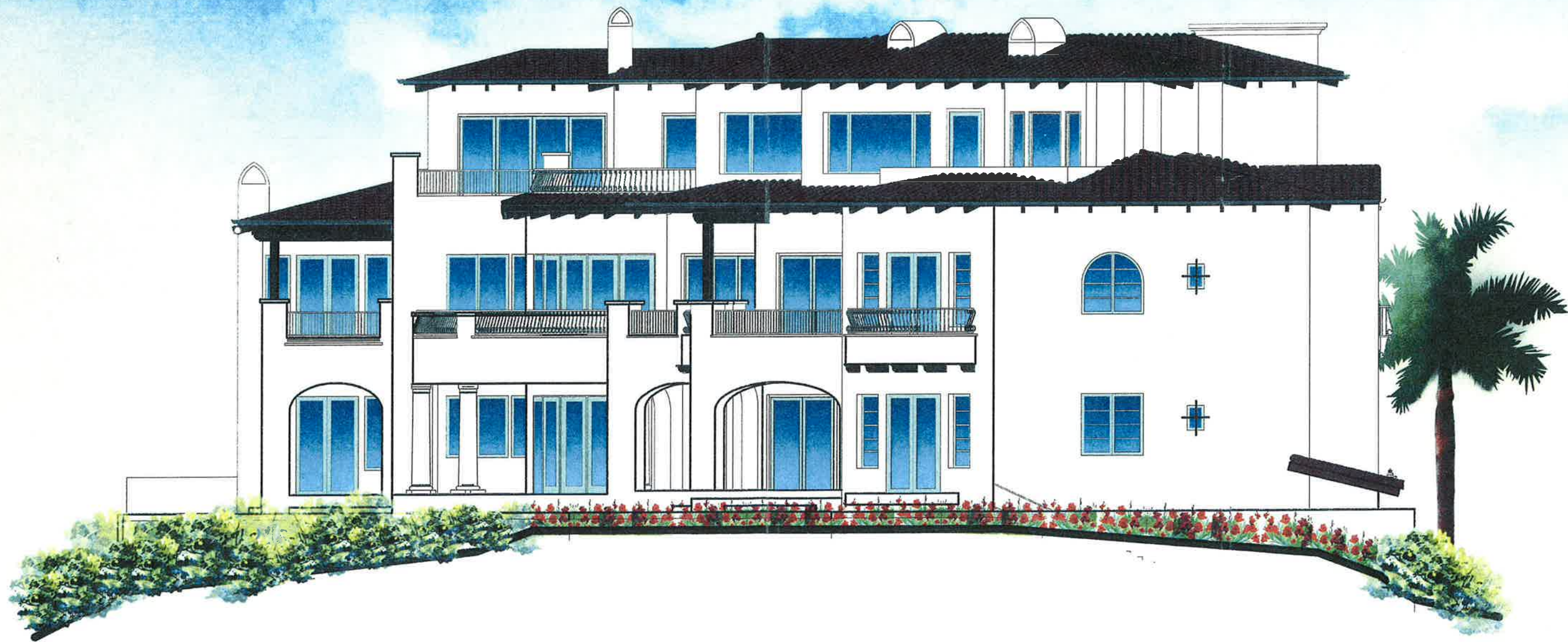
REEF POINT VILLAS
SAN CLEMENTE, CA

Michael Luna



& Associates, Inc.

7A-52



South Elevation

REEF POINT VILLAS
SAN CLEMENTE, CA

Michael Luna



& Associates, Inc.

7A-53



North Elevation

REEF POINT VILLAS
SAN CLEMENTE, CA

Michael Luna



& Associates, Inc.

7A-54



West Elevation

REEF POINT VILLAS
SAN CLEMENTE, CA

Michael Luna

■
& Associates, Inc.

7A-55

January 18, 2013

CITY OF SAN CLEMENTE

RE: 410 Arenoso Lane Unanimous Planning Commission Approval

JAN 22 2012

CITY CLERK DEPARTMENT

Dear San Clemente City Council members,

My name is Richard Gibby. Having grown up in North Orange County, I always dreamed of having a beach house close to the water. That dream was realized in May of 1997 when I purchased the property that is the subject of this letter. Since my purchase in 1997, I have continuously owned and lived in this property. Presently, I live in one of the small apartment units. Despite my best efforts to maintain the property, it has become cumbersome to keep up with the maintenance. Moreover, the architecture is outdated and is inconsistent and incompatible with the Spanish Colonial nature of the area. Quite frankly, the existing building has exceeded its lifespan due to the fact that it was built in the 1950's. My dream has always been to someday re-build the aging building into a nicer home for myself, from clear back to the time that I originally purchased the property, I looked forward to the day that I could construct a beautiful new Spanish Colonial style building. After 16 long years of waiting, that opportunity has finally presented itself. I plan on retiring in a couple of years and living in one of the five units for the rest of my life.

Presently, my existing property consists of five units. Since it is my intention to live out the rest of my life at my property, I wanted to minimize the amount of new units that I would build such that the new project would remain a tranquil place to live. According to the zoning code, I could have designed a project with 10 units but I did not want to create a massive project like some of the others that I have seen. Again, my goal has always been to maximize my long term quality of life, not maximize my economic gain. Therefore, I carefully worked to minimize the density to the lowest economic denominator that I could afford. As such, I simply replaced 5 units with 5 units; thereby, cutting the allowed density in half. Additionally, I chose to build only 3 stories rather than the 4 allowed in the code. I have done everything possible to minimize the density, and at the same time, create a visually stunning building that is just barely economically feasible enough to actually be able to build.

Quite honestly, I have invested my life's savings in this project. In essence, I have gambled my life's work, on the success of this dream. To date, I have spent an enormous sum of money on architects, engineers, reports, City fees, etc. My greatest fear, thus far in the process, has been that I have wasted these expenditures (my life's savings) on a project that would for some reason be rejected. That would cause me a severe economic hardship, probably dash my dreams of ever improving the property, and in the worst case scenario, put me at risk of losing the property or forcing me to sell it. The Planning Commission voted unanimously in favor of the project on December 19th. Knowing that I had stuck to my original vision of the project, and to hear such positive comments from the Commissioners made me feel euphoric. It was my understanding that after the public appeal period and minutes approved by City Council that I would be on my way to realizing my dream. Unfortunately, I was informed by City Staff on January 11, that there was "ambiguity" discovered in the code and the City Council may force me to start again by erecting story poles, opening my project up to another round of public

7A-56

scrutiny, and causing me needless delays and extra expense. At this time I would politely ask the City Council to not "call my project up", but rather bless it, such that I can move forward without extra delay or expense.

I have worked the last year doing everything requested of me by the City. On December 19, 2012 the Planning Commission unanimously approved 5 unit project. At that meeting, the Assistant City Attorney and staff indicated that story poles were not required for the project. More specifically, the **MINUTES OF THE ADJOURNED REGULAR MEETING OF THE CITY OF SAN CLEMENTE PLANNING COMMISSION, December 19th, 2012 @6:00 p.m.** read as follows:

"During the ensuing discussion, the Commissioners, either individually or in agreement, provided the following commentary:

- **Commented that although story poles are a good tool, they have not been used in residential projects and are not called for with this application as it's not a commercial or mixed use project."**

I am not trying to be unreasonable here, but I find it unfair and for the City to allow me to go through the whole process, publicly tell me that I do not need story poles, compliment my project, approve my project, and then weeks later tell me that they may have made a mistake, and that now I may need to erect story poles. I find it difficult to understand why I may be delayed now and need to endure additional loss of time and money when the ambiguity over whether or not story poles is even required for **future** projects is not going to be debated until this Wednesday at the Planning Commission meeting. This seems incredulous to me given that I was approved and was specifically told by City staff, the Planning Commission and the City Attorney that the poles were not necessary.

The Planning Commission minutes also noted the following:

- **"Commended the choices made by this developer to reduce impacts to the adjacent properties, including lower massing than allowed, increased balconies, half the number of units that could be built on site, and limiting the number of stories to 3."** (instead of 4)
- **"Complimented the architect and applicant for the beautiful design."**

In summary, my project complies with every development criteria. We have done all that that has been asked, and most importantly trusted your city process of project review to be done in a fair and equitable manner without unnecessary steps backward.

So I ask that the City Council will concur with the Planning Commission and allow us to proceed with no untimely costly delays.

Thank you for your understanding and consideration.

Sincerely,

Richard Gibby

7A57



AGENDA REPORT
SAN CLEMENTE CITY COUNCIL MEETING
 Meeting Date: February 5, 2013

Agenda Item 7B
 Approvals: [Signature]
 City Manager [Signature]
 Dept. Head [Signature]
 Attorney _____
 Finance _____

Department: Community Development
Prepared By: John Ciampa, Associate Planner

Subject: **GENERAL PLAN AMENDMENT 12-184, ZONING AMENDMENT 12-185, EVANS RESIDENCE**

Summary: This is a request to change the General Plan and Zoning land use designation for a 0.63 acre lot from Private Open Space (OS2) to Residential low (RL). On May 15, 1991, the parcel was created as part of the Shorecliffs Mobile Home Park subdivision. The subdivision also created condominiums which allowed the purchase of mobile home spaces. The owner at the time wanted to retain the subject lot to develop a house. Following the subdivision the 1993 General Plan and Zoning update changed the zoning of the property from R-2 (Now RL) to OS2. The zone change made the lot legal non-conforming because it is occupied by a residential use (a mobile home) in the OS2 zone. The requested amendments are exempt from the "Open Space" Ordinance 1475 because the property is less than one acre.

Staff and the applicant researched the history of the property to determine when and why the zoning changed from RL to OS2. The City records do not identify any specific actions that individually rezoned the property. Staff speculates the change in the zoning of the property is from one of two outcomes: 1) the property was rezoned during the 1993 General Plan update because the property was located in a Flood Zone. 2) During the 1993 General Plan update the property was mistakenly thought to be a parcel for the golf course and not a residentially zoned lot.

The lot is consistent with the necessary lot dimensions and size requirements for the RL zone. The property has been improved with a mobile home unit since 1988 and there are improvements including driveway access and hardscape throughout the property. The character and location of the lot is consistent with the other development in the area, with a flat buildable pad adjacent to the street. The property is large enough to accommodate a house without the need for a variance or special consideration. The proposed amendments ensure that the future house would meet the development standards for the RL zone and be compatible with the neighborhood. Resolution 91-51 approved the original subdivision and restricts the further subdivision of the lot. The RL zoning would ensure that only one house can be developed on the lot.

At the November 7, 2012 Planning Commission meeting the President of the Shorecliffs Mobile Home Owner Association, Dave Newton, raised an issue that was not relevant to the requested amendments. An explanation of the requests is provided as attachment 7.

