



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

September 2, 2014
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.

5:00 P.M. CLOSED SESSION

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

Property: Vista Hermosa Sports Park, 987 Avenida Vista Hermosa, San Clemente

Agency Negotiator: Pall Gudgeirsson, City Manager

Negotiating Parties: City of San Clemente and Surf N' Turf Paradiso, LLC

Under Negotiation: Price and terms of payment

6:00 P.M. BUSINESS MEETING

CALL TO ORDER

INVOCATION – Holland Davis, Pastor, Calvary Chapel San Clemente

PLEDGE OF ALLEGIANCE

ROLL CALL

Special Presentations.

A. Certificate of Recognition - Condor Squadron

Presentation of Certificate of Recognition to Chris Rushing, on behalf of the Condor Squadron, in appreciation of the Condor Squadron's 4th of July flyover of Orange County Coastal Cities.

B. Presentation of Proclamation – World Alzheimer's Month

Presentation of Proclamation to Dan Daly, representing the Alzheimer's Association, designating September as World Alzheimer's Month.

C. Presentation of Proclamation – Constitution Week

Presentation of Proclamation to Susan Schultz, Bertie Lloyd, and Mary Lou Rodearmel, representing the San Clemente Island Chapter of the Daughters of the American Revolution, designating September 17-23, 2014 as Constitution Week.

D. Presentation by Orange County Vector Control – Asian Tiger Mosquitoes

Presentation by Jared Dever, Director of Communications for Orange County Vector Control, concerning Asian Tiger Mosquitoes.

E. Presentation by Orange County Sheriff's Community Liaison Deputy Joe Bull Concerning Homelessness in San Clemente

Presentation by Orange County Sheriff's Community Liaison Deputy Joe Bull concerning homelessness in San Clemente.

F. Presentation of New City Website

Presentation by Information Systems Specialist, Kade Boisseranc, showcasing the new City website.

G. Earthquake Preparedness

Presentation by Building Official, Mike Jorgensen, concerning earthquake safety and preparedness in San Clemente.

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 Adjourned Regular City Council meeting minutes of August 19, 2014.](#)

 - B. **Receive and file:**
 - (1) [Regular Zoning Administrator Meeting Minutes of August 6, 2014.](#)
 - (2) [Regular Planning Commission Study Session Minutes of August 6, 2014.](#)
 - (3) [Regular Planning Commission Meeting Minutes of August 6, 2014.](#)
 - (4) [Regular Golf Course Committee Meeting Minutes of August 7, 2014.](#)
 - (5) [Regular Zoning Administrator Meeting Minutes of August 20, 2014.](#)
 - (6) [Regular Meeting Minutes of the Beaches, Parks, and Recreation Commission of July 8, 2014.](#)

C. **Warrant Register**

Warrant Nos. 518383 through 518548,
paid on 8/15/14, in the amount of.....\$1,364,671.42

Wire Transfer Nos. 1292 through 1295,
and Warrant Nos. 518549 through 518750,
paid on 8/22/14, in the amount of.....\$1,889,278.54

TOTAL WARRANT REGISTER.....\$3,253,949.96

Payroll Register

Approve Warrant Nos. 329 through 331, and
Automatic Deposit Advises 17950 through 18301 for the
period of 8/4/14 through 8/17/14, paid on 8/22/14,
in the amount of.....\$ 447,356.41

TOTAL PAYROLL REGISTER.....\$ 447,356.41

D. **Contract Award - Reservoir Management Plan, Reservoir Nos. 10 & 12
Rehabilitation, and Reservoir Nos. 5A & 14 Chemical Improvements**
Pages 6-D-1 through 6-D-3

Staff Recommendation

Approve, and authorize the Mayor to execute, Contract C14-33 by and
between the City of San Clemente and AKM Consulting Engineers,
providing for the Reservoir Management Plan, Reservoir Nos. 10 & 12
Rehabilitation, and Reservoir Nos. 5A & 14 Chemical Improvements,
Project Nos. 31401, 14406 and 14407, in the amount of \$272,358.

