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# CITY OF SAN CLEMENTE

## City Council Minutes

### Special and Regular City Council Meeting - May 1, 2012

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

A Special and Regular Meeting of the San Clemente City Council was called to order on May 1, 2012 at 4:30 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California, by Mayor Evert.

**PRESENT**                   BAKER, DAHL, DONCHAK, MAYOR EVERT

**ABSENT**                     BROWN

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

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### **CLOSED SESSION**

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

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER DAHL, CARRIED 4-0, to recess to Closed Session at 4:32 p.m. to discuss the following:

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

Property:                   Irons in the Fire Restaurant, located at 150 East Avenida Magdalena, San Clemente

City Negotiator:       George Scarborough, City Manager

Negotiating Parties:   City of San Clemente and Dave Donaldson

Under Negotiation:   Both Price and Terms of Payment.

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B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

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

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

Property: 0.37-acre site located at 107-115 Avenida Serra, San Clemente.

Agency Negotiator: George Scarborough, City Manager

Negotiating Parties: City of San Clemente and National Community Renaissance (National CORE)

Under Negotiation: Both Price and Terms of Payment.

D. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

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

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

Agency Representative: Pall Gudgeirsson, Assistant City Manager.

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

In attendance for the full Closed Session were all members of the City Council (with the exception of Mayor Pro Tem Brown), City Manager Scarborough, Assistant City Manager Gudgeirsson, City Attorney Goldfarb, and City Clerk Baade. Beaches, Parks and Recreation Director Heider was in attendance for Closed Session Items A and B only. Community Development Director Holloway and Principal Planner Hook were in attendance for Closed Session Item C only.

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**MEETING RECONVENED**

Council reconvened at 6:00 p.m., with all members present.

**INVOCATION**

Fr. Jack Sewell, Our Lady of Fatima Catholic Church, gave the invocation.

**PLEDGE OF ALLEGIANCE**

LtCol Bill Vivian led the Pledge of Allegiance.

1. **SPECIAL PRESENTATIONS**

A. **Update on Activities of the 2<sup>nd</sup> Battalion, 4<sup>th</sup> Marines**

Presentation by LtCol Bill Vivian concerning the activities of the 2<sup>nd</sup> Battalion, 4<sup>th</sup> Marines.

LtCol Bill Vivian narrated a PowerPoint presentation entitled "2<sup>nd</sup> Battalion, 4<sup>th</sup> Marines, Update to San Clemente City Council"; reported on the Battalion's deployment to Afghanistan, noting that their mission was to develop Afghan National Security Forces, support local government, and protect the population; conveyed gratitude to the community for its support and presented the City with a U.S. Flag that flew over the Helmund Province in Afghanistan.

B. **Presentation of Proclamation - Older Americans Month**

Mayor Evert presented a Proclamation to Cathy Lee, Executive Director of the San Clemente Senior Center, declaring May 2012 as "Older Americans Month".

C. Presentation of Commendation - San Clemente High School Triton Dance Team

Mayor Evert presented a Commendation to the San Clemente High School Triton Dance Team, in recognition of winning national titles in the United Spirit Association Nationals.

Council directed Staff to place a link on the City's website for the San Clemente High School Spring Dance Concert being held on May 18-19, 2012.

D. Presentation of Certificate of Recognition - Las Palmas Leadership Team

Mayor Evert presented a Certificate of Recognition to the Las Palmas Leadership Team in recognition of being selected by the Orange County Human Relations Commission as a "Diverse Community Leader".

E. San Clemente General Plan - Status Report

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

Alan Korsen was unable to attend this evening's meeting. Consequently, Mr. Korsen submitted an email summarizing his status report on the San Clemente General Plan, dated May 2, 2012, which is on file with the City Clerk.

F. Recognition of City Planning Division Awards for Outstanding Programs

Mayor Evert recognized the City's Planning Staff for receiving awards from the Orange County Section of the California Chapter of the American Planning Association for "Outstanding Planning Implementation", "Outstanding Community Engagement", and "Best Practices Award of Merit".

2. ORAL COMMUNICATIONS (PART ONE)

I-5/South El Camino Real Sound Wall

Stephen Hill, San Clemente, displayed photos depicting SoundSorb sound walls; conveyed support for the installation of sound-absorbing panels on the I-5 sound wall, noting that such panels can reduce noise between 3-10 decibels. Hard copies of Mr. Hill's photos, dated May 1, 2012, are on file with the City Clerk.

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Ross Shaw, San Clemente, voiced concerns relative to the glare of headlights on the Paraglas wall along the I-5; pointed out that his neighbors have replaced windows to mitigate noise from the sound wall; expressed concerns regarding the selection of Monterey Cypress trees planted along the I-5 since they will block views when mature. Hard copies of Mr. Shaw's photos, dated May 1, 2012, are on file with the City Clerk.

#### **Poisoning of Pet Dog**

Denise Schroeder, San Clemente, voiced concerns that her neighbor placed poisonous bait for wildlife in his yard; advised that her pet dog died from consuming the poison.

Marc Schroeder, San Clemente, expressed dissatisfaction with the Coastal Animal Services Authority (CASA) relative to its handling of the dog poisoning situation; noted that he was required to pay \$400 to conduct an autopsy on his dog to facilitate prosecution; conveyed concern that the case will not be criminally prosecuted and only a citation will be issued.

City Manager Scarborough advised that it is his understanding that the CASA has or will soon file a complaint with the District Attorney's Office relative to the dog poisoning; noted that the District Attorney has the discretion as to whether or not to proceed with prosecution; pointed out that it is a criminal act to poison any wildlife or domestic animals; advised that the CASA General Manager will contact Mr. Schroeder concerning the matter.

#### **Fuel Modification in Talega Area**

Lew Avera, President of the Talega Maintenance Corporation, displayed photos depicting goats that are being utilized to eat brush to reduce fire hazards along the Cristianitos Trail. Hard copies of Mr. Avera's photos, dated May 1, 2012, are on file with the City Clerk.

**Prohibition on Retail Sale of Dogs and Cats in Commercial Animal Establishments**

Sue Walshe, President of the Pet Project Foundation, urged Council to reconsider prohibiting the retail sale of dogs and cats at commercial animal establishments; spoke on the inhumane treatment of dogs and cats in animal mills, the increasing number of homeless animals, and the significant number of healthy animals that are put to death in the U.S. each year.