The General Plan and Zoning Amendments will not create any impacts and will comply with all regulations for the following reasons: 1) There will not be an intensification or impact adjacent uses because the lot has operated as a residential use since 1988 and would conform to the RL development standards, 2) The property would be a conforming use, 3) The lot is now out of the Flood Zone due to the flood channel improvements, 4) The location of the use is consistent with the development of the neighborhood were houses abut the golf course and are located along Calle Nuevo and Mira Puerta. 5) The approved subdivision for the Shorecliffs mobile home park was developed with the intent for the lot to be a single family residence.

Action: THE PLANNING COMMISSION RECOMMENDS THAT the City Council adopt. General Plan Amendment 12-184 and Zoning Amendment 12-185.

Fiscal Impact: No fiscal impact.

Attachments:

- Attachment 1 Robert Draft Ordinance
- Attachment 2 Location Map
- Attachment 3 November 7, 2012 Planning Commission Staff Report
- Attachment 4 November 7, 2012 Planning Commission meeting minutes
- Attachment 5 Existing and Proposed General Plan and Zoning Maps
- Attachment 6 1974 Zoning Map
- Attachment 7 Evaluation of Adjoining Landowner Agreement
- Attachment 8 Public comments

Notification: Property owners within 300 feet of subject property

7B-2

ATTACHMENT 1

ORDINANCE NO.

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

WHEREAS, an application was submitted on May 23, 2012, and completed on September 28, 2012, by Roger Evans, 100 Mira Puerta, San Clemente, CA 92673, for a General Plan and Zoning Amendment to allow the change of zoning for a parcel from Private Open Space to Residential Low, the subject property is within the Private Open Space (OS2) zoning district the Assessor's Parcel Number 680-011-61 and;

WHEREAS, the Planning Division and Planning Commission recommend that the City Council determine that the project is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15301, since the project does not result in the expansion or intensification of the current residential use, and

WHEREAS, the City's Development Management Team reviewed the proposed amendments and determined they are consistent with the goals, objectives, and programs of the General Plan and Zoning Ordinance; and

WHEREAS, on November 8, 2012, the Planning Commission held a duly noticed public hearing on the subject application, considered evidence presented, and unanimously recommended the City Council approve the proposed General Plan and Zoning Amendments.

WHEREAS, on February 5, 2013, the City Council held a duly noticed public hearing on the subject application, and considered evidence presented by City staff, the applicant, and other interested parties.

NOW, THEREFORE, the City Council of the City of San Clemente, California, hereby ordains as follows:

Section 1: The proposed ordinance amendments are categorically exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15301, since the project does not result in the expansion or intensification of the current residential use.

Section 2: With respect to General Plan Amendment (GPA) 12-184, the Planning Commission finds as follows:

- A. The proposed amendment is internally consistent with those portions of the General Plan which are not being amended in that the Amended General Plan designation is consistent with other residential designations in terms of uses and development

7B-3

standards. Also, the proposed General Plan designation will be consistent with the policies set forth in the General Plan regarding development of the surrounding area.

- B. The proposed amendment will not adversely affect the public health, safety, and welfare in that the request, will be a continuation of the existing use and will not create a significant environmental impact, will meet all applicable development standards and will be constructed to all applicable building code standards.

Section 3: With respect to Zoning Amendment (ZA) 12-185, the Planning Commission finds as follows:

- A. The proposed amendment to the Zoning Map is consistent with the uses in the area in that the Zoning designation will be consistent with the allowed uses as well as applicable development standards. The Zoning Amendment will allow for uses that are currently permitted on adjacent parcels.
- B. The proposed amendment will not adversely affect the public health, safety and welfare in that the amendment will not create a significant environmental impact, will meet all applicable development standards, will be constructed to all applicable Building Code standards and will be compatible with the adjacent uses.

Section 4: The City Clerk shall certify to the passage of this ordinance and cause the same to be published as required by law, and the same shall take effect as provided by law.

APPROVED AND ADOPTED this ____ day of _____, _____.

ATTEST:

City Clerk of the City of
San Clemente, California

Mayor of the City of San
Clemente, California

7B-4

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF SAN CLEMENTE)

I, JOANNE BAADE, City Clerk of the City of San Clemente, California, hereby certify that Ordinance No. _____ having been regularly introduced at the meeting of _____, was again introduced, the reading in full thereof unanimously waived, and duly passed and adopted at a regular meeting of the City Council held on the _____ day of _____, _____, and said ordinance was adopted by the following vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this _____ day of _____, _____.

CITY CLERK of the City of
San Clemente, California

APPROVED AS TO FORM:

CITY ATTORNEY

7B-5



LOCATION MAP

GPA 12-184, ZA 12-185
100 Mira Puerta



7B-4

No scale



STAFF REPORT
SAN CLEMENTE PLANNING COMMISSION

Meeting Date: November 7, 2012

PLANNER: John Ciampa, Associate Planner

SUBJECT: General Plan Amendment 12-184/Zoning Amendment 12-185, Evans Residence, a request to consider a General Plan and Zoning Amendments to rezone a property from Private Open Space (OS2) to a Residential Low (RL) at 100 Mira Puerta.

REQUIRED FINDINGS

Prior to approval of the proposed project, the below findings shall be made. The draft Resolution, provided as Attachment 1, and analysis section of this report provide an assessment of the project's compliance with these findings.

General Plan Amendment, Section 17.16.020

1. The proposed amendment is internally consistent with those portions of the General Plan which are not being amended.
2. The proposed amendment will not adversely affect the public health, safety and welfare.

Zoning Amendment, Section 17.16.040

1. The proposed amendment is consistent with the General Plan.
2. The proposed amendment will not adversely affect the public health, safety and welfare.

BACKGROUND

The owner of the subject property is requesting an amendment to change the General Plan and Zoning land use designation from a Private Open Space (OS2) to its original zoning designation of Residential low (RL). The parcel was created as part of the Shorecliff Mobile Home Park subdivision that was approved on May 15, 1991. The subdivision also created condominiums which allowed the purchase of mobile home spaces. The owner at the time wanted to retain the property to develop a house. Following the subdivision of the mobile home park the 1993 General Plan and Zoning update changed the zoning of the property from R-2 (Now RL) to OS2. The change in zoning made the lot legal non-conforming because it was occupied by a residential use in the OS2 zone.

Staff and the applicant research the history of the property to determine when and why the zoning changed from RL to OS2. Absent of finding any direct information regarding the reason

7B.7

for the change in zoning to the property staff can only speculate that this change was because the property was at one time located in a Flood Zone or possibly an oversight in the creation of the new General Plan and Zoning maps.

Site

The parcel is a 27,608 square feet and is located within the OS2 zoning and Open Space land use designation. The lot was improved with a mobile home unit in 1988. The adjacent properties consist of a mobile home park, golf course and single family houses.

The Development Management Team (DMT) reviewed the application on June 24, 2012, and later on August 15, 2012. The DMT supports the application and recommends approval of the land use change.

The required public noticing was conducted for the project and, to date, no public comments have been received.

PROJECT DESCRIPTION

The owner is requesting an amendment to the General Plan land use and Zoning designations of the property from Open Space to RL. The amendments are necessary to make the residential use conforming and allow the owner to replace the mobile home with a house. If the amendments are approved, a house could be constructed without the need for additional discretionary approvals.

PROJECT ANALYSIS

Staff believes the General Plan and Zoning amendments are consistent with the purpose and objectives of the General Plan and Zoning for the following reasons: 1) The amendments are consistent with the current use of the property as a mobile home site and the previous zoning designation, 2) the lot meets the minimum size required for the RL zone and is consistent with the size of lots in the neighborhood, 3) the RL land use is compatible with its surrounding area because it is located along the exterior of the golf course with other residential land uses, 4) the lot meets the density for the RL zone which allows one unit per lot.

The lot is consistent with the necessary lot dimensions and size requirements for the RL zone. The property is large enough that it would accommodate a house without the need for a variance or special consideration. The amendments would ensure that the house would meet the development standards for the RL zone and be compatible with the neighborhood. Condition #2 has been added to the Conditions of Approval to restrict the lot from subdividing to create an additional residential lot. This restriction ensures that there will not be any impacts to the adjacent properties.

Table 1- Residential Low Lot Standards

Standards	Z.O. Requirements	Subject Property
Lot Area	6,000 sq. ft.	27,608 sq. ft.
Lot Frontage	60 ft	170 ft
Lot Width	60 ft	195 ft
Density	1 unit	1 unit

The amendments will not create any impacts and will comply with all regulations for the following reasons: 1) There will not be an intensification or impact to adjacent uses because the lot has been a residential use since 1988 and would conform to the RL development standards, 2) the lot would be a conforming use, 3) The lot is out of the Flood Zone, 5) the location of the use is consistent with the development of the neighborhood.

GENERAL PLAN CONSISTENCY

The following table summarizes how the proposed project is consistent with adopted policies outlined in the City of San Clemente General Plan.

Table 2 - General Plan Consistency

Policy	Consistency Finding
<i>Land Use Element, Policy 1.2.4</i> Accommodate the development of single-family residential units at maximum density of 4.5 units per gross acre or 7.0 units per net acre as stipulated in Table 1-3 in areas designated as "RL" (1 1.1, 1 1.2, 1 1.5, and 1 1.6).	Consistent. The proposed amendments are consistent with the land use designation of the property prior to the 1993 General Plan update. The lot meets the minimum size and lot dimensions for the Residential Low zoning designation. The amendment would allow for the construction of a new home.

Zoning Ordinance

The proposal would be consistent with all applicable development standards in the Zoning Ordinance. The amendment would not conflict with existing policies, objectives and requirements in the General Plan or Zoning Ordinance.

ENVIRONMENTAL REVIEW

The Planning Division completed an initial environmental assessment for the amendments in accordance with the California Environmental Quality Act (CEQA) and found the Project was exempt based on Section 15301, Class 1 because property has been operating as a residential use prior to the change in the General Plan land use and Zoning. The Amendments will not result in an expansion of the existing use for the property because the density will not change and the new house would comply with all of the development standards for the RL zone.

7B-9

ALTERNATIVES; IMPLICATIONS OF ALTERNATIVES

1. The Planning Commission can concur with staff and forward a recommendation to the City Council in support of GPA 12-184, ZA 12-185.

This action would result in a recommendation being forwarded to the City Council to allow the amendment to the General Plan and Zoning land uses to allow for the property owner to construct a house on the property.

2. The Planning Commission can, at its discretion, add, modify or delete provisions of the proposed project or conditions.

This action would result in any modifications being incorporated accordingly, subject to approval of the City Council.

3. The Planning Commission can recommend for the City Council to deny GPA 12-184, ZA 12-185.

This action would require appropriate findings and not allow the proposed amendment. The applicant may appeal the Planning Commission's decision to the City Council.

