



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

March 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.)

- A. PUBLIC EMPLOYMENT/PUBLIC EMPLOYEE APPOINTMENT: City Manager

BUSINESS MEETING (6:00 P.M.)

CALL TO ORDER

INVOCATION – Fr. Mike Hanifin, Our Lady of Fatima Catholic Church

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. Mothers Against Drunk Driving (MADD) Awards

Presentation of awards by Tiffany Townson, from Orange County MADD, to the following San Clemente Police Officers for their achievements in DUI arrests:

Deputy Jeff Hewitt	34 Arrests
Deputy Jeremiah Prescott	28 Arrests
Deputy Michael Carrillo	25 Arrests

C. National Association of People Against Bullying Presentation

Presentation by Anna Mendez, Executive Director of the National Association of People Against Bullying.

D. Operation Enduring Freedom Monument Presentation

Presentation by Terry Rifkin, President of the Dana Point 5th Marine Regiment Support Group, concerning the Operation Enduring Freedom Monument which will be displayed at the 5th Marine Memorial Park.

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 Regular Council Meetings of February 5, 2013 and February 19, 2013.

B. Receive and file:

(1) Design Review Subcommittee minutes of January 23, 2013.

(2) Zoning Administrator regular meeting minutes of February 6, 2013 and February 20, 2013.

(3) Planning Commission adjourned regular meeting minutes of February 13, 2013 and February 20, 2013.

C. **Warrant Register**

Approve Warrant Nos. 506057 through 506205 for the period 2-4-13 through 2-8-13 in the amount of.....\$3,274,595.11

Approve Wire Transfers Nos. 1099 through 1102 and Warrant Nos. 506206 through 506377 for the period 2-11-13 through 2-15-13 in the amount of.....\$1,046,381.97

TOTAL WARRANT REGISTER.....\$4,320,977.08

Payroll Register

Approve Warrant Nos. 177 through 180 and Automatic Deposit Advises 5984 through 6249 for the period 2-4-13 through 2-17-13 in the amount of\$395,549.75

TOTAL PAYROLL REGISTER.....\$395,549.75

D. **Parking Prohibitions on El Camino Real** Pages 6-D-1 through 6-D-7

1. Approve prohibiting parking on the northeast side of North El Camino Real, from East Escalones curb return in a northwesterly direction for a distance of one hundred (100) feet.
2. Approve prohibiting parking on the west side of South El Camino Real between Avenida Mateo and Avenida Algodon.
3. Adopt Resolution No. 13-05 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING MASTER TRAFFIC RESOLUTION NO. 1846, MODIFYING "NO PARKING AREAS" ON EL CAMINO REAL.

E. **Request to Authorize a Limited Term, Benefited Position (Senior Facilities Maintenance Specialist)** Page 6-E-1

Authorize a limited-term, benefited position (Senior Facilities Maintenance Specialist) from March 2013 through October 2013.

F. **Notice of Completion – Community Center HVAC Maintenance Rehabilitation**
Pages 6-F-1 through 6-F-2

1. Accept the “Community Center HVAC Maintenance Rehabilitation, Project No. 11546”, from the contractor, True Air Mechanical, Inc.
2. Authorize the Mayor to execute, and the City Clerk to record, the Notice of Completion for the “Community Center HVAC Maintenance Rehabilitation, Project No. 11546”.
3. Authorize the City Clerk to release the Payment Bond 35 days from the recordation of the Notice of Completion upon verification with the Maintenance Division that no liens have been levied against True Air Mechanical, 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.

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-62

Public Hearing to consider an appeal by the City Council to consider 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.

Planning Commission Recommendation

Adopt Resolution No. 13-06 entitled 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.

8. **Unfinished Business.**

None.

9. **New Business.**

None.

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

11. **Reports.**

A. **Commissions and Committees**

B. **City Manager**

(1) **Appointment of Joe Anderson as City Treasurer** Pages 11-B(1)-1 through 11-B(1)4

Staff Recommendation

Effective March 21, 2013, appoint Joe Anderson as the City Treasurer to fulfill the remainder of the four-year term of office as the result of Pall Gudgeirsson's resignation.

C. **City Attorney**

D. **Council Members**

(1) Report from Mayor Baker, City Representative to the Orange County Fire Authority (OCFA), relative to OCFA Matters

(2) Report from Councilmember Donchak, City Representative to the California Joint Powers Insurance Authority (CJPIA), relative to CJPIA Matters

12. **Resolutions/Ordinances.**

- A. **Ordinance No. 1563 (Second Reading) - Making Violations of City-Issued Permits a Nuisance** Pages 12-A-1 through 12-A-2

Adopt Ordinance No. 1563 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING CODE SECTION 8.52.030 TO MAKE VIOLATIONS OF APPROVED CITY PERMITS A NUISANCE FOR MUNICIPAL CODE ENFORCEMENT.

- B. **Ordinance No. 1564 (Second Reading) - Removal of Business-Generated Litter on the Public Right-of-Way** Pages 12-B-1 through 12-B-3

Adopt Ordinance No. 1564 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING CODE SECTION 8.40.070 TO DEAL WITH LITTER GENERATED BY BUSINESSES THAT ACCUMULATES IN THE PUBLIC RIGHT-OF-WAY.

13. **Adjournment.**

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

A subsequent Council Meeting will be held on March 26, 2013 (not on March 13, 2013 as originally scheduled) at 4:00 p.m. in the Council Chambers, for the purpose of considering the City's Long Term Financial Report and Strategic Priorities.

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.

03-5-13
6A

CITY OF SAN CLEMENTE

City Council Minutes

Regular City Council Meeting – February 5, 2013

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 February 5, 2013 at 5:00 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California, by City Clerk Baade.

CLOSED SESSION

There being no Closed Session items to discuss, City Clerk Baade recessed the meeting to 6:00 p.m.

MEETING CALLED TO ORDER

Mayor Baker called the Regular Meeting to order at 6:00 p.m.

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.

* * *

INVOCATION

Mayor Pro Tem Brown gave the invocation.

PLEDGE OF ALLEGIANCE

Councilmember Evert led the Pledge of Allegiance.

6A-1

1. **SPECIAL PRESENTATIONS**

A. **San Clemente High School Student Report**

None.

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

Mayor Baker presented 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.

Oral Communications (Part 1)

Opportunities for Improvements in North Beach and Along Avenida Granada

Wayne Eggleston, San Clemente, displayed photographs of areas along Avenida Granada and in North Beach that have the potential to become community treasures if infrastructure improvements occur (i.e., sidewalks, trees and lighting); recommended that the City invest in the Avenida Granada area. A hard copy of Mr. Eggleston's photographs are on file with the City Clerk.

Suggestions for Various City Improvements

Don Kunze, San Clemente, offered suggestions relating to traffic calming, traffic circulation and lights, trail system, potential trolley system, revenue-generating possibilities for the Ole Hanson Beach Club, the Richard and Donna O'Neill Land Conservancy, and the City's gateway.

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 ATTENTION**

None.

5. **CLOSED SESSION REPORT – CITY ATTORNEY**

A Closed Session did not take place this evening.

6A-2

6. CONSENT CALENDAR

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 5-0, to approve the Consent Calendar.

A. City Council Minutes

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 5-0, to approve the minutes of the City Council Regular Meeting of December 18, 2012.

B. MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 5-0, to 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

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 5-0, to 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; for a total Warrant Register of \$2,171,054.34.

Payroll Register

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 5-0, to 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; for a total Payroll Register of \$396,537.42.

D. Notice of Completion - Via Alegre Storm Drain Rehabilitation

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 5-0, to:

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

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 5-0, to 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.

GA-4

7. PUBLIC HEARINGS

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

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.

Associate Planner Gregg reviewed the contents of the Administrative Report.

Mayor Baker opened the Public Hearing.

Michael Luna, on behalf of the Applicant, suggested that Council refer the project back to the Planning Commission so that it can re-review the project with the benefit of story poles.

City Attorney Goldfarb pointed out that Council called up the subject project for review, but explained that Council has the discretion to either consider the project at this time or refer it back to the Planning Commission for a recommendation that Council would consider at a future meeting.

In response to Council inquiry, Mr. Luna and Richard Gibby (property owner) concurred with the additional time that would be involved if the project were referred back to the Planning Commission.

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 5-0, to re-direct the Reef Pointe Villas project to the Planning Commission for review as soon as possible and to continue the Council Public Hearing to the Council Meeting of March 5, 2013.

6A5

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

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.

Associate Planner Ciampa narrated a PowerPoint presentation entitled "GPA 12-184/ZA 12-185 Evans Residence Land Use Change" and responded to Council inquiries; stated that Staff received three letters from members of the Shorecliffs Mobile Home Park Association asserting that utility service to the single-family unit should be provided through the standard providers, as opposed to being provided via the mobile home park.

Mayor Baker opened the Public Hearing.

Jeremy Harding, on behalf of the Owner/Applicant, stated that there is no rationale for the subject property to be zoned as open space; related that the proposal will legalize a use that existed before the property was re-zoned in 1993.

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 5-0, to 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.

6A-6

9. **NEW BUSINESS**

A. **Disposal of Household Pharmaceutical Waste**

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

Assistant City Engineer Bonigut reviewed the contents of the Administrative Report.

Bill Hart, Chair of the Coastal Advisory Committee, summarized the Committee's discussions with regard to the disposal of household pharmaceutical waste and its rationale for recommending the landfill alternative; spoke on the need for enhanced public outreach; noted the harmful effects that flushing pharmaceutical waste down toilets have on the ocean; commented that a drop box program may be appropriate in the future.

Following discussion, Council directed that the issue of household pharmaceutical waste be agendized in six months. At that time, Staff is to report on the effectiveness of Dana Point's drop box program and the results of scientific studies relating to the effects of pharmaceutical waste disposal. Council further directed that Staff continue its public education efforts.

B. **City Policy and Procedure No. 702-6 - Beach Ecology and Maintenance**

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

Director of Beaches, Parks and Recreation Heider narrated a PowerPoint presentation entitled "Beach Ecology". During the ensuing discussion, Ms. Heider, together with Beaches and Parks Manager Reed and Marine Safety Chief Humphreys, responded to Council inquiries.

Bill Hart, Chair of the Coastal Advisory Committee, voiced concern that altering cobble on the beach could have negative repercussions; noted that the beach is not a pristine environment and conveyed support for Staff's recommendation.

6A-7

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to adopt Beach Ecology and Maintenance Policy No. 702-6, effective February 5, 2013.

Council requested that Staff report on the results of the City's ban on the placement of advertisements on beach trash cans and the associated reduction in beach receptacle maintenance.

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

Residential Picketing Ordinance

Elliott Schneider, San Clemente, thanked Council for adopting a residential picketing ordinance; noted that he was a victim of residential picketing and explained that the ordinance has restored peace to his family and community.

KindnesSCounts Forum

Trudy Podobas invited Council to attend a KindnesSCounts forum on February 7, 2013.

11. **REPORTS**

A. **COMMISSIONS AND COMMITTEES**

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

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

City Clerk Baade reviewed the contents of the Administrative Report and responded to Council inquiries.

Council scheduled a consolidated meeting with all of its Commissions and Committees to take place on either October 8, 2013 or October 22, 2013, depending on the availability of the meeting venue (i.e., Wedgewood at the Municipal Golf Course) and the meeting participants. The consolidated meeting will not be televised.

B. CITY MANAGER

None.

C. CITY ATTORNEY

None.

D. COUNCIL MEMBERS

(1) Consideration of Cancelling a Regular Council Meeting in August 2013

Council cancelled its Regular Meeting of August 6, 2013.

(2) Report from Mayor Baker, City Representative to the Orange County Fire Authority (OCFA), relative to OCFA Matters

Mayor Baker reported on his attendance at last week's meeting of the Orange County Fire Authority Board of Directors; remarked on the upcoming budget challenges.

(3) Report from Councilmember Donchak, City Representative to the California Joint Powers Insurance Authority (CJPIA), relative to CJPIA Matters

Councilmember Donchak announced that she is a candidate for the Executive Committee of the California Joint Powers Insurance Authority.

(4) Microbreweries in North Beach

Councilmember Hamm requested that Staff analyze incentives for economic vitality in North Beach, including opportunities for microbreweries.

CA-9

(5) **Chandler Hull – Eagle Scout Project**

Councilmember Evert reported that Chandler Hull's Eagle Scout project is to build a new Triton ticket booth; noted that a fundraiser to help fund the subject project will take place at Tommy's Family Restaurant on February 12, 2013.

(6) **CASA Fundraiser/Chamber of Commerce Visitor Guide**

Councilmember Donchak stated that the Pet Project Foundation will conduct its annual fundraiser (A Tail of Two Cities – A Night at the Oscars) on February 24, 2013; reported that the Chamber of Commerce's Visitor Guide is now available on line.

(7) **Leadership San Clemente/Farewell to Anthony Mejia, Deputy City Clerk**

Mayor Pro Tem Brown reported that the 2013 Leadership San Clemente session will commence on April 4, 2013 and encouraged residents to apply; noted that Anthony Mejia, Deputy City Clerk, will be leaving the City to assume the position of City Clerk of Pomona.

(8) **Pride of the Pacific Bar & Grill Grand Opening**

Mayor Baker noted that the grand opening of the Pride of the Pacific Bar and Grill (located at the San Clemente Municipal Golf Course) took place last week.

12. **RESOLUTIONS/ORDINANCES**

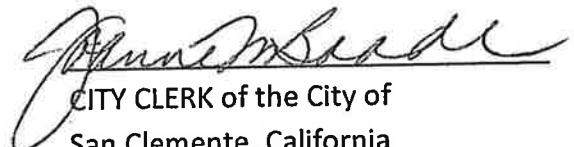
None.

6A-10

13. ADJOURNMENT

MOTION BY MAYOR BAKER, SECOND BY COUNCILMEMBER EVERT, CARRIED 5-0, to adjourn at 8:27 p.m. in memory of Tony Carbonara and Tom Padberg.

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 CLERK of the City of
San Clemente, California

MAYOR of the City of
San Clemente, California

03/05/13
6A

CITY OF SAN CLEMENTE

City Council Minutes

Regular City Council Meeting – February 19, 2013

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 February 19, 2013 at 5:00 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California, by City Clerk Baade.

PRESENT DONCHAK, EVERT, HAMM*, MAYOR BAKER
*Arrived at 5:45 p.m.

ABSENT BROWN

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

* * *

CLOSED SESSION

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

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY MAYOR BAKER, CARRIED 3-0, to recess to Closed Session at 5:00 p.m. to discuss the following:

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

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

The Closed Session was conducted in the City Hall Ocean View Conference Room. In attendance were Councilmember Donchak, Councilmember Evert and Mayor Baker. Councilmember Hamm arrived at 5:45 p.m. Mayor Pro Tem Brown was absent. In addition, Assistant City Manager Gudgeirsson, City Attorney Goldfarb and City Clerk Baade were in attendance.

6A-12

MEETING RECONVENED

Council reconvened with all members present, except Mayor Pro Tem Brown.

INVOCATION

Councilmember Donchak gave the invocation.

PLEDGE OF ALLEGIANCE

Eagle Scout Ian Madison Olaf Kos led the Pledge of Allegiance.

1. SPECIAL PRESENTATIONS

A. Presentation of Commendation - Ian Madison Olaf Kos

Mayor Baker presented a Commendation to Ian Madison Olaf Kos in recognition of achieving the rank of Eagle Scout.

B. FY 2013 2nd Quarter Financial Report and Mid-Year Adjustments

Report from the Assistant City Manager/City Treasurer concerning the FY 2013 2nd Quarter Financial Report and mid-year adjustments.

Financial Services Officer Rahn narrated a PowerPoint presentation entitled "Mid-Year Financial Report as of December 31, 2012" and responded to Council inquiries.

Council noted that the San Clemente Library project has been delayed and is now projected to open on December 1, 2014. It was agreed that the City will 1) track the project, 2) send a letter to the County encouraging faster progress, and 3) request that the County provide a project update at a future Council meeting.

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 4-0, to:

1. Approve the FY 2013 2nd Quarter Financial Report.
2. Approve and authorize the mid-year adjustments as outlined in the Administrative Report, dated February 19, 2013, which is on file with the City Clerk.

6A-13

2. **ORAL COMMUNICATIONS (PART 1)**

Beach Parking Impact Fund Lawsuit

Ricardo Nicol, San Clemente, opined that the Beach Parking Improvement Fund should be retained and utilized for future parking needs; stated that it would be ill-advised to return the fees to the current property owners and suggested, as an alternative, that free parking permits be issued to compensate the owners of properties that paid into the fee.

3. MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER EVERT, CARRIED 4-0, to wave reading in full of all Resolutions and Ordinances.

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

None.

5. **CLOSED SESSION REPORT – CITY ATTORNEY**

No report.

6. **CONSENT CALENDAR**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER HAMM, CARRIED 4-0, to approve the Consent Calendar.

A. **City Council Minutes**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER HAMM, CARRIED 4-0, to approve the minutes of the City Council Adjourned Regular Meetings of January 8, 2013 and January 22, 2013.

B. MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER HAMM, CARRIED 4-0, to receive and file the following:

- (1) Planning Commission Adjourned Regular Meeting minutes of February 6, 2013.

GA-14

C. Warrant Register

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER HAMM, CARRIED 4-0, to approve Wire Transfer No. 1093 and Warrant Nos. 505769 through 505954, for the period 01-21-13 through 01-25-13, in the amount of \$1,949,349.06; approve Wire Transfer Nos. 1094 through 1098 and Warrant Nos. 505955 through 506056, for the period 01-28-13 through 02-01-13, in the amount of \$1,252,021.19; for a total Warrant Register of \$3,201,370.25.

Payroll Register

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER HAMM, CARRIED 4-0, to approve Warrant Nos. 173 through 176 and Automatic Deposit Advises 5716 through 5983, for the period 01-21-13 through 02-03-13, in the amount of \$396,935.33; for a total Payroll Register of \$396,935.33.

D. Contract Award - Major Street Maintenance for Via Senda, Calle Tinaja, and 407 Cazador Lane

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER HAMM, CARRIED 4-0, to:

1. Approve the plans and specifications for Major Street Maintenance for Via Senda, Calle Tinaja, and 407 Cazador Lane, Project No. 23301.
2. Approve, and authorize the Mayor to execute, Contract C13-02, by and between the City of San Clemente and Ben's Asphalt, Inc., providing for Major Street Maintenance for Via Senda, Calle Tinaja, and 407 Cazador Lane, Project No. 23301, in the amount of \$89,435.

6A-15

E. Contract Award - Well Treatment Backwash Pipeline and Avenida Vaquero Waterline Replacement

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER HAMM, CARRIED 4-0, to:

1. Approve the plans and specifications for the Well Treatment Backwash Pipeline, Project No. 24401.
2. Approve the plans and specifications for the Avenida Vaquero Waterline Replacement, Project No. 13405.
3. Approve a supplemental appropriation of \$125,000 to Account 052-466-45300-000-24401 from the Water Fund Depreciation Reserve.
4. Approve a supplemental appropriation of \$18,050 to Account 052-466-45300-000-13405 from the Water Fund Depreciation Reserve.
5. Approve, and authorize the Mayor to execute, Contract C13-03, by and between the City of San Clemente and GCI Construction, Inc., providing for the Well Treatment Backwash Pipeline, Project No. 24401, and Avenida Vaquero Waterline Replacement, Project No. 13405, in the amount of \$187,631.

7. PUBLIC HEARINGS

None.

6A-16

8. **UNFINISHED BUSINESS**

A. **Code Amendment - Making Violations of City-Issued Permits and Conditions a Nuisance**

Report from the Community Development Director concerning the possibility of amending the Code of the City of San Clemente to make violations of City-issued permits and conditions a nuisance.

Code Compliance Officer Panas reviewed the contents of the Administrative Report and responded to Council inquiries.

MOTION BY COUNCILMEMBER EVERT, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 4-0, to introduce Ordinance No. 1563 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING CODE SECTION 8.52.030 TO MAKE VIOLATIONS OF APPROVED CITY PERMITS A NUISANCE FOR MUNICIPAL CODE ENFORCEMENT.

B. **Code Amendment - Removal of Business-Generated Litter on the Public Right-of-Way**

Report from the Community Development Director concerning the possibility of amending the Code of the City of San Clemente relative to the removal of business-generated litter on the public right-of-way.

Code Compliance Officer Panas reviewed the contents of the Administrative Report and responded to Council inquiries.

During the course of discussion, Council determined that the proposed Ordinance should require that merchants remove litter that property owners or tenants produce or distribute that is located in the public right-of-way within 100 feet of their property (rather than within 300 feet as proposed by Staff).

MOTION BY COUNCILMEMBER HAMM, SECOND BY COUNCILMEMBER EVERT, CARRIED 4-0, to introduce Ordinance No. 1564 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING CODE SECTION 8.40.070 TO DEAL WITH LITTER GENERATED BY BUSINESSES THAT ACCUMULATES IN THE PUBLIC RIGHT-OF-WAY, with the modification that Section 1 of the Ordinance be modified to provide that merchants are to remove litter that property owners or tenants produce or distribute, that is located in the public right-of-way within 100 feet of their property.

6A-17

C. **Bonito Canyon Tennis Court Rehabilitation and Budget Request**

Report from the Beaches, Parks and Recreation Director concerning the rehabilitation of the Bonito Canyon Tennis Courts.

Beaches, Parks and Recreation Director Heider reviewed the contents of the Administrative Report and responded to Council inquiries.

Vasko Mitzev, San Clemente, spoke on the importance of maintaining the Bonito Canyon tennis courts, noting that they are conveniently located next to the Boys and Girls Club; suggested that it would be prudent to address the drainage issue at this time.

Council requested that Staff report on potential drainage solutions, provide Council with a map that identifies the locations of public tennis courts in the city, and report back on the cost associated with installing a light switch at the Bonito Canyon tennis courts.

Councilmember Donchak read a letter from the Boys and Girls Club that indicated that it does not support the proposal because it lacks sufficient staff to support a tennis program and because of safety concerns associated with the courts' location.