E. **Contract Award - Landscaping and Irrigation Design for the North El
Camino Real Class I Bicycle and Pedestrian Plan** Pages 6-E-1 through
6-E-3

Staff Recommendation

Approve, and authorize the Mayor to execute, Contract C14-34 by and
between the City of San Clemente and Borthwick Guy Bettenhausen, Inc.
providing for Landscape and Irrigation Design for the North El Camino Real
Class I Bicycle and Pedestrian Path, in an amount not to exceed \$40,000.

- F. [Policy and Procedure No. 306-1 – City Council Notification of Alternative Site Stability Approvals](#) Pages 6-F-1 through 6-F-2

Staff Recommendation

Approve Policy and Procedure No. 306-1 entitled “City Council Notification of Alternative Site Stability Approvals”.

- G. [Contract Award - Sewer Master Plan](#) Pages 6-G-1 through 6-G-7

Staff Recommendation

1. Approve, and authorize the Mayor to execute, Contract C14-35 by and between the City of San Clemente and RMC Water and Environment, providing for a Sewer Master Plan Evaluation, Project No. 34202, in the amount of \$190,619.
2. Direct staff to negotiate with Santa Margarita Water District for an agreement to participate in the cost of evaluating the conveyance and treatment of sewage from Talega to the City sewer system.
3. Direct staff to proceed with the Talega evaluation upon Santa Margarita Water District’s agreement to participate financially.

- H. [Casa Romantica Loan Receivable Outstanding Balance](#) Pages 6-H-1 through 6-H-2

Staff Recommendation

Uphold the loan receivable due from the Casa Romantica Cultural Centers and Garden non-profit.

- I. [Acceptance of Redevelopment Agency \(RDA\) Properties](#) Pages 6-I-1 through 6-I-45

Staff Recommendation

1. Authorize the City Attorney’s office to prepare, the Chairperson of the Successor Agency’s Board of Directors to execute, and the City Clerk to acknowledge and record, quitclaim deeds and/or title documents for the transfer of the Casa Romantica and the Pier Bowl Grass Area assets from the Successor Agency to the City of San Clemente.
2. Accept the assignment of the Casa Romantica Lease/operating agreement from the Successor Agency to the City.

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.

None.

8. **Unfinished Business.**

None.

9. **New Business.**

- A. [Centennial General Plan's 2014-2015 Draft Strategic Implementation Program](#) Pages 9-A-1 through 9-A-35

Report from the Community Development Director concerning the Centennial General Plan's 2014-2015 Draft Strategic Implementation Program.

Planning Commission and Staff Recommendation

Adopt Resolution No. 14-35 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING THE 2014-2015 STRATEGIC IMPLEMENTATION PROGRAM FOR THE CENTENNIAL GENERAL PLAN.

- B. [Conflict of Interest Code – Biennial Update](#) Pages 9-B-1 through 9-B-31

Report from the City Clerk concerning the Biennial Update of the City's Conflict of Interest Code.

Staff Recommendation

Introduce Ordinance No. 1587 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, AMENDING CHAPTER 2.24 OF THE SAN CLEMENTE MUNICIPAL CODE RELATING TO THE CITY'S CONFLICT OF INTEREST CODE.

C. [FY 2014-2017 Memorandum of Understanding Between the City and the San Clemente City Employees Association.](#)

Pages 9-C-1 through 9-C-167

Report from the Assistant City Manager concerning the 2014-2017 Memorandum of Understanding between the City and the San Clemente City Employees Association.