RECOMMENDATION

STAFF RECOMMENDS THAT the Planning Commission recommend that the City Council approves GPA 12-184, ZA 12-185, Evans Residence, subject to the attached Resolution and Conditions of Approval.

7B-10

**MINUTES OF THE ADJOURNED REGULAR MEETING
OF THE CITY OF SAN CLEMENTE
PLANNING COMMISSION
November 7, 2012 @ 6:00 p.m.
City Council Chambers
100 Avenida Presidio
San Clemente, CA 92672**

1. CALL TO ORDER

Chair Avera called the Regular Meeting of the Planning Commission of the City of San Clemente to order at 6:13 p.m.

2. PLEDGE OF ALLEGIANCE

Commissioner Crandell led the Pledge of Allegiance.

3. ROLL CALL

Commissioners Present: Nesa Anderson, Barton Crandell, and Jim Ruehlin; Chair pro Tem Donald Brown, Vice Chair Julia Darden, Chairman Lew Avera

Commissioners Absent: Michael Kaupp

Staff Present: Jim Pechous, City Planner
Jeff Hook, Principal Planner
John Ciampa, Associate Planner
Bill Cameron, City Engineer
Thomas Frank, Transportation Engineering Manager
Zachary Ponsen, Senior Civil Engineer
Ajit Thind, Assistant City Attorney
Eileen White, Recording Secretary

4. SPECIAL ORDERS OF BUSINESS - None

5. MINUTES

A. Minutes from the Planning Commission Adjourned Regular meeting of October 17, 2012

IT WAS MOVED BY CHAIR PRO TEM BROWN, SECONDED BY COMMISSIONER RUEHLIN, AND UNANIMOUSLY CARRIED to receive and file the minutes of the

Adjourned Regular Planning Commission Meeting of October 17, with the following revisions:

Page 5, 4th paragraph, add to the 1st sentence, "but explained that it was not within the authority of the Planning Commission to prevent the impacts." 2nd sentence, insert "also" between "She" and "noted"

6. **ORAL COMMUNICATIONS** - None
7. **WRITTEN COMMUNICATIONS** - None
8. **CONSENT CALENDAR** - None
9. **PUBLIC HEARING**

A. 100 Mira Puerta – General Plan Amendment 12-184/Zoning Amendment 12-185 – Evans Residence (Ciampa)

A request to consider a General Plan Amendment and Zoning Amendment to 100 Mira Puerta to allow the land use and zoning designations to be changed from Private Open Space (OS2) to Residential Low Density (RL). The projects legal description is P BK 272 PG 30 Parcel 2, Assessor's Parcel Number 680-011-61.

Vice Chair Darden recused herself and left the meeting room because she owned property nearby.

John Ciampa, Associate Planner, narrated a PowerPoint Presentation entitled, "Evans Residence GPA 12-184/ZA 12-185, dated November 7, 2012." He noted staff has performed an exhaustive search in an attempt to determine why the land use designation for this property was changed during the 1993 General Plan Update from R-2 to OS2 but to no avail. Staff concluded the change in zoning was because at one time, the property was located in a flood zone. Another possibility is that the property's zoning designation was inadvertently changed during the 1993 General Plan update. The applicant proposes to change the zoning designation back to RL, which would allow the applicant to replace a mobile home on the property with a house. Staff recommended the Planning Commission recommend City Council approval of the request as conditioned.

Jeramey Harding, representing the applicant, advised that the property is fully developed and improved with paving, walls, access, etc.

Chair Avera opened the public hearing.

7B-12

The Chair acknowledged a letter from Dave Newton, President, Shorecliffs Mobile Home Association, dated November 7, 2012, stating that the mobile home park has no objection to the proposed rezone, and requesting the Commission recognize the existing agreement related to utilities, landscaping maintenance, and access from the mobile home park's private street.

Harold Book, adjacent trailer park resident, gave a history of the site and original purchase agreement between the subject property owner and trailer park. Per their agreement, the trailer park has to pay the property owner \$5,000 to connect utilities. He expressed that the property owner should be required to take over maintenance of landscape on the back walls of Nuevo and Mira Puerta streets that the trailer park currently maintains if construction on the property occurs. He offered documents as proof of the agreement. He stated the trailer park is not opposed to the rezone, but would like the Planning Commission to require the applicant to comply with the purchase agreement.

Chair Avera closed the public hearing.

Jim Pechous advised that the Planning Division was not informed as to the existence of the purchase agreement until late this afternoon and had not had a chance to review it. However, the purchase agreement is an agreement between two private parties and does not affect the proposed rezoning request.

Zachary Ponsen noted the agreement pertains to easements and does not affect the ability of the parcel to be developed. He noted Building and Engineering Divisions will review the proposed project during the permit process, at which time the applicant will be required to provide documentation regarding easement/access rights.

Jim Pechous assured the Commissioners that the proposed zone change to RL is consistent with adjacent uses. The subject parcel is located adjacent to single family homes, a mobile home park and a golf course. At the time the lot was rezoned to OS2, it was already improved with a mobile home. Staff has performed its due diligence and there is no information or explanation why the lot's zoning was changed. It is likely this parcel was mistaken for a private open space area, resulting in the change from low-density residential to OS2 during the 1993 General Plan Update.

IT WAS MOVED BY COMMISSIONER ANDERSON, SECONDED BY CHAIR PRO TEM BROWN, AND CARRIED 5-0-1, WITH VICE CHAIR DARDEN ABSTAINING, TO ADOPT RESOLUTION NO. PC 12-032, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE A REQUEST FOR AN AMENDMENT TO THE

7B-13

GENERAL PLAN AND ZONING MAP TO CHANGE THE LAND USE DESIGNATION FROM OPEN SPACE TO RESIDENTIAL LOW LOCATED AT 100 MIRA PUERTA.

[ACTION SUBJECT TO CITY COUNCIL APPROVAL]

10. NEW BUSINESS

Chair Avera announced that due to anticipated time constraints, staff is recommending the Commission continue the Draft Coastal Element to the meeting of November 15, 2012. In addition, staff is recommending the Commission continue review of the Circulation Element to allow additional time for the staff to receive and review technical background documents before consideration by the Planning Commission. Staff is recommending the Commission complete its review of the Draft Growth Management Element and receive a staff presentation providing background information and introduction to the Draft Circulation Element.

A. Review Draft Coastal Element (Hook)

The Draft General Plan Coastal Element contains planning and management policies that address public coastal access, recreation, marine environment and resources, land use and development. Once adopted, the General Plan Coastal Element becomes part of the City's Local Coastal Program, a plan required of all coastal cities in California which protects, maintains and where feasible, enhances and restores the overall quality of the coastal zone environment and its natural and artificial resources.

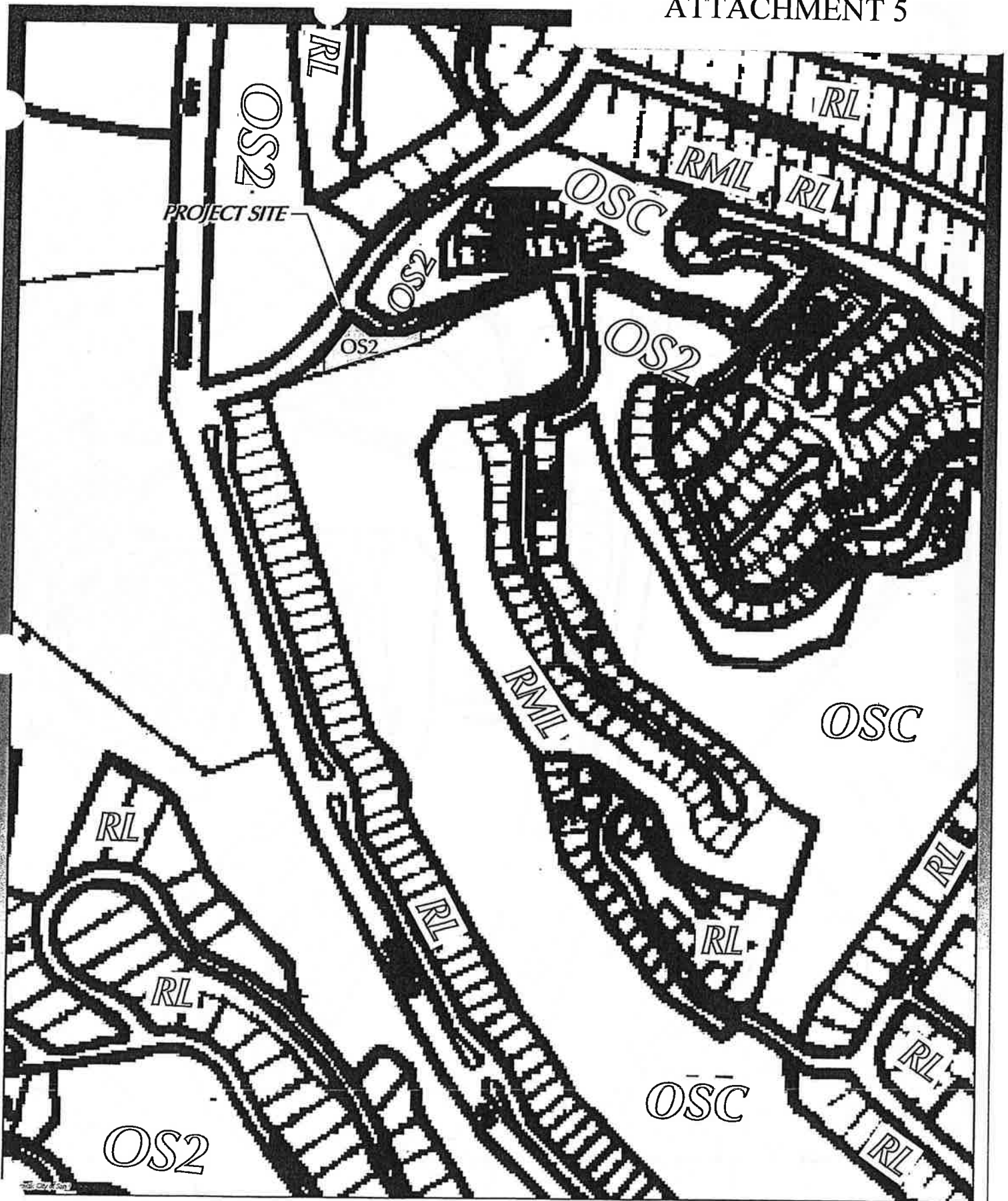
IT WAS MOVED BY COMMISSIONER ANDERSON, SECONDED BY COMMISSIONER RUEHLIN, AND UNANIMOUSLY CARRIED TO CONTINUE REVIEW DRAFT COASTAL ELEMENT TO THE ADJOURNED REGULAR MEETING OF NOVEMBER 15, 2012.