MOTION BY COUNCILMEMBER EVERT, SECOND BY COUNCILMEMBER HAMM, CARRIED 4-0, to direct Staff to proceed with Option 1, including temporary repair of two courts, negotiate a Joint Use Agreement with Capistrano Unified School District (CUSD) which seeks public use of the tennis courts, and include the larger reconstruction project as part of the 2015 Capital Improvement Program when the outcome of the Joint Use Agreement is known.

D. **North Beach Parking**

Report from the Community Development Director relative to parking at North Beach.

Community Development Director Holloway reviewed the contents of the Administrative Report and responded to Council inquiries.

In response to Council inquiry, City Attorney Goldfarb described the parameters of what can be discussed this evening, pointing out the importance of maintaining attorney-client privilege and not speaking to the pending lawsuit; reported that the 2nd paragraph on page 2 of the Administrative Report

6A-18

erroneously states that the historic cultural resources have been vacant for the past 25 years, adding that the length of time is more in the range of 20 years.

Brad Malamud, San Clemente, referenced prior materials that he provided to Council; asserted that the proposal represents an illegal use of the Beach Parking Impact Fund, noting that the money was not spent within five years and 5-year reports were not timely filed; stated that Ordinance No. 1174 requires that the Beach Parking Impact Fund be used for ground-level parking, as opposed to a parking structure as proposed; commented that the resolution under consideration does not indicate that a shortage of beach parking exists and also fails to mention Ordinance No. 1174; asserted that a 100-space parking surplus exists; urged that Council defer action until a decision on the lawsuit has been rendered, adding that Council could then spend the money if it is determined that it is legal to do so.

John Tengdin, San Clemente, suggested that the library parking lot be reconstructed with a 210-space three-level parking structure; described the details of his proposal, asserting that the structure could be constructed at the same per-space cost as a surface lot.

Ricardo Nicol, San Clemente, asserted that additional beach parking will be needed in the future; stated that there is no place to build parking close to the beach access points and suggested that a parking structure would be underutilized for nine months out of the year; suggested that the Beach Parking Impact Fund be used to fund a shuttle service that would be offset by a modest user fee.

Brenda Miller, San Clemente, urged that Council not spend any money from the Beach Parking Impact Fund until the City's right to do so is determined in a court of law.

Don Slater, San Clemente, stated that people park in his North Beach neighborhood because it is free; conveyed his opinion that the Beach Parking Impact Fund should be utilized to provide parking that is offered free of charge so that people are not provided an incentive to park on residential streets.

Michael Metcalf, San Clemente, urged that Council not rush to spend money on additional parking; conveyed his opinion that parking areas in close proximity to the beach degrade the beach.

Alan Korsen, San Clemente, urged that Council defer a decision until the lawsuit is settled; opined that the specific plan for North Beach should be decided before a determination is made to construct a parking structure.

6A19

George Gregory, San Clemente, spoke on the need to add parking at this time; recommended that streets be converted to one-way traffic and that diagonal parking spaces be installed; suggested the possibility of giving Talega residents a one-year pass to park at the beach.

Charles Mann, San Clemente, opined that the proposal to add parking in North Beach is ill-advised since sufficient parking already exists; suggested that it would be inappropriate for the City to purchase land from private owners when it already owns land in the area; conveyed that it is inappropriate to spend \$7.3 million for parking lots to accommodate Rancho Mission Viejo residents.

Richard Boyer, General Plan Advisory Committee Member, stated that the Committee discussed the El Camino Real lot without a meaningful decision; commented that it is important to ensure that a new building would not block the public view corridor; recommended that a bike and pedestrian master plan body be established to make recommendations on issues such as the one in question; spoke on the importance of holistic thinking.

MEETING RECESSED

Council recessed at 7:50 p.m. and reconvened at 7:59 p.m., with all members present, except Mayor Pro Tem Brown.

During the ensuing discussion, Council discussed the possibility of moving forward with the development of construction/bid documents for the El Camino Real lot, and noted the potential to include resources for electric vehicles that might include re-charging components, and products such as Green Pods (which are bicycle storage facilities with showers, lockers and restrooms).

City Attorney Goldfarb reviewed the history of the parking issue, noting that the North Beach lot originally provided parking for the Miramar Theatre, casino and bowling alley; explained that the Beach Parking Fund was collected to construct lots that would have been built earlier, but that were deemed unnecessary because the parking demand for the Miramar, casino and bowling alley had waned; stated that the understanding has always been that the historic structures would get their parking back when needed; stated that the proposal before Council is to use the Beach Parking Impact Fund for the purpose for which it was collected, i.e., to provide parking for beach users.

Community Development Director Holloway summarized Metrolink's parking and the findings of the two Nelson Nygaard studies; commented that the earlier Nelson Nygaard study, which indicated that additional parking would not be needed until 2035, failed to consider the needs of the restored historic

6A-20

structures (i.e., Miramar Theatre, casino and bowling alley); advised that the second study, that found that 197 parking spaces are needed, took the parking demands of the re-purposed historic structures into consideration.

MOTION BY COUNCILMEMBER EVERT, SECOND BY COUNCILMEMBER DONCHAK CARRIED 3-1 (MAYOR BAKER VOTING NOE AND MAYOR PRO TEM BROWN ABSENT), to adopt Resolution No. 13-04 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, REGARDING THE DEVELOPMENT OF BEACH PARKING WITHIN NORTH BEACH, with the deletion of Section 3. This Resolution provides direction as follows:

1. Staff is to proceed with development of construction/bid documents for the City-owned El Camino Real lot, based upon the proposed design option, as outlined in the Administrative Report, dated February 19, 2013, that is on file with the City Clerk.
2. Staff is to proceed with negotiations to acquire the Gallery site.

Note: Council determined to **NOT** direct Staff to proceed with development of construction documents for design Option 5, a parking structure and commercial space development, as outlined in the Administrative Report, dated February 19, 2013, that is on file with the City Clerk. Consequently, this staff-recommended option was deleted from Section 3 of Resolution No. 13-04.

9. **NEW BUSINESS**

A. **Marblehead Coastal Development - Agreement with Arch Insurance and Lehman Brothers (dba LV Marblehead, LLC)**

Report from the Public Works Director/City Engineer concerning the possibility of approving an agreement with Arch Insurance and Lehman Brothers (dba LV Marblehead, LLC) relative to the Marblehead Coastal Development.

Assistant City Engineer Bonigut reviewed the contents of the Administrative Report.

Lisa Gordon, on behalf of Lehman Brothers, indicated that the agreement before Council will allow Lehman Brothers to proceed with the project; provided an update on the development schedule.

6A-21

3-5-13
6-B(1)

These minutes were approved at the DRSC meeting of February 13, 2013.

**CITY OF SAN CLEMENTE
MINUTES OF THE
DESIGN REVIEW SUBCOMMITTEE MEETING
JANUARY 23, 2013**

Subcommittee Members Present: Michael Kaupp, Julia Darden and Bart Crandell

Staff Present: Jim Pechous, Cliff Jones and Sean Nicholas

I. MINUTES

Minutes from the January 9, 2013 meeting

II. ARCHITECTURAL REVIEW OF THE FOLLOWING ITEMS

A. Sidewalk Policy Discussion (Pechous)

This is an informational item on Council direction to staff on when to provide historic replica tile/Ole Hanson pavers.

Jim Pechous presented the staff report. Mr. Pechous indicated that the City Council has directed staff, DRSC, and Planning Commission to follow the municipal code requirement for sidewalk materials on all future projects. Mr. Pechous indicated that property owners may still elect to utilize historic tile materials meeting City specifications if they wish, but should not be conditioned to do so as part of an entitlement project unless required by municipal code.

The DRSC members agreed with Council's direction.

B. Design Review Web Video – Formal Review (Nicholas)

The Design Review Subcommittee reviewed the video and provided feedback to staff regarding order, tempo, information, and presentation. Staff took the comments and will bring the video back once it has been updated. The DRSC thanked staff for their efforts and felt this will help applicants work through the development review process.

III. COMMUNICATIONS

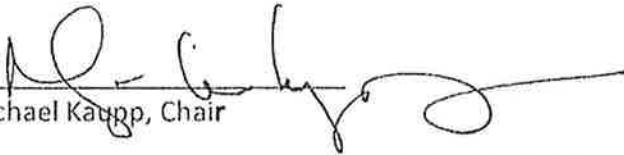
None

6B(1)-1

V. ADJOURNMENT

Adjourn to the Design Review Subcommittee meeting of February 13, 2013 at 10:00 a.m. In Conference Room A, Community Development Department, 910 Calle Negocio, Suite 100, San Clemente, CA 92673.

Respectfully submitted,


Michael Kaupp, Chair

Attest:


Cliff Jones

3-5-13 6-B(2)

These minutes were approved by the Zoning Administrator on 02-19-13.

**CITY OF SAN CLEMENTE
MINUTES OF THE REGULAR
ZONING ADMINISTRATOR MEETING
February 6, 2013**

Staff Present: James Holloway, Sean Nicholas, Amber Gregg, Adam Atamian, Adam Clements, and Kimberly Maune

2. MINUTES

Minutes of the Zoning Administrator meeting of January 23, 2013 received and filed.

3. ORAL AND WRITTEN COMMUNICATION

None

4. PUBLIC HEARINGS

A. 555 N. El Camino Real Suite D – Amendment to Conditional Use Permit 01-178 – Iva Lee’s Restaurant (Nicholas/Clements)

A request to consider an indoor 935 square foot expansion into an adjacent vacant unit for an existing restaurant that serves a full range of alcohol and live entertainment at 555 North El Camino Real Suite D within the Neighborhood Commercial (NC2) zoning district. The legal description is Lots 1-7, and 13-15, of Block 2, of Tract 793, Assessor’s Parcel Number 057-144-23.

Planning Intern Adam Clements summarized the staff report.

Applicant Eric Wagoner from Iva Lee’s Restaurant was present. Mr. Wagoner stated staff did a good job presenting all of the details of the proposed expansion. Iva Lee’s is looking forward to having more room for their dining customers here in San Clemente.

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

Since this is an amendment, Mr. Holloway asked if all of the Conditions of Approval of the previous approval have been satisfied and is Iva Lee’s in good standing. Mr. Nicholas responded yes, staff verified this as this request was being processed, especially regarding the outdoor dining area. A Condition of Approval was added stating that prior to the Certificate of Occupancy being issued staff will verify again that all of the Conditions of Approval have been met for the previous approvals.

6-B(2)-1

Mr. Holloway stated that the staff report and the presentation were very succinct. One of the main issues is parking. Suite D, the expansion area, has four parking spaces assigned to it. Suite C, the catering office, operates at different hours than the restaurant. An additional five spaces will be added by expanding the shared parking agreement with Denault's which also has off peak hours from the operational hours of the restaurant, which is the whole point of shared parking, to make everything more efficient.

Mr. Holloway thanked Mr. Wagoner for working with staff and expressed congratulations on the growing success of the restaurant. Mr. Wagoner stated that Iva Lee's opened in June of 2002 and they appreciate everyone's support.

Action: The Zoning Administrator approved Amendment to Conditional Use Permit 01-178, Iva Lee's Restaurant, subject to Resolution ZA 13-006 with attached Conditions of Approval.

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

B. 122 Avenida Victoria – Minor Cultural Heritage Permit 12-322 – Miller Apartment Remodel (Gregg)

A request to consider a Spanish Colonial Revival façade remodel of a five-unit apartment complex located at 122 Avenida Victoria. The project is located in the Mixed Use zoning district and Central Business district and Architectural Overlays. The legal description is lots 27 and 28 of Block 7, Tract 779 and Assessor's Parcel Number 058-083-39.

Associate Planner Amber Gregg summarized the staff report.

Applicant Glen Erbe with GECC Construction Company, Inc., the general contractor for the project, was present. Mr. Erbe stated they walked along Avenida Del Mar observing the wood windows there. By far the majority of them have deteriorated to where there is dry rot or wood rot. That is a concern of theirs and why they are requesting fiberglass windows. They believe fiberglass will endure time and weathering and will require much lower maintenance than wood. They have selected Milgard windows, which are designed to look like wood, and have a remarkable resemblance to a wood product. They are paintable so they will fit into any color scheme.

Laurie Pilz also with GECC was present. Ms. Pilz stated that a person would have to be very knowledgeable to be able to distinguish between a wood window and a fiberglass window. These fiberglass windows come with a flange that wood windows do not. The flange makes the window more resistant to water

LAB(2)-2

intrusion problems. She and Mr. Erbe have both worked as expert witnesses in construction defect litigation, and one of the main problems is windows that allow water into buildings. This is a safeguard to not have that problem as time goes by, avoiding higher maintenance costs especially in this coastal environment. There is also an ecological advantage; fiberglass is more environmentally friendly since fewer trees will be cut down. Financially, fiberglass is better for the client. There are many reasons why they are requesting to use fiberglass windows.

Mr. Holloway asked for four bullet points on the advantages of fiberglass windows. Mr. Erbe responded:

- Lessens chances of water intrusion which increases chances of litigation.
- Health issues because water intrusion unseen in a wall cavity produces bio-organic growth.
- Less ongoing maintenance because the cost to maintain wood is astronomical compared to fiberglass which only requires painting.
- Costs much less than wood and is more environmentally friendly.

Mr. Holloway stated there are micro and macro ecological advantages. He asked staff, in terms of aesthetics, if this is a major or a minor consideration; Ms. Gregg responded minor.

Mr. Holloway asked Ms. Pilz if she has certification to be an expert in construction defect. Ms. Pilz responded yes and stated that she and Mr. Erbe are expert witnesses in construction defect cases and they have a lot of experience in litigation. Most of the litigation is based on windows; a lot of the litigation has been water intrusion because of windows.

Art Day, a member of the public, was present and stated he isn't related to the project. Mr. Day is a developer from the mountains so he is used to harsh environments. San Clemente is considered a harsh environment because of the proximity to the ocean. In his opinion, the fiberglass window is far superior to wood in every respect. Aesthetically there is absolutely no visual difference. The only way to tell the difference is to tap on it. It looks like wood when it is painted. They are a terrific product.

Mr. Holloway stated Ms. Gregg included the City's window policy as Attachment 5 to the staff report. Attachment 5 is the City's window policy written by the City Planner, Jim Pechous. Mr. Holloway asked if the Zoning Administrator has the discretion and the authority to make this type of policy decision. Ms. Gregg responded yes because the policy states that the City Planner has that authority and the Zoning Administrator has more authority than the City Planner.

Ms. Gregg added that this project is located in the Architectural Overlay and story poles are not required for this project since it is not more than two stories tall. Mr. Holloway added this project is essentially a remodel with a 116 square foot addition.

Mr. Holloway reiterated the reason story poles are not required. This project is in a residential zone in the Architectural Overlay and it is over four units. Because there is no expansion of the structure and it is not three stories, story poles are not required.

Mr. Holloway stated the pictures included with the staff report depict the project very well. This is a great looking project and it will be an excellent addition to the neighborhood.

Mr. Holloway thanked everyone for their testimony today. This has been a topic of discussion that the City Council has been very interested in.

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

Action: The Zoning Administrator approved Minor Cultural Heritage Permit 12-322, Miller Apartment Remodel, subject to Resolution ZA 13-005 with attached Conditions of Approval, including the approval of all of the windows to be fiberglass.

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

C. 111 South Alameda Lane – Minor Cultural Heritage Permit 12-356 – Day Apartment Complex (Atamian)

A request to consider a minor exterior alteration to an apartment building abutting a historic structure, located at 111 South Alameda Lane. The project is located in the Residential High zoning district of the Pier Bowl Specific Plan and Architectural Overlay. The legal description is lots 6 and 7, of Block 10, of Tract 785 and Assessor's Parcel Number 692-023-06.

Assistant Planner Adam Atamian summarized the staff report.

Dave Bennett of Dave Bennett Construction, Inc. was present and stated he is the contractor for Art Day, the property owner. Mr. Bennett thanked Mr. Atamian for all of his hard work and stated that he is very thorough and very easy to work with, which he found refreshing. Mr. Bennett stated there's a safety factor to the proposed project. Part of the design of the handrail is

necessary for safety reasons. The current handrail is mounted square steel tubing that is lag bolted in to the top of the deck; therefore it rusts and becomes dangerous quickly. The bolts can wiggle loose. They are proposing a face mounted system that bolts through the fascia and the rim joists of the structure, which is much more secure. The modular design of the system allows them to remove the components as they fade and have them repainted or replaced should there be subsequent damage. He believes the safety, as well as the visual factor, is really a big consideration for them. Safety was the owner's number one consideration regarding the design of the handrail, safety and maintenance.

Mr. Holloway stated this project raises some important issues that have been discussed for quite some time. He believes the Design Guidelines in the Architectural Overlay are complex. Rehabbing architecture from the 1950s or 1960s to look completely Spanish is a good thing. Not everyone is going to do that, perhaps they do not have the budget or the interest in doing that. He is not in favor of trying to take a 1950s or 1960s building and incrementally move it towards Spanish architecture; he believes that is a mistake.

Mr. Holloway stated the review of a project in an Architectural Overlay has a place; the City does not want something that is shockingly different and conflicts with the Spanish Colonial style. He is in favor of the color palette the applicant has selected. There is a building on Rosa that is just outside the Architectural Overlay that is florescent green, and there are other buildings between two different Architectural Overlays that are purple. Everyone will have a different opinion on design and aesthetics; he doesn't think we need to move 1950s or 1960s buildings incrementally towards Spanish Colonial. Either make it a really great Spanish Colonial or let it be what it is and address maintenance and safety issues.

Mr. Holloway stated it is important to continue to review, approve, and work with applicants on buildings that are not going to become Spanish Colonial so they do not conflict and detract from the overall Spanish Colonial theme. There are some examples of projects just outside the Architectural Overlays where that has happened.

Mr. Holloway appreciates the work of the Design Review Subcommittee, and the staff; he appreciates the findings that staff provided which clearly indicate that the Zoning Administrator has the authority to make this decision. He finds it to be consistent with the Design Guidelines, even though he may have a different opinion about the intent of the Design Guidelines than other people.

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

6-2-5

Mr. Holloway thanked Mr. Bennett and Mr. Day for working with staff and for the kind words about staff. He thanked Mr. Day for his testimony during the previous item. He informed them of the ten day appeal period.

Owner Art Day and Mr. Bennett thanked Mr. Holloway. Mr. Bennett stated that their biggest point of contention is that it isn't possible to transform this building into Spanish Colonial without extensive remodeling. The owner's intention was to improve the looks of the building and to address the safety issues. He appreciates the Zoning Administrator's understanding and staff working with them.

Mr. Holloway stated that the City does not want to discourage, through our process, aesthetic and safety improvements by becoming inflexible regarding design.

Mr. Day stated when he bought this building it was in tear down condition. He spent approximately \$50,000 with Michael Luna exploring a redevelopment of this property. The conditions would have reduced the square footage by 25 to 30 percent, making it economically infeasible. Mr. Day stated the Guidelines actually inhibit new development; people like him that can afford to do a project like this won't pursue it because they are going to lose so much square footage and it just doesn't make any sense. He believes that a team approach to meeting the Guidelines with the City and the property owners would be a lot more beneficial to meeting those goals. To him it seems like it has been an adversarial process. He has spent approximately \$20,000 getting to this point in repainting and extra work that he could have applied to the building rather than the processing.

Mr. Day stated that Mr. Holloway's comments are well taken. There are a lot of similar vintage buildings and people are out there in the middle of the night painting so they don't get caught doing something they are not supposed to do. As a consequence his building has been neglected for many, many years because no one wants to go through a simple process of getting it maintained. He believes anyone would agree that a very well maintained building with features on it like what they are trying to do enhances the overall neighborhood. He wants to be proud of his building; he does not want to be embarrassed to show up at his own building. He thinks the City could amend its process or think about the other side of the process to work together with owners in the district to discuss options and make the process easy and bring about compatibility.

Mr. Holloway stated he appreciates Mr. Day's comments. He believes this discussion will provide somewhat of a catalyst for that type of interplay.

4B(2)-6

Mr. Bennett stated that in speaking with a couple of the local contractors and asking them when he began this project what steps would he need to take, there was a general feeling that he shouldn't approach the permitting process. It is different where he works. They welcome him into the process and they help him through the problems that he encounters. As Mr. Day mentioned, at the beginning it did feel a little adversarial. When Mr. Atamian came in things changed. Mr. Atamian encouraged him to take the next steps, which was nice. The general consensus on the street as a contractor is this City is inflexible. He doesn't feel the same way.

Mr. Holloway thanked Mr. Bennett for his comments and stated that sometimes the image on the street is hard to change. The Building Code book is much thicker now than in the past, it is a tough process for a number of reasons. This City has a Coastal Zone and Architectural Overlay Zone; it is challenging. The City has people like Mr. Atamian to be an advocate. Mr. Holloway is appreciative of Mr. Atamian's work with Mr. Bennett and he hopes that Mr. Bennett will spread the word that the application process is not as difficult as its reputation makes it seem.

Action: The Zoning Administrator approved Minor Cultural Heritage Permit 12-356, Day Apartment Complex, subject to Resolution ZA 13-004 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 3:45 p.m. to the regular Zoning Administrator meeting to be held on February 20, 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

CB(2)-7


James Holloway

3-5-13
6-B(2)

**CITY OF SAN CLEMENTE
MINUTES OF THE REGULAR
ZONING ADMINISTRATOR MEETING
February 20, 2013**

Staff Present: James Holloway, Sean Nicholas, and Kimberly Maune

2. MINUTES

None

3. ORAL AND WRITTEN COMMUNICATION

None

4. PUBLIC HEARINGS

A. 1311 Calle Batido – Amendment to Conditional Use Permit 12-062 – Saddleback Church (Gregg)

A request to consider an amendment to a recently approved Conditional Use Permit for a church located at 1311 Calle Batido, to allow the project to be constructed in phases. In particular the parking lot will not have to be constructed until demand requires it. The project is located in the Business Park of the Talega Specific Plan. The legal description is Lots 1 and 2, of Tract 13917, and Assessor’s Parcel Number 701-033-24.

B. 1311 Calle Batido – Minor Architectural Permit 12-431 – Saddleback Church Exterior Changes (Nicholas)

A request to consider minor exterior changes associated with a new church at 1311 Calle Batido. The project is located in the Business Park of the Talega Specific Plan, legal description is Lots 1 and 2, of Tract 13917, and Assessor’s Parcel Number 701-033-24.