Councilmember Donchak noted that she is ineligible to re-agendize the subject for further consideration because she did not vote with the Council majority, but urged that another member of Council request that the item be agendized for a future Council meeting.

**Architectural Styles Outside of the Architectural Overlay Zone**

Ricardo Nicol, San Clemente, conveyed concerns relative to the City requiring that applicants utilize Spanish Colonial architecture in areas outside of the overlay zone; opined that the over utilization of Spanish Colonial Revival architecture is causing a similar appearance of buildings; voiced objections to the tower element and façade application of the Ralphs Grocery Store on South El Camino Real. Mr. Nicol submitted photos depicting the Ralphs Grocery Store remodel and San Clemente Medi-Center which are on file with the City Clerk.

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

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

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER DAHL, CARRIED 4-0, to add to the agenda consideration of entering into a Bill of Sale Agreement for the purchase of the Municipal Golf Course Restaurant kitchen equipment, based on the following: 1) The need for action came to the City's attention subsequent to the agenda being posted; and 2) Action is needed prior to the next Council meeting.

Municipal Services Manager Rendina advised that Sunwest Bank has offered to allow the City to purchase restaurant equipment located at the Municipal Golf Course restaurant for \$65,000; noted that if the City declines to purchase the equipment, the bank will remove it from the facility.

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

1. Approve, and authorize the Mayor to execute, the Bill of Sale Agreement, by and between the City of San Clemente and Sunwest Bank, for the purchase of personal property assets is listed on Exhibit "A" of the agreement, located at the Municipal Golf Course restaurant.
2. Approve a supplemental appropriation of \$65,000 to Capital Purchases, Account 056-666-45300-000-00000 from the Golf Depreciation Reserve.

5. **CLOSED SESSION REPORT**

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

6. **CONSENT CALENDAR**

MOTION BY COUNCILMEMBER DAHL, SECOND BY COUNCILMEMBER BAKER, CARRIED 4-0, to approve the Consent Calendar, with the removal of Items B(1), B(2), and B(3).

A. **City Council Minutes**

MOTION BY COUNCILMEMBER DAHL, SECOND BY COUNCILMEMBER BAKER, CARRIED 4-0, to approve the minutes of the Adjourned Regular City Council Meeting of March 20, 2012.

B. MOTION BY COUNCILMEMBER DAHL, SECOND BY COUNCILMEMBER BAKER, CARRIED 4-0, to receive and file:

- (4) Zoning Administrator Regular Meeting minutes of April 18, 2012.

C. Warrant Register

MOTION BY COUNCILMEMBER DAHL, SECOND BY COUNCILMEMBER BAKER, CARRIED 4-0, to approve Wire Transfers Nos. 931 through 935, and Warrant Nos. 826679 through 826794, for the period 03-26-12 through 03-30-12, in the amount of \$624,609.32; approve Warrant Nos. 826795 through 826959, for the period 04-02-12 through 04-06-12, in the amount of \$755,266.33; approve Wire Transfer Nos. 936 through 939, and Warrant Nos. 826960 through 827105, for the period 04-09-12 through 04-13-12, in the amount of \$1,008,591.60; for a total Warrant Register in the amount of \$2,388,467.25.

Payroll Register

MOTION BY COUNCILMEMBER DAHL, SECOND BY COUNCILMEMBER BAKER, CARRIED 4-0, to approve Warrant Nos. 322659 through 322668, Automatic Deposit Advises 179747 through 180019, for the period 03-19-12 through 04-01-12, in the amount of \$423,842.16; approve Warrant Nos. 322669 through 322678, Automatic Deposit Advises 180020 through 180298, for the period 04-02-12 through 04-15-12, in the amount of \$427,856.27; for a total Payroll Register in the amount of \$851,698.43.

D. Communications Site Lease Agreement - Fleettalk Management (721 Avenida Salvador)

MOTION BY COUNCILMEMBER DAHL, SECOND BY COUNCILMEMBER BAKER, CARRIED 4-0, to:

1. Approve, and authorize the Mayor to execute, a Communications Site Lease Agreement, by and between the City of San Clemente and Fleettalk Management, for the transmission of radio communications at 721 Avenida Salvador. (Contract C12-10)
2. Authorize the City Manager to approve future amendments to the Communications Site Lease provided that the City Manager shall not have the authority to approve a decrease in the rental rate without prior approval of the City Council.



**E. 229 Avenida Granada (Final Parcel Map 2010-121) - Granada Duplexes**

MOTION BY COUNCILMEMBER DAHL, SECOND BY COUNCILMEMBER BAKER, CARRIED 4-0, to:

1. Approve Final Parcel Map 2010-121 as it conforms to the requirements set forth in the Subdivision Map Act and previously approved Tentative Parcel Map.
2. Authorize the Public Works Director/City Engineer to execute Final Parcel Map 2010-121 upon confirmation of California Coastal Commission approval and City Attorney approval of the Covenants, Conditions and Restrictions.
3. Authorize the City Clerk to execute and submit Final Parcel Map 2010-121 to the County of Orange Recorder's Office for recordation.

**F. Contract Award - Water Reclamation Plant Aeration Blowers Replacement**

MOTION BY COUNCILMEMBER DAHL, SECOND BY COUNCILMEMBER BAKER, CARRIED 4-0, to approve, and authorize the Mayor to execute, Contract C12-11, by and between the City of San Clemente and Pacific Advanced Civil Engineering (PACE), providing for the Water Reclamation Plant Aeration Blowers Replacement, Project No. 12201, in the amount of \$76,006.

**ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION****B(1). Design Review Subcommittee Meeting Minutes of February 15, 2012 and March 28, 2012**

AND

**B(2). Planning Commission Regular Meeting Minutes of April 18, 2012**

*\* Agenda Items 6-B(1) and 6-B(2) were considered concurrently because of their relationship.*

Council discussed the propriety of the Design Review Subcommittee's level of analysis on design details (such as eave size), particularly when such enhancements can improve energy efficiency.