[ITEM CONTINUED. PLANNING COMMISSION DECISION PENDING.]

B. Review Implementation for Growth Management (Hook)

The Commission reviewed most of the Draft General Plan Growth Management Element at its October 3, 2012 meeting. At tonight's meeting, the Commission will complete its review of the Draft Element with its review of the section on Implementation. The Draft Growth Management Element addresses the location, timing and physical relationship of development within the City and how required facilities and services are provided. It also helps ensure adequate infrastructure and services are available as areas on the City's urban fringe, outside City limits, develop.

7B-14



1.00 MIRA PUERTA

Figure 9

DATE: 05/16/2012

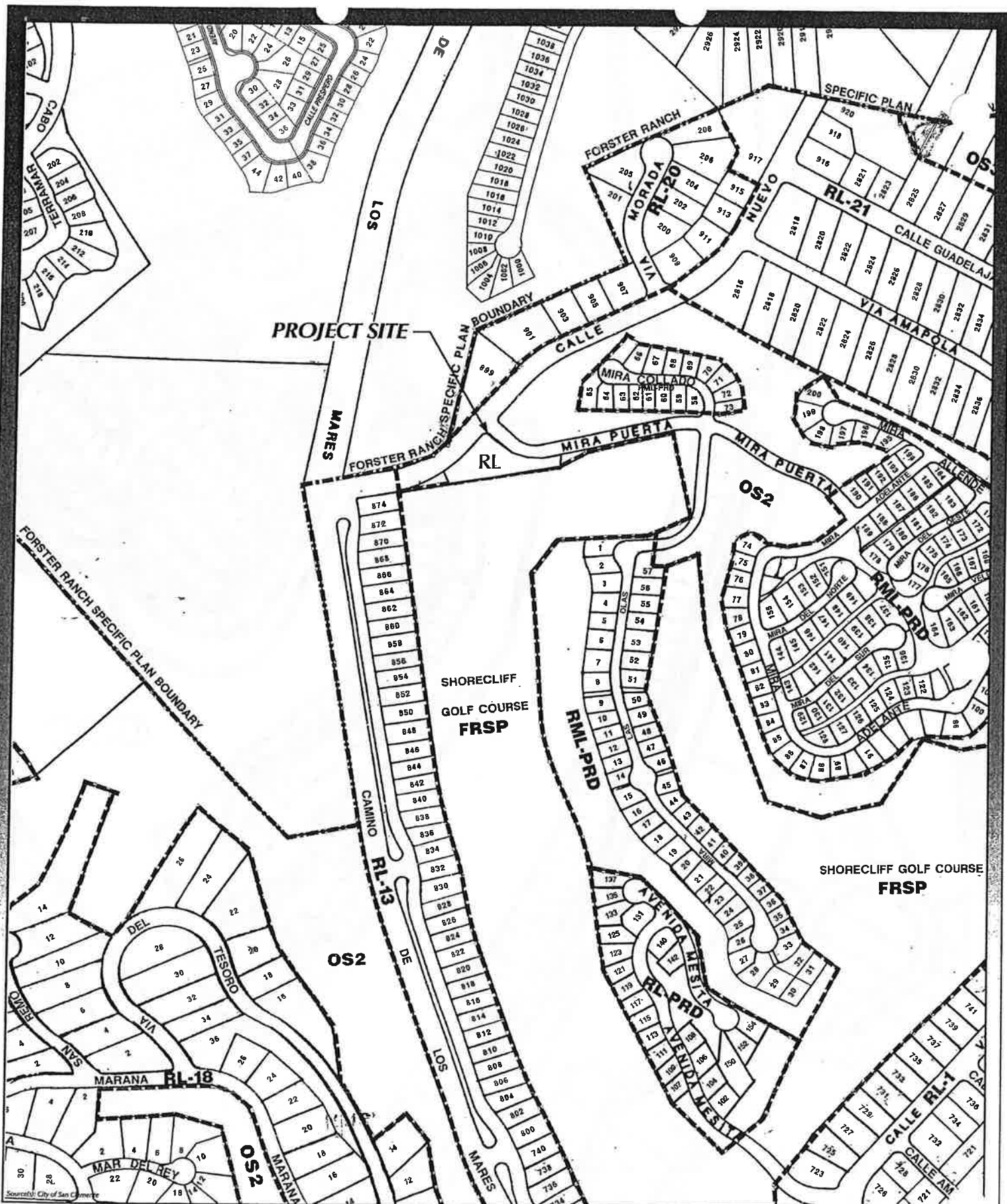
T&B PLANNING
17342 East 17th Street, Suite 110, Tustin, CA 92780
P 714.205.4300 F 714.205.4304
www.tbplanning.com

NOT TO SCALE



EXISTING GENERAL PLAN LAND USE MAP

7B-15



100 MIRA PUERTA

Figure 8

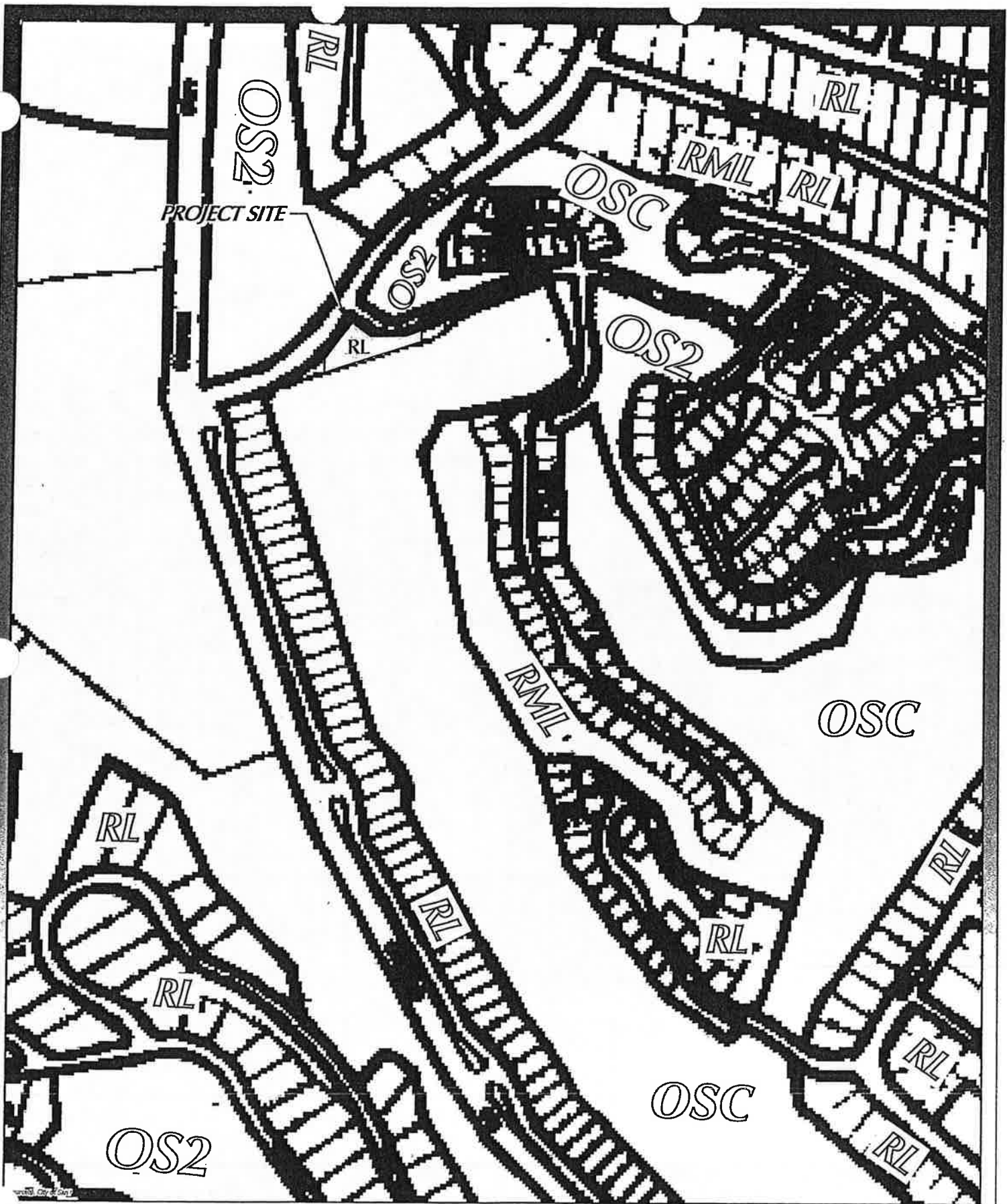
DATE: 05/16/2012

T&B PLANNING
 77342 East 172nd Street, Suite 107, Tricin, CA 92780
 P: 714-905-6360 F: 714-905-6361
www.tbplanning.com



PROPOSED ZONING MAP

7B-16



100 MIRA PUERTA

Figure 10

DATE: 05/16/2012

T&B PLANNING
 17543 East 17th Street, Suite 100, Tustin, CA 92780
 P: 714.309.4300 F: 714.309.4301
 www.tbplanning.com

NOT TO SCALE



PROPOSED GENERAL PLAN LAND USE MAP

7B-17

NOTE: CITY PROPERTY
ALL LAND NOT



7B-18

Shorecliffs Mobile Home Owner Association Request

At the November 7, 2012 Planning Commission meeting the President of the Shorecliffs Mobile Home Owner Association, Dave Newton, supported the proposed amendments. Mr. Newton questioned if the property owner will comply with the Adjoining Landowner Agreement and Grant of Easements. The agreement is between the HOA and the Mr. Evans and does not include the City. The questions expressed by Mr. Newton were specifically related to the subject property's utility connections, landscape maintenance, and access to the property. The property owner's representative confirmed that the owner will comply with the requirements of the agreement. Staff and the City Attorney reviewed the agreement and verified the mentioned responsibilities as follows:

- 1) Section 1.2, the property owner is required to disconnect the utility lines from the HOA utilities and establish new utility connections following the construction of a house.
- 2) Section 1.3, the HOA is required to maintain the landscaping along the Calle Nuevo and Mira Puerta frontage that is on the subject property.
- 3) Section 2.1.a, allows continued pedestrian and vehicle access at the Mira Puerta access point to the subject property.
- 4) Section 2.1.b, allows a perpetual non-exclusive easement to the subject property for access and utilities along all street frontages of the subject property.