Associate Planner Sean Nicholas summarized the combined staff report.

Applicant Ryan Keith, Director of Property Development for Saddleback Church, was present. Mr. Keith stated that Mr. Nicholas presented their requests perfectly and all of the information included in the staff report is correct.

Architect James Thayer was present; he had no comments.

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

6-B(2)-9

Mr. Holloway stated that these are straight forward requests. This is a good location for this type of use. These are minor improvements which are to be expected once operations have been in place for awhile. The indoor/outdoor canopy feature is nice and the water feature will make the area pleasant.

Mr. Holloway thanked Mr. Keith and Mr. Thayer for working with staff and he informed them of the ten day appeal period. He thanked Mr. Nicholas for combining these two requests into one report.

Action: The Zoning Administrator approved Amendment to Conditional Use Permit 12-062, Saddleback Church, subject to Resolution ZA 13-007 with attached Conditions of Approval.

Action: The Zoning Administrator approved Minor Architectural Permit 12-431, Saddleback Church Exterior Changes, subject to Resolution ZA 13-008 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 3:15 p.m. to the regular Zoning Administrator meeting to be held on March 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

LB(2)10

**MINUTES OF THE ADJOURNED REGULAR MEETING
OF THE CITY OF SAN CLEMENTE
PLANNING COMMISSION
February 13, 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 6:03 p.m.

2. PLEDGE OF ALLEGIANCE

Commissioner Crandell led the Pledge of Allegiance.

3. ROLL CALL

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

Commissioners Absent: Vice Chair Julia Darden

Staff Present: Jim Pechous, City Planner
Jeff Hook, Principal Planner
Bill Cameron, City Engineer
Thomas Frank, Transportation Engineering Manager
Eileen White, Recording Secretary

4. SPECIAL ORDERS OF BUSINESS - None

5. MINUTES - None

6. ORAL COMMUNICATIONS - None

7. WRITTEN COMMUNICATIONS - None

8. CONSENT CALENDAR - None

9. PUBLIC HEARING - None

10. NEW BUSINESS - None

11. OLD BUSINESS**A. 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 provided a General Plan update. Staff and the consultants have developed 12 questions for the Commissioners' consideration. In addition, the Commissioners are tasked with reviewing the element and providing input. Following staff's review of the environmental impact study, the study will be presented to the public for comment. The Commission will have the opportunity to review and comment on the final draft of the draft General Plan before it is presented to City Council for consideration and action.

Chair Avera invited the public to provide comment.

Brenda Miller, resident and member of PEDal, a bicycle transportation advocacy group, recommended the City consider assigning LOS E to all its intersections. She stated this would not worsen traffic, but would improve traffic overall by more easily accommodating alternative forms of non-motorized traffic in the public right of way. A proposal to construct a Class II bike route on Pacific Coast Highway between Estacion and Pico was denied because it would reduce the level of service at Pico and El Camino Real. Current road conditions force bicyclists to occupy the far right lane, which can impede traffic. Reducing intersections to LOS E will increase safety for all. If motor vehicle movement is prioritized over all, traffic will only get worse until intersection changes are made.

A) Review Key Transportation Questions

62(3)-2

1. Support an FAR increase in the Rancho San Clemente Business Park? **No, the Commission did not support an increased FAR in the Business Park due to negative traffic congestion impacts it was projected to cause.**
2. Support a lowering of level of service to LOS E or better at four on/off ramp intersections near I-5? **Yes, the Commission supported a lowering of LOS E or better at four on/off ramp intersections near I-5.**

In response to questions, Bill Cameron, City Engineer, commented it would be premature to arbitrarily change LOS's without understanding potential impacts; advised the City can consider acquiring more right of way along roadways for improvements; noted other options have not yet been explored; recommended the Commission continue existing LOS levels, and consider changing in the future when more is known about multimodal traffic and/or it becomes necessary.

Commissioners established from staff that one of the policies in the Roadway System section of the Draft Mobility Element provides for future capacity if necessary; stressed that allowing LOS E service at these four intersections does not mean it will happen, but allows flexibility in the future if fully evaluated and determined necessary to address multimodal transportation needs or address design constraints.

3. Allow a blanket reduction Citywide from LOS D to LOS E? **The Commission did not support a "blanket", City-wide reduction from LOS D to LOS E.**

Commissioners concurred with staff that allowing a blanket reduction may increase traffic congestion, which residents have repeatedly opposed in surveys; commented that with the proposed policy changes, flexibility would exist to allow intersection reductions to LOS E, where necessary.

4. Eliminate the consideration of roadway segment LOS in analyzing traffic impacts and levels of service on City streets? **Yes, the Commission agreed that consideration of roadway segment LOS in analyzing traffic impacts is not a reliable measure for evaluation purposes.**
5. Support inclusion of road diets in the General Plan for further evaluation and possible implementation? **Yes, the Commission agreed to support inclusion of road diets for further study.**
6. Identify the Tesoro Extension of the Foothill Transportation Corridor as part of the City's anticipated transportation network? **Yes, the**

Commission agreed to include the Tesoro Extension of the Foothill Transportation Corridor as part of the City's anticipated transportation network.

7. Support language to allow a more balanced transportation policy language to be consistent with broad General Plan goals of environmental quality, economic vitality, quality of life and reduced traffic congestion? **Yes, the Commission agreed to support a policy similar to the City of Newport Beach's "Shoulder Season" policy, which primarily looks at residential needs as a main determinant for setting LOS or determining needed traffic improvements.**
8. Should the Draft Mobility Element include the revised Introductory Statement as noted in Attachment 7? **Yes, the Draft Mobility Element should include staff's version of the revised Introductory Statement, by Brenda Miller.**
9. Include modal share shift objectives in Mobility Element? **Yes, include modal share shift objectives in Mobility Element for purposes of setting reasonable objectives, help make findings for capital improvements, increase eligibility for grant funds.**
10. Include electric vehicle parking and charging provisions in Mobility Element? **Yes, include electric vehicle parking and charging provisions in Mobility Element.**
11. Update engineering standards to reflect new General Plan policies? **Yes, update engineering standards to reflect new General Plan policies.**
12. Address truck routes and bicycle parking requirements in the Mobility Element? **Yes, address truck routes and bicycle parking requirements in the Mobility Element, with understanding that policy could potentially reduce number of required automobile parking spaces if more than the minimum required number of alternative parking spaces (e.g. bicycle or electric vehicle parking) are provided.**

B) Review of Draft Mobility and Complete Streets Element

Public Comment:

Brenda Miller encouraged the Commission to adopt a Mobility Element that addresses the needs of and accommodates all modes of transportation.

Following discussion, Commissions provided commentary/suggested revision as follows:

(6/23)-4

1. Page 1, approved Brenda Miller's introduction, as revised by staff, for the introductory paragraphs.
2. Under "Primary Goal" insert "commercial centers" following "homes," and insert "medical facilities" following "schools"
3. Under "Secondary Goals", no. 5, following "non-significance" insert "pursuant to the California Environmental Quality Act (CEQA)"
4. Page 2, No. 7, replace "Orange County, Cal Trans" with "The County of Orange, OCTA, and The California Department of Transportation"
5. Include links to legislation and the Bike and Pedestrian Master Plan.

Roadway System

Public Comment:

Brenda Miller referenced Caltrans Deputy Directive 64, which requires Caltrans to accommodate all users of the roadway system in the design process, and suggested the Commission add this policy as a link in this element.

Commissioners established from staff that although the City contracted for the design of the Vista Hermosa I-5 Interchange, sensitivity to bicycle safety is much higher than previous; agreed new policy C-1.1.f would provide more involvement in safety design for the City; established from staff that Caltrans both constructs and maintains freeway sound attenuation walls.

Following discussion, Commissions provided commentary/suggested revision as follows:

6. Page 3, Under "Goal", replace "A transportation" with "Create a balanced transportation"
7. Under "Policies" C-1.1.a, insert "motor vehicles," in front of "bicyclists"
8. C-1.1.b, following "design" insert "safety"
9. C-1.1.f new policy as follows: "Ensure that new roadways, ramps, bridges, or similar facilities, and significant changes to such facilities, are designed to safely accommodate multimodal facilities, and where feasible, retrofit existing facilities for safety."
10. Page 4, C-1.8, replace "roadway" with "transportation"; add to the end of the sentence (unstrike) "such as interchange improvements along I-5, the extension of the SR 241, and other major freeway and arterial improvements."
11. C-1.10, insert "and sound" after "retaining"
12. Page 5, C-1.16.b, insert "of" following "maintenance"
13. Replace C-1.17. with the following: "*Traffic Calming*. In serving new development or in retrofitting existing streets, we design the Circulation

6B(B)-5

system, where feasible, to control traffic speed and increase safety in all residential neighborhoods, in accordance with the City's street design standards and traffic calming manual."

14. Page 7, consultant to add links as follows: "Traffic Calming Manual, Living Streets Manual, City Street Design Standards, State Deputy Directive 64, etc."

Non-Automotive Transportation System

Following discussion, Commissions provided commentary/suggested revision as follows:

15. Page 8, Staff/consultant to reconcile policies with Bicycle and Pedestrian Master Plan (BPMP)
16. Include NEV policy (per Cheryl Moe) in this section.
17. Policy C-2.1 insert "and pedestrian" following "comprehensive bicycle"
18. Page 9, C-2.10 insert "Facility" between "Bicycle" and "Design"
19. C.2-18. Insert "appropriate to scale of development" after "capital improvement projects"
20. Consultant and staff to ensure that all of C-2.18 is consistent with the BPMP.
21. Page 10, C-2-23, following "bus service" insert "and encourage transit service enhancements"; replace "ensure that all" with "ensure all"; add "Consultant to address trolley and "shuttle" service if not addressed elsewhere."

Safety

Following discussion, Commissions provided commentary/suggested revision as follows:

22. Page 11, introductory paragraph, replace "non-motorized" with "multimodal"
23. Under "Goal" replace "A transportation" with "Create a balanced transportation"
24. C-3.5, following encourage, insert ",assign high priority to"

Parking

Following discussion, Commissions provided commentary/suggested revision as follows:

25. Page 12, under "Goal" replace "A parking" with "Create a parking"

6B(3) 4

26. C-4.4, add to the end of the sentence, "such as use of energy saving/generating features, demand-based parking strategies, stacking, alternative paving, accommodating multiple uses, and parking elevators.
27. Insert new policy C-4.5, as follows: "*Parking requirements*. We support evaluation and possible consolidation of parking requirements to facilitate transition of land uses and simplify standards."
28. Insert new policy C-4.6, as follows: "*Alternative Parking Requirements and Incentives*. "We will consider incentives to encourage alternative parking such as crediting bicycle, NEV, motorcycle, and scooter parking spaces in meeting a portion of required automobile parking."
29. Consultant to include policy to support development of a comprehensive parking strategy in key commercial areas, including North Beach, Pier Bowl, Downtown, T-Zone, Plaza San Clemente, if not already addressed in another Element.
30. Under "Links to other General Plan Content," add "Local Parking Maps, applications, other programs."

Freight Movement

Public Comment:

Richard Boyer, resident, described strict regulations that regulate the movement of hazardous materials throughout the State; suggested the City consider asking to be notified when hazardous materials will be traveling through the City.

Following discussion, Commissions provided commentary/suggested revision as follows:

31. Page 13, C-5.4, replace with "*Parking, Delivery hours and Loading*. We will consider establishing standard which direct commercial deliveries during off-peak periods to limit freight impacts on parking and other modes of travel and to regulate delivery hours and loading locations to minimize noise impacts to adjacent residential uses."
32. C-5.5, staff to follow up with Jenn Tucker, the City's Emergency Planning Officer, for clarification.

Circulation Implementation Measures

Public Comment:

Brenda Miller suggested that implementing the intersection improvements listed in no. 6 will drastically change the City.

6 B(3)-7

Richard Boyer, resident, listed the innovative policies put in place by the City of Long Beach to improve its streets for bicyclists; endorsed the possible creation of a Mobility and Complete Streets committee/commission for grant funding purposes; recommended the City adopt LOS E for all intersections while street changes are being made.

Following discussion, Commissions provided commentary/suggested revision as follows:

- 33. Page 1 no. 2, replace "Committee" with "Committee/Commission"
- 34. No. 6, replace "Implement the following" with "If necessary to mitigate potential impacts, the City will implement the following"
- 35. Page 15, no. 7, following facilities, insert "as appropriate to scale of project"
- 36. No. 8, replace "develop" with "Working with other agencies, the City will seek grants to help develop"
- 37. No. 10, consultant to make sure there's a policy to support this measure.
- 38. No. 11, replace "Develop" with "Validate"
- 39. No. 12, following "designation areas" insert "including, but not limited to"
- 40. No. 12, Consultant to verify policy basis for this measure.
- 41. New measure no. 14, as follows, "Include measure addressing Item 3, from Tom Franks 1-16-13 memo."

12. REPORTS OF COMMISSIONERS/STAFF - None

13. ADJOURNMENT

IT WAS MOVED BY COMMISSIONER KAUPP, SECONDED BY COMMISSIONER RUEHLIN, AND UNANIMOUSLY CARRIED to adjourn at 10:44 p.m. to the Adjourned Regular Planning Commission Meeting to be held at 6:00 p.m. on February 20, 2013 in Council Chambers at City Hall located at 100 Avenida Presidio, San Clemente, CA.

Respectfully submitted,

Lew Avera, Chair

Attest:



Jim Pechous, City Planner

LB(3)-8

5-5-13
6-B(3)

These minutes will be considered for approval at the Planning Commission meeting of 03-20-13.

**MINUTES OF THE ADJOURNED REGULAR MEETING
OF THE CITY OF SAN CLEMENTE
PLANNING COMMISSION
February 20, 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 6:07 p.m.

2. PLEDGE OF ALLEGIANCE

Commissioner Anderson 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
Amber Gregg, Associate Planner
Christopher Wright, Associate Planner
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 February 6, 2013

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 February 6, 2013, with the following revisions:

6B(3)9

Page 5, 1st paragraph, before the sentence starting "The high density..." insert the following sentence, "This is a special case due to the building's potential historic significance and does not set a precedent for non-historic buildings."

Page 10, 4th paragraph, replace "Organization" with "Association"

6. **ORAL AND WRITTEN COMMUNICATION –None**

7. **CONSENT CALENDAR - None**

8. **PUBLIC HEARING**

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

Reconsideration of Conditional Use Permit 12-270 and Cultural Heritage Permit 12-271, 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. The Planning Commission approved these entitlements on December 19, 2012. The City Council appealed these entitlements on January 22, 2013. At the request of the applicant the City Council requested the Planning Commission reconsider these entitlements at its meeting held on February 5, 2013.

Amber Gregg, Associate Planner, narrated a PowerPoint Presentation entitled, "Conditional Use Permit 12-270 and Cultural Heritage Permit 12-271, Reef Pointe Villas, dated February 20, 2013." The Commission has been asked by the applicant to reconsider a previously approved project following installation of story poles. The story poles were added on site after the project was called up at a City Council meeting and Council directed staff to work with the applicant to install the poles. Staff advised the project before the Commission this evening is exactly the same as the one approved by this Commission on December 19, 2012; noted the project will go back to City Council at its March 5, 2013, meeting; recommended approval of the request as conditioned.

In response to comments, Associate Planner Gregg indicated that the purpose of story poles is to give a visual context of how the building will fit in the neighborhood; advised City policy is to protect City-designated view corridors, not private view areas.

Michael Luna, architect for the applicant, narrated a PowerPoint Presentation entitled, "Reef Pointe Villas, Planning Commission Meeting, February 20, 2013,"

CB(3) 10

displaying slides indicating the heights, massing, absence of undulation, and number of stories of adjacent buildings. In addition, he displayed views of the site from adjacent viewpoints, pointing out that no designated public views cross this property, and views of the ocean and pier will remain from public view sites following construction of this project. He noted the project as designed complies with all applicable guidelines, is under the maximum height and density allowed, and features extensive undulation on all elevations.

Rick Gibby, property owner, thanked all for visiting the site. He has owned the property for 16 years, and intends to live in one of the units once the project is constructed. He envisions the building as smaller with less mass than adjacent properties, featuring horizontal and vertical stepping to distinguish it from boxy buildings, and a showplace for all to admire and enjoy.

Jim Pechous, City Planner, advised staff has determined the building does not encroach into the nearby designated public view corridor; noted other viewpoints indicated in the applicant's presentation are public viewing areas required by the California Coastal Commission but are not City designated public view corridors.

For the record, Chair Avera advised that while reviewing this project in advance of the meeting, he, Commissioner Ruehlin, and Chair pro tem Brown arrived at the property at the same time to review the story poles with the City Planner. He was not aware that the applicant was going to be at the site. The City Planner and applicant showed pictures of the proposed project. He noted they did not discuss the project's pros and cons with the applicant, they only reviewed the story poles as they relate to the proposed project. The remainder of the Commission indicated that they viewed the project individually in advance of tonight's meeting.

Chair Avera opened the public hearing.

Karen Wylde Vaughn, resident and representing the Wylde Family Trust, noted the Wylde Family Trust was the previous owner of the property. She read a stipulation as part of escrow when the property was sold that indicated an agreement between property owners demonstrating a line of sight and dictating that property built beyond this line of sight shall be limited to 10 feet. She was not aware of the agreement before today, and provided staff a copy for their consideration.

Cristina Leon, resident, displayed photos of the site for consideration. She opposed the project due to the intense canyonization effect it will create, and her property will get less sunlight and sea views. The existing panorama view is the last window to the sea from the area and it is imperative that all future

6A(3)-11

development enhance the City's village charm. She noted the story poles fell down during stormy weather and questioned whether the story poles were in place enough time to satisfy City codes. In addition, she advised that the project notice originally posted on site had been torn down. She suggested an alternative design that in her opinion would have less negative impacts to adjacent properties.

Lori Livaucet, resident, opposed the proposed project because it will take away personal views and those enjoyed by many visitors on a nearby public viewing area.

Liz Yamauchi and Audrey Limon filled out request to speak forms but elected not to speak when their names were called. They indicated agreement with comments made by previous speakers.

Chair Avera closed the public hearing.

Jim Pechous, City Planner, noted that the story poles came down twice due to inclement weather. Although there was no damage to adjacent property, liability was a concern when they were reinstalled. Their placement was slightly altered when reinstalled, but staff is confident they represent a reasonable intent of the proposed building. Staff and the City Attorney believes the applicant showed due diligence and the story pole placement satisfies the code. They were installed a total of 15 days. With regard to notice, the property was properly noticed prior to the meeting as required, and staff was notified by the applicant that the notice was removed from the property by person(s) unknown.

Ajit Thind, Assistant City Attorney, announced he had reviewed the escrow document provided by Ms. Vaughn, and has concluded that the agreement is between private parties, and should have no influence on the Commission's decision.

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

- Noted all adjacent property owners living within the same zoning designation have the ability to build according to the guidelines contained in the Zoning Ordinance.
- Commented he subject property is below the maximum height limit, with smaller massing and lower density than allowed.
- Advised the City has no provisions for the protection of private views; as indicated, this property does not encroach into the designated public view corridor.

6B(8) -12

- The project complies with all applicable guidelines, and no findings can be made to deny the project.
- The project features beautiful architecture and stepped facades to reduce negative impacts.
- Commended the architect and applicant for nicely articulating the building.
- Encouraged those negatively affected by this property to participate in General Plan, Specific Plan, Zoning Ordinance, etc., conversations to make their views heard and consider alternatives that would lessen negative impacts.

IT WAS MOVED BY COMMISSIONER KAUPP SECONDED BY COMMISSIONER RUEHLIN AND UNANIMOUSLY CARRIED TO RECOMMEND CITY COUNCIL APPROVAL OF RESOLUTION NO. PC 13-009 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, RECOMMENDING APPROVAL OF CONDITIONAL USE PERMIT (CUP) 12-27 AND CULTURAL HERITAGE PERMIT (CHP) 12-271 REEF POINTE VILLAS, A REQUEST TO CONSTRUCT A FIVE UNIT RESIDENTIAL DEVELOPMENT AT 410 ARENOSO LANE.

[ACTION SUBJECT TO CITY COUNCIL APPROVAL]

9. NEW BUSINESS

A. Strategic Priorities (Pechous)

As part of the City's annual budget process, the Planning Commission is being asked to identify its most important strategic priorities for the community. These priorities are then considered by the City Council for possible inclusion in the budget and in the Capital Improvement Plan. Last year, the Commission identified the Zoning Ordinance Update, Specific Plan Updates, Local Coastal Plan and Downtown Business Development and Parking Strategies as the Commission's top priorities. The Commission will review last year's priorities, consider changes or additions to the list and forward its recommendations to the City Council.

Jim Pechous, City Planner, narrated a PowerPoint Presentation entitled, "Strategic Priorities, dated February 20, 2013," including a graphic indicating ongoing and proposed projects along with staff member assignments. Due to the current workload and resources committed, staff recommended the Commission recommend no new strategic priorities beyond those already in progress.

6B(3)-13

IT WAS MOVED BY CHAIR PRO TEM BROWN, SECONDED BY COMMISSIONER ANDERSON, AND UNANIMOUSLY CARRIED TO RECOMMEND NO NEW PRIORITIES BEYOND THOSE ALREADY IN PROGRESS BE FORWARDED TO THE CITY COUNCIL.

B. Subdivision Ordinance Amendment – Condominium Map Process (Wright)

A request to discuss City initiated amendments to Title 16 “Subdivisions” of the Municipal Code. The proposed amendments would: 1) streamline the subdivision review process for condominiums, condominium conversions, time shares, community apartments, and stock cooperatives, and 2) make minor clean up edits (e.g. repair inaccurate or “broken” text references). The review process would not change for subdivisions of land to create parcels for new development. Specifically, the Municipal Code amendments would make it so Zoning Administrator approval is required to subdivide four or fewer units (e.g. into condominiums), and require Planning Commission approval to subdivide five or more units. Currently, all subdivisions require a Planning Commission recommendation to the City Council and City Council approval.

Christopher Wright, Associate Planner, reviewed the staff report; referred to letter dated February 15, 2013 from The Loftin Firm LLP, Attorneys at Law; recommended revisions identified by staff/The Loftin Firm LLP; recommended the Commission recommend Council adopt the ordinance containing the proposed amendments.