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City Manager Scarborough advised that Staff will evaluate methods of addressing design guidelines with respect to energy efficiency and the use of Spanish Colonial architecture in areas outside of the overlay zone.

MOTION BY COUNCILMEMBER BAKER, SECOND BY COUNCILMEMBER DAHL, CARRIED 4-0, to receive and file the Design Review Subcommittee Meeting minutes of February 15, 2012 and March 28, 2012.

MOTION BY COUNCILMEMBER BAKER, SECOND BY COUNCILMEMBER DAHL, CARRIED 4-0, to receive and file the Planning Commission Regular Meeting minutes of April 18, 2012.

B(3). **Planning Commission Study Session Minutes of April 18, 2012**

Councilmember Baker commended University of California, Irvine students for their recommendations to help revitalize the Los Mares Neighborhood.

MOTION BY COUNCILMEMBER BAKER, SECOND BY COUNCILMEMBER DAHL, CARRIED 4-0, to receive and file the Planning Commission Study Session Minutes of April 18, 2012.

7. **PUBLIC HEARINGS**

A. **2012-13 Annual Action Plan for Expenditures of Community Development Block Grant Funds (CDBG)**

Public Hearing to consider a request to approve the draft Annual Action Plan and the City's proposed activities to be funded under the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant Program.

Housing Coordinator Obrero narrated a PowerPoint presentation entitled "Adoption of Annual Action Plan 2012-13" and responded to Council inquiries. A hard copy of Ms. Obrero's presentation, dated May 1, 2012, is on file with the City Clerk.

Mayor Evert opened and closed the Public Hearing, there being no one desiring to speak to this issue.

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

1. Approve and adopt the 2012-13 Annual Action Plan for use of Community Development Block Grant Funds (CDBG).
2. Authorize the City Manager to execute the HUD contract. (Contract C12-12)
3. Authorize the City Manager and Community Development Director to execute contracts within the established spending policy.
4. Adopt Resolution No. 12-18 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING THE 2012-13 COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL ACTION PLAN.

B. **Weed Abatement Program 2012 - Order to Abate**

Public Hearing to consider all objections or protests, if any, to the proposed abatement of weeds, rubbish, refuse and dirt upon streets, sidewalks, parkways and private property within the City of San Clemente.

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

Mayor Evert opened and closed the Public Hearing, there being no one desiring to speak to this issue.

MOTION BY COUNCILMEMBER DAHL, SECOND BY COUNCILMEMBER BAKER, CARRIED 4-0, to adopt Resolution No. 12-19 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ORDERING THE DIRECTOR OF COMMUNITY DEVELOPMENT TO ABATE THE NUISANCES BY HAVING WEEDS, RUBBISH, REFUSE AND DIRT REMOVED FROM VACANT AND UNOCCUPIED STRUCTURED PROPERTIES WITHIN THE CITY.

8. **UNFINISHED BUSINESS**

None.

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9. **NEW BUSINESS**

None.

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

**Parking of Commercial Vehicles on City Streets**

George Gregory, San Clemente, voiced opposition to City regulations that prohibit him from parking his work truck on the street in front of his residence; asserted that he is a victim of selective enforcement; presented photographs of other trucks and vans that were parked on the street, but did not receive citations. Hard copies of Mr. Gregory's photos, dated May 1, 2012, are on file with the City Clerk.

**National Bike Month**

Brenda Miller, San Clemente, narrated a PowerPoint presentation entitled "National Bike Month"; stressed the importance of route planning for bicyclists; encouraged the community to participate in "Ride to Work Week" on May 14-18, 2012. A hard copy of Ms. Miller's presentation, dated May 1, 2012, is on file with the City Clerk.

11. **REPORTS**

A. **Commissions and Committees**

None.

B. **City Manager**

None.

C. **City Attorney**

None.

D. Council Members(1) Consideration of Installing a Plaque at Park Semper Fi for the 2<sup>nd</sup> Battalion, 4<sup>th</sup> Marines (Mayor Pro Tem Brown)

Councilmember Baker displayed a slide depicting the proposed plaque to be installed at Park Semper Fi for the 2<sup>nd</sup> Battalion, 4<sup>th</sup> Marines; encouraged City Officials desiring to contribute toward the purchase of the plaque to provide checks, payable to the City, to the City Clerk as soon as possible. A hard copy of Councilmember Baker's slide, dated May 1, 2012, is on file with the City Clerk.

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

Councilmember Dahl reported that the Orange County Fire Authority (OCFA) will soon commence its budget process for Fiscal Year 2013; noted that the City of Santa Ana Fire Department has joined the OCFA.

(3) Wag-a-Thon

Councilmember Donchak commended the Pet Project Foundation for hosting a successful Wag-a-Thon event at the Dana Point Harbor on April 28, 2012.

(4) Cabrillo Playhouse - Performance of "Spelling Bee"

Mayor Evert announced that "Spelling Bee" is currently being performed at the Cabrillo Playhouse.

(5) City Investment Advisory Committee Report

Councilmember Baker provided a status report relative to the City's Investment Advisory Committee; noted that the City's investment portfolio totals \$126 million, with a rate of return of 1.18% on short-term investments.

(6) Richard and Donna O'Neill Land Conservancy

Councilmember Baker displayed the calendar of events for the Richard and Donna O'Neill Land Conservancy; encouraged the community to participate in scheduled events.

(7) Rattlesnakes on Trails

Councilmember Dahl cautioned hikers to be aware of rattlesnakes on trails.

12. RESOLUTIONS/ORDINANCES

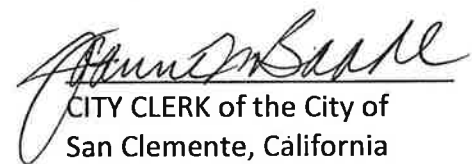
None.

13. ADJOURNMENT

MOTION BY COUNCILMEMBER DAHL, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 4-0, to adjourn at 7:53 p.m.

The next Regular Council Meeting will be held on Tuesday, May 15, 2012 in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California. Closed Session items will be discussed at 5:00 p.m. The General Session will commence at 6:00 p.m.