Shorecliffs Terrace

3000 Calle Nuevo, San Clemente, Ca 92673

November 7, 2012

Jim Pechous, Secretary
San Clemente Planning Commission
910 Calle Negocio
San Clemente, Ca 92673

RE: Notice of Public Hearing 100 Mira Puerta- General Plan Amendment
12-184/Zoning Amendment 12-185-Evans

Dear Mr. Pechous,

The Shorecliffs Mobile Homeowners Association has no objection to the proposed rezoning. However, please be advised that certain agreements exist related to utilities, landscape maintenance and access from our private street. If zoning is approved, these agreements should no longer apply.

Respectfully,



Dave Newton
President, SMHOA

7B-20



AGENDA REPORT
SAN CLEMENTE CITY COUNCIL MEETING
 Meeting Date: February 5, 2013

Agenda Item QA
 Approvals: [Signature]
 City Manager [Signature]
 Dept. Head [Signature]
 Attorney _____
 Finance _____

Department: Public Works / Engineering
Prepared By: Tom Bonigut, Assistant City Engineer TB

Subject: *APPROACH FOR DISPOSAL OF HOUSEHOLD PHARMACEUTICAL WASTE.*

Summary: The potential impact of unused pharmaceuticals, such as prescription or over-the-counter drugs, is an emerging issue of concern as studies have detected these substances in our nation's waterbodies and suggested that these substances can cause ecological harm¹. A preventable source of unused pharmaceuticals in the environment is from disposal of such products into sanitary sewer systems, which are not specifically designed for treatment and removal of unused pharmaceuticals. The Coastal Advisory Committee (CAC) initially became interested in pharmaceutical disposal several years ago, and again discussed this issue at two of its meetings in late 2012. This report summarizes those discussions and presents the CAC's recommended approach for pharmaceutical waste disposal to reduce the introduction of such materials into the sanitary sewer system and environment.

Background

Pharmaceuticals and other substances are often referred to as "contaminants of emerging concern (CECs)" because these are now being detected in water and the associated risks to human health and the environment are still being studied². In 2006 Dr. Jeff Armstrong with the Orange County Sanitation District presented results of a study that found certain CECs present in fish from Orange County coastal waters³. More recent research by the Southern California Coastal Water Research Project confirmed the presence of pharmaceutical waste products in seawater around wastewater outfalls but did not specifically evaluate the environmental significance of these levels⁴. Other studies have shown negative effects of drugs on fish and other aquatic species, and a potential negatively impact on human health⁵.

As noted above, conventional municipal wastewater treatment plants, including the City's, are not specifically designed to treat and remove pharmaceuticals or other CECs, although these may be removed to varying degrees⁶. As for the City's wastewater treatment plant, staff has not observed any operational impacts attributable to disposed pharmaceuticals. That said, there are no testing requirements for pharmaceutical wastes and it is unknown to

¹ Environmental Protection Agency research and development summary found at www.epa.gov/ppcp/.
² Environmental Protection Agency summary found at water.epa.gov/scitech/cec/.
 esentation available upon request to the Engineering Division.
 raper available at ftp://ftp.sccwrp.org/pub/download/DOCUMENTS/TechnicalReports/650_CoastalFishStudy.pdf.
⁵ CalRecycle Medication Waste Disposal summary found at www.calrecycle.ca.gov/homehazwaste/Medications/.
⁶ *Treating Contaminants of Concern*, EPA Publication No. EPA-820-R-10-002, August 2010.

what extent pharmaceuticals are actually being disposed of into the City’s sanitary sewer system or passing through the wastewater treatment process.

Regulation

As the City Council is aware, the State has prohibited a wide range of household hazardous wastes, universal wastes and medical wastes from disposal in municipal solid waste landfills (such as the nearby Prima Deshecha landfill operated by the County of Orange). Instead, these wastes must be collected for recycling or disposal at special hazardous waste facilities. To provide San Clemente residents with a convenient method to legally dispose of these wastes, the City and its franchise waste collection and recycling company CR&R implemented a door-to-door collection program several years ago. As for household medications, these are currently not prohibited from disposal in municipal landfills and this is actually an acceptable disposal method. Current regulations limit how medications can be collected, and don’t allow door-to-door collection of household medications (except for sharps needles in approved containers or via solid waste collection as described below).

Disposal Options

Currently there are several ways for San Clemente residents to dispose of their medications, including:

1. Disposal in the trash. The most convenient method is simply for residents to place unused or expired medications/pharmaceuticals in the household trash for land disposal. The City’s Clean Ocean Program website has information about a disposal including simple steps for disposal in the trash (go to www.sccleanocean.org and select “Solid Waste/Recycling”).
2. Pharmacy Drop Off. Local pharmacies such as CVS and Rite Aid offer medication disposal programs. There is a fee at these locations which varies from approximately \$2-4 for a pre-paid envelope that will allow residents to send their prescription and over-the-counter medications to a company for disposal (controlled substances⁷ are not accepted). SeaView Pharmacy on Camino de Los Mares has a no-fee program which takes prescription and over-the-counter medications regardless of whether the medications came from their pharmacy.
3. Special Collection Events. Another option is for residents to save their unused medications and then take them to a special collection event. In San Clemente, the Orange County Sheriff’s Department hosts bi-annual pharmaceutical collection events in November and April where residents can drop off their medications for disposal at City Hall, at no charge. The last three events collected 66.7, 65.3, and 70.5 lbs of waste and were visited by 19, 22, and 29 cars respectively.

Medications and pharmaceuticals can’t be taken to the County of Orange’s Household Hazardous Waste Collection Centers, therefore the County suggests disposing of unused or

⁷ A controlled (scheduled) substance is one whose manufacture, possession and use are regulated by the Federal Controlled Substances Act because of its abuse potential or risk. Controlled substances include illegal drugs or certain prescription medications such as pain killers, tranquilizers, stimulants, depressants and similar drugs.

9A-2

expired medications in the trash as noted above. Pharmaceuticals are also not accepted by San Clemente's door-to-door Household Hazardous Waste Program as discussed previously.

The CAC considered another potential method for disposal of pharmaceutical products via use of a drop box. Nearby cities that provide a drug drop box for residents include Laguna Woods, Lake Forest, Mission Viejo, Dana Point and Oceanside. Essentially, this is a drop box, similar to a mail drop box, that is located at a City facility where residents can place their unused medications. The drop box is locked and periodically the medications are collected for disposal. Key considerations include security of the drop box (i.e. where it will be located and how it will be monitored), how the collected medications will be transported and disposed (and costs for doing so), and the types of drugs that would be allowed for drop off (e.g. uncontrolled vs. controlled). Per Federal law, the only facilities or events that can accept controlled substances are those with a sworn law enforcement officer present to take custody of, document, and dispose of the controlled substances. For any drop box program that restricts collection to only non-controlled medications, this would require some method for preventing drop-off of controlled substances. The challenge in doing so is a key reason why the County of Orange doesn't accept any household medications at its Household Hazardous Waste collection centers. The cost for a drop box is low (less than \$1,500) and the anticipated collection/disposal cost would be nominal (about \$5,000 annually), but that depends on how much is actually collected and the frequency of pick up/disposal. If a local drop box is pursued, it would likely be placed at the OC Sheriff's office on the lower level of the City Hall building.

After consideration of the currently available methods for disposing of household medications and a potential drug drop box, the CAC recommended first pursuing additional outreach efforts to inform residents about the currently available methods. The CAC believes that providing additional or enhanced outreach to remind residents about proper disposal in the trash would likely generate the greatest benefit since this is the easiest and most convenient method for residents. Since the additional outreach can be accomplished for little cost and is within the scope of Clean Ocean & Solid Waste program outreach, staff is already working to update an informational flyer (to be posted on the City's website), creating an informational slide for display on Cox Channel 30, coordinating with CR&R to include information in their quarterly newsletter, and creating a local newspaper ad.

The CAC feel that enhanced outreach is the appropriate approach at this time for addressing proper disposal of household pharmaceutical waste, and recommend City Council concurrence with this approach or direction on an alternate approach if desired by the City Council.

Recommended

Action:

STAFF RECOMMENDS THAT the City Council concur with enhanced outreach for proper disposal of household pharmaceutical waste, or provide direction on an alternate approach if desired by the City Council.

Fiscal Impact:

Possibly, depending on direction provided by the City Council.

Attachments: None.

Notification: None.

I:\Engineering\Admin\2013 Admin\02-05-2013\02-05-13-2r.docx



AGENDA REPORT
SAN CLEMENTE CITY COUNCIL MEETING
 Meeting Date: February 5, 2013

Agenda Item 9B
 Approvals: [Signature]
 City Manager [Signature]
 Dept. Head [Signature]
 Attorney _____
 Finance _____

Department: Beaches, Parks and Recreation
Prepared By: Sharon Heider, Beaches Parks & Rec Director; Marine Safety Chief Bill Humphreys; Beaches and Parks Maintenance Manager Dennis Roger Reed; Intern Lucian Toma

Subject: ***ADOPTION OF POLICY NO. 702-6 - BEACH ECOLOGY AND MAINTENANCE.***

Summary: San Clemente’s beaches are well loved, well used, and vital to the City’s quality of life and economic wellbeing. The beach and ocean make up a natural ecosystem in which we live and recreate. The care and maintenance of the beach is critical to its long-term health and viability. Currently, the City has a policy for Maintenance of Beach Facilities, which addresses permanent built elements, and a policy for Sand Nourishment, but the maintenance practices and protocols for the natural areas have been developed over the years based on best practices and current research. No policy exists for the treatment of these natural systems. This proposed policy is based on a review of current research and survey of other beach communities. It recommends slight changes to existing practices of sand grooming and kelp removal by recommending that kelp be allowed to remain on the beach during the winter and spring due to the nutrient and habitat value it provides, and that the City provide education on beach health, ecosystem, and value.

The Beaches, Parks and Recreation Commission was provided an extensive overview of the proposed policy at its June 12, 2012 meeting and referred the topic to the Coastal Advisory Committee (CAC) for comments before making a recommendation. The CAC reviewed the policy at its July 12, 2012 meeting and sent its comments to the Commission that indicated they were comfortable with the direction of the policy and suggested adding a section on drift wood along with referencing fire rings.

At the Commission’s August 14th meeting, the Commission was in favor of incorporating the CAC suggestions and also agreed on incorporating in the policy palapas as non-permanent structures under the Recreation category. The Commission recommended the policy to Council.

STAFF RECOMMENDS THAT City Council adopt the Beach Ecology and Maintenance Policy No. 702-6.