Ajit Thind, Assistant City Attorney, noted he reviewed the letter from “The Loftin Firm LLP” and recommended the Commission to make two changes for the ordinance to be clearer and consistent with State law: 1) remove the last sentence from Section 16.04.010(H)(4) on page 6 of 29 of Attachment 1, Exhibit A, and 2) change 18 months to 24 months in the first paragraph of Section 16.08.070 on Page 17 of 29. Mr. Thind stated the letter recommends other changes and the City Attorney’s office believes those edits are unnecessary.

In response to questions from the Commissioners, Associate Planner Wright clarified the proposed amendments will not affect land subdivisions (e.g. subdivide lot into two so one house can be built instead of two) or change affordable housing requirements; noted the proposed review process is comparable to other California cities researched; stated City Council would have the ability to call up Zoning Administrator and Planning Commission decisions; and advised the revised regulations pertain to all condominium conversions, including the conversion of a mobile home park.

6B(3)14

IT WAS MOVED BY COMMISSIONER ANDERSON SECONDED BY CHAIR PRO TEM BROWN, AND UNANIMOUSLY CARRIED TO RECOMMEND THE COUNCIL ADOPT THE DRAFT ORDINANCE with the following revisions:

Page 6 of 29, no. 4, eliminate the last sentence starting with "The certificate..." in its entirety.

Page 10 of 29, under, "G. Zoning Administrator", switch no. 1 and no. 2, making no. 2 the new no. 1, etc. (page 10)

Page 10 of 29, under "H. Planning Commission", switch no. 1 and no. 2, making no. 2 the new no. 1, etc.

Page 17 of 29, first paragraph of Section 16.08.070, replace "eighteen (18) months" with "24 months."

10. OLD BUSINESS- None

11. REPORTS OF COMMISSIONERS/STAFF

Included in the Commissioners' packets for their review:

- A. Tentative Future Agenda
- B. Staff Waiver 13-039, 205 Avenida De La Estrella
- C. Staff Waiver 13-040, 101 Calle Seguro

Chair Avera announced that he and Vice Chair Darden have been invited to a meeting to discuss the GPAC's request to schedule a special meeting with the City Council to discuss the Planning Commission's recommendations for the General Plan Update.

Commissioner Kaupp requested that staff add a discussion of the abovementioned meeting to the agenda of their next meeting in Chambers on March 20, 2013.

Chair pro tem Brown announced that at their next regular meeting, the Coastal Advisory Committee will discuss setting priorities, including increased street sweeping signage and a city-wide single use plastic bag ban.

12. ADJOURNMENT

IT WAS MOVED BY COMMISSIONER RUEHLIN, SECONDED BY CHAIR PRO TEM BROWN, AND UNANIMOUSLY CARRIED to adjourn at 7:55 p.m. to Planning Commission Architectural Tour at 1:00 p.m. on March 8, 2013 commencing at the Community Development Department located at 910 Calle Negocio, San Clemente, CA.

Respectfully submitted,

Lew Avera, Chair

Attest:



Jim Pechous, City Planner

DRAFT

6B(3)-16

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 March 5, 2013
IN THE AMOUNT OF \$ 3,274,595.11

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

JCA

CITY TREASURER

Bank : city BANK OF THE WEST

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
506057	2/15/2013	006532	ACTION CHEMICAL CO 19942	2/1/2013	ACTION CHEM - NEGOCIO C	270.00	270.00
506058	2/15/2013	022418	ADOPT A STUDENT 1317039	1/22/2013	SECURITY DEPOSIT REFUNC	150.00	150.00
506059	2/15/2013	022460	ALMEIDA, FLAVIO Ref002360864	2/11/2013	UB Refund Cst #073526	55.48	55.48
506060	2/15/2013	002603	ANIMAL PEST MGMT SERVICE107114	1/31/2013	LANDSCAPE RODENT CONTI	1,229.74	
			107121	1/31/2013	LANDSCAPE RODENT CONTI	500.00	
			107192	1/31/2013	LANDSCAPE RODENT CONTI	300.00	
			107291	1/31/2013	LANDSCAPE RODENT CONTI	215.00	
			106954	1/31/2013	LANDSCAPE RODENT CONTI	95.00	
			107297	1/31/2013	LANDSCAPE RODENT CONTI	85.00	
			107246	1/31/2013	LANDSCAPE RODENT CONTI	65.00	2,489.74
506061	2/15/2013	022476	ARMIJO, JOHN Ref002360880	2/11/2013	UB Refund Cst #082383	89.52	89.52
506062	2/15/2013	022398	ASIC, PETER 1317150	1/22/2013	REFUND OF RENT	1,075.00	
			1317151	1/22/2013	SECURITY DEPOSIT REFUNC	785.00	1,860.00
506063	2/15/2013	019069	AT&T 000004057362	1/27/2013	PHONE SERVICES	2,776.39	2,776.39
506064	2/15/2013	001766	AWARDS 'N MORE 31226	1/4/2013	EMPLOYEE SERVICE AWARD	297.00	
			31249	1/31/2013	SERVICE AWARD PLAQUES	291.22	
			31241	1/29/2013	PLAQUE	95.31	683.53
506065	2/15/2013	009284	BARTELS, BRENDA 1321738	1/29/2013	REFUND OF CLASS	24.00	24.00
506066	2/15/2013	007031	BAY VIEW FUNDING FOR A/C 24114	1/24/2013	LABOR & SERVICE CALL	275.00	
			24117	1/28/2013	LABOR & SERVICE CALL	275.00	550.00
506067	2/15/2013	022453	BELTRAN, ANTONIO Ref002360856	2/11/2013	UB Refund Cst #020566	32.78	32.78
506068	2/15/2013	022459	BLACKBURN, AMANDA Ref002360863	2/11/2013	UB Refund Cst #072401	87.57	87.57
506069	2/15/2013	003200	BLAKELY, DANA L. 30251	1/31/2013	BUSINESS CARDS	106.33	106.33
506070	2/15/2013	002627	BORELLA GEOLOGY, INC. ENG13-1000	2/4/2013	BLANKET FOR CIP PROJECT.	1,540.00	1,540.00
506071	2/15/2013	022443	BOURNE, EFFIE 1322443	1/30/2013	REFUND OF CLASS	28.00	28.00
506072	2/15/2013	022430	BOWMAN, TESSIE O SC422683	12/2/2012	REFUND FOR PARKING CITA	43.00	43.00
506073	2/15/2013	019901	BULLARD CONSTRUCTION IN45	2/7/2013	DECK COATING ON T-ST PEC	4,756.66	4,756.66
506074	2/15/2013	016915	CACEO 5354472	2/5/2013	REGISTRATION - S. FIEBING	25.00	25.00
506075	2/15/2013	022197	CALIF FUELS & LUBRICANTS 34582	1/17/2013	GAS / DIESEL	1,948.69	1,948.69
506076	2/15/2013	006740	CALIFORNIA JPIA 5729	1/31/2013	REGISTRATION - HEIDER & P	750.00	750.00
506077	2/15/2013	022419	CALVESBERT, ROYA 1318116	1/23/2013	REFUND OF CLASS	120.00	
			1318117	1/23/2013	REFUND OF CLASS	17.00	137.00
506078	2/15/2013	011510	CANON FINANCIAL SERVICES2005232	1/26/2013	POLICE SERVICES COPIER L	450.77	450.77
506079	2/15/2013	022420	CARLSON, LYDIA 1320574	1/28/2013	SECURITY DEPOSIT REFUNC	500.00	500.00

Bank : city BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
506080	2/15/2013	001464	CARQUEST AUTO PARTS #777457-165739	1/29/2013	MISC AUTO PARTS	12.97	12.97
506081	2/15/2013	015477	CELL BUSINESS EQUIPMENT IN149170	2/5/2013	COPIER MAINTENANCE	1,668.46	1,668.46
506082	2/15/2013	019519	CINTAS CORPORATION	640719064	2/7/2013	RENTAL AND CLEANING OF U	153.73
				640715575	1/31/2013	RENTAL AND CLEANING OF U	153.73
				640719065	2/7/2013	RENTAL AND CLEANING OF U	109.25
				640715576	1/31/2013	RENTAL AND CLEANING OF U	109.25
				640712078	1/24/2013	UNIFORM RENTAL	59.50
506083	2/15/2013	017215	COAST POWDER COATING	6493	1/24/2013	POWDER COATING OF BIKE	135.00
506084	2/15/2013	022467	CONNER, STEPHANIE	Ref002360871	2/11/2013	UB Refund Cst #079872	107.78
506085	2/15/2013	001417	CONSOLIDATED ELECTRIC DI	563743	2/4/2013	MATERIALS	1,658.88
				563995	2/4/2013	MATERIALS	680.56
				564345	2/4/2013	MATERIALS	592.38
				564081	2/4/2013	MATERIALS	114.93
				564017	1/30/2013	MATERIALS	81.32
506086	2/15/2013	001394	COOK PGA GOLF SHOP INC,	1021213	2/12/2013	2/04/13-2/10/13 WEEKLY PAYM	11,535.11
506087	2/15/2013	017544	COURSE TRENDS INC	194074	2/1/2013	WEBSITE	295.00
506088	2/15/2013	022472	COWLEY, CHRISTOPHER	Ref002360876	2/11/2013	UB Refund Cst #080953	42.89
506089	2/15/2013	006090	COX COMMUNICATIONS	013013	1/30/2013	A/C 001 7601050931701	6,893.74
				020113	2/1/2013	A/C 001 7601 050935001	81.12
				050932702	1/28/2013	A/C 001 7601 050932702	39.00
				012913	1/29/2013	A/C 001 7601 053089201	25.19
506090	2/15/2013	006090	COX COMMUNICATIONS	049351101	2/1/2013	COX SCADA COMMUNICATIO	1,225.80
506091	2/15/2013	000168	CWEA - TCP	013013	1/30/2013	WORKSHOP FOR C. BROWN	180.00
506092	2/15/2013	005410	DEIST-BINSFIELD, INC	1286	2/2/2013	BLANKET/CONSTR. MNGMT §	5,415.00
				1282	2/2/2013	BLANKET/CONSTR. MNGMT §	2,470.00
				1283	2/2/2013	BLANKET/CONSTR. MNGMT §	1,425.00
				1285	2/2/2013	BLANKET/CONSTR. MNGMT §	1,045.00
				1288	2/2/2013	BLANKET/CONSTR. MNGMT §	712.50
				1284	2/2/2013	BLANKET/CONSTR. MNGMT §	570.00
				1287	2/2/2013	BLANKET/CONSTR. MNGMT §	332.50
							11,970.00

Bank : city BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
506093	2/15/2013	002647	DENAULT'S HARDWARE, INC	428510	2/4/2013	PURCHASE ORDER FOR ALL	85.77
				428536	2/5/2013	PURCHASE ORDER FOR ALL	60.76
				428599	2/7/2013	PURCHASE ORDER FOR ALL	51.17
				428430	1/31/2013	PURCHASE ORDER FOR ALL	48.58
				428604	2/7/2013	PURCHASE ORDER FOR ALL	36.91
				428414	1/31/2013	PURCHASE ORDER FOR ALL	36.02
				428525	2/4/2013	PURCHASE ORDER FOR ALL	34.95
				428433	1/31/2013	PURCHASE ORDER FOR ALL	28.17
				428519	2/4/2013	PURCHASE ORDER FOR ALL	27.69
				428584	2/6/2013	PURCHASE ORDER FOR ALL	21.70
				428219	1/25/2013	PURCHASE ORDER FOR ALL	20.64
				427985	1/17/2013	PURCHASE ORDER FOR ALL	19.97
				428518	2/4/2013	PURCHASE ORDER FOR ALL	18.46
				428567	2/6/2013	PURCHASE ORDER FOR ALL	8.73
				427566	1/2/2013	PURCHASE ORDER FOR ALL	5.90
				428522	2/4/2013	PURCHASE ORDER FOR ALL	5.08
				428557	2/5/2013	PURCHASE ORDER FOR ALL	2.22
							512.72
506094	2/15/2013	007924	DOCTOR'S AMBULANCE SER	02052013-D	2/5/2013	BACK-UP AMBULANCE TRAN	2,750.00
506095	2/15/2013	004177	E STEWART & ASSOC INC	1930	1/22/2013	Graffiti Abatement 2013: Contr	5,843.75
				1931	1/22/2013	GRAFFITI REMOVAL	2,172.50
				1936	1/28/2013	TRAIL MAINTENANCE CONF	2,000.00
				1929	1/22/2013	Graffiti Abatement Administrativ	2,000.00
				1934	1/28/2013	TRAIL MAINTENANCE CONF	1,800.00
				1935	1/28/2013	FORSTER TRAIL EROSION C	1,400.00
				1944	1/28/2013	STEED PARK MAINTENANCE	855.00
				1940	1/28/2013	STAKES REMOVAL DUE TO V	400.00
				1943	1/28/2013	SVC FOR LINDA LAND PUMP	165.00
				1950	2/1/2013	COASTAL TRAIL MAINTENAN	120.00
							16,756.25
506096	2/15/2013	022458	EASON-HEITZIG, KATHERINE	Ref002360862	2/11/2013	UB Refund Cst #070941	118.52
506097	2/15/2013	022421	EATON, COURTNEY	1320929	1/28/2013	REFUND OF CLASS	72.00
506098	2/15/2013	009238	ELKINS, TINA	013113	1/31/2013	INSTRUCTOR PAYMENT	248.68
506099	2/15/2013	019345	FDE&S INC	38189	1/29/2013	COORDINATOR UNIFORM	100.71
506100	2/15/2013	000026	FEDERAL EXPRESS CORP	2-163-73990	2/1/2013	SHIPPING CHARGES	55.88
506101	2/15/2013	006232	FIRST BANKCARD CENTER	020413	2/4/2013	#5477-2593-7247-5744	1,233.92
506102	2/15/2013	002042	FIRST VEHICLE SERVICES	10767503	1/26/2013	GENERATOR SERVICES	1,617.30
							1,617.30

Bank : city BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
506103	2/15/2013	022422	GALLAGHER, CATHERINE	1319019	1/24/2013	REFUND OF CLASS	78.00	78.00
506104	2/15/2013	007657	GARDA	159-220713	2/1/2013	Armored Transport Services	1,086.29	1,086.29
506105	2/15/2013	013320	GCS, INC	42003	1/31/2013	GCS - JANITORIAL - MAINT. S	8,177.00	8,177.00
506106	2/15/2013	000208	GENERAL PETROLEUM CORP	4889370	1/31/2013	GASOLINE AND DIESEL PURC	18,068.73	18,068.73
506107	2/15/2013	022475	GINN, LAURA	Ref002360879	2/11/2013	UB Refund Cst #082254	120.00	120.00
506108	2/15/2013	022461	GPK2 LLC	Ref002360865	2/11/2013	UB Refund Cst #075428	123.20	123.20
506109	2/15/2013	022399	GUARASCIO, STEPHANIE	1317234	1/22/2013	REFUND OF CLASS	75.00	75.00
506110	2/15/2013	001140	HACH COMPANY	8118602	1/23/2013	LAB SUPPLIES	455.52	455.52
506111	2/15/2013	022462	HAUSER, CARRIE	Ref002360866	2/11/2013	UB Refund Cst #075787	51.59	51.59
506112	2/15/2013	003389	HDS WHITE CAP CONST SUP	10000084060	1/28/2013	PURCHASE ORDER FOR ALL	110.56	110.56
506113	2/15/2013	022446	HOLLYWOOD PARK FALL RAC	001606	12/6/2012	OC TAVERN -OVERPAYMENT	421.07	421.07
506114	2/15/2013	022474	HOOD, KEVIN	Ref002360878	2/11/2013	UB Refund Cst #082202	50.74	50.74
506115	2/15/2013	022456	HPF GLV OCEANVIEW LLC	Ref002360860	2/11/2013	UB Refund Cst #070369	217.20	217.20
506116	2/15/2013	007033	IMPERIAL SPRINKLER SUPPL	1608863-00	1/25/2013	MISC SUPPLIES & PARTS FOI	877.88	
				1631040-00	1/23/2013	MISC SUPPLIES & PARTS FOI	444.36	
				1631115-00	1/23/2013	MISC SUPPLIES & PARTS FOI	313.63	
				1631053-00	1/23/2013	MISC SUPPLIES & PARTS FOI	186.05	1,821.92
506117	2/15/2013	019001	IPS GROUP, INC	1778	1/31/2013	IPS - PKG MTR BANK MERCH	1,040.32	1,040.32
506118	2/15/2013	022471	IRVING, WAYNE	Ref002360875	2/11/2013	UB Refund Cst #080588	87.19	87.19
506119	2/15/2013	022424	KAWANA, RIE	1321756	1/29/2013	REFUND OF CLASS	67.00	67.00
506120	2/15/2013	005130	KRISKEY, JACKY	1317178	1/22/2013	REFUND OF CLASS	122.00	122.00
506121	2/15/2013	022454	LA FLEUR, DIANNA	Ref002360858	2/11/2013	UB Refund Cst #025591	51.69	51.69
506122	2/15/2013	022470	LARSEN, LAUREN	Ref002360874	2/11/2013	UB Refund Cst #080520	51.54	51.54
506123	2/15/2013	022473	LOVEALL, HILARY	Ref002360877	2/11/2013	UB Refund Cst #082103	107.46	107.46
506124	2/15/2013	007564	LOWE'S COMPANIES, INC.	03033	2/7/2013	PURCHASE ORDER FOR ALL	154.56	
				25509	1/30/2013	PURCHASE ORDER FOR ALL	44.74	
				10586	2/6/2013	PURCHASE ORDER FOR ALL	30.72	
				23623	2/5/2013	PURCHASE ORDER FOR ALL	25.63	255.65
506125	2/15/2013	007651	MARLOWE & COMPANY	13-220-02	2/4/2013	PSA/PN 19907/FEDERAL LOB	3,750.00	3,750.00
506126	2/15/2013	022425	MATTISON, AMANDA	1321742	1/29/2013	REFUND OF CLASS	139.74	139.74
506127	2/15/2013	022423	MEIXNER, MELANIE	1319822	1/25/2013	REFUND OF CLASS	15.00	15.00
506128	2/15/2013	022452	MILLINDER, LUCY	Ref002360855	2/11/2013	UB Refund Cst #018928	3.19	3.19
506129	2/15/2013	015747	MOE, CHERYL PATTERSON	ST062798	11/28/2012	REFUND FOR PARKING CITA	53.00	53.00
506130	2/15/2013	022429	MOORE, HARRY D OR CHERY	SC423538	1/6/2013	REFUND FOR PARKING CITA	43.00	43.00
506131	2/15/2013	003762	NATIONAL CONST RENTALS,	13589943	1/28/2013	FENCE RENTAL	16.20	16.20

Bank : city BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
506132	2/15/2013	004348	NATIONAL EMBLEM, INC 351531	2/4/2013	JG PATCHES	846.57	846.57
506133	2/15/2013	000514	NATIONAL SAFETY COMPLIAN55444	1/31/2013	ANNUAL ADMINISTRATION FE	150.00	150.00
506134	2/15/2013	019640	NELSON, DONALD Ref002360857	2/11/2013	UB Refund Cst #024056	28.05	28.05
506135	2/15/2013	022463	NISHIMURA, MANABU Ref002360867	2/11/2013	UB Refund Cst #077614	74.61	74.61
506136	2/15/2013	001207	OFFICE DEPOT 643264907001	1/30/2013	PURCHASE ORDER FOR ALL	88.78	
			643117586001	1/25/2013	PURCHASE ORDER FOR ALL	80.97	
			642972084001	1/26/2013	PURCHASE ORDER FOR ALL	74.51	
			1547331340	1/28/2013	PURCHASE ORDER FOR ALL	52.13	
			641387006001	1/17/2013	PURCHASE ORDER FOR ALL	26.42	
			643117744001	1/25/2013	PURCHASE ORDER FOR ALL	14.25	
			641386813001	1/17/2013	PURCHASE ORDER FOR ALL	11.28	
			1546080454	1/24/2013	PURCHASE ORDER FOR ALL	1.62	349.96
506137	2/15/2013	008563	ONESOURCE DISTRIBUTORSS3934672.002	1/17/2013	PARTS	39.54	39.54
506138	2/15/2013	022194	ORANGE COAST AUTO GROU013013	1/30/2013	REPLACEMENT OF 2 MARINE	60,805.74	60,805.74
506139	2/15/2013	000020	ORANGE COUNTY DIST ATTO1301	1/28/2013	PROSECUTION MUNI CODE \	468.00	468.00
506140	2/15/2013	001086	ORANGE COUNTY TREAS/TA\SH33677	2/1/2013	POLICE SERVICES CONTRAC	994,315.17	
			CIT2970223	2/6/2013	PRINT CAFR	1,123.89	995,439.06
506141	2/15/2013	007356	ORANGE, COUNTY OF 2012LMIHF	2/8/2013	RDA - LMIHF DDR DISTRIBUT	1,876,670.00	1,876,670.00
506142	2/15/2013	022400	PARRIOTT, DIANE 1317254	1/22/2013	SECURITY DEPOSIT REFUNC	50.00	50.00
506143	2/15/2013	020529	PASSOW, PAMELA 020513	2/5/2013	MILEAGE REIMBURSEMENT	210.01	210.01
506144	2/15/2013	022012	PATINO, ANA 020513	2/5/2013	MILEAGE REIMBURSEMENT	47.20	47.20
506145	2/15/2013	022457	PELHAM, MELISSA Ref002360861	2/11/2013	UB Refund Cst #070396	19.00	19.00
506146	2/15/2013	004449	PERKINS, DENISE 013113	1/31/2013	INSTRUCTOR PAYMENT	609.00	609.00
506147	2/15/2013	021711	PESCARMONA, NSA, LOUIS 020413	2/4/2013	NOTARY SERVICES	20.00	20.00
506148	2/15/2013	021857	PETTY CASH - AQUATICS CEM020413	2/4/2013	REPLENISH PETTY CASH	153.23	153.23
506149	2/15/2013	000937	PRAXAIR DISTRIBUTION, INC 45091308	1/20/2013	CHEMICALS	226.48	
			45091309	1/20/2013	CHEMICALS	125.11	351.59
506150	2/15/2013	021375	PROVIDENCE 1520 EL CAMIN430374	2/8/2013	REFUND FOR DEPOSIT A/C V	1,514.77	1,514.77
506151	2/15/2013	022468	PROVIDENCE 1520 EL CAMINRef002360872	2/11/2013	UB Refund Cst #080052	189.41	189.41
506152	2/15/2013	022469	PROVIDENCE 1520 EL CAMINRef002360873	2/11/2013	UB Refund Cst #080055	198.56	198.56
506153	2/15/2013	012411	PUBLIC TREASURY INSTITUT020513	2/5/2013	TRAINING CLASS - J. ANDER:	80.00	80.00
506154	2/15/2013	003798	R & R PRODUCTS, INC CD1642736	2/1/2013	TIRES	174.21	
			CD1641924	1/30/2013	TIRES	163.37	
			CD1641955	1/30/2013	BLADE	16.52	354.10
506155	2/15/2013	022455	R AND T INVESTMENTS LLC Ref002360859	2/11/2013	UB Refund Cst #056875	52.24	52.24