A subsequent Adjourned Regular Council Meeting will take place on May 17, 2012 at 6:00 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California (and May 18, 2012, if needed) for the purpose of conducting a workshop on the proposed Fiscal Year 2013 City budget.

  
CITY CLERK of the City of  
San Clemente, California

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MAYOR of the City of  
San Clemente, California

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# CITY OF SAN CLEMENTE

## City Council Minutes

### Adjourned Regular Meeting - May 17, 2012

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

An Adjourned Regular Meeting of the San Clemente City Council was called to order on May 17, 2012 at 6:00 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California.

**PRESENT** BAKER, BROWN, DAHL, DONCHAK, MAYOR EVERT

**ABSENT** NONE

**STAFF PRESENT** George Scarborough, City Manager; Pall Gudgeirsson, Assistant City Manager; Joanne Baade, City Clerk

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### **PLEDGE OF ALLEGIANCE**

Councilmember Donchak led the Pledge of Allegiance.

#### 1. **Presentation of the City's Fiscal Year 2012 Third Quarter Financial Report**

Report from the Assistant City Manager/City Treasurer concerning the City's Fiscal Year 2012 Third Quarter Financial Report.

The City's Fiscal Year 2012 Third Quarter Financial Report was provided to Council in hard copy format. Assistant City Manager Gudgeirsson requested that Councilmembers contact Staff if they have any questions relating to the report.

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**2. City Council Workshop Concerning the Fiscal Year 2013 City Budget**

Report from the Assistant City Manager/City Treasurer concerning the City's proposed budget for Fiscal Year 2013.

City Manager Scarborough reported that the fire service costs originally projected by the Orange County Fire Authority (OCFA) have been updated and revised since the proposed City budget was prepared; stated that the revised cost figure now reflects an increase of approximately 2% from the prior year, instead of 5% (i.e., a reduction from \$7,707,220 to \$7,450,680); stated that this change results in an improvement in the City's operating position. The numbers included in this evening's PowerPoint presentations reflect the higher fire service cost figure, but will be modified to reflect the new fire service cost figure.

City Manager Scarborough noted that Staff is presenting a balanced budget and Capital Improvement Program for FY 2013; stated that the proposed City budget is slightly over \$117 million, and the General Fund budget is slightly under \$54 million; explained that the proposed FY 2013 budget represents a modest improvement in the City's financial condition, but pointed out that outside factors continue to negatively affect municipal governments throughout California; stated that projects that were previously planned to be funded from RDA funds will now need to compete for funding as part of the City's Capital Improvements Program; provided an overview of the "Economic Development" and "Funding Requests Pending Council Deliberation and Direction" pages from the PowerPoint presentation entitled "Annual Budget Fiscal Year 2013", which is on file with the City Clerk.

Assistant City Manager Gudgeirsson continued the PowerPoint presentation, focusing on the following: Accounting Systems and Controls; San Clemente Organization Chart; All Funds Overview; General Fund Overview; General Fund Operating Budget Comparison FY 2012 to FY 2013; General Fund Expenditures by Department; Fund Balance June 30, 2013; 2012 and 2013 Budget Forecasts; Financial Overview; General Fund Revenues by Category; General Fund Revenue Overview; General Fund Expenditures by Department; General Fund Expenditure Overview; Department Summaries for General Government, Finance and Administrative Services, Public Safety, Community Development, Public Works, and Beaches, Parks and Recreation; Special Revenue Funds, Capital Project Funds, Debt Service Fund, Enterprise Funds (Water, Sewer, Storm Drain, Clean Ocean, Solid Waste, and Golf), Internal Service Funds (Central Services, Information Technology, Fleet, Medical Insurance, Workers' Compensation and General Liability Self Insurance).

Council queried Staff relative to Proposition 218 requirements for the upcoming Clean Ocean Fee Mail Ballot Election, ADA signage requirements, proposed upgrade for the Utility Billing Counter, decision packages for the update to the Zoning Ordinance to implement the General Plan and preparation of a Local Coastal Program for the General

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Plan implementation, decision packages for the North Beach and Los Molinos Business District economic development proposals, decision package for generators for key traffic signals, decision package for new sidewalk construction, decision package for increased internet bandwidth for the Emergency Operations Center, restroom conditions at Vista Bahia Park, proposed pressure washing of the North Beach Metrolink Platform, proposed carpet replacement in Building N, decision package for a triplex mower and backhoe for the golf course, disposition of replaced City vehicles, rationale for recommending Jeep Wrangler Sport Vehicles, status of Rick Anderson's promissory note to repay \$10,000 for monies paid by the RDA for the installation of Ole Hanson pavers at the Pier Bowl at-grade crossing, and recommendations for social service grants.

During the course of discussion, individual Councilmember(s) expressed opinions as follows. The below statements do not necessarily reflect Council consensus.

- The City's contractual agencies (such as the OCFA and Orange County Sheriff's Department) should continue to provide conservative budget numbers next year.
- It may be more beneficial to create a North Beach web page as opposed to funding North Beach brochures at a cost of \$1,000.
- The uniform wayfinding signage program that Council will consider implementing may not be appropriate for the Los Molinos Business District given its eclectic and unique character.
- It may not be appropriate to provide identification signage for specific neighborhoods.
- The proposed \$8,000 adaptive re-use study for the Miramar Theater should be funded by the new owner of the property as opposed to being funded by the City.
- The Miramar Theatre is iconic and the \$8,000 adaptive re-use study for the Miramar Theater is appropriate and may be offset with grant funding.
- A decision package is proposed for increased internet bandwidth for the City's Emergency Operations Center. The City currently expends approximately \$700 per month for its wireless connections through Cox. It may be beneficial from an operational and cost-efficiency standpoint to diversify connections with AT&T.
- Staff should keep Council apprised of maintenance requirements/costs associated with the Vista Hermosa Sports Park.
- Pressure washing should be extended beyond the North Beach Metrolink Platform, if possible.
- The City should not fund Chamber of Commerce and Downtown Business Association (DBA) programs that only benefit businesses. Projects that provide a public benefit, however, may be appropriate for City funding. The funds that the City saves could be utilized to fund the social needs identified by the Social Services Budget Committee. It is inappropriate to provide the Chamber of Commerce with a \$31,000 grant when it currently has assets in the amount of \$567,000.

