

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

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

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**1. CALL TO ORDER/ PLEDGE OF ALLEGIANCE**

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

**2. ROLL CALL**

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

Absent: None

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

**3. APPROVAL OF MINUTES - None**

**4. PUBLIC INPUT**

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

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

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

**5. OLD BUSINESS - None**

## 6. NEW BUSINESS

### A. Strategic Priority Planning

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

#### Poche Beach Pond Clean Up

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

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

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

#### Citywide Parking Restriction for Street Sweeping

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

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

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

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

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

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

#### Single Use Plastic Bag Ban

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

Chair Hart opened the item for public comment.

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

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

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

Chair Hart closed the public comment.

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

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

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

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

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

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

#### Clean Ocean Program

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

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

#### Recap

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

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

#### B. Prima Deshecha Watershed Tour

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

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

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

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

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

Report received and filed.

C. Environmental Sustainability Grant Application Recommendation

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

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

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

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

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

**7. COMMUNICATIONS**

A. Bacterial Monitoring Report Dated January 2, 2013

B. December 2012 Environmental Programs Update

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

## **8. ITEMS FROM STAFF**

### **A. Potential Future Agenda Items**

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

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

### **B. Staff Announcements**

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

## **9. ITEMS FROM COMMITTEE MEMBERS**

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

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

## **10. ADJOURNMENT**

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

Respectfully submitted,

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Bill Hart, Chair

Attest:

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Tom Bonigut, Assistant City Engineer