Bank : city BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
506156	2/15/2013	003033	RALPHS GROCERY CO	063677	1/29/2013	SUPPLIES	7.58
				059138	2/5/2013	SUPPLIES	6.11
506157	2/15/2013	022465	REED, JOHN	Ref002360869	2/11/2013	UB Refund Cst #078045	63.87
506158	2/15/2013	000308	REFRIGERATION SUPPLIES	D50118216-00	11/27/2012	CUST #32970	429.98
				50117782-00	11/13/2012	CUST #32970	377.81
				50118307-00	11/28/2012	CUST #32970	209.25
506159	2/15/2013	012305	REID, ALEXANDRA S	020413	2/4/2013	CONTRACT INSTRUCTOR PA	892.50
506160	2/15/2013	015479	RHODA, KENNETH	1	2/6/2013	ADULT SOCCER OFFICIAL	300.00
506161	2/15/2013	022440	ROBLES, SUSAN	1322352	1/30/2013	REFUND OF CLASS	100.00
506162	2/15/2013	000207	RODRIGUEZ, RICHARD R	120-709-13	1/30/2013	TREE MAINTENANCE CONTR	450.00
506163	2/15/2013	022451	ROSE, DIANA	Ref002360854	2/11/2013	UB Refund Cst #013090	62.54
506164	2/15/2013	009671	RRM DESIGN GROUP	1412107-1212	1/15/2013	AGREEMENT WITH RRM DES	2,530.00
506165	2/15/2013	000347	RUTAN & TUCKER, INC.	654756	1/29/2013	CITY ATTORNEY	8,400.00
				654774	1/29/2013	WALKER V (BEACH PARKING	5,431.38
				654770	1/29/2013	AVE SAN JUAN PARTNER	3,339.95
				654771	1/29/2013	PUBLIC IMPROVEMENT/BONI	2,320.28
				654768	1/29/2013	CALLAN V	1,152.69
				654765	1/29/2013	LITIGATION GENERAL	689.29
				654773	1/29/2013	LAB, SADEGHI V	491.70
				654767	1/29/2013	SENIORS SERVICES	366.40
				654769	1/29/2013	THE LAB	296.42
506166	2/15/2013	022346	SAN CLEMENTE FITNESS INC	013113	1/31/2013	CONTRACT INSTRUCTOR PA	61.60
506168	2/15/2013	001174	SAN DIEGO GAS & ELECTRIC	020613	2/6/2013	06191078453 DISTRIBUTION (85,056.05
				013013A	1/30/2013	08487494048 DISTRIBUTION (4,005.57
				013113	1/31/2013	01151356015 DISTRIBUTION (571.80
				012813A	1/28/2013	59990978944 DISTRIBUTION (98.28
				020113	2/1/2013	17228764239 DISTRIBUTION (80.64
506169	2/15/2013	015210	SANTA ANA REGIONAL WATE	F021113	2/11/2013	FEES FOR PERMIT/ 401	944.00
506170	2/15/2013	018587	SC ROOKIES	013113	1/31/2013	INSTRUCTOR PAYMENT	809.90
506171	2/15/2013	005035	SCHROEDER, KAYNE A	020613	2/6/2013	INSTRUCTOR PAYMENT	2,419.90
506172	2/15/2013	005090	SCUBA MANIA, INC.	84750-1	10/23/2012	FILL & SERVICE	126.18
				85176-1	11/17/2012	FILL & SERVICE	99.00
				85172-1	1/28/2013	FILL & SERVICE	61.42
				83958-1	9/8/2012	FILL & SERVICE	43.00

Bank : city BANK OF THE WEST

(Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
506173	2/15/2013	002196	SIERRA ANALYTICAL LABS, IN3A24004-COSC	1/24/2013	WATER QUALITY ANALYSIS B	400.00	
			3A24002-COSC	2/12/2013	WATER QUALITY ANALYSIS B	125.00	525.00
506174	2/15/2013	006836	SIMS-ORANGE WELDING SUF00250860	1/31/2013	ACETYLENE, OXYGEN	20.76	20.76
506175	2/15/2013	015733	SONITROL GOLD COAST 111324	2/1/2013	MONTHLY MONITORING CLU	221.64	221.64
506176	2/15/2013	002755	SOUTH COAST DISTRIBUTING 169536	2/5/2013	SUPPLIES	377.24	377.24
506177	2/15/2013	012848	SOUTH COAST PRINTERCARI117060	2/6/2013	TONER CARTRIDGE	163.16	
			117059	2/6/2013	TONER CARTRIDGE	135.92	299.08
506178	2/15/2013	000170	SOUTH COAST WATER DISTR07377164	2/4/2013	WATER USAGE FOR MEDIAN	296.40	
			07180461	2/4/2013	WATER USAGE FOR MEDIAN	67.95	
			08518708	2/4/2013	WATER USAGE FOR MEDIAN	23.72	
			07377404	2/4/2013	WATER USAGE FOR MEDIAN	23.72	411.79
506179	2/15/2013	003204	SOUTHERN CALIF GAS CO, IN013013	1/30/2013	01060702006 GAS SERVICES	706.93	
			012913A	1/29/2013	14500724001 GAS SERVICES	566.05	1,272.98
506180	2/15/2013	021227	SOUTHERN CALIF SHREDDING9252	2/5/2013	COMMUNITY SHREDDING EV	750.00	750.00
506181	2/15/2013	011672	SPARKLETT'S 6243099020213	2/2/2013	BOTTLED WATER FOR BP IN:	27.55	27.55
506182	2/15/2013	022464	SPEARS, RHONDA Ref002360868	2/11/2013	UB Refund Cst #077709	3.40	3.40
506183	2/15/2013	016127	SPORTS FIELD SPECIALTIES 111	2/1/2013	MISC SUPPLY PURCHASES	31.65	31.65
506184	2/15/2013	001969	STAPLES ADVANTAGE 3190377057	1/17/2013	PURCHASE ORDER FOR ALL	196.15	
			3190901005	1/25/2013	PURCHASE ORDER FOR ALL	64.77	
			3190780225	1/23/2013	PURCHASE ORDER FOR ALL	3.30	264.22
506185	2/15/2013	018727	TALLEY 10117635	1/24/2013	FIBERGLASS / MOUNTING BF	198.89	
			10117974	1/28/2013	ANTENNA, BRACKET	179.40	378.29
506186	2/15/2013	022466	TEMPEST, SARAH Ref002360870	2/11/2013	UB Refund Cst #078908	8.61	8.61
506187	2/15/2013	008761	TETRA TECH, INC. 50639528	1/11/2013	CO5-38/PN 12605,13501/WTR	3,476.27	3,476.27
506188	2/15/2013	018515	THURN, DEBRA 020513	2/5/2013	CONTRACT INSTRUCTOR PA	301.00	301.00
506189	2/15/2013	003511	THYSSENKRUPP ELEVATOR C1117088588	2/1/2013	THYSSENKRUPP - COM DEV	1,860.89	1,860.89
506190	2/15/2013	021704	TILLOTSON, AMY 1322433	1/30/2013	REFUND OF CLASS	138.00	138.00
506191	2/15/2013	012461	TURF MAKER 35220	1/23/2013	TOOLS	1,043.55	1,043.55
506192	2/15/2013	001088	UNDERGROUND SERVICE ALI120130569	2/1/2013	UNDERGROUND SERVICE FC	130.50	130.50
506193	2/15/2013	006009	UNION BANK OF CALIFORNIA 121412	12/14/2012	BANK SERVICE CHARGES	1,038.72	1,038.72
506194	2/15/2013	002067	V W R INTERNATIONAL INC 8052845983	1/29/2013	LABORATORY SUPPLIES	49.20	49.20
506195	2/15/2013	017047	VA CONSULTING INC 31003	1/18/2013	C11-17/ PN 10013/ PR DES CA	1,752.00	1,752.00
506196	2/15/2013	013109	VERIZON 1158908466	1/25/2013	A/C#361144577-00002	157.60	
			1158908465	1/25/2013	A/C#361144577-00001	58.49	216.09
506197	2/15/2013	013673	VILLA PACIFICA COMM ASSOCE12-0182	10/16/2012	PARTIAL RELEASE OF FINAN	71,250.00	71,250.00

Bank : city BANK OF THE WEST

(Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
506198	2/15/2013	016334	VISION SERVICE PLAN (CA)	300053940001	1/21/2013	A/C #30-005394-0001 VISION I	4,103.59
				300053940002	1/21/2013	A/C #30-005394-0002 VISION I	259.95
506199	2/15/2013	003374	VULCAN MATERIALS COMPAN	258514	1/16/2013	VULCAN - ST. MATERIALS - F	114.14
				267189	1/25/2013	VULCAN - ST. MATERIALS - F	113.41
				267190	1/25/2013	VULCAN - ST. MATERIALS - F	113.41
				261328	1/18/2013	VULCAN - ST. MATERIALS - F	113.41
				261327	1/18/2013	VULCAN - ST. MATERIALS - F	111.93
506200	2/15/2013	008950	WAIZINGER, JOHN	CSC1-2013	1/31/2013	RESTROOM SANITIZING	1,501.25
506201	2/15/2013	020106	WASTE MANAGEMENT	0021488-2510-8	2/1/2013	WASTE DISPOSAL	811.58
506202	2/15/2013	005046	WELLS PIPELINE MATERIALS	INV000037756	1/30/2013	MISC SERVICE PARTS FOR V	993.60
506203	2/15/2013	017309	WINOKUR, LORRAINE	020413	2/4/2013	MILEAGE REIMBURSEMENT	53.56
506204	2/15/2013	014700	WOOTEN, THOMAS J	020113	2/1/2013	REIMBURSEMENT FOR OVEF	235.29
506205	2/15/2013	009596	WQI	020613	2/6/2013	WASTEWATER REVIEW CLAS	1,800.00
Sub total for BANK OF THE WEST:							3,274,595.11

148 checks in this report.

Grand Total All Checks: 3,274,595.11

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 March 5, 2013
IN THE AMOUNT OF \$ 1,046,381.97

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
fel

CITY TREASURER

Bank : city BANK OF THE WEST

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
1099	2/22/2013	004156	CALIF, STATE OF, EMPLOYMEBen2361148	2/22/2013	STATE TAX: Payment	21,657.76	21,657.76
1100	2/22/2013	000010	CALIF, STATE OF, EMPLOYMEBen2361150	2/22/2013	SDI INS: Payment	5,250.26	5,250.26
1101	2/22/2013	001819	FEDERAL WITHOLDING TAX Ben2361146	2/22/2013	FEDERAL TAX: Payment	146,895.40	146,895.40
1102	2/22/2013	014754	STATE DISBURSMENT UNIT Ben2361152	2/22/2013	CHILD SUPPORT: Payment	1,666.60	1,666.60
506206	2/22/2013	022483	1520 ECR SAN CLEMENTE LLIENG10-034	11/9/2010	REFUND AND CLOSE DEPOS	1,927.75	1,927.75
506207	2/22/2013	002108	AA EQUIP RENTALS CO INC P12170	1/24/2013	SEAT	382.68	
			P12368	1/30/2013	SPINDLE, LOCK NUT	268.13	
			P12399	1/31/2013	BLADE	95.61	
			P12370	1/30/2013	SEAL, GUARD, BALL BEARIN	71.64	818.06
506208	2/22/2013	013135	ACTIVE NETWORK, INC., THE1006251	1/31/2013	BUSINESS LICENSE WEB PO	190.00	190.00
506209	2/22/2013	010213	AFLAC Ben2361142	2/22/2013	AFLAC INSURANCE: Payment	265.96	265.96
506210	2/22/2013	003558	AIRGAS WEST DBA AIRGAS 9012553694	2/5/2013	CO2 FOR AQUATICS CENTER	330.64	
			9011937641	1/17/2013	CO2 FOR AQUATICS CENTER	248.89	
			9012553775	2/5/2013	POOL SUPPLIES	248.02	
			9012111180	1/22/2013	CO2 FOR AQUATICS CENTER	227.50	
			9012472531	2/1/2013	CO2 FOR AQUATICS CENTER	220.91	
			9012331797	1/29/2013	CO2 FOR AQUATICS CENTER	191.16	
			9012243011	1/25/2013	CO2 FOR AQUATICS CENTER	170.10	
			9012026308	1/18/2013	CO2 FOR AQUATICS CENTER	124.20	1,761.42
506211	2/22/2013	015621	ALEXANDER'S CONTRACT SV201301310014	1/31/2013	MONTHLY METER READING	15,440.40	15,440.40
506212	2/22/2013	000802	ALL AMERICAN ASPHALT 793223	1/29/2013	ALL AMERICAN - MAINT.SVCS	148.32	
			793430	1/30/2013	ALL AMERICAN - MAINT.SVCS	138.41	286.73
506213	2/22/2013	009876	ALL CITY MANAGEMENT SVC:30101	1/25/2013	FY 2013 CROSSING GUARD	4,965.84	4,965.84
506214	2/22/2013	013806	AMERICAN SOCCER COMPAN6213963	1/31/2013	A/C #445018	641.39	641.39
506215	2/22/2013	022444	ANE, DARUS 1324097	2/4/2013	SECURITY DEPOSIT REFUND	500.00	500.00
506216	2/22/2013	000946	ANTIMITE TERMITE & PEST C1205828	1/24/2013	MONTHLY SERVICE	75.00	75.00
506217	2/22/2013	022015	APPIT, LLC 500	12/12/2012	PSA/PN 12605,13501, SEWER	1,275.00	1,275.00
506218	2/22/2013	002921	AR PAINTS & FLOORING 601343	2/11/2013	MISC. PAINT SUPPLIES	128.41	
			601422	2/14/2013	MISC. PAINT SUPPLIES	103.03	231.44
506219	2/22/2013	001484	ARC 6771292	1/29/2013	BLANKET/BID UPLOAD/ REPF	112.34	
			6772610	1/29/2013	BLANKET/BID UPLOAD/ REPF	35.40	
			6784206	2/4/2013	BLANKET/BID UPLOAD/ REPF	0.11	
			6791802	2/11/2013	BLANKET/BID UPLOAD/ REPF	0.07	147.92
506220	2/22/2013	015429	ARCHITECTURAL RESOURCE35696	1/24/2013	PSA/PN 12559- OLE HANSON	911.74	911.74

Bank : city BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
506221	2/22/2013	022372	ASCO SERVICES INC 817369	1/25/2013	SERVICE AGREEMENT	650.00	650.00
506222	2/22/2013	022438	BAKER, NGA 1326819	2/6/2013	REFUND OF CLASS	48.00	48.00
506223	2/22/2013	021873	BESHK, DAVID 1324510	2/4/2013	SECURITY DEPOSIT REFUND	50.00	50.00
506224	2/22/2013	022487	BOGGS, JIM 021113	2/11/2013	50% REIMB. FOR SIDEWALK	392.94	392.94
506225	2/22/2013	002627	BORELLA GEOLOGY, INC. ENG12-017	2/10/2013	GEOTECHNICAL REVIEW	675.00	675.00
506226	2/22/2013	004193	BSN SPORTS INC 95076299	12/18/2012	SOCCER NETS AND CLIPS	218.91	218.91
506227	2/22/2013	020958	BYREMOTE INC 5745	2/1/2013	CAMERA MONITORING	36.00	36.00
506228	2/22/2013	002474	CA PUB EMPLOY RETIREMENPP#3/13	2/3/2013	PAYROLL DEDUCTIONS	6,786.26	6,786.26
506229	2/22/2013	001182	CALIF, STATE OF, FRANCHISEBen2361144	2/22/2013	STATE TAX LEVY: Payment	360.00	360.00
506230	2/22/2013	017166	CANNON PACIFIC SERVICES, 710254	1/29/2013	ST SWPG SVCS - CANNON P	33,308.32	33,308.32
506231	2/22/2013	017884	CANON SOLUTIONS AMERICA74785	2/1/2013	COPIER MAINTENANCE CHA	944.60	944.60
506232	2/22/2013	014672	CAPISTRANO CRANE SERVIC4719	2/4/2013	CRANE RENTAL	450.00	450.00
506233	2/22/2013	001770	CAPISTRANO UNIFIED SCHO(130605	11/7/2012	ADULT BASKETBALL AT SCH	276.00	276.00
506234	2/22/2013	003654	CARBONARA TRATTORIA ITAL021313	2/13/2013	14 GIFT CERTIFICATES FOR	350.00	350.00
506235	2/22/2013	009040	CDW GOVERNMENT, INC. W531494	1/17/2013	CASE	56.03	56.03
506236	2/22/2013	019519	CINTAS CORPORATION 640719909	2/8/2013	CINTAS - MAINT. SVCS. DIV. -	120.22	
			640719063	2/7/2013	CINTAS - MAINT. SVCS. DIV. -	96.88	
			640722526	2/14/2013	CINTAS - MAINT. SVCS. DIV. -	96.88	
			640715551	1/31/2013	UNIFORM RENTAL	56.75	
			640715572	1/31/2013	MATTS	20.85	391.58
506237	2/22/2013	003559	COASTAL ANIMAL SERVICES /FEB13	2/1/2013	CONTRACTED SERVICE PAYI	54,469.16	54,469.16
506238	2/22/2013	022449	COASTAL PACIFIC CONST INCB12-1342	10/4/2012	REFUND OF WMP FEE	250.00	250.00
506239	2/22/2013	001241	COLONIAL LIFE & ACCIDENT Ben2361140	2/22/2013	ACCIDENT INSURANCE: Payn	150.62	150.62
506240	2/22/2013	021712	CONCRETE CORING COMPAN020713	2/7/2013	PN 24400/CALLE VALLE WTR	6,891.45	6,891.45
506241	2/22/2013	001417	CONSOLIDATED ELECTRIC DI563509	1/24/2013	MATERIALS	465.91	
			564357	2/4/2013	MATERIALS	176.00	
			564425	2/5/2013	MATERIALS	24.55	
			564380	2/4/2013	MATERIALS	0.95	667.41
506242	2/22/2013	001394	COOK PGA GOLF SHOP INC, I021913	2/19/2013	2/11/13 - 2/17/13 WEEKLY PAY	13,802.64	13,802.64
506243	2/22/2013	006090	COX COMMUNICATIONS 031706701	2/8/2013	12 MONTHLY PAYMENT TO C	8,663.02	8,663.02
506244	2/22/2013	006090	COX COMMUNICATIONS 020613	2/6/2013	A/C 001 7601 050935601	506.77	
			020513	2/5/2013	A/C 001 7601 050935701	64.69	
			020413	2/4/2013	A/C 001 7601 050934601	40.42	611.88
506245	2/22/2013	018613	CPSWQ INC CPSWQ#620	2/14/2013	DUES FOR MARY VONDRAK :	225.00	225.00
506246	2/22/2013	005826	C-TECH, INC 01-13	2/13/2013	BLANKET/ RECYCLED WATEI	13,440.00	13,440.00

Bank : city BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
506247	2/22/2013	000168	CWEA - TCP	110141001	2/11/2013	CERT. RENEWAL - B. GAMBLI	90.00	90.00
506248	2/22/2013	005410	DEIST-BINSFIELD, INC	1280	2/2/2013	BLANKET/CONSTR. MNGMT S	1,330.00	
				1281	2/2/2013	BLANKET/CONSTR. MNGMT S	665.00	1,995.00
506249	2/22/2013	002749	DELTA DENTAL OF CALIFORN	BE000491883	1/31/2013	DENTAL CLAIMS & ADMIN CO	19,696.45	19,696.45
506250	2/22/2013	015290	DELTACARE USA	5177741	2/1/2013	HMO DENTAL PREMIUMS	1,935.95	
				5177742	2/1/2013	HMO DENTAL PREMIUMS - RI	31.86	1,967.81
506251	2/22/2013	002647	DENAULT'S HARDWARE, INC	428582	2/6/2012	PURCHASE ORDER FOR ALL	190.41	
				428733	2/12/2013	PURCHASE ORDER FOR ALL	53.89	
				428391	1/30/2013	PURCHASE ORDER FOR ALL	50.48	
				428579	2/6/2013	PURCHASE ORDER FOR ALL	41.48	
				428732	2/12/2013	PURCHASE ORDER FOR ALL	34.94	
				428712	2/11/2013	PURCHASE ORDER FOR ALL	33.29	
				428628	2/8/2013	PURCHASE ORDER FOR ALL	26.21	
				428745	2/12/2013	PURCHASE ORDER FOR ALL	23.30	
				428768	2/13/2013	PURCHASE ORDER FOR ALL	23.28	
				428520	2/4/2013	PURCHASE ORDER FOR ALL	21.36	
				428453	2/1/2013	PURCHASE ORDER FOR ALL	20.61	
				428458	2/1/2013	PURCHASE ORDER FOR ALL	18.92	
				428417	1/31/2013	PURCHASE ORDER FOR ALL	15.54	
				428782	2/13/2013	PURCHASE ORDER FOR ALL	8.74	
				428603	2/7/2013	PURCHASE ORDER FOR ALL	6.47	
				428627	2/8/2013	PURCHASE ORDER FOR ALL	2.41	571.33
506252	2/22/2013	004462	DOHENY PLUMBING	32501	2/6/2013	PN 30401/ CL AMABLE, JUARE	4,999.96	4,999.96
506253	2/22/2013	014463	DOOR SERVICE & REPAIR, INI	1032295	1/16/2013	ROLL UP DOOR REPAIR	702.16	702.16
506254	2/22/2013	004575	DWINNELL, RONALD E	99193	1/23/2013	BUILDING MATERIALS	21.54	
				98935	1/8/2013	BUILDING MATERIALS	7.07	28.61
506255	2/22/2013	004177	E STEWART & ASSOC INC	1969	2/14/2013	STEED PARK MAINTENANCE	6,900.00	
				1968	2/14/2013	COASTAL TRAIL MAINTENAN	3,854.00	
				1964	2/11/2013	STEED PARK MAINTENANCE	3,020.00	
				1956	2/11/2013	COASTAL TRAIL MAINTENAN	1,080.00	
				1954	2/7/2013	TEMP EMPLOYEE	945.00	
				1970	2/14/2013	TRAIL MAINTENANCE CONF	439.92	
				1965	2/11/2013	STEED PARK MAINTENANCE	285.00	
				1971	2/14/2013	TRAIL MAINTENANCE CONF	250.00	16,773.92
506256	2/22/2013	022092	EHMANN, JESSICA	1324853	2/4/2013	SECURITY DEPOSIT REFUNC	50.00	50.00