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

1. Accept the following funding requests:

**Social Services Grants – Social Services Budget Committee**

<b><u>Recommendation</u></b>	<b><u>Amount</u></b>
Family Assistance Ministries	\$10,000
Shorecliffs Middle School Grant Program	5,000
Fitness is Fun	2,000
Jamboree Housing Corporation	2,000
Friendship Shelter	2,000
Contingency Reserve	1,000
RIO Transportation Grant	<u>410</u>
	\$22,410

**Community Support:**

Marine Adopted Unit Support	\$15,000
San Clemente High School Grad Night	<u>1,000</u>
	\$16,000

**Non-General Fund Request:**

Clean Ocean Fee Assessment Review (Clean Ocean)	\$70,000
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2. Fund the “Additional Social Service Organization Requests” (for Family Assistance Ministries, Shorecliffs Middle School Grant Program, Fitness is Fun, Jamboree Housing Corporation, Friendship Shelter and RIO Transportation Grant) from the General Fund in the amount of \$45,000. The Social Service Committee is to recommend the specific apportionment of the \$45,000 funding figure for Council consideration.

Council deferred consideration of the Chamber of Commerce and Downtown Business Association funding requests to the budget Public Hearing on June 12, 2012 to enable representatives from those organizations to explain and prioritize their requests.

Council requested to be provided with 1) the 10-year funding/expenditure history for both the Chamber of Commerce and DBA, 2) the current membership of the DBA, 3) the hours of operation policy for Del Mar, and 4) priorities for Chamber of Commerce and DBA projects for which City funding is being requested. It was agreed that Councilmembers will inform the City Manager if there are other questions that Councilmembers would like to pose to either the Chamber of Commerce or the DBA.

Assistant City Engineer Rebensdorf narrated a PowerPoint presentation entitled "Capital Improvement Program" and responded to Council inquiries. A hard copy of Mr. Rebensdorf's presentation, dated May 17, 2012, is on file with the City Clerk.


**ORAL COMMUNICATIONS**

None.

**ADJOURNMENT**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER DAHL, CARRIED 5-0, to adjourn at 8:49 p.m. to an Adjourned Regular Council Meeting to be held on Monday, June 11, 2012 at 5:00 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, for the purpose of interviewing and making appointments to various City Commissions and Committees.

The Regular Council Meeting of Tuesday, June 5, 2012 was previously rescheduled to Tuesday, June 12, 2012 so that the Council Chambers could be used as a polling site for the Presidential Primary Election. Consequently, an Adjourned Regular Council Meeting will be held on Tuesday, June 12, 2012 in the Council Chambers, located at 100 Avenida Presidio, San Clemente. Closed Session items will be considered at 5:00 p.m. The General Session will commence at 6:00 p.m.

  
CITY CLERK of the City of  
San Clemente, California

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MAYOR of the City of  
San Clemente, California

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# CITY OF SAN CLEMENTE

## City Council Minutes

### Regular City Council Meeting - May 15, 2012

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

A Regular Meeting of the San Clemente City Council was called to order on May 15, 2012 at 5:00 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California, by Mayor Evert.

**PRESENT**                      BAKER, BROWN, DAHL, DONCHAK, MAYOR EVERT

**ABSENT**                        NONE

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

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### **CLOSED SESSION**

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

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

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

Agency Representative:      Pall Gudgeirsson, Assistant City Manager.

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

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B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

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

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

Property: Irons in the Fire Restaurant, located at 150 East Avenida Magdalena, San Clemente

City Negotiator: George Scarborough, City Manager

Negotiating Parties: City of San Clemente and Dave Donaldson

Under Negotiation: Both Price and Terms of Payment.

D. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

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

In attendance for the full Closed Session were all members of the City Council, City Manager Scarborough, Assistant City Manager Gudgeirsson, and City Clerk Baade. Human Resources Manager Penrod was present for Closed Session Item A only.

**MEETING RECONVENED**

Council reconvened at 6:00 p.m., with all members present.

**INVOCATION**

Rev. Linda Robison, Palisades United Methodist Church, gave the invocation.

6A-21

**PLEDGE OF ALLEGIANCE**

Councilmember Baker led the Pledge of Allegiance.

1. **SPECIAL PRESENTATIONS**

A. **Certificate of Recognition - Dr. William "Bill" Thomas, 2012 Wall of Recognition Recipient**

Mayor Evert presented a Certificate of Recognition to Dr. William "Bill" Thomas in acknowledgement of being named the 2012 recipient to be honored on the Wall of Recognition.

B. **Presentation of Proclamation - Buddy Poppy Days**

Mayor Evert presented a Proclamation to George Key, Commander of VFW San Clemente Post 7142, proclaiming May 25-28, 2012 as Buddy Poppy Days.

C. **Certificate of Recognition - Street Art Program**

Mayor Evert recognized Kristin Deckers, Jackson Hinkle, Stephanie Leonard, James Parkhurst, and Joyce Poisson, for their artistic contributions to the Street Art Program and presented Certificates of Recognition to those artists that were present.

D. **Presentation of Proclamation - Beach Safety Week**

Mayor Evert presented a Proclamation to Sharon Heider, Beaches, Parks and Recreation Director, declaring the week of May 21-28, 2012 as Beach Safety Week.

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E. **San Clemente High School**1). **San Clemente High School Student Report**

Sydney Adams and Matt Garritson, student representatives of San Clemente High School, narrated a PowerPoint presentation entitled "San Clemente High School" that addressed campus activities; introduced Gabby Myers who will replace Sydney Adams as next year's school liaison. A hard copy of the subject PowerPoint, dated May 15, 2012, is on file with the City Clerk.

2). **Certificates of Recognition - Sydney Adams and Matt Garritson**

Mayor Evert presented Certificates of Recognition to Sydney Adams and Matt Garritson, student representatives of San Clemente High School, in recognition of their commitment to update the Council and citizens of San Clemente on campus activities at San Clemente High School.

F. **San Onofre Foundation Report**

Jim Kempton and Steve Long, representing the San Onofre Foundation, advised that the Foundation's mission is education and interpretation of the San Clemente and San Onofre State Parks to the public; pointed out that the Foundation has partnered with Concordia Elementary to provide curriculum for grades K-5; expressed a desire to expand the elementary school educational program; voiced concerns with regard to the impact of the State's budget crisis on parks and beaches.