Staff Recommendation

1. Approve the Memorandum of Understanding between the City and the San Clemente City Employees Association.
 2. Approve the revised Personnel Rules and drug and alcohol testing policy.
 3. Approve all salary, pension offset, opt-out provisions, and cafeteria benefit changes noted above for the Executive, Mid-Management, and Confidential employee groups and approve the same vacation payout increase for Confidential staff.
 4. Approve supplemental appropriations to the salary and benefit expenditure line items from the unassigned fund balance in the General Fund of \$116,930, and in Other Funds of \$59,780, to fund the net additional cost of the salary and benefit changes in FY 2015.
 5. Adopt Resolution No. 14-36 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING RESOLUTION NO 14-24, ADOPTING REVISED SALARY SCHEDULES,
 6. Adopt Resolution No. 14-37 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING RESOLUTION NO 56-70, RELATING TO EMPLOYEE RELATIONS IN THE PUBLIC SERVICE OF THE CITY OF SAN CLEMENTE.
 7. Adopt Resolution No. 14-38 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING RESOLUTION NO. 14-29, APPROVING EMPLOYER PAID MEMBER CONTRIBUTIONS.
10. **Oral Communications (Part 2).** Members of the audience who wish to address Council on matters that are within the jurisdiction of the City of San Clemente, but not separately listed on the agenda, may do so during the Oral Communications portion of the meeting. When the Mayor calls your name, please step to the podium, state your name and the City in which you reside, and make a presentation not to exceed three minutes. Subject to very limited exceptions, Council is not permitted to discuss or take action on items that do not appear on the agenda.

11. **Reports.**

- A. **Commissions and Committees**
- B. **City Manager**
- C. **City Attorney**
- D. **Council Members**

- 1.) Status Report from Mayor Brown on the ACC-OC Technology Committee

12. **Resolutions/Ordinances.**

- A. **[Ordinance No. 1585 \(Second Reading\) – Implement Senate Bill 2 \(“SB 2”\), The Emergency Shelter Act](#)** Pages 12-A-1 through 12-A-27

Staff Recommendation

Adopt Ordinance No. 1585 entitled AN ORDINANCE OF THE CITY OF SAN CLEMENTE, CALIFORNIA TO AMEND THE MUNICIPAL CODE TO IMPLEMENT SENATE BILL 2 (“SB 2”), THE EMERGENCY SHELTER ACT; CITY FILE NO. ZA 14-121.

13. **Adjournment.**

Adjourn to an Adjourned Regular Meeting to be held on September 9, 2014 at 7:00 p.m. at the Pride of the Pacific Bar & Grille (Municipal Golf Course), located at 150 Avenida Magdalena, San Clemente, for the purpose of meeting in joint session with the City’s Commissions and Committees.

The next Regular Council Meeting will be held on September 16, 2014 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 Business Meeting will commence at 6:00 p.m.

CITY COUNCIL MEETING PROCEDURES

PRESENTATION OF WRITTEN MATERIALS TO COUNCIL

In order to ensure that Councilmembers have adequate time to consider written materials concerning agenda items, it is strongly recommended that such materials be submitted to the City Clerk by noon the date preceding the Council meeting.

MEETINGS RECORDED AND TELEVISED

City Council meetings are broadcast live and are replayed periodically on Cox Communications Local Access Channel 30 (or Channel 854 for high-definition televisions). Meetings are also recorded via audio CD and DVD and retained as a City record in accordance with the City's records retention schedule.

USE OF ELECTRONIC VISUAL AIDS BY PUBLIC AT MEETINGS

To allow staff adequate time to confirm software compatibility, individuals wishing to utilize electronic visual aids to supplement their oral presentations at the meeting, must submit the electronic files to the City Clerk by no later than 12:00 p.m. on the day of the meeting. Only compatible electronic formats will be permitted to be used on City audio/visual computer equipment. Staff makes no guarantee that such material will be compatible, but will use its best efforts to accommodate the request.

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 Department 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 Department, located at 100 Avenida Presidio, San Clemente, during normal business hours.

The City Clerk's Department 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.

This agenda is subject to amendment up to 72 hours prior to the meeting.