



# 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](http://www.san-clemente.org)

March 3, 2015  
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: James Makshanoff, City Manager

Negotiating Parties: City of San Clemente and SC Surf LLC

Under Negotiation: Price and terms of payment

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

Property: Community Development Department, Second Floor, 910 Calle Negocio, San Clemente

Agency Negotiator: Erik Sund, Assistant City Manager

Negotiating Parties: City of San Clemente and Saddleback Community College

Under Negotiation: Price and terms of payment

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

Emergency Shelter Coalition v. City of San Clemente, OCSC Case No. 30-2014-00758880-CU-WM-CJC.

*Closed Session Items Continued on Following Page*

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

Callan, et al. v. Marlborough Seaview Estates Homeowners Association, et al., OCSC Case No. 01CC07556 (consolidated with Case No. 01CC15381)

**6:00 P.M. BUSINESS MEETING**

**CALL TO ORDER**

**INVOCATION – Shadi Farhadi, Bahai Faith Community**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

1. **SPECIAL PRESENTATIONS**

A. **Certificate of Recognition – Larry Rannals**

Presentation of a Certificate of Recognition to Larry Rannals, in honor of his service as Community Plans and Liaison Officer at Marine Corps Base Camp Pendleton.

B. **Wellness and Prevention Center San Clemente**

Presentation by Susan Parmalee, Director, Wellness and Prevention Center San Clemente, regarding the past-year accomplishments of the program and current challenges facing our youth, families and community.

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**

(1) [Approve the minutes of the Regular City Council Meeting of February 17, 2015.](#)

B. **Receive and file:**

(1) [Minutes of the Regular Coastal Advisory Committee Meeting of January 8, 2015.](#)

(2) [Minutes of the Regular Zoning Administrator Meeting of February 18, 2015.](#)

(3) [Minutes of the Regular Planning Commission Study Session of February 18, 2015.](#)

(4) [Minutes of the Regular Planning Commission Meeting of February 18, 2015.](#)

C. **Warrant Register**

[Warrant Nos. 522212 through 522404,](#)  
[paid on 2/13/15, in the amount of.....](#)\$2,463,693.66

[Approve Wire Transfers Nos. 1359 through](#)  
[1362, paid on 2/20/15, and Warrant Nos.](#)  
[522405 through 522544, paid on 2/20/15,](#)  
[in the amount of.....](#)\$822,084.06

[Approve Wire Transfers Nos. 1363 through](#)  
[1364, paid on 2/27/15, and Warrant Nos.](#)  
[522545 through 522703, paid on 2/27/15,](#)  
[in the amount of.....](#)\$4,004,103.00

TOTAL WARRANT REGISTER.....\$7,289,880.72

**Payroll Register**

Approve Warrant Nos. 361 through 363 and Automatic Deposit Advises 21974 through 22276 for the period 2/2/15 through 2/15/15, paid on 2/20/15, in the amount of.....\$ 418,855.18

TOTAL PAYROLL REGISTER.....\$ 418,855.18

D. **Zoning Amendment Initiation – Commercial Mascots** Page 6-D-1

Staff Recommendation

Initiate a Zoning Amendment to prohibit commercial mascots.

E. **Contract Award – San Gorgonio Park Recycled Water Retrofit** Pages 6-E-1 through 6-E-3

Staff Recommendation

1. Approve the plans and specifications for the San Gorgonio Park Recycled Water Retrofit, Project No. 13111.
2. Approve, and authorize the Mayor to execute, Contract C15-13 by and between the City of San Clemente and Midori Landscape, Inc., providing for Recycled Water Retrofits, in the amount