2. **ORAL COMMUNICATIONS (PART ONE)****San Clemente Garden Club**

Kathleen Skopaz, Mary Mohr, and Bette Langford, representing the San Clemente Garden Club, reported on the Club's efforts to maintain various City gardens; encouraged the community to participate in the Garden Tour to be held on June 9, 2012.

**Beach Parking Impact Fee**

Brad Malamud, San Clemente, asserted that the funds derived from the Beach Parking Impact Fee should be refunded; stated that State law requires that refunds be delivered no later than June 15, 2012; opined that various City studies demonstrate that additional beach parking is not needed in the near-term; urged Council to require the City Manager and City Attorney to respond to his letter and to agendize the matter for a future Council meeting.

City Attorney Goldfarb advised that his office is in the process of reviewing Mr. Malamud's letter concerning the Beach Parking Impact Fee and will be preparing a written response; opined that the statutory deadline of June 15, 2012 does not apply to this situation.

**I-5/South El Camino Real Sound Wall**

Stephen Hill, San Clemente, displayed photos depicting SoundSorb sound walls; conveyed support for the installation of sound-absorbing panels on the I-5 sound wall, noting that such panels can reduce traffic noise. Hard copies of Mr. Hill's photos, dated May 15, 2012, are on file with the City Clerk.

**Architectural Styles Outside of the Architectural Overlay Zone**

Ricardo Nicol, San Clemente, voiced concerns relative to the application of Spanish Colonial Revival style architecture to structures outside of the architectural overlay zone; recommended revisions to the design review process, including the hiring of design consultants to review major projects and the appointment of design professionals to the Design Review Subcommittee.

**Parking of Commercial Vehicles on City Streets**

George Gregory, San Clemente, conveyed opposition to City regulations that prohibit him from parking his work truck on the street in front of his residence; urged Council to agendize the matter for a future Council meeting.

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

6A-24



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

None.

5. **CLOSED SESSION REPORT**

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

6. **CONSENT CALENDAR**

MOTION BY COUNCILMEMBER DAHL, SECOND BY MAYOR PRO TEM BROWN, CARRIED 5-0, to approve the Consent Calendar, with the removal of Items E and H.

A. **City Council Minutes**

MOTION BY COUNCILMEMBER DAHL, SECOND BY MAYOR PRO TEM BROWN, CARRIED 5-0, to approve the minutes of the City Council Special and Regular Meeting of April 3, 2012 and Regular Meeting of April 17, 2012.

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

- (1) Coastal Advisory Committee Meeting minutes of April 12, 2012.
- (2) Beaches, Parks and Recreation Commission Regular Meeting minutes of April 10, 2012.
- (3) Planning Commission Study Session minutes of May 2, 2012.
- (4) Planning Commission Regular Meeting minutes of May 2, 2012.
- (5) Zoning Administrator Regular Meeting minutes of May 2, 2012.

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C. **Warrant Register**

MOTION BY COUNCILMEMBER DAHL, SECOND BY MAYOR PRO TEM BROWN, CARRIED 5-0, to approve Wire Transfer No. 940, and Warrant Nos. 827106 through 827273, for the period 04-16-12 through 04-20-12, in the amount of \$1,928,593.60; approve Handwrite No. 827274, Wire Transfer No. 941 through 944, and Warrant Nos. 827275 through 827429, for the period 04-23-12 through 04-27-12, in the amount of \$1,060,763.42; for a total Warrant Register in the amount of \$2,989,357.02.

**Payroll Register**

MOTION BY COUNCILMEMBER DAHL, SECOND BY MAYOR PRO TEM BROWN, CARRIED 5-0, to approve Warrant Nos. 322679 through 322686, Automatic Deposit Advises 180299 through 180575, for the period 04-16-12 through 04-29-12, in the amount of \$421,987.40; for a total Payroll Register in the amount of \$421,987.40.

D. **Initiation of Amendments to Municipal Code to Streamline Review of Condominium Maps**

MOTION BY COUNCILMEMBER DAHL, SECOND BY MAYOR PRO TEM BROWN, CARRIED 5-0, to initiate Municipal Code amendments to streamline the condominium map process for improved customer service.

F. **Local Resources Program Agreement for Financial Assistance - Addendum to the Mitigated Negative Declaration to the Recycled Water System Expansion**

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

1. Adopt Resolution No. 12-20 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING AN ADDENDUM TO THE MITIGATED NEGATIVE DECLARATION FOR THE RECYCLED WATER SYSTEM EXPANSION PROJECT NO. 18201.

*(Staff Recommendation continued on next page.)*

2. Authorize the Public Works Director/City Engineer to execute the Addendum to the Mitigated Negative Declaration for the Recycled Water System Expansion, Project No. 18201, and file the notice of determination.
3. Approve, and authorize the City Attorney to make revisions to the draft San Clemente Recycled Water System Expansion 2007 Local Resources Program Agreement, and authorize the Mayor to execute the final agreement, by and between the City of San Clemente, Metropolitan Water District of Southern California, and Municipal Water District of Orange County. (Contract C12-13)

G. **Lease Agreement - Telescope Concession on Municipal Pier**

MOTION BY COUNCILMEMBER DAHL, SECOND BY MAYOR PRO TEM BROWN, CARRIED 5-0, to approve, and authorize the Mayor to execute, Contract C12-14, by and between the City of San Clemente and Russ Hill, dba See Scopes, providing for telescope concession services on the municipal pier.

I. **Lease Amendment - Concession at the End of the Municipal Pier**

MOTION BY COUNCILMEMBER DAHL, SECOND BY MAYOR PRO TEM BROWN, CARRIED 5-0, to approve, and authorize the Mayor to execute, the Third Amendment to Lease Agreement, by and between the City of San Clemente and Randy Ranases, for the operation of the concession at the end of the municipal pier. This amendment extends the term of the lease through June 30, 2015. (Contract C09-26)

J. **Amendment to City Policy and Procedure 1201-8 - Legislative Body Reimbursement**

MOTION BY COUNCILMEMBER DAHL, SECOND BY MAYOR PRO TEM BROWN, CARRIED 5-0, to adopt Revised Policy and Procedure No. 1201-8 (Legislative Body Reimbursement), effective May 15, 2012.