Background

San Clemente’s Beach and Ocean are distinct and valuable natural and economic resources. They are of vital importance to the continued quality of life for present and future generations of citizens and visitors of San Clemente. This important environmental resource or ecosystem provides coastal protection from erosion and extreme weather events, natural habitat for a myriad of marine species, a resource base for human recreational activities, and is an economic generator. The interaction and interconnection between the natural phenomena that drive the

physical, seasonal and long-term changes, the distinct biotic and abiotic processes, and the recreational activities that serve the human physical, psychological and spiritual needs make the beach a dynamic and challenging environment to be managed. Currently, the City has a policy for the Maintenance of Beach Facilities Policy (Policy #702-2), which addresses the permanent built facilities on the beach, and Beach Sand Nourishment (Policy #702-3), and Municipal Codes that address fire ring, litter, hours of operation, etc.; however, no policy exists to deal with the natural elements and the balance between beach health and recreation.

The subject of kelp and kelp management has often provided discussion in San Clemente, and also in most other Southern California coastal communities. Complaints are often generated regarding kelp flies, the smell of kelp on the beach or the impact of kelp on usable "towel space." Other beach users would like to see kelp remain on the sand to decompose and be consumed by a variety of invertebrates, thus adding to the ecosystem balance of the beach. Staff began to draft a kelp management policy based on both maintenance practices and education, and to try to find a common ground between these disparate views. As work progressed, it became apparent that kelp is but one aspect of beach ecology. The management of kelp is interrelated with rock cobble on City beaches; grunion spawning areas; sand erosion and sand pushing; beach facilities; and beach amenities such as fire rings, playgrounds, etc.

San Clemente's Beach and Ocean Ecosystem

San Clemente's beach is a coastal zone where the ocean meets the land. It is a constantly changing depositional landform, consisting of sandy materials and sediments. Its physical size (width), is characterized by the seasonal processes of submersion and accretion, and is driven by erosion, transportation, deposition, and retention of sediments, sand and other materials, on and off the beach. These processes depend on several interrelated factors:

- The seasonal size and energy characteristics of the waves;
- The seasonal and daily characteristics of the tides;
- The seasonal characteristics of the long-shore and fore-shore currents;
- The seasonal characteristic of the coastal slope and position;
- The characteristics of the sand and other permanent geological materials on the beach;
- The characteristics of the natural ecosystems on the beach;
- The characteristic of the artificial structures on the beach and other development, and
- The characteristic of human activities.

In winter and spring, the San Clemente coast experiences destructive waves, which erode more materials from the beach than they deposit. The tides are high, the coastal slope is steep, the long-shore currents are strong, and the beach is narrow. There are considerable amounts of cobble, minimal natural elements such as kelp wrack, and less people on the beach. The strong forces of the waves threaten the built structures on the beach such as the restrooms, marine safety headquarters, mobile lifeguard towers, fire rings and the benches and table areas. Artificial sand berms are created by sand pushing activities to protect the built structures on the beach and to retain sand.

In summer and fall, the San Clemente coast experiences constructive waves, which typically deposit more materials on the beach than they erode. Compared to winter, the tides are lower, the coastal slope is gentler, the long-shore currents are weaker, and the beach is wider. There is typically more sand, although a significant amount of cobble has been observed to remain exposed on the beach in the last few years. There is more kelp wrack and the organisms that feed on it, and considerably more people on the beach. The built structures are not as threatened by the waves as in the winter, and sand-pushing is done to remove protective berms, retain sand, and provide level space for the recreational needs of the people using the beach.

The seasonal width of our San Clemente beach has been recently noted to have changed from what was previously observed. Research on California's sandy beach erosion, done by the National Oceanic and Atmospheric Agency (NOAA), attribute these changes to both natural and human impacts on the submersion/accretion beach cyclical process. Submersion is the natural cyclic portion of the coastal seasonal change process when coastal sediments move from the visible portion of the beach to the submerged near-shore region. Accretion is the balancing portion of the natural cyclic coastal seasonal change process when coastal sediments return to the visible portion of the beach following a submersion event. A sustainable beach often goes through a cycle of submersion during rough weather and storms and then accretion during calmer periods naturally.

Both slight and severe changes in ocean currents and storms, as well as the continental drift, disrupt the submersion/accretion cycle. Sand is being transported away from where the cyclical process has occurred continuously and undisturbed for long periods of time. The amount of submerged sand near the shore is typically greater and more important than the amount on the beach in this change. The less the submerged amount, the easier it is transported and eroded away into the ocean. Human activities, with short and long term impacts on this process, include weakening of sand retention natural structures and changes in the amount of sand that travels on and off the beach. A reduced amount of sand in these coastal processes deems the beach unprepared to respond naturally to storms. However, in some cases, enough sand might be available on the beach to replenish this process following a severe storm.

The beach is an ecosystem with a tremendous amount of coastal marine life. The permanent and transient animals and plants that use our beach as a habitat have both an intrinsic value and an important role in the processes that define the beach physically. The following is an overview of the major elements that comprise the beach and their role:

Cobble - - On sandy beaches, cobble is a geomorphological feature that exists naturally, both under and above the sand. Coastal erosional processes have created it over millions of years. Insignificant amounts of cobble are brought on the beach by waves. Most of the cobble is native to the beach and coast where it is found. Under the sand, it functions as a stabilizing mid-geological layer between the coastal bedrock and sand. It surfaces above the sand, mostly during and immediately after the winter, due to seasonal and long-term sand transportation and erosion produced by waves, currents, storms, and even sand-pushing activities. Above the sand, it is considered to contribute both to sand retention and erosion. Also, in the long run, the friction between the cobble pieces created by the action of the waves is considered to

produce sand. On the San Clemente beach, cobble above the sand is more prevalent and has been noticed to be more permanent from north of the Pier to the end of the North Beach. Literature on this topic suggests that the change from the seasonal occurrence to an increased prevalence and permanence of cobble on sandy beaches is considered to be due to a decrease in the natural feeding sources of sand (such as natural rivers) and a change in the characteristics of waves, currents and storms, and implicitly coastal slopes. Moreover, it is suggested that cobble should not be removed off the beach, as it could contribute to further sand erosion.

Kelp - Giant kelp is the largest seaweed species, growing as an underwater forest supporting significant amounts of marine life, just off the coast of San Clemente. Large sections of the kelp forest break off and wash ashore between the low and high tide, forming piles of kelp wrack, usually along the berm crest. On San Clemente's beach, it is mostly abundant during the summer and fall. The size of kelp wrack varies from small piles to piles that can amount to several feet. The amount of kelp wrack on the beach can also vary from a few piles here and there to piles that cover the beach completely. The kelp wrack has different functions that play important roles in the structural, ecological, and aesthetical condition of our beach:

- Habitat for coastal marine life
- Source of food and prey in the coastal marine life food web
- Source of nutrients for beach vegetation
- Direct and indirect source of sand retention.

Kelp and kelp wrack have other roles on the San Clemente beach also. One can find kelp both wet piles form, which continuously wash ashore and support coastal marine life species, and dry piles and pieces which are the remnants of the decomposed and consumed wet kelp wrack, finding their way on and in the dry sand and beach vegetation. The wet kelp wrack provides moisture to sand around it and keeps it in place from being eroded by wind and waves. It also retains sand behind it. The dry kelp pieces attach to beach vegetation – grasses and bushes – where they decompose further and provide nutrients. Research suggests that leaving the kelp wrack helps maintain foraging opportunities for shorebirds and benefits native coastal plants that trap sand and create dunes. Biologists advise that more than 40% of all intertidal animal species living on the sandy beach depend on kelp wrack.

Kelp Flies – The kelp fly lives only on kelp and consumes kelp. It is not the same as the common house fly, and does not pose a hazard for human health. They consume kelp only and cannot survive away from the kelp wrack. They have an 11 to 12 day life span. Predators include other occupants in the kelp wrack, such as the *flightless Rove Beetle*, as well as shore birds.

Beach Hoppers- A nocturnal species which hide under the kelp wrack during the day. They feed rapidly on fresh kelp wrack and when consumed, hop to the next pile. They do not linger on people and are preferred by the San Clemente shore birds, such as *Sanderlings*, *Marbled Godwits*, *Whimbrels*, and *Long-Billed Curlew*. Having food for these birds and others help them with their survival, migration and nesting. Beach Hoppers are the major consumers of kelp in Southern California. They consume freshly deposited kelp and can influence kelp fly population by eating the kelp before the flies can develop. Beach hoppers are very sensitive to kelp

removal by grooming and their abundance is very low on regularly groomed beaches. The absence of beach hoppers reduces the natural control of kelp flies on the beach.

Intertidal Pill-bugs – These nocturnal species hide in and consume kelp wracks. They do not linger on people and are preferred by the San Clemente shore birds.

Most people do not know of these species' existence and the role they play on the beach. Together, these invertebrates can consume a kelp wrack and help it decompose in less than a week, and, sometimes, in just a few days. They can be considered a part of San Clemente's beach grooming crew. In the absence of kelp wrack, their reproductive capacities are severely reduced, and it takes them a long time to get re-established. In the absence and low numbers of these invertebrates, kelp wrack takes three to four times longer to decompose. Besides the above-mentioned species, there are several other species of crustaceans and polychaete worms as well as some bivalves living within the sand, all of which are consumed by the shorebirds. Besides their value as prey, they help to filter and clean the water on the beach and to recycle nutrients.

Southern California Edison constructed a kelp reef offshore of San Clemente as part of a California Coastal Commission permit. The Phase 1 reef was constructed in 1999, and the Phase 2 reef in 2008. The reef patches are about ½ mile off the beach in about 50 feet of water, between San Mateo Point to the south and the City Pier to the north. The total size of the reefs covers 174.4 acres of sea floor, and are now known as the Wheeler North Reef. As part of the project, Edison must monitor the San Clemente beaches for kelp wrack and possible reef construction material, through September of 2013. Edison does biannual reports, and will contribute mechanical, manpower and/or monetary assistance should the City of San Clemente request help removing excess kelp wrack, if documented to be beyond background quantities in monitoring results. As of this time, no quarry rocks or broken concrete that could be associated with Wheeler North Reef has been observed, and project surveys for kelp wrack have shown that average kelp wrack on San Clemente beaches has not exceeded historical amounts.

Beach Vegetation - Different species of vegetation are adapted to the habitat conditions of San Clemente. They are resistant to and use the salty mist blowing in from the ocean, and the low nutrients and water in the sand. They draw most of their nutrients from the decomposed kelp wrack and the creatures that live in it. They retain sand and debris blown by wind or carried by waves and form natural sand fore-dunes and hummocks. Naturally formed fore-dunes can be observed at the south end of the San Clemente beach and continuing on the California State Beach. Natural sand hummocks can be observed in various but limited places on the San Clemente beach, such as some of the palm trees located around the T-street beach access, and planters among the San Clemente beach trail and restrooms.