Bank : city BANK OF THE WEST

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Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
506257	2/22/2013	020436	ELITE EQUIPMENT INC 16982	1/31/2013	TRASH PUMP	2,983.73	2,983.73
506258	2/22/2013	011576	EQUIFAX INFORMATION SER\7654385	2/7/2013	Credit Scoring - FY 2013	220.29	220.29
506259	2/22/2013	019345	FDE&S INC 38290	2/13/2013	SHIRTS FOR THEATER PROC	488.87	488.87
506260	2/22/2013	000026	FEDERAL EXPRESS CORP 2-163-52507	2/1/2013	SHIPPING CHARGES	33.11	33.11
506261	2/22/2013	002806	FEDEX OFFICE 031600002967	2/5/2013	SUPPLIES	16.20	16.20
506262	2/22/2013	000699	FIELDMAN, ROLAPP & ASSOC20774	2/7/2013	DEBT RATE REVIEW - 2013 L	202.50	202.50
506263	2/22/2013	022484	FINELINE CONSTRUCTION C\B12-1378	11/13/2012	REFUND OF WMP FEE	750.00	750.00
506264	2/22/2013	007447	FLUID COMPONENTS INTL LL 1077996	1/30/2013	FIELD SVC CHARGE	999.56	999.56
506265	2/22/2013	022442	FOLEY, DEBBIE 1324844	2/4/2013	SECURITY DEPOSIT REFUND	50.00	50.00
506266	2/22/2013	013320	GCS, INC 42004	1/31/2013	JANITORIAL SERVICE FOR U	970.00	970.00
506267	2/22/2013	008414	GLOBALSTAR 10000000044730	1/16/2013	PHONE SERVICES	263.79	263.79
506268	2/22/2013	000642	GREAT-WEST TRUST COMPA Ben2361136	2/22/2013	PENSION BUYBACK: Payment	121,558.29	121,558.29
506269	2/22/2013	022094	GREENBERG TRUST, PHILLIP B13-0161	2/5/2013	REFUND OF WMP FEE	500.00	500.00
506270	2/22/2013	004717	HDL COREN & CONE 0019004-IN	2/1/2013	Contract Services Property Tax	4,562.50	4,562.50
506271	2/22/2013	021287	HOLIDAY GOO 11585	2/11/2013	TOY/CANDY FILLED EGGS / E	1,239.95	1,239.95
506272	2/22/2013	014965	HUNTINGTON HONDA 13000915	2/7/2013	SERVICE / REPAIR	2,861.65	2,861.65
506273	2/22/2013	022296	HYDRO-FIT INC 13-0427	1/28/2013	WATER FITNESS NOODLES	259.00	259.00
506274	2/22/2013	003619	ICMA RETIREMENT TRUST #3 Ben2361132	2/22/2013	DEFERRED COMP ICMA: Paym	36,941.97	36,941.97
506275	2/22/2013	003185	IDEXX DISTRIBUTION, INC. 265834249	2/1/2013	LAB SUPPLIES	13.67	13.67
506276	2/22/2013	022479	ILES, TERRY 1326014	2/5/2013	REFUND OF RENT	144.00	144.00
506277	2/22/2013	007033	IMPERIAL SPRINKLER SUPPL 1635211-00	1/30/2013	MISC SUPPLIES & PARTS FOI	508.90	
			1627557-00	1/30/2013	MISC SUPPLIES & PARTS FOI	327.45	
			1634608-00	1/29/2013	MISC SUPPLIES & PARTS FOI	32.25	
			1631040-01	2/1/2013	MISC SUPPLIES & PARTS FOI	18.79	887.39
506278	2/22/2013	012787	INFOSEND, INC. 66037	2/5/2013	Electronic Bill Payment Progran	474.07	474.07
506279	2/22/2013	000498	J & S STRIPING CO, INC 8502	1/18/2013	J & S STRIPING - MAINT. SVC	9,749.29	9,749.29
506280	2/22/2013	000280	JOBS AVAILABLE, INC. 1304042	2/12/2013	ADVERTISING	315.00	315.00
506281	2/22/2013	021386	KING, WILLIAM 1325645	2/5/2013	REFUND OF CLASS	100.00	100.00
506282	2/22/2013	001721	KNORR SYSTEMS, INC. SI143595	1/24/2013	PUMP ROOM MAINTENANCE	1,866.76	
			SI139195	8/16/2012	BACKBOARD	586.77	
			SI143825	1/31/2013	VACUUM MAINTENANCE	96.00	2,549.53
506283	2/22/2013	000621	L G SUPPLY COMPANY 7905	1/31/2013	MISC. PARTS, SUPPLIES & TC	655.78	655.78
506284	2/22/2013	006899	LACAYO, MARGARET 021113	2/11/2013	MILEAGE REIMBURSEMENT	44.36	44.36
506285	2/22/2013	022436	LANGEVIN, KAREN 1324508	2/4/2013	SECURITY DEPOSIT REFUND	50.00	50.00
506286	2/22/2013	004158	LAWNMOWERS ETC LLC 31449	2/8/2013	STIHL CHAIN SAW	712.69	712.69

Bank : city BANK OF THE WEST

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Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
506287	2/22/2013	022439	LAWRENCE FOUNDATION, SA1324105	2/4/2013	SECURITY DEPOSIT REFUND	500.00	500.00
506288	2/22/2013	009078	LINCOLN EQUIPMENT INC SI205927	2/5/2013	POOL SUPPLIES	172.29	
			SI206309	2/11/2013	4 SPANNER WRENCH KEYS	80.17	252.46
506289	2/22/2013	014338	LIPKA, EDWARD ANTHONY SCLE-1301	1/16/2013	PROVIDE ELECTRICAL SAFE	2,000.00	2,000.00
506290	2/22/2013	006643	LIPPERT BUILDING COMPANY466	2/12/2013	MISC REPAIRS/CONSTRUCTI	585.00	
			467	2/12/2013	MISC REPAIRS/CONSTRUCTI	310.00	
			465	2/12/2013	PLAYGROUND MAINTENANC	300.00	
			464	2/12/2013	MISC REPAIRS/CONSTRUCTI	290.00	
			463	2/11/2013	PLAYGROUND MAINTENANC	105.00	1,590.00
506291	2/22/2013	015966	LLOYD PEST CONTROL 3688589	1/26/2013	LLOYD PEST CTRL - 910 NEG	80.00	80.00
506292	2/22/2013	007564	LOWE'S COMPANIES, INC. 10019	2/13/2013	PURCHASE ORDER FOR ALL	129.39	
			12183	2/7/2013	PURCHASE ORDER FOR ALL	58.04	
			25885	2/8/2013	PURCHASE ORDER FOR ALL	54.43	
			24631	2/11/2013	PURCHASE ORDER FOR ALL	51.21	
			10895	1/28/2013	PURCHASE ORDER FOR ALL	37.22	
			27282	2/7/2013	PURCHASE ORDER FOR ALL	32.77	
			12315	1/24/2013	PURCHASE ORDER FOR ALL	30.47	
			25614	2/12/2013	PURCHASE ORDER FOR ALL	18.09	
			25532	2/6/2013	PURCHASE ORDER FOR ALL	16.60	
			25935	1/28/2013	PURCHASE ORDER FOR ALL	11.49	
			25820	2/7/2013	PURCHASE ORDER FOR ALL	7.04	
			09343	1/30/2013	PURCHASE ORDER FOR ALL	3.33	
			16156	2/14/2013	PURCHASE ORDER FOR ALL	-124.02	326.06
506293	2/22/2013	010938	MARIS IMAGING SOLUTIONS, 2013-3224	2/12/2013	PURCHASE ORDER FOR ALL	2,884.00	
			2013-3227	2/8/2013	PURCHASE ORDER FOR ALL	1,880.59	
			2013-3228	2/8/2013	PURCHASE ORDER FOR ALL	849.42	
			2013-3233	2/8/2013	PURCHASE ORDER FOR ALL	325.99	
			2013-3223	2/11/2013	PURCHASE ORDER FOR ALL	75.32	6,015.32
506294	2/22/2013	012772	MBF CONSULTING, INC. 900-590	1/15/2013	BLANKET/ENG. CONSULTATI	6,540.00	6,540.00
506295	2/22/2013	022450	MCCOOK TRUST, ANSON B12-1417	9/19/2012	REFUND OF WMP FEE	500.00	500.00
506296	2/22/2013	020438	MERDA, BRAD 2722	2/7/2013	ADULT SOFTBALL LEAGUE O	90.00	90.00
506297	2/22/2013	017307	MISSION MOTORSPORTS INC118218	2/11/2013	2011 HONDA VIN#00191 24K 5	670.31	670.31
506298	2/22/2013	022437	MOSER, MEGAN 1326820	2/6/2013	REFUND OF CLASS	50.00	50.00

Bank : city BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
506299	2/22/2013	004185	MUTUAL LIQUID GAS & EQUIF111176	1/17/2013	PROPANE PURCHASES	974.41		
			112221	1/28/2013	PROPANE PURCHASES	613.19		
			112598	1/31/2013	PROPANE PURCHASES	526.36	2,113.96	
506300	2/22/2013	019378	N. COUNTY'S HOUSE MOTOR4642991	2/7/2013	VIN00263 44K SERVICE	487.13	487.13	
506301	2/22/2013	003762	NATIONAL CONST RENTALS, I3574366	1/2/2013	FENCE RENTAL	16.20	16.20	
506302	2/22/2013	020020	NOBLE AMERICAS ENERGY S13044000281176	2/13/2013	ELECTRICITY A/C #281218	35,175.27		
			13044000281177	2/13/2013	ELECTRICITY A/C #271426	7,865.74		
			13044000281176	2/13/2013	ELECTRICITY A/C #281219	5,584.04		
			13044000281177	2/13/2013	ELECTRICITY A/C #281212	4,514.09		
			13044000281177	2/13/2013	ELECTRICITY A/C #281215	1,657.02		
			13044000281176	2/13/2013	ELECTRICITY A/C #281217	495.64		
			13044000281177	2/13/2013	ELECTRICITY A/C #281211	231.86		
			13044000281176	2/13/2013	ELECTRICITY A/C #281216	150.82		
			13044000281177	2/13/2013	ELECTRICITY A/C #281213	134.38	55,808.86	
506303	2/22/2013	016681	NORCO DELIVERY SERVICES466975	1/31/2013	DELIVERY	18.97	18.97	
506304	2/22/2013	022488	OC SHERIFF'S RESERVE BUR0910	2/12/2013	LANYARDS	90.00	90.00	
506305	2/22/2013	019813	OCEAN SYSTEMS	PF120009835	2/14/2013	OCEANS SYSTEMS FLASH DI	908.00	908.00
506306	2/22/2013	001207	OFFICE DEPOT	642131124001	2/6/2013	PURCHASE ORDER FOR ALL	86.39	
				643447952001	1/31/2013	PURCHASE ORDER FOR ALL	85.32	
				643385440001	2/4/2013	PURCHASE ORDER FOR ALL	77.25	
				643656856001	2/4/2013	PURCHASE ORDER FOR ALL	76.96	
				643175295001	1/25/2013	PURCHASE ORDER FOR ALL	73.43	
				643223018001	2/1/2013	PURCHASE ORDER FOR ALL	57.20	
				643109172001	1/29/2013	PURCHASE ORDER FOR ALL	48.59	
				643446893001	1/31/2013	COPY AND PRINTER PAPER F	44.66	
				1546400388	1/25/2013	PURCHASE ORDER FOR ALL	32.45	
				643481651001	1/31/2013	PURCHASE ORDER FOR ALL	9.40	
				643656958001	2/1/2013	PURCHASE ORDER FOR ALL	6.78	
				642156614001	1/30/2013	PURCHASE ORDER FOR ALL	5.35	
				643481634001	1/31/2013	PURCHASE ORDER FOR ALL	0.85	
				643385439001	2/4/2013	PURCHASE ORDER FOR ALL	-48.59	556.04
506307	2/22/2013	021763	OFFICEMAX INCORPORATED299195	1/31/2013	SMALL TOOLS AND EQUIPME	59.19	59.19	
506308	2/22/2013	008563	ONESOURCE DISTRIBUTORSS3933348.001	1/29/2013	INTERLOCK	600.59		
			S3953031.001	2/7/2013	POSITION SELECTOR SWITC	28.67	629.26	
506309	2/22/2013	001098	ORANGE COUNTY AUDITOR (W1302065257	2/6/2013	BIO SOLIDS DISPOSAL AT OC	6,209.16	6,209.16	

Bank : city BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
506310	2/22/2013	003198	ORANGE COUNTY TRANSP AIAR135012	2/6/2013	RENTAL OF LAND OCTA ROM	78.00	78.00
506311	2/22/2013	001086	ORANGE COUNTY TREAS/TAJAN13	1/31/2013	PARKING VIOLATION SURCH.	11,867.00	11,867.00
506312	2/22/2013	019277	ORIGINAL WATERMEN 21568	2/13/2013	WHISTLES	84.39	84.39
506313	2/22/2013	022441	ORTIZ, CECILIA 1324851	2/4/2013	SECURITY DEPOSIT REFUNC	50.00	50.00
506314	2/22/2013	020153	PACIFIC ADVANCED CIVIL EN94168	12/31/2012	C12-11/PN 12201/WTR REC P	7,750.00	
			94169	12/31/2012	C12-40/PN 29203 & 10203/MAI	7,217.23	
			94172	12/31/2012	C12-11/PN 12201/WTR REC P	2,168.86	
			94170	12/31/2012	C11-3/PN 10204/WTR RECL P	1,350.00	18,486.09
506315	2/22/2013	007173	PACIFIC PARKING SYSTEMS I12034	1/30/2013	PARKING MAINT. SUPPLIES	426.60	426.60
506316	2/22/2013	017068	PAQUETTE DEPUTY INSPECT5905	1/8/2013	EPOXY FINAL	780.00	780.00
506317	2/22/2013	004101	PARENT PROJECT, INC 5500	2/6/2013	PARENT PROJECT BROCHUF	960.00	960.00
506318	2/22/2013	015190	PAYFLEX SYSTEMS, USA Ben2361134	2/22/2013	SEC 125 MEDICAL: Payment	4,930.47	4,930.47
506319	2/22/2013	002670	PETTY CASH 021213	2/12/2013	REPLENISH PETTY CASH	103.37	103.37
506320	2/22/2013	002728	PETTY CASH 021213ADV	2/12/2013	CASH ADVANCE FOR TICKET	1,000.00	1,000.00
506321	2/22/2013	008613	POLYDYNE, INC 779261	1/24/2013	CLARIFLOC POLYMER & ALU	8,346.24	8,346.24
506322	2/22/2013	021450	PYRO-COMM SYSTEMS INC 24495	2/1/2013	FIRE ALARM MONITORING	135.00	135.00
506323	2/22/2013	003033	RALPHS GROCERY CO 084900	12/20/2012	SUPPLIES	44.74	
			043217	2/11/2013	SUPPLIES	29.65	
			043072	2/11/2013	SUPPLIES	24.24	
			078339	2/5/2013	SUPPLIES	20.58	
			043313	2/11/2013	SUPPLIES	9.36	128.57
506324	2/22/2013	022447	REBISZ, CHARLES B13-0026	1/7/2013	REFUND OF WMP FEE	250.00	250.00
506325	2/22/2013	000685	RECALL SECURE DEST SVCS9141086470	1/26/2013	SHREDDING SERVICES	480.20	480.20
506326	2/22/2013	000308	REFRIGERATION SUPPLIES D50120815	1/29/2013	CUST #32970	341.70	
			50118481-00	12/3/2012	CUST #32970	73.58	415.28
506327	2/22/2013	004049	REGISTER, INC 0091344002	1/31/2013	A/C #0091344002	782.10	782.10
506328	2/22/2013	004049	REGISTER, INC 0084032001	1/31/2013	A/C #0084032001	666.60	666.60
506329	2/22/2013	004049	REGISTER, INC 0002344005	1/31/2013	A/C #0002344005	122.10	122.10
506330	2/22/2013	000067	RINCON TRUCK PARTS & REF248099	2/5/2013	COOLANT	192.72	192.72
506331	2/22/2013	000207	RODRIGUEZ, RICHARD R 120-710-13	2/15/2013	TREE MAINTENANCE CONTR	20,885.37	20,885.37
506332	2/22/2013	004166	ROHAN & SONS INC 71382	2/4/2013	MONTHLY MAINTENANCE	268.00	268.00
506333	2/22/2013	006852	ROOTX FOAMING ROOT CON38042	2/1/2013	ROOTX CASES	2,255.37	2,255.37
506334	2/22/2013	022486	RUSSELL, NICHOLAS 213	2/13/2013	ADULT SOCCER OFFICIAL	90.00	90.00

Bank : city BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
506335	2/22/2013	000347	RUTAN & TUCKER, INC.	654772	1/29/2013	ADV JAMES GOODE	2,465.25
				654759	1/29/2013	PLANNING	1,305.30
				654757	1/29/2013	CITY CLERK	549.60
				654764	1/29/2013	RDA	68.70
							4,388.85
506336	2/22/2013	022448	SACHER, JORDAN	B12-1941	2/4/2013	REFUND OF WMP FEE	500.00
506337	2/22/2013	021452	SAN CLEMENTE AQUATICS	021313	2/13/2013	CONTRACT INSTRUCTOR PA	2,261.90
506338	2/22/2013	000635	SAN CLEMENTE CITY EMPLO	Ben2361138	2/22/2013	DUES - SCCEA: Payment	1,356.00
506339	2/22/2013	000768	SAN CLEMENTE CITY WATER	020813	2/8/2013	WATER SERVICE	31,818.95
506340	2/22/2013	008304	SAN CLEMENTE HIGH SCHOC	852	2/11/2013	DRAMA BOOSTER SUPPLIES	300.00
506341	2/22/2013	008656	SAN CLEMENTE, CITY OF	9310	2/6/2013	BANNER FEE BLUE RIBBON	367.00
506342	2/22/2013	019067	SHERREITT, KATIE	1325078	2/4/2013	REFUND OF CLASS	450.00
506343	2/22/2013	022218	SIPES, KEN	2012-13	2/11/2013	MILEAGE REIMBURSEMENT	82.19
506344	2/22/2013	002431	SMART & FINAL IRIS, INC.	177500	1/27/2013	ACCT #60124600010399088	29.46
506345	2/22/2013	021510	SOLID WASTE ASSOC OF NO	2014-75225	2/5/2013	MEMBERSHIP DUES - D. MCII	264.00
506346	2/22/2013	002755	SOUTH COAST DISTRIBUTIN	169531	2/5/2013	SUPPLIES	306.45
				169723	2/11/2013	SUPPLIES	23.54
							329.99
506347	2/22/2013	001970	SOUTH COAST LIGHTING & D	1004765	2/1/2013	FINIALS & BASES FOR WAY F	4,751.78
506348	2/22/2013	012848	SOUTH COAST PRINTERCARI	117123	2/12/2013	TONER CARTRIDGE	689.04
506349	2/22/2013	016127	SPORTS FIELD SPECIALTIES	112	2/11/2013	MISC SUPPLY PURCHASES	344.98
506350	2/22/2013	022477	STABILE, ANDREA	1325505	2/5/2013	REFUND OF CLASS	24.00
506351	2/22/2013	001969	STAPLES ADVANTAGE	115542109	1/11/2013	PURCHASE ORDER FOR ALL	342.73
				3190816236	1/24/2013	PURCHASE ORDER FOR ALL	137.14
				3191239507	1/30/2013	PURCHASE ORDER FOR ALL	2.65
							482.52
506352	2/22/2013	003615	STAPLES CREDIT PLAN	54606	2/7/2013	A/C 6035517820753365	168.44
				53024	1/24/2013	A/C 6035517820753365	59.38
							227.82
506353	2/22/2013	009898	STEINY AND COMPANY, INC	4376-004R	10/31/2012	C12-08/PN 12334,12335/TRAF	27,841.10
506354	2/22/2013	019220	THE ADVANTAGE GROUP	74170	1/31/2013	COBRA ADMINISTRATION	162.90
506355	2/22/2013	007435	THE PLANNING CENTER-OCA	20130213-CSL	2/13/2013	GENERAL PLAN UPDATE	75,000.00
506356	2/22/2013	000096	THE TRAINING NETWORK INC	IN-9984	2/11/2013	TRAINING VIDEOS	614.95
506357	2/22/2013	006409	THOMPSON INDUSTRIAL SUP	102537	2/1/2013	FREIGHT CHARGE	152.10
506358	2/22/2013	014025	TORO NSN	020113	2/1/2013	TORO NSN	184.00
506359	2/22/2013	017271	TRIPLE CROWN SPORTS	1324043	2/4/2013	REFUND OF RENT	2,660.00