**K. Contract Award - Linda Lane to Pier Bowl Trail Lighting**

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

1. Approve the plans and specifications for the Linda Lane to Pier Bowl Trail Lighting, Project No. 10140.
2. Approve, and authorize the Mayor to execute, Contract C12-15, by and between the City of San Clemente and Dennis Patrick Contracting, providing for the Linda Lane to Pier Bowl Trail Lighting, Project No. 10140, in the amount of \$117,000.
3. Approve a supplemental appropriation of \$156,780 to Account 001-631-45300-000-10140, Trail Maintenance Capital Projects, from the General Fund undesignated fund balance.
4. Direct Staff to commence construction immediately, but cease all work on-site between Memorial Day and Labor Day, and complete the project after Labor Day.

**L. Notice of Completion - Pier Bowl Lighting and Landscape**

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

1. Accept the Pier Bowl Lighting and Landscape, Project No. 29702, from the contractor, C.S. Legacy.
2. Authorize the Mayor to execute, and City Clerk to record, the Notice of Completion for the Pier Bowl Lighting and Landscape, Project No. 29702. (Contract C10-59)
3. Authorize the City Clerk to release the Payment Bond and balance of retention 35 days from recordation of the Notice of Completion upon verification with the Beaches, Parks and Recreation Department that no liens have been levied against C.S. Legacy.
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.

M. **Concession Lease Amendment - Temporary Operation of Municipal Golf Course Restaurant**

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

1. Approve, and authorize the Mayor to execute, the Second Amendment to the Richard T. Steed Memorial Food and Beverage Concession Agreement, by and between the City of San Clemente and Meg and Gary Greenberg, for the temporary operation of the Municipal Golf Course Restaurant. (Contract C07-47)
2. Approve a supplemental appropriation of \$28,000 to Other Professional Services, Account 056-663-43690-000-00000.

**ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION**

E. **Donation of Original Painting by Rick Delanty**

Council expressed gratitude to Rick Delanty for his donation of an original painting. MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER DAHL, CARRIED 5-0, to approve and accept the donation of a painting by artist, Rick Delanty, that is entitled "Sunset on Marblehead", an acrylic on canvas, 38 X 48 inches, with a listed retail value of \$6,900, effective April 23, 2012 through perpetuity.

Council expressed a desire to be informed of the final location for the painting installation and requested that the painting be presented at a future Council meeting, with Rick Delanty present.

H. **Investment of Monies in the Local Agency Investment Fund (LAIF)**

In response to Council inquiry, Assistant City Manager/City Treasurer Gudgeirsson advised that internal controls are in place to ensure the propriety of transactions with the Local Agency Investment Fund (LAIF). MOTION BY COUNCILMEMBER BAKER, SECOND BY MAYOR PRO TEM BROWN, CARRIED 5-0, to adopt Resolution No. 12-21 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AUTHORIZING INVESTMENT OF MONIES IN LOCAL AGENCY INVESTMENT FUND AND RESCINDING RESOLUTION NO. 03-62.

7. **PUBLIC HEARINGS**

A. **Beaches, Parks and Recreation Fees**

Public Hearing to consider changes to facility and park fees, permit fees and program fees.

Recreation Manager Passow reviewed the contents of the Administrative Report; requested that senior rates be established at age 60 rather than 62; noted a correction to the percentage of discount for senior partners from 90% to 98% for Field and Aquatics Centers Rental Rates; responded to Council inquiries.

Mayor Evert opened the Public Hearing.

Sandy Kos, San Clemente Aquatic Team (SCAT), noted that SCAT does not currently have a partnership agreement with the City that will include discounted pool usage rates; opined that she cannot accurately assess the impacts of the fee increase on SCAT until details of a partnership agreement are known.

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

Discussion ensued relative to the appropriate non-resident fee for daily pool use. Council requested that Staff return to Council at the end of the summer season to review pool use and fee schedule impacts.

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER DAHL, CARRIED 3-2 (COUNCILMEMBER BAKER AND MAYOR PRO TEM BROWN VOTING NOE), to adopt Resolution No. 12-22 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, REVISING THE POLICIES AND FEES GOVERNING THE RENTAL OF THE FIELDS, AQUATIC CENTERS AND POOL ADMISSIONS; AND AMENDING RESOLUTION NO. 11-66 (as revised by Staff this evening), with the modification that swim fees for non-residents be established at \$6.00 for youth and seniors over 60 and \$8.00 for adults.

8. **UNFINISHED BUSINESS**

A. **Clarification of Affordable Rent Provisions for a 76-Unit, Senior Housing Project - Meta Housing (2350 South El Camino Real)**

Report from the Community Development Director concerning clarifications of affordable rent provisions for the Meta Housing 76-unit, senior housing project located at 2350 South El Camino Real.

Associate Planner Gregg reviewed the contents of the Administrative Report and responded to Council inquiries.

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

1. Direct and authorize Staff to prepare documentation that allows affordable rents to rise to 60% Area Median Income (AMI) in the event of foreclosure, but imposing a three-year tenant protection "grace period" from the date of the foreclosure.
2. Concur with Staff's interpretation that the manager's unit shall be regulated as an affordable unit, with rents not to exceed 120% of AMI.
3. Adopt Resolution No. 12-23 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AUTHORIZING STAFF TO EXECUTE DOCUMENTATION TO CLARIFY AFFORDABLE HOUSING REQUIREMENTS.

9. **NEW BUSINESS**

A. **Reorganization of Certain Positions within the Public Works Department**

Report from the Public Works Director/City Engineer concerning the possibility of reorganizing certain positions within the Public Works Department.

Public Works Director/City Engineer Cameron reviewed the contents of the Administrative Report and responded to Council inquiries.