The beach vegetation and the hummocks and the fore-dunes they form are considered natural bio-engineers and an important part of soft engineering techniques that retain sand on the beach. They function as coastal buffers and protection from strong seasonal storms and long-term sea-level rise. Some of the species that exist on the San Clemente beach are: *the common Ice Plant, Low Saltbushes, Rye Grass, Coastal Sageworth, and Ambrosia*. Other species of plants

known to survive, adapt, and flourish on the Southern California beaches are: *Bush Lupine*, *Sand Verbena*, *Mock Heather*, *beach morning glory* and *beach poppies*.

Grunion - Grunion are a species of sardine-sized fish with a unique and unusual mating ritual, found only off the US coast of California and Baja California, Mexico. The grunion come to mate at night, on the sandy portions of the San Clemente beach during the summer months. Their eggs are laid on the beach, a few inches deep into the sand, between the low and high tide space, where they remain for 10 days before they hatch and the offspring move into the ocean. Because it is a special and protected species, its mating and hatching grounds require minimal disturbance.

The City of San Clemente ensures that driving, grooming and sand pushing activities are minimized during the grunion season and, especially, after a "grunion run." Many people observe and participate in recreational activities related to "grunion runs."

Recreational, Aesthetic and Cultural Values – These values are equally important to the residents and visitors who use the beach. San Clemente's beach is vital to the city's economy, culture, and quality of life. Citizens of San Clemente and visitors frequent the beach yearlong, and expect their experience to be safe, enjoyable and memorable. Water and beach related recreational activities, such as walks, swimming, surfing, sand castle building, and simply lying on the beach, are supported and enhanced by the City of San Clemente. The City provides Lifeguard services, and engages in beach cleaning and grooming, and sand pushing in order to ensure a pleasant beach experience for the citizens and visitors of San Clemente's beach. Summer is the busiest time for the divisions of Beach Maintenance and Marine Safety.

Periodically, citizens and visitors make inquiries or complaints regarding: the look of the kelp wrack on the beach, and its need to be removed; the flies on the beach and concern regarding potential health hazards from the flies; and general annoyance with the flies' presence. In addition, requests also arise to remove or do something about the cobble on the beach, the reduction of sand, and the desire for a larger beach area.

Current Maintenance Practices

San Clemente's current practices for beach management have evolved over the years based on long-term professional experience, staff research and understanding of best management practices, and information gained through the City's participation in the state-wide Beach Ecology Coalition. However, no formal policy exists, and sometimes requests from the public are in conflict with the current practices or environmental concerns. This proposed policy seeks to find balance between a healthy beach ecosystem, enjoyment by the public, and to gain approval at the policy level so the practices are fully vetted and in the best interest of the City.

Presently, sand grooming is accomplished May 15 to September 15 three times per week. A contractual operator uses the City's large beach grooming machine to remove surface debris and "rake" the sand. An additional operator uses the City's walk behind sand groomer in areas around fire rings and other amenities, and areas too tight for the larger device. Kelp is left the "wet sand" area below the wrack line (the juncture between the wet sand and the area where kelp has gathered). The kelp found on the dry sand or "towel areas" is removed and or

JB-4

raked by the sand groomers. The kelp that is removed is disposed of using the regular trash bins at the City's Corporation Yard on Pico, since the amount of moisture makes the kelp very heavy, and green waste recycling firms will not accept it. Cobble is allowed to remain, as it serves as a foundation between the bedrock and accumulated sand. The City protects the grunion areas by avoiding the use of mechanical equipment in the wet sand/wrack line area, and having beach vehicles avoid these areas. The City's protocol for driving on the beach was created by the Marine Safety Division and has been used as the template by the Beach Ecology Coalition. Staff has been asked to lecture and train other entities on our practices.

Sand erosion remains a major issue, and staff push sand during the year as needed to protect buildings and amenities from high tides/storm surf. Twice a year, in late autumn and late spring, the City has contractual sand pushing accomplished. Contractors use larger equipment. The autumn pushing is primarily protection; whereas, the spring pushing is more directed at grooming the beach, removing drop offs, etc. The full ecological impacts of this have not been examined.

Beach trash is removed twice daily from May 15 to September 15, and once a day the remaining portion of the year.

Regulatory - Findings, Declarations and Goals

The California Coastal Act, as of 2010, finds and declares that the beach, as part of the coastal zone: "is a distinct and valuable natural resource of vital and enduring interest to all the people and exists as a delicately balanced ecosystem" (CCA 30001, a); and that "to promote the public safety, health and welfare, and to protect public and private property, wildlife, marine fisheries, and other ocean resources, and the natural environment, it is necessary to protect the ecological balance of the coastal zone and prevent its deterioration and destruction" (CCA 30001, c). To do so, the legislature finds and declares that the basic goals of the State for the coastal zone, which San Clemente's beach is within, are to: "protect, maintain, and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources" (CCA 30001.5, a); and "assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state" (CAC 30001.5, b).

Trends

With increasing research available on beach and marine environments, more holistic ways of looking at the management of beach and marine environments are emerging. Ecosystem-based management is an outgrowth of work in the National Parks which found that natural systems need to be considered in their totality. Ecosystem-based management (EBM) is an integrated approach to management that considers the entire ecosystem, including humans. For beach and marine environments, it seeks to provide an integrated approach which considers all interactions and interconnections occurring in the ecosystem, including those in which people play a role. The goal of ecosystem-based management is to maintain an ecosystem in a healthy, productive, and resilient condition, so that it can provide the services humans want and need. It differs from current approaches that usually focus on a single species, sector, activity or concern; it considers the cumulative impacts of different sectors. Key aspects of EBM include:

- Integration of ecological, social, and economic goals and recognition of humans as key components of the ecosystem.
- Consideration of ecological- not just political- boundaries.
- Accounting for the complexity of natural processes and social systems and using an adaptive management approach in the face of resulting uncertainties.
- Engaging multiple stakeholders in a collaborative process to define problems and find solutions.
- Incorporating understanding of ecosystem processes and how ecosystems respond to environmental perturbations.
- Concerned with the ecological integrity of coastal-marine systems and the sustainability of both human and ecological systems.

Peer Review

This document was reviewed by Dr. Karen Martin of Pepperdine University in Malibu, Dr. Jenny Dugan of the University of California, Santa Barbara, and Chris Webb of Moffatt & Nichol. Dr. Martin is a Professor of Biology, and well known for her efforts with sandy beach ecology, marine biology, tide pools and grunion. Along with providing insight and suggestions, Dr. Martin stated "this is a very clear document that addresses some basic, important issues for beach management." Dr. Dugan is an Associate Research Biologist at the Marine Science Institute. Her primary research has focused on sandy beach ecosystems, and the evaluation of the ecological impacts of human alterations of this ecosystem, including beach grooming. Dr. Dugan also provided input, and said "the report does a nice job of outlining a carefully crafted and thoughtful approach to improving the balance of managing recreational and natural ecosystem values on San Clemente Beaches. The ecological concepts and information are well presented and developed." Mr. Webb is a Senior Coastal Scientist and Diver for Moffatt & Nichol, a firm specializing in the planning and design of facilities that shape coastlines, harbors and rivers. Mr. Webb stated that the information was conveyed very well.

Recommendations

The trend toward looking at the various natural elements within the context of a working ecosystem is important in finding a workable balance that places the needs and safety of the community along side the importance of maintaining the beach in way that promotes its long-term sustainability. San Clemente's beaches are constrained by the existing conditions such as the location of the railroad, homes, and street patterns which create the upper limits of the sandy beach. Given the current constraints, the recommended policies below attempt to maintain the current use, accessibility, and enjoyment for the public, and to recognize and work in concert with the natural systems. Below is a table outlining the current practices and proposed new policy.

	Existing practice	Proposed Policy	Change from current
Safety	<p>With over 2 million visitors annually, the safety of the public is a primary concern for the department. Use of emergency and maintenance vehicles and equipment on the beach is mandatory to ensure this safety. This position is supported by the mission statements for Marine Safety and Beach and Park Maintenance divisions, as shown in the following (respectively):</p> <ul style="list-style-type: none"> • To maximize the safety and well-being of visitors to San Clemente's beach and marine environment through comprehensive public education, preventive measures, and responsive emergency intervention. • To maintain and preserve beaches, parks, medians, City maintenance landscapes, the City's urban forest and the pier in an efficient, <i>safe</i> and cost-effective manner. 	No Change	No
Cobble	<p>No action. Cobble is left in place and is not removed. Cobble is the underlying composition of the beach. Sand is deposited and removed seasonally. Long-term erosion of the sand has exposed more cobble. Since removal of cobble has unknown consequences to the long term health of the</p>	No Change	No

	beach substructure, staff recommends it be left in place.		
	Existing Practice	Proposed Policy	Change from Current
Kelp	Removal of kelp by sand groomers in Summer, May 15 through September 15; and, in Winter, removal in times of warm weather spring break. Disposal in land fill.	Limit removal to summer only (May 15 through September 15), and allow kelp to remain during winter and spring break to allow kelp nutrients in sand. In cases of extreme kelp buildup, City Manager may direct additional removals during winter months. Seek to find alternative uses for kelp to divert some amounts from land fill.	Yes
Native Vegetation	There is no existing practice to cultivate or protect native vegetation on the beach, and only limited areas exist. Very limited areas are available for possible cultivation of native species.	Protect existing vegetation on sand hummocks and dunes. Seek to identify small locations where native planting could be established. Although the natural role of sustaining sand, may be limited on our beaches, the addition of appropriately placed and maintained native plantings could provide aesthetic improvements, as well as educational	Yes

9B-10

		value in teaching about the beach ecosystem. Seek to establish limited areas and coordinate volunteer, or Eagle Scout projects for planting and establishment when available.	
	Existing Practice	Proposed Policy	Change from Current
Driftwood and Large Debris	Large pieces of driftwood and debris are removed to remove the potential for injury from being pushed from wave action or providing danger to beach users.	No change.	No
Sand Grooming	Sand Grooming is currently conducted May 15 through September 15 and, in winter, during hot periods, spring break, and time of high kelp deposit. Grooming machines clean and groom the dry sand areas of the beach. Wet sand areas are not groomed in an effort to protect grunion and the kelp wrack.	Reduce sand grooming to only summer season from May 15 through September 15 and preclude sand grooming during winter September 16 through May 14. This reduction is intended to allow any existing kelp to breakdown naturally and provide nutrients into sand.	Yes
	Sand pushing is the action of moving sand mechanically to retrieve sand that has moved, or to create berms to protect facilities, prevent further loss of sand, or to maintain usable towel space. Sand pushing is not done below the high tide level during grunion season.	Increase stockpiling of sand when available to maintain a larger inventory for use when needed.	