Bank : city BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
506360	2/22/2013	001239	TRUGREEN LANDCARE COMI7450178	1/31/2013	PARKS MAINTENANCE CONT	57,910.00		
			7450179	1/31/2013	LANDSCAPE MAINT AVH SPO	20,019.00		
			7450177	1/31/2013	STREETSCAPE MAINTENANC	12,883.60		
			7450175	1/31/2013	BEACH MAINTENANCE CONT	7,921.00		
			7450176	1/31/2013	RESTROOM MAINTENANCE (7,346.50		
			7464407	1/31/2013	PARKS MAINTENANCE CONT	4,185.00		
			7450180	1/31/2013	RESTROOM MAINT AVH SPOI	3,552.00		
			7464406	1/31/2013	STREETSCAPE MAINTENANC	1,665.00		
			7463413	1/29/2013	PARKS MAINTENANCE CONT	1,050.00		
			7450182	1/31/2013	STREETSCAPE MAINTENANC	866.67		
			7449949	1/17/2013	PARKS MAINTENANCE CONT	575.00		
			7464408	1/31/2013	LANDSCAPE MAINT AVH SPO	360.00		
			7450181	1/31/2013	NEGOCIO LANDSCAPE MAIN	344.40		
			7454803	1/22/2013	PARKS MAINTENANCE CONT	300.00	118,978.17	
506361	2/22/2013	000976	TURBO DATA, INC	19809	1/31/2013	CITATION PROCESSING	3,158.80	
				19810	1/31/2013	ADMIN CITATION PROCESSIN	67.01	3,225.81
506362	2/22/2013	022482	USA WATER POLO	021313	2/13/2013	CLUB APPLICATION - SPLASH	245.00	245.00
506363	2/22/2013	017047	VA CONSULTING INC	31004	1/18/2013	PSA/ PN 18005 AVE COLUMB	2,962.81	2,962.81
506364	2/22/2013	022266	VALMONT INDUSTRIES	CD2025715	12/10/2012	POLES FOR WAY FINDING SI	4,606.31	4,606.31
506365	2/22/2013	000351	VENTEK INTERNATIONAL	28155	2/1/2013	SERVER/CELLULAR ANNUAL	2,700.00	2,700.00
506366	2/22/2013	016070	VISTA DEL VERDE LANDSCAP	19923	2/1/2013	LANDSCAPE MAINT. OF CITY	1,478.25	1,478.25
506367	2/22/2013	003374	VULCAN MATERIALS COMPAN	275866	2/6/2013	VULCAN - ST. MATERIALS - F	113.41	113.41
506368	2/22/2013	008950	WAIZINGER, JOHN	MAINTFEB-2013	1/31/2013	PACIFIC SVCS - MAINT SVCS	222.48	222.48
506369	2/22/2013	009980	WATABE, HARUKO	020813	2/8/2013	INSTRUCTOR PAYMENT	325.50	325.50
506370	2/22/2013	003356	WATERLINE TECHNOLOGIES	5228872	2/8/2013	CHLORINE FOR AQUATIC CE	477.64	
				5227741	1/28/2013	CHLORINE FOR AQUATIC CE	447.31	
				5228320	2/1/2013	CHLORINE FOR AQUATIC CE	363.92	
				5227804	1/28/2013	POOL SUPPLIES	283.05	
				5226322	1/4/2013	CHLORINE FOR AQUATIC CE	255.25	
				5226321	1/4/2013	CHLORINE FOR AQUATIC CE	73.66	
				5226320	1/4/2013	CHLORINE FOR AQUATIC CE	61.56	
				5227903	1/29/2013	POOL SUPPLIES	41.17	
				5228319	2/1/2013	CHLORINE FOR AQUATIC CE	41.17	
				5228188	1/31/2013	POOL SUPPLIES	34.47	2,079.20

Bank : city BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
506371	2/22/2013	005046	WELLS PIPELINE MATERIALS INV000037502	1/15/2013	MISC SERVICE PARTS FOR V	2,585.52	
			INV000037503	1/15/2013	MISC SERVICE PARTS FOR V	166.32	2,751.84
506372	2/22/2013	013892	WESTERN OIL SPREADING S'48074	1/28/2013	EMULSION	217.57	217.57
506373	2/22/2013	019919	WESTERN SURFING ASSOC 1325962	2/5/2013	SECURITY DEPOSIT REFUND	100.00	100.00
506374	2/22/2013	000677	WIND & SHADE SCREENS, IN10228	2/5/2013	BLACK POLYPROPYLENE SC	2,088.80	2,088.80
506375	2/22/2013	022445	WINN, CAROLINE 1325814	2/5/2013	REFUND OF CLASS	25.00	25.00
506376	2/22/2013	003857	ZEE MEDICAL SERVICE CO RI42092655	2/7/2013	FIRST AID SUPPLIES	198.85	
			42092656	2/7/2013	FIRST AID SUPPLIES	150.42	
			42092654	2/7/2013	FIRST AID SUPPLIES	94.44	443.71
506377	2/22/2013	000566	ZUMAR INDUSTRIES, INC 0143237	1/29/2013	ZUMAR - STRT./TRAFFIC SIG	1,941.25	
			0143236	1/29/2013	ZUMAR - STRT./TRAFFIC SIG	753.02	2,694.27
Sub total for BANK OF THE WEST:							1,046,381.97

176 checks in this report.

Grand Total All Checks: 1,046,381.97



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

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

Department: Public Works / Engineering Division *JB*
Prepared By: Jane Mrotek, Assistant Engineer

Subject: PARKING PROHIBITIONS ON EL CAMINO REAL.

Summary: North El Camino Real at East Escalones

Staff received requests from the business merchants in the 700 block of N. El Camino Real to relocate an existing bus stop located in front of 713 N. El Camino Real (Bamboo & Beyond shop) to west of E. Escalones at 801 N. El Camino Real (Rite-Aid's parking lot). The shop owners feel that relocation of the bus stop would eliminate the exhaust fumes from the buses, provide additional parking and enhance the shopping atmosphere in the area. Staff has inspected the site and agreed that the relocation of the bus stop will be beneficial to both the adjacent businesses and traffic circulation in the area.

In order to safely move the buses to the proposed bus stop, staff recommends prohibiting parking for 100' on the northeast side of North El Camino Real north of the curb ramp on East Escalones. The prohibition of parking for 100' will result in the loss of 5 parking spaces in front of Rite-Aid's parking lot. Relocating the bus stop will add 33' of parking or about 2 parking spaces. The net loss of parking spaces in the area is approximately 3 parking spaces. Staff has discussed this proposed action with the adjacent businesses, Bamboo & Beyond, Rite-Aid and OCTA, and they have concurred with staff's recommendation.

South El Camino Real at Avenida Mateo

Staff received a report from police services which states that having a car parked in front of at 512 El Camino Real (El Camino Automotive) impedes traffic movement on the southbound right lane. Currently, parking is allowed on certain portions of South El Camino Real between Avenida Mateo and Avenida Algodon. Staff has reviewed the area of concern and concurred with the police that the southbound lane width at this street segment is too narrow to allow parking. Upon review of the site, staff felt that it was necessary to eliminate the existing traffic hazard immediately and painted the curb red at that time. Per Section 10.28.040 of the City Municipal Code, the City Traffic Engineer is authorized to prohibit parking in any area that would constitute a traffic hazard or would endanger life or property. Staff recommends that the City Council concur with staff's decision and approve the red curb/no-parking zone in front of 512 El Camino Real.

At its regular February 6, 2013 meeting, The Planning Commission unanimously approve staff's recommendation as described herein.

A notice of intention to consider the installation of a no-parking zone was sent to all adjacent property owners and businesses located within the subject locations.

Recommended

Action:

PLANNING COMMISSION AND STAFF RECOMMEND THAT THE CITY COUNCIL:

1. Approve prohibiting parking on the northeast side of North El Camino Real, from East Escalones curb return in a northwesterly direction for a distance of one-hundred (100) feet;
2. Approve prohibiting parking on the west side of South El Camino Real between Avenida Mateo and Avenida Algodon; and
3. Adopt Resolution No. _____, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING MASTER TRAFFIC RESOLUTION NO. 1846, MODIFYING 'NO PARKING AREAS' ON EL CAMINO REAL."

Fiscal Impact: None.

Attachments: Location Maps
Resolution

Notification: No.

WEST CANADA

EAST CANADA

824

2-HOUR & 30-MINUTE PARKING ZONE

118'

801 Rite Aid Parking Lot

810

808

100' PROPOSED NO-PARKING ZONE FOR NEW BUS STOP

806

20'

WEST ESCALONES

EAST ESCALONES

LEGEND:



- OCTA BUS STOP



- EXISTING RED CURB / NO-PARKING ZONE



- EXISTING 2-HOUR & 30-MINUTE PARKING



- EXISTING NO-PARKING ZONE TO BE CONVERTED TO 2-HOUR & 30-MINUTE PARKING



- PROPOSED NO-PARKING ZONE FOR BUS STOP

724

10' Auto Zone

EXISTING BUS STOP TO BE RELOCATED TO 801 EL CAMINO REAL (RITE-AID).

717

54'

713

33'

Bamboo & Beyond shop

710

94' Bikram Yoga

711

Hair Salon

WEST MARIPOSA

707

Scooter Shop

Sunrise Cafe

100

EAST MARIPOSA

621



CITY OF SAN CLEMENTE

910 Calle Negocio, Suite 100

San Clemente, CA 92673

Tel (949) 361-6100

Fax (949) 361-8316

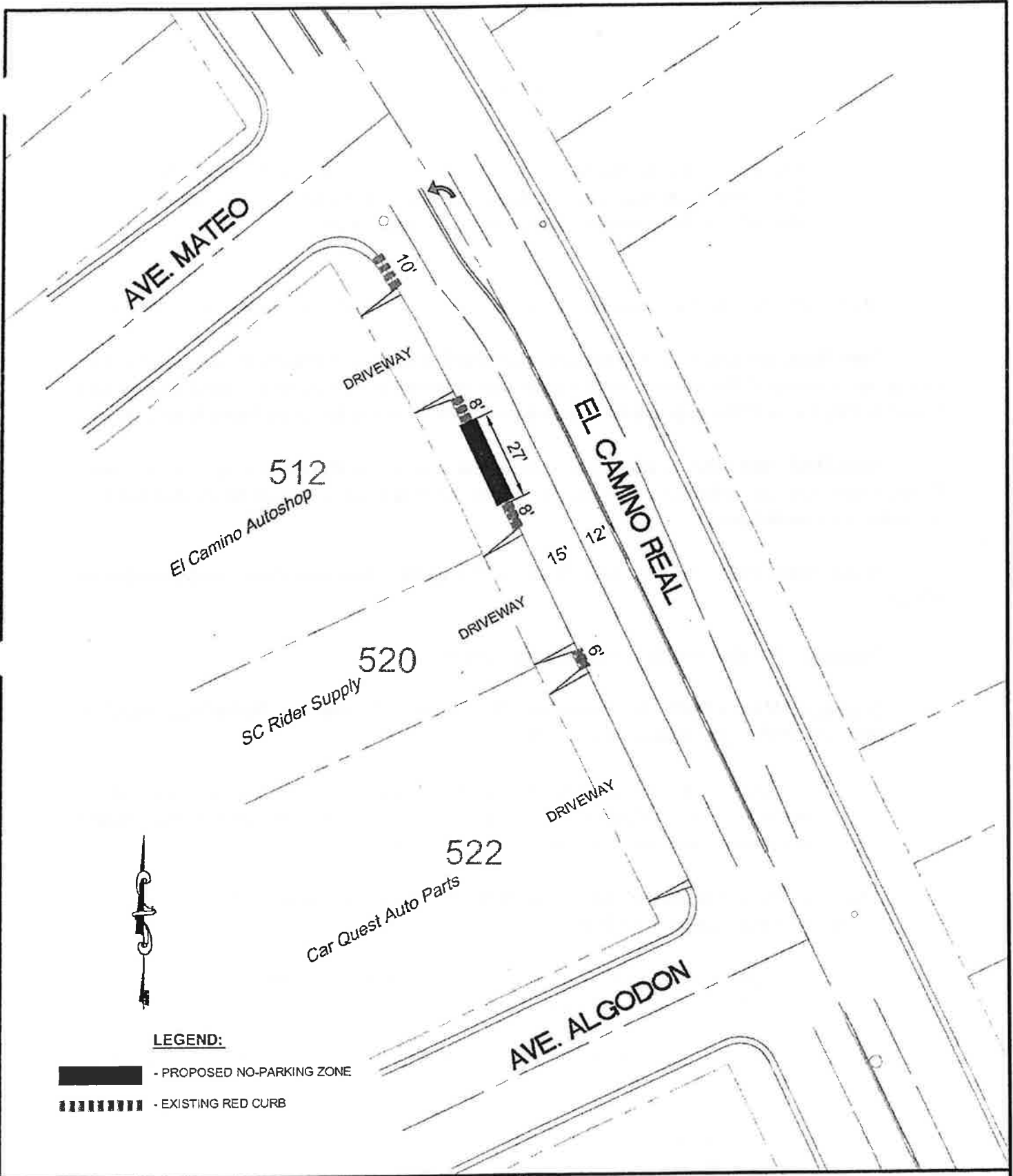
LOCATION MAP

PROPOSED PARKING PROHIBITION FOR BUS STOP RELOCATION AT 713 EL CAMINO REAL



\\autocad engr drawings\traffic\2013\ecr parking mod.dwg

\\cd\graphic

611-4



LEGEND:

-  - PROPOSED NO-PARKING ZONE
-  - EXISTING RED CURB



CITY OF SAN CLEMENTE
 910 Calle Negocio, Suite 100
 San Clemente, CA 92673
 Tel (949) 361-6100
 Fax (949) 361-8316

LOCATION MAP

PROPOSED PARKING PROHIBITION
 AT 512 EI CAMINO REAL

6D-5

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE,
CALIFORNIA, AMENDING MASTER TRAFFIC RESOLUTION NO. 1846,
MODIFYING 'NO PARKING AREAS' ON EL CAMINO REAL**

WHEREAS, the City reviews various locations to improve safety and traffic conditions; and

WHEREAS, the City of San Clemente Planning Commission ("Planning Commission"), at its regular meeting of February 6, 2013 made a recommendation to City of San Clemente City Council ("City Council") to approve the parking prohibitions at the locations listed below; and

WHEREAS, the City Council has considered the recommendation by the Planning Commission, and the information provided by City staff and now wishes to implement the recommended prohibitions.

NOW, THEREFORE, The City Council of the City of San Clemente does hereby resolve as follows:

Section 1. The above recitals are true and correct.

Section 2. Master Traffic Resolution No. 1846, Section 23, entitled "No Parking Areas", is hereby modifying the following subsection:

23.e-25 El Camino Real, North, northeast side, north of the crosswalk at its intersection with Mariposa adjacent to 707 North El Camino Real in a northerly direction for a distance of ninety-four (94) feet.

Section 3. Master Traffic Resolution No. 1846, Section 23, entitled "No Parking Areas", is hereby adding the following subsections:

23.e-25a El Camino Real, North, northeast side, from East Escalones curb return, in a northwesterly direction for a distance of one-hundred (100) feet.

23.e-93a El Camino Real, South, west side, between Avenida Mateo and Avenida Algodon.

Section 4. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

6D-6

PASSED AND ADOPTED this ____ day of _____, _____.

ATTEST:

City Clerk of the City of
San Clemente, California

Mayor 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:

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



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

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

Department: Public Works / Maintenance Services Division
Prepared By: David Dendel, Maintenance Services Manager

Subject: REQUEST TO AUTHORIZE A LIMITED TERM, BENEFITED POSITION.

Summary: Staff is requesting that the City Council authorize a limited term, benefited position to fill a temporary vacancy within the Maintenance Services Division. The temporary vacancy of a Senior Facilities Maintenance position is due to an employee who has been out because of an extended illness. The illness involves a long-term recovery and the physician has prescribed that the employee remains off work until October 2013.

A part time employee has been hired to "fill the gap" during this time period. This part time individual has proven to be an excellent employee. We wish to encourage him to stay with our City team while we monitor the progress of the employee that is recovering from illness. The temporary employee is currently being paid a non-benefited hourly rate. Staff recommends converting this appointment to a limited term, benefited position.

Staff has conferred with Human Resources, Finance and with the Public Works Director regarding this subject. It has been collectively agreed that this is the best approach to retain this employee to continue providing quality facilities maintenance services.

The additional cost per pay period is approximately \$670. Between now and October this would equate to approximately \$12,000 additional cost above what has been budgeted for this position.

Recommended

Action: STAFF RECOMMENDS THAT the City Council authorize a limited term, benefit position (Senior Facilities Maintenance Specialist) from March 2013 through October 2013.

Fiscal Impact: Yes. The recommended action will result in an additional General Fund cost of about \$12,000.

Attachments: None.

Notification: None.

Engineering\Admin\2013 Admin\03-05-2013\03-05-13-2r.docx



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

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

Department: Public Works / Maintenance Division [Signature]
Prepared By: David Dendel, Maintenance Services Manager

Subject: **ACCEPTANCE AND NOTICE OF COMPLETION OF COMMUNITY CENTER HVAC MAINTENANCE REHABILITATION, PROJECT No. 11546.**

Summary: The subject contract was awarded to True Air Mechanical, Inc., at the March 6, 2012 City Council meeting. In addition, the project included replacement of second story windows with energy efficient units (this work was completed by a separate contractor). The project was completed at a total cost of \$234,338.99, slightly under the approved project budget of \$235,941.00. City staff was able to successfully apply about \$173,700 in Federal EECBG grant funds to cover most (74%) of the project cost.

- Recommended Action:** STAFF RECOMMENDS THAT the City Council:
1. Accept the "Community Center HVAC Maintenance Rehabilitation, Project No. 11546", from the Contractor, True Air Mechanical, Inc.;
 2. Authorize the Mayor to execute and City Clerk to record the Notice of Completion for the "Community Center HVAC Maintenance Rehabilitation, Project No. 11546";
 3. Authorize the City Clerk to release the Payment Bond 35 days from the recordation of the Notice of Completion upon verification with the Maintenance Division that no liens have been levied against True Air Mechanical, 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.

Fiscal Impact: Yes. While the final project cost is within the budgeted amount, the application of Federal grant funds reduced the use of City funds to about \$60,600, much less than originally planned.

Attachments: Notice of Completion.

Notification: None.

6-F-1

<p>Exempt recording requested by the City of San Clemente per Gov. Code Sec. 6103</p> <p>_____ City Clerk</p> <p>When Recorded Mail To:</p> <p>City Clerk City of San Clemente 100 Avenida Presidio San Clemente, CA 92672</p>	
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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: **Community Center HVAC Maintenance Rehabilitation,
City Project No. 11546**

Date of completion: **January 30, 2013**

Name of owner: **City of San Clemente**

Interest or estate of owner: **Fee**

Address of Owner: **100 Avenida Presidio, San Clemente, CA 92672**

Name of contractor: **True Air Mechanical, Inc.**

Street address or legal description of site: **100 North Calle Seville, San Clemente, CA 92672**

Dated: _____

Owner: City of San Clemente

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

Mayor _____

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 _____, _____

6 F-2



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

Agenda Item 7-A
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**

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 erected the story poles and submitted the required certification on February 5, 2013. Ordinance 17.12.060 requires the poles to be in place a minimum of 14 days prior to the public hearing. Wind damage on February 19, 2013 caused the poles to fall down. Since this was 15 days after the poles had been erected, and due to safety concerns for the residents living on-site, and based upon advice from the City Attorney, staff directed the applicant to not re-install the poles. Per the City Attorney, the ordinance requirements have been met. Photographs of the poles erected on-site are included as Attachment 8.

After the story poles were erected the project returned to the Planning Commission for their consideration. On February 20, 2013, the Planning Commission unanimously

7A1

recommended approval of the project to the City Council, noting that the project met all the development standards, was an outstanding architectural design that did not maximize the development envelope, and complied with the goals and policies of the General Plan. A copy of the staff report is provided under Attachment 2.

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):			

7A-2

Standard	Code Requirements	Proposed Site Plan	Complies with Code Requirements
<ul style="list-style-type: none"> • Front • Side Yard • Rear Yard/ Canyon Edge 	<p>10 feet</p> <p>5 feet</p> <p>15 feet</p>	<p>10 feet</p> <p>5 feet</p> <p>15 feet</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
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 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.

7A-3

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 purposing one unit per 2,427 square feet. The last two recent developments approved and constructed in the neighborhood are located at 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.

7A5

Policies and Objectives	Consistency Finding
<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.

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. 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 historical 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:

PLANNING COMMISSION RECOMMENDS THAT the City Council approve CUP 12-270 and CHP 12-271, Reef Pointe Villas, subject to the attached findings and conditions of approval provided under Exhibit A of Attachment 1.

Fiscal Impact:

None

Attachments:

1. Resolution____
 - A. Conditions of Approval
2. Location Map
3. Planning Commission Staff Report of February 20, 2013 (Story Poles)
4. Planning Commission Staff Report of December 19, 2012
5. Story Pole Interpretation Report
6. Historic Resources Reports
7. Photographs of site
8. Photographs of story poles
9. Colored Elevation

Notification:

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

ATTACHMENT 1

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 continued the item to the regularly scheduled meeting of March 5, 2013 and requested the item return to the Planning Commission for their recommendation as requested by the applicant; and

WHEREAS, on February 20, 2013, 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 recommended approved to the City Council of the proposed project; and

7A-8

WHEREAS, on March 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 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.

7A-9

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.
- 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.

7A-10

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

ATTEST:

CITY CLERK of the City of
San Clemente, California

7A-11

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

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-13

- 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-14

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.]* (Plng.)_____

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-15

- 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.)_____

7A-16

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.

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-18

- 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.)_____

- 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)_____

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-21



STAFF REPORT
SAN CLEMENTE PLANNING COMMISSION

Date: February 20, 2013

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.

BACKGROUND

On December 19, 2012, the Planning Commission reviewed and unanimously approved the Reef Pointe Villas project. At the January 22, 2013 City Council meeting, the City Council called the item up and directed staff to work with the applicant to erect story poles to comply with zoning code requirements. The City Council scheduled the project for review at the City Council meeting of February 5, 2013. On February 5, 2013, the applicant provided a certified posting that story poles were erected to show the maximum height of the development at the project site. At the City Council meeting on February 5th, the applicant requested the project be returned to Planning Commission on February 20, 2013. City Council then continued the item to March 2, 2013 so they have the benefit of the Planning Commission's recommendation prior to their public hearing.