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

1. Approve the elimination of the Principal Water Conservation Specialist classification.
2. Approve the elimination of the Pre-Treatment Compliance Inspector position and the addition of a Water Conservation Analyst position, including the job description, as identified in the Administrative Report, dated May 15, 2012, that is on file with the City Clerk.
3. Approve the reclassification of the Management Analyst II position in the Environmental Programs Section to a Senior Management Analyst position.
4. Approve the elimination of a Management Analyst II position in the Development Engineering Section.
5. Approve the elimination of a Senior Engineering Technician position in the Development Engineering Section and the addition of an Assistant Engineer position.
6. Direct Staff to include an additional \$8,000 in the Fiscal Year 2013 budget (Development Engineering contractual services) for as-needed plan checking and an additional \$8,000 in the Fiscal Year 2013 budget for increased part-time Office Specialist II hours in Engineering Administration.
7. Adopt Resolution No. 12-24 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADOPTING A REVISED SALARY SCHEDULE AND NEW CLASSIFICATIONS AND AMENDING RESOLUTION NO. 97-09 AND ANY OTHER RESOLUTIONS IN CONFLICT THEREWITH.

**B. Contract Award - San Gabriel Forcemain Rehabilitation**

This item was deleted from the agenda at the request of Staff.

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C. Review of the Utilities Staffing Analysis

Report from the Public Works Director/City Engineer concerning the results of the utilities staffing analysis.

Assistant City Engineer Rebensdorf provided introductory comments. Dan Baker, of Carollo Engineers, and Doug Spiers, of Westin, narrated a PowerPoint presentation entitled "Utilities Staffing Analysis"; reviewed the assessment of the organizational, procedural, and technological functions of the utilities division; responded to Council inquiries. A hard copy of the subject presentation, dated May 15, 2011, is on file with the City Clerk.

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

1. Receive and file the City of San Clemente Utilities Staffing Analysis.
2. Direct Staff to evaluate and prepare action plans for implementation and funding of recommendations in the City of San Clemente Utilities Staffing Analysis.

D. General Municipal Election - November 6, 2012

Report from the City Clerk concerning the City of San Clemente General Municipal for November 6, 2012.

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

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

1. Adopt Resolution No. 12-25 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2012, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES.

*(Staff Recommendation continued on next page.)*

2. Adopt Resolution No. 12-26 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF ORANGE TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 6, 2012, WITH THE GENERAL ELECTION TO BE HELD ON THAT DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE.
3. Adopt Resolution No. 12-27 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATE STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2012.
4. Adopt Resolution No. 12-28 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, PROVIDING FOR THE CONDUCT OF A SPECIAL RUNOFF ELECTION FOR ELECTIVE OFFICES IN THE EVENT OF A TIE VOTE AT ANY MUNICIPAL ELECTION.

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

**Linda Lane to Pier Bowl Trail Lighting**

George Gregory, San Clemente, suggested that the Linda Lane to Pier Bowl trail lighting be installed in a manner that allows for the future widening of the beach trail; urged Council to agendize the possibility of widening and extending the beach trail.

City Manager Scarborough stated that Staff will inform Mr. Gregory of the Beaches, Parks and Recreation Commission meeting at which the beach trail will be discussed.

11. **REPORTS**

A. **Commissions and Committees**

None.

B. **City Manager**

None.

C. City Attorney

None.

D. Council Members

(1) Consideration of Cancelling a Regular Council Meeting in August 2012

Following discussion, MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 3-2 (COUNCILMEMBERS BAKER AND DAHL VOTING NOE), to cancel the August 7, 2012 Council meeting.

(2) Orange County Human Relations Commission (HRC) Awards Ceremony

Councilmember Donchak reported on the success of the Orange County Human Relations Commission (HRC) Awards Ceremony; noted that the La Palmas Leadership Team was recognized at the event.

(3) Recruitment for City Commissions/Committees

In response to Council inquiry, City Clerk Baade announced that the deadline to apply for City Commissions/Committees is May 22, 2012.

(4) Project Ho Ho Ho (Christmas Trees at Vista Hermosa Sports Park and Community Center and Alternating Locations for Holly Jolly Hoopla)

Councilmember Donchak requested that Staff investigate the possibility of placing Christmas trees at the Vista Hermosa Sports Park and Community Center; suggested the possibility of alternating the location of the Holly Jolly Hoopla between the Community Center and Vista Hermosa Sports Park.

(5) Distribution of Golf Clubs to Marines

Councilmember Baker commended Don Glasgow for collecting and distributing golf clubs to active duty marines.

(6) **Orange County Fire Authority (OCFA)**

Councilmember Dahl reported that the Orange County Fire Authority (OCFA) will begin its budget process for Fiscal Year 2013; noted that the OCFA successfully extinguished a brush fire in Tustin last week.

(7) **Orange County Vector Control District**

Councilmember Dahl reported that the Orange County Vector Control District budget process is underway.

(8) **Memorial Day Observance**

Mayor Evert invited the community to attend a Memorial Day observance on May 28, 2012 at 11:00 a.m. at the San Clemente Community Center.

(9) **Welcome Home Parade for Marines**

Councilmember Baker encouraged the community to attend the Welcome Home Parade for marines on June 14, 2012 on Avenida Del Mar.

12. **RESOLUTIONS/ORDINANCES**

None.


13. **ADJOURNMENT**

MOTION BY MAYOR PRO TEM BROWN, SECOND BY COUNCILMEMBER DAHL, CARRIED 5-0, to adjourn at 8:30 p.m., to an Adjourned Regular Council Meeting to be held on May 17, 2012 at 6:00 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California, for the purpose of conducting a workshop on the proposed Fiscal Year 2013 City budget.

An Adjourned Regular Council Meeting will take place on Monday, June 11, 2012 at 5:00 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, for the purpose of interviewing and making appointments to various City Commissions and Committees.

A subsequent Adjourned Regular Council Meeting will also be held on Tuesday, June 12, 2012 in the Council Chambers, located at 100 Avenida Presidio, San Clemente. Closed Session items will be considered at 5:00 p.m. The General Session will commence at 6:00 p.m.

*Note: The Regular Council Meeting of Tuesday, June 5, 2012 was previously rescheduled to Tuesday, June 12, 2012 so that the Council Chambers could be used as a polling site for the Presidential Primary Election.*

  
CITY CLERK of the City of  
San Clemente, California

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MAYOR of the City of  
San Clemente, California

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