	Existing Practice	Proposed Policy	Change from Current
Recreation	The City maintains play and exercise equipment, palapas, and volleyball courts located on the sand. These facilities are considered non-permanent and are not addressed in the City's policy for Beach Facilities, and are therefore discussed here.	Maintain existing inventory at a service level C. Any new requests for equipment to be reviewed by the BP&R Commission and approved by the City Council.	Yes, new approval process only
Education	Varied programs focused primarily on urban run off and clean ocean. No existing programs to educate the public on overall beach ecosystem and the role kelp and natural systems play in creating a healthy beach.	<p>Develop educational messages on beach safety, ecosystem, and the role of kelp, cobble, and animal life in creating a healthy beach. Use existing resources to convey public service information, including:</p> <ul style="list-style-type: none"> • Populate City website with educational information on San Clemente beach's ecology and the City's efforts to make the beach sustainable. • Review available Army Corps of Engineers' data on beach change and health to track changes. • Develop City messaging and education on beach safety, rules, and 	Yes

		ecosystem function. • Develop a pilot San Clemente Beach Ecology Tour offered by volunteers and interns to citizens and visitors.	
--	--	--	--

Recommended

Action: STAFF RECOMMENDS THAT City Council adopt the Beach Ecology and Maintenance Policy No. 702-6.

Fiscal Impact: Potential savings of \$1,000 per year as efforts are shifted from less grooming and kelp removal in winter to more sand pushing/stockpiling year round.

References

- California Coastal Act of 1976
- King, Phillip, 2002. Economic Analysis of Beach Spending and the Recreational Benefits of Beaches in the City of San Clemente. San Francisco State University.
- San Clemente General Plan
- San Clemente Parks and Recreation Master Plan
- San Clemente Policy # 702-2: Management of Beach Facilities
- Kelp Wrack: Hopping with Life in San Diego County, Sea Grant California
- Loss of Coastal Strand Habitat in Southern California: The role of beach grooming, Jenifer E, Dugan and David M. Hubbard

Attachments: Draft Beach Ecology and Maintenance Policy No. 702-6

Notification: Interested parties
The Surfrider Foundation



DRAFT

POLICY AND PROCEDURE

Subject: Beach Ecology and Maintenance Policy	Index: Public Service Facilities & Activities Number: 702-6
Effective Date: TBD	Prepared By: Beaches, Parks & Recreation Department
Supersedes: New	Approved By:

1.0 PURPOSE:

The purpose of this Policy is to provide direction for the management and maintenance of the City’s beach that seeks to protect, maintain, and where feasible, enhance and restore the overall quality of the beach environment.

Rationale: San Clemente’s beach is an important environmental resource for the City that provides coastal protection from erosion and extreme weather and oceanic events, natural habitat for marine and coastal species, recreational activities and space, and an economic revenue source. To continue to provide these services, the beach must be maintained and managed in way that ensures the public’s safety and enjoyment, as well as a sustainable beach ecosystem. (A sustainable beach is structurally safe, ecologically healthy, productive and resilient, and aesthetically enjoyable and memorable to citizens and visitors.)

2.0 ORGANIZATIONS AFFECTED:

All Departments and Divisions

3.0 REFERENCES:

- San Clemente General Plan
- San Clemente Beaches, Parks and Recreation Master Plan
- San Clemente Policy # 702-2: Management of Beach Facilities
- San Clemente Policy # 702-3: Beach Sand Nourishment
- San Clemente Sustainability Action Plan
- California Climate Change Adaptation Policy Guide Draft 2012
- California Coastal Act of 1976
- California Environmental Quality Act 2012-update

4.0 POLICY:

Recognizing the vital importance of San Clemente's beach, and its duty to protect, maintain, and whenever feasible, enhance and restore the natural environment for present and future generations, the City of San Clemente shall employ an integrated beach management and maintenance approach that considers the entire beach ecosystem. This approach shall sustain the beach ecosystem in a safe, healthy, productive and resilient condition by:

- 4.1 Recognizing changes and connections within and across the ecosystem
- 4.2 Addressing cumulative impacts
- 4.3 Managing for multiple objectives and users

5.0 DEFINITIONS:

- 5.1 "City" shall mean the City of San Clemente.
- 5.2 "Ecosystem" shall mean a natural unit consisting of all living organisms (biotic factors) in an area functioning together with all of the non-living physical (abiotic) factors of the environment.
- 5.3 "Sustainable" shall mean the capability of a unit or system to continue to function and of being maintained at a steady level, resilient to failure and damage, and without the need for exhausting energy and resource inputs. (A sustainable beach would function in a healthy, productive and resilient condition, without the need for exhausting energy and resource inputs for its maintenance.)

6.0 PROCEDURE:

6.1 General Provisions

- 6.1.1 The Beaches, Parks and Recreation Department shall be the lead department for the implementation of this Policy.
- 6.1.2 The lead department shall seek to develop educational and training programs for staff and contractors involved in the implementation of this Policy.
- 6.1.3 The lead department shall seek to develop monitoring and reporting tools, and coordinate with other departments for the implementation of this Policy.

6.2 Safety

6.2.1 Recognizing that maximizing the safety, health and wellbeing of the public at the beach is a primary concern, and the use of emergency and maintenance vehicles and equipment is necessary to ensure this safety; and public safety shall take precedence in implementation of this policy and operational practices.

6.3 Cobble

6.3.1 Recognizing that Cobble is a native geomorphological feature of San Clemente's beach, occurring due to natural processes, and its removal has unknown consequences to the health of the beach structure, the City shall not remove Cobble from the beach.

6.4 Kelp

6.4.1 Recognizing that Kelp has an important role in the ecological and structural condition of the beach, provides habitat and nutrients for coastal marine animal and vegetative species, and provides direct and indirect support for sand retention, the City shall:

- 6.4.1.1 Remove excessive Kelp, in the dry sand areas, during the summer season, May 15th through September 15th, to provide maximum towel space for public use while protecting grunion-spawning grounds in the wet sand areas;
- 6.4.1.2 Allow Kelp to remain on the beach during the winter season, September 16th through May 14th;
- 6.4.1.3 At any time, remove excessive Kelp in cases of extreme Kelp buildup, at the direction of the City Manager or his designee.

6.5 Native Beach Vegetation

6.5.1 Recognizing that Native Beach Vegetation has a natural role in the ecological, structural and aesthetical conditions of the San Clemente Beach, providing habitat for coastal marine species, and sand retention support, the City shall:

- 6.5.1.1 Protect existing native beach vegetation in established sand hummocks and dunes;
- 6.5.1.2 Seek to identify locations where planting of native beach vegetation can be established and work with volunteer and non-profit groups for planting and establishment.

6.6 Driftwood and Large Debris

6.6.1 Recognizing that Driftwood and Large Debris can wash up on the beach, and while mostly comprised of natural materials, their size and/or shape can create potential dangers from wave action, or by its presence on the sand, the City shall:

6.5.1.1 Remove large driftwood and debris.

6.6 Sand

6.6.1 Recognizing that Sand has a primary role in the use and enjoyment that San Clemente's Beach provides, the City shall:

6.6.1.1 Conduct scheduled sand grooming during the summer season, May 15th through September 15th, on dry sand areas, avoiding the wet sand areas in an effort to protect grunion-spawning grounds and Kelp wracks;

6.6.1.2 Conduct sand pushing twice a year, or as directed by the City Manager. Sand pushing is the action of moving sand mechanically with the intention to:

- Create berms in order to protect beach facilities
- Attempt to stockpile sand, whenever available in late autumn and early winter
- Prevent loss of towel space into the ocean
- Remove man made berms in the late spring to prepare the beach for towel space during the summer season

6.7 Recreation

6.7.1 Recognizing that Recreation is a vital aspect of San Clemente's Beach, and that non-permanent facilities such as fire rings, volleyball courts, picnic tables, exercise and play equipment contribute to the use and enjoyment, the City shall:

6.7.1.1 Maintain the existing inventory of play and exercise equipment, volleyball courts, fire rings and picnic areas at a service level C;

6.7.1.2 Review changes or additions through the Beaches, Parks & Recreation commission, and gain approval from the City Council.

6.8 Education

6.8.1 Recognizing that the Education of the public has an important role in sustaining San Clemente's Beach, the City Shall:

6.8.1.1 Develop educational messages on beach safety, ecosystems, and the role of the kelp, cobble, native beach

vegetation, sand, and human impacts in maintaining the beach in a sustainable condition.

6.8.1.2 Use existing communication channels, such as City and Department website, public service announcements, public signage and outreach events, and develop new sources to provide public education.

6.8.1.3 Provide support for volunteer and non-profit based groups to provide educational messages and events promoting the importance of the City's program for sustaining a healthy beach ecosystem.



AGENDA REPORT
SAN CLEMENTE CITY COUNCIL MEETING
 Meeting Date: February 5, 2013

Agenda Item 11A(1)
 Approvals: [Signature]
 City Manager [Signature]
 Dept. Head [Signature]
 Attorney JAV
 Finance _____

Department: City Clerk
Prepared By: Joanne Baade, City Clerk/Executive Analyst

Subject: ***ESTABLISHMENT OF DATE(S) FOR COUNCIL TO MEET IN JOINT SESSION WITH CITY COMMISSIONS AND COMMITTEES.***

Summary: In 2009 and 2010, Council met individually with each of the City's Commissions and Committees. In 2011 and 2012 (and in most years prior to 2009), Council conducted a consolidated joint meeting with all of the City's Commissions and Committees in lieu of meeting individually with each advisory body. At this time, Staff is requesting direction as to whether Council wishes to schedule one-on-one meetings with one or more of the City's Commissions and Committees during 2013, and/or whether it desires to schedule one or more consolidated joint meetings. Historically, consolidated meetings have been held on the fifth Tuesday in a month. If Council desires to maintain this practice, the dates in 2013 that have five Tuesdays are April 30, 2013, July 30, 2013, and October 29, 2013.

If Council desires to meet individually with any or all of its advisory bodies, Staff requests that Council provide Staff with a list of dates that it would be available to meet. Staff will then communicate with the Commissions and Committees to determine the dates that also work for the Commission/Committee members.

Because the Council Chambers is not conducive to joint meetings, Staff recommends that the joint meetings be conducted in either the Ole Hanson Room of the Community Center or at the golf course restaurant. Off-site meetings are more labor intensive to televise because only the Council Chambers is equipped with built-in videotape and cable broadcast capability. Consequently, the cost to televise an off-site meeting is approximately \$300, as opposed to \$125 to televise a meeting that takes place in the Council Chambers. Additionally, off-site meetings cannot be televised live because those meeting rooms are not connected to the City's cable broadcasting equipment.

Recommended

Action: STAFF RECOMMENDS THAT the City Council: 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); and 4) Determine which, if any, of the joint meetings should be televised.

Attachments: None.

Fiscal Impact: The City will incur a cost of approximately \$300 for each off-site meeting that is televised.