The project has not changed since the Planning Commission's review on December 19, 2012, and the conditions of approval are the same. The December 19, 2012 Planning Commission Staff Report in its entirety, including all attachments, have been included as Attachment 4 for your review.

ANALYSIS

Story Poles were erected onsite on February 5, 2013. Staff received a Story Pole Certification stamped by a licensed Land Surveyor also on February 5th (attachment 3). Staff has reviewed the poles and found that the structure is not blocking or impacting any public view corridor. When looking at the poles in the field, the height of the project is consistent with the surrounding development and is below the maximum height allowed in the zoning designation by one story. The Story Poles depict the tallest portion of the structure as well as the eave of the building at the top floor. The following are images of the Story Poles onsite:

7A-23



Image 1: View of the project site from the top of Arenoso Lane.



Image 2: View of the project site from the end of Arenoso Lane.



Image 3: View of the project site from Linda Lane Park. The highest point of the proposed structure is consistent with the two neighboring properties.

RECOMMENDATION

STAFF RECOMMENDS THAT the Planning Commission recommend approval of 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. 13-009
Exhibit 1 - Conditions of Approval
2. Location Map
3. Story Pole Certification
4. Letter from member of the public
5. December 19, 2012 Planning Commission Staff Report
Attachment A: Original PC Resolution 12-037
Exhibit A: Conditions of Approval
Attachment B: Location Map
Attachment C: June 27, 2012 DRSC Report and Minutes
Attachment D: September 12, 2012 DRSC Report and Minutes
Attachment E: Historic Resource Report
Attachment F: Photographs
Attachment G: Colored Elevations

Plans

7A-25



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

7A-26

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.

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-28

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 risers, 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-29

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-30

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.31

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-3a

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.

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



Memorandum Community Development

January 10, 2013

To: George Scarborough, City Manger
 From: Jim Holloway, Community Development Director
 Subject: Story Poles for Residential Projects
 Copies: Jim Pechous, City Planner, Amber Gregg, Associate Planner

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 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.*

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 more than four units (since the adoption of the story pole requirement

section 17.12.060), that was also in the Architectural Overlay District. Story poles have not been utilized on projects within residential zones.

Based upon Planning and legal advice offered at the time, Planning Commission addressed Ms. Leon's comments and stated that story poles were only required for commercial or mixed use developments, and not residential developments. 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.

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. In addition 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. The City's list did not include the obligation to erect story poles. The Assistant City Attorney was concerned that requiring story poles prior to completion of the PC hearing would violate the applicants rights under the Permit Streamlining Act.

After the meeting, staff reviewed the entire section 17.24.110, Height limitations, and agreed that the language was somewhat ambiguous. However, upon closer examination and reflection, it appears the intent of the ordinance is to require story poles for any residential projects over four units (this is a five unit project), as well as mixed use or commercial developments, that are within the Architectural Overlay District.

Staff plans on taking an interpretation of the story pole requirements to Planning Commission at the regularly scheduled meeting of January 23, 2013. However, City Council may want to call up the project on January 22, 2013 based upon the minutes. If Planning Commission interprets that the Zoning Ordinance does require story poles on new residential developments of more than four units, three or more stories in height within the Architectural Overlay District, and if the Council calls up the project, staff will work with the applicant to have story poles erected prior to City Councils review of the project. If the City Council does not call up the project for review, the Planning Commission approval will stand.

Attachments

1. Section 17.24.110, Height Limitations of the Zoning Ordinance
2. December 19, 2012, Reef Pointe Villas Staff Report
3. December 19, 2012, Reef Point Villas Resolution (Draft)

7A-37

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 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 #: 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

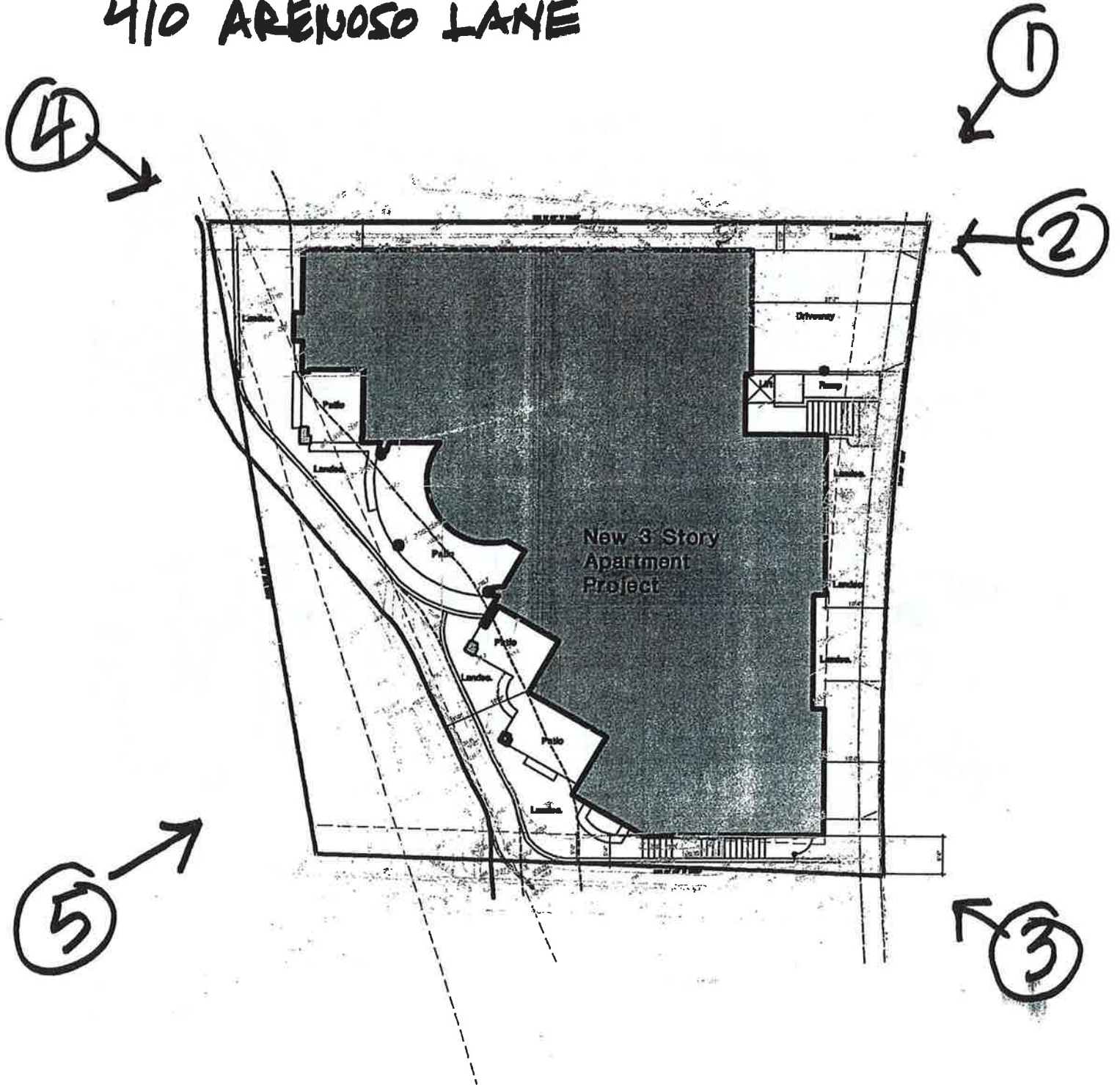
Photographs of the Subject Property:



REEF POINTE VI

ATTACHMENT 7

410 ARENOSO LANE

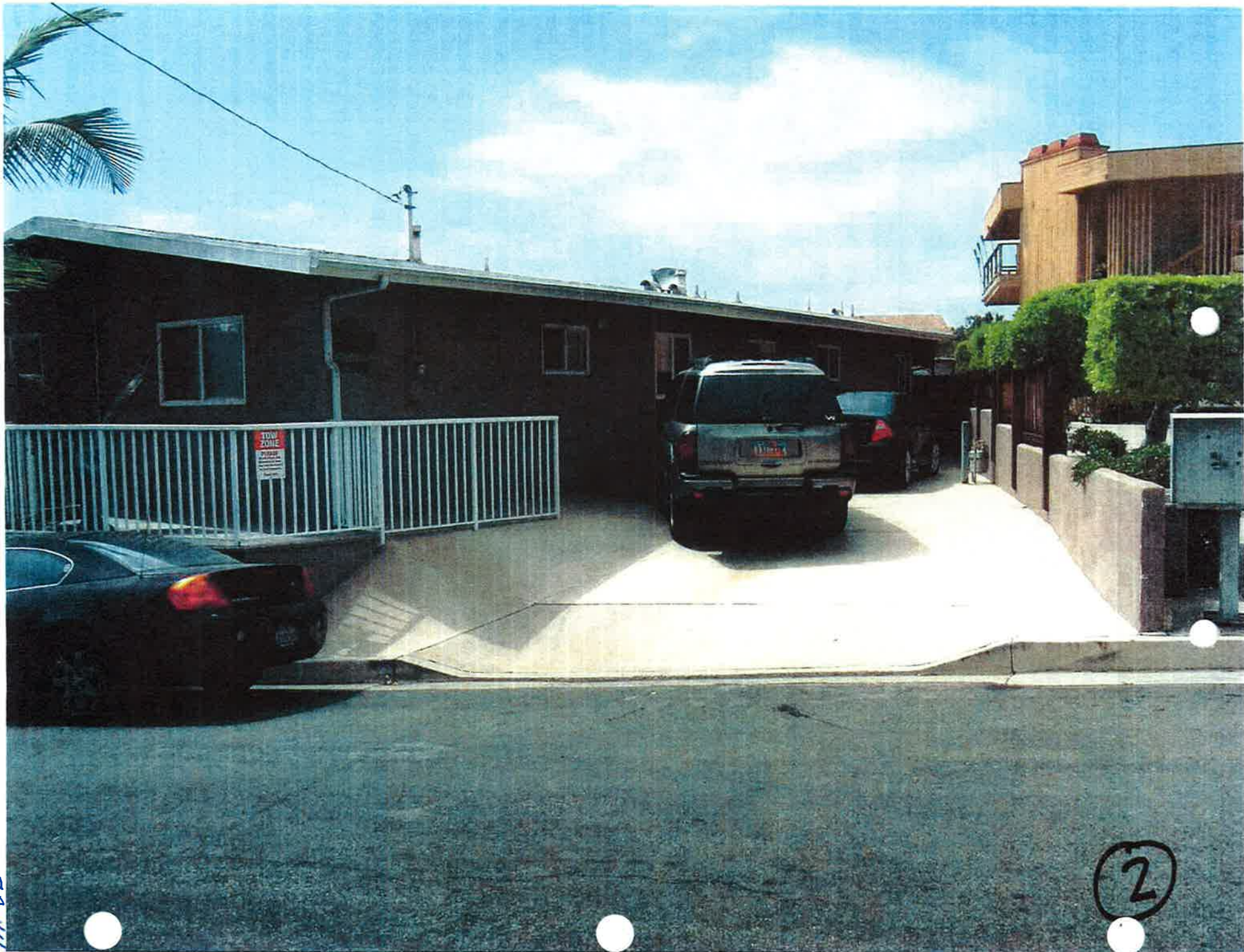


7A-42



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CR&R
INCORPORATED

environmental services

CLEANER SERVICE 800-274-7573

129





8/10



East Elevation

REEF POINT VILLAS
SAN CLEMENTE, CA

Michael Luna

7A-59



South Elevation

REEF POINT VILLAS
SAN CLEMENTE, CA

Michael Luna

7A-60



North Elevation

REEF POINT VILLAS
SAN CLEMENTE, CA

Michael Luna

MA-61



West Elevation

REEF POINT VILLAS
SAN CLEMENTE, CA

Michael Luna



& Associates, Inc.

7A-62



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

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

Department: City Manager
Prepared By: George Scarborough, City Manager
 Pall Gudgeirsson, Assistant City Manager [Signature]

Subject: ***APPOINTMENT OF JOE ANDERSON AS CITY TREASURER***

Summary: As a result of the City Manager's pending retirement on March 20, 2013 and the appointment of the current Assistant City Manager/City Treasurer as the new City Manager, a vacancy will occur in the elected City Treasurer position that Pall Gudgeirsson currently holds. Because of the appointment to City Manager, Pall will resign from his City Treasurer post, and the City Council may appoint his successor within 60 days of his resignation, or call a special election to fill the vacancy.

We are recommending that the Council appoint San Clemente resident and registered voter Joe Anderson to fill the vacancy. Mr. Anderson brings a considerable amount of experience, credibility, and knowledge to the position of City Treasurer. Mr. Anderson holds a Bachelor's Degree in Economics from Arizona State University and has held a Series 6 Securities License. He has forty years of business management experience with two large, successful companies (Mobil Oil Corporation and State Farm Insurance Companies). Mr. Anderson served sixteen years on the City Council, with twelve of those years as a member of the City's Investment Advisory Committee. While serving as a Council Member, he was also part of the California Joint Powers Insurance Authority Executive Board with oversight responsibility, including ensuring adherence to their Investment Policy, for an approximately \$150 million portfolio. Mr. Anderson was instrumental in designing the City's Investment Policy after the appointment of Pall to the City Treasurer position in 1994.

Mr. Anderson is well suited to fulfill the responsibilities of the City Treasurer position, which include chairing the City's Investment Advisory Committee, overseeing the annual review of the City's Investment Policy, providing administrative and professional leadership for the City Treasurer's Office, and providing effective oversight of municipal finances.

Recommended

Action: STAFF RECOMMENDS THAT the City Council:
 1) Effective March 21, 2013, appoint Mr. Joe Anderson as the City Treasurer to fulfill the remainder of the four-year term of office as the result of Pall Gudgeirsson's resignation.

Fiscal Impact: None. Funds are in the budget for the \$500/month stipend provided to the City Treasurer.

Attachments: Mr. Joe Anderson's resume
 Job duties of City Treasurer

JOE ANDERSON

SUMMARY OF BUDGETARY, INVESTMENT PORTFOLIO MANAGEMENT, AND OVERSIGHT EXPERIENCE AND QUALIFICATIONS.

CITY OF SAN CLEMENTE

Sixteen years on City Council
Twelve years as member of Investment Advisory Committee
Participated in development of City Investment Policy.

ORANGE COUNTY VECTOR CONTROL AGENCY

Sixteen years as board member representing City of San Clemente
Agency had annual budget of approx. \$11 million and invested reserves of approx. \$10 million.
Participated in development of Agency Investment Policy.
Served as Secretary in 2008, Vice President in 2009 and Board President in 2010.

CALIFORNIA JOINT POWERS INSURANCE AUTHORITY

Executive Board Member four years.
Agency had annual budget of approx. \$80 million and investment portfolio of approx. \$150 million.
Executive Board developed annual budget and oversaw invested portfolio for results and adherence to Investment Policy.

COMMUNITY

Past board member and President:
San Clemente Chamber of Commerce
Boys and Girls Club of South Coast Area
Mary Erichson Community Housing

PROFESSIONAL

Forty years business management experience:
Mobil Oil Corporation 11 years; State Farm Insurance Companies 29 years.
In my capacity as Agency Field Executive with State Farm I had management responsibility for market area that developed in excess of \$100 million in annual premium revenue.

EDUCATION

Arizona State University – B.S. Economics
American College – CLU, Chartered Life Underwriter – completed 10 college level courses in Investments, Estate Planning, and Life Insurance
Held State of California licenses for Fire and Casualty and Life and Health Insurance.
Series 6 Securities License.

HB(1)-2

CITY OF SAN CLEMENTE

CITY TREASURER (Elected)

*Class specifications are intended to present a descriptive list of the range of duties performed. Specifications are **not** intended to reflect all duties performed within the position.*

DEFINITION

The City Treasurer is an elected position whose duties and responsibilities are established in accordance with the Government Code of the State of California and the City of San Clemente Municipal Code.

SUPERVISION RECEIVED

Reports to citizens of San Clemente.

ESSENTIAL FUNCTION STATEMENTS -- *Essential responsibilities and duties include, but are not limited to, the following:*

The City Treasurer:

1. Is responsible for the receipt, custody, and investment of all public funds under control of the City.
2. Serves as Chair of the City's Investment Advisory Committee.
3. Annually develops the City's Investment Policy for review by the Investment Advisory Committee and adoption by the City Council.
4. Submits the City's Investment Policy for certification by the Association of Public Treasurers and/or California Municipal Treasurer's Association.
5. Manages the public investment portfolio in accordance with state law, municipal code, and the City's investment policy.
6. Develops long term investment strategies in conformance with projected cash flows.
7. Reviews and signs all checks along with the Mayor and/or City Manager.
8. Provides written investment reports to the Investment Advisory Committee and the City Council.
9. Oversees all special assessment and bond records and receives and disburses all funds as trustee for bondholders.
10. Selects knowledgeable investment managers, advisors, and brokers which may advise on selection of external money managers.
11. Per Section 2.08.100 of the City of San Clemente Municipal Code, will cooperate with and assist the City Manager in administering the affairs of the City most efficiently, economically and harmoniously, so far as may be consistent with their duties.
12. Performs related duties and responsibilities as required.

SPECIAL REQUIREMENTS & QUALIFICATIONS

The incumbent must be a resident of the City of San Clemente and a registered voter. The following are considered typical qualifications for the office of City Treasurer:

- Experience in managing or oversight of fixed income investments and debt management as outlined in the City's Investment Policy, Fiscal Policy, Debt Policy and California Government Code.
- Section 2.20.010 of the City of San Clemente Municipal Code states that before entering upon the duties of the office, the City Treasurer shall execute (at City expense) a faithful performance bond to the City.

Knowledge of:

- Investments authorized by California Government Code 53601 and City Investment Policies.
- Principles of public investment policies.
- Economic principles as they relate to investment returns and sound investment strategy.
- Fiscal policies as they relate to management of public funds.
- Economic principles as they relate to investment returns and investment strategy.
- Banking laws relating to municipal finance and treasury program development and administration.
- Pertinent Federal, State, and local laws, codes and regulations.

Ability to:

- Provide administrative and professional leadership and direction for the City Treasurer's Office.
- Ability to prepare, review, and present quarterly investment reports
- Identify and respond to City Council issues, concerns, and needs.
- Develop, implement, and administer goals, objectives, and procedures for providing effective and efficient treasury and financial services
- Prepare budgets.
- Develop, maintain, and monitor internal controls.
- Analyze problems, identify alternative solutions, project consequences of proposed actions, and implement recommendations in support of goals.
- Interpret and apply Federal, State, and local policies, procedures, laws, and regulations.
- Communicate clearly and concisely, both orally and in writing.
- Establish and maintain effective working relationships with those contacted in the course of work including City and other government officials, community groups, the general public and media representatives.

03-5-13
12-A

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING CODE SECTION 8.52.030 TO MAKE VIOLATIONS OF APPROVED CITY PERMITS A NUISANCE FOR MUNICIPAL CODE ENFORCEMENT

WHEREAS, on September 18, 2012, the City Council initiated amendment to Title 8 of the Municipal Code to give staff new tools to enforce City permit violations that are more efficient and less punitive than current options, limited to permit revocation procedures; and

WHEREAS, the permit revocation process is often a long, arduous, costly process; and

WHEREAS, this ordinance allows the City to issue corrective notices and administrative citations. This is not possible under current code. In providing new enforcement options, it is likely for violations to be addressed quicker with less financial impacts; and

WHEREAS, staff reviewed other City municipal codes to understand how other Cities address permit violations, and determined the Municipal Code should be amended as proposed; and

WHEREAS, the proposed code amendments are not defined as a project pursuant to California Environmental Quality Act (CEQA) Guidelines Section 21065, therefore the request is not subject to CEQA; and

WHEREAS, on February 19, 2013, the City Council held a duly noticed public hearing on the subject application, and considered evidence presented by City staff; and

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

Section 1: Subsection (Y) is hereby added to Section 8.52.030 of San Clemente Municipal Code as follows:

- Y. A structure, improvement, property, and/or land use not in compliance with terms and/or conditions of any City of San Clemente issued permit or approval.

Section 2: 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.

12-A-1

APPROVED AND ADOPTED this ____ day of _____, _____.

ATTEST:

City Clerk of the City of
San Clemente, California

Mayor of the City of San
Clemente, California

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

12 A-2

03-5-13
12-B

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING CODE SECTION 8.40.070 TO DEAL WITH LITTER GENERATED BY BUSINESSES THAT ACCUMULATES IN THE PUBLIC RIGHT-OF-WAY

WHEREAS, on September 18, 2012, the City Council initiated amendments to the City litter code to address accumulated litter generated by local business in the public right-of-way; and

WHEREAS litter generated by businesses that ends up in the public right-of-way has been a growing issue in the City; and

WHEREAS, overflowing trash receptacles, litter in planted areas, and wrappers, plastic bags, food, and other debris in the public right-of-way have been found to accumulate in areas adjacent to and within close proximity to businesses that distribute or sell these items; and

WHEREAS, the City continues to work with the business community to mitigate these issues by increasing the frequency of trash receptacle pick-ups, placing signs directing the public to responsibly dispose of their litter, removing accumulated litter and communicating with businesses when a significant amount of litter is observed to have accumulated as a result of a businesses operation; and

WHEREAS, after analyzing how other cities have mitigated this issue and looking at the needs of our community, staff came to the conclusion that making the businesses that generate the litter responsible for removing the litter was a fair and balanced approach to the issue; and

WHEREAS, the proposed code amendments are not defined as a project pursuant to California Environmental Quality Act (CEQA) Guidelines Section 21065, therefore the request is not subject to CEQA.; and

WHEREAS, on February 19, 2013, the City Council held a duly noticed public hearing on the subject application, and considered evidence presented by City staff; and

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

Section 1: Section 8.40.070 of San Clemente Municipal Code is hereby amended to read in its entirety as follows:

12-B-1

8.40.070 – Merchants duty to remove litter from the public right-of-way

Merchants are to remove the following litter from the public right-of-way:

- a. Any litter property owners or tenants produce or distribute, located in the public right-of-way within 100 feet of their property.
- b. Commercial property owners or tenants shall remove all accumulated litter that abuts their commercial property. See Section 8.40.020 for a definition of the term "litter."

Section 2: 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

12 B.2

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

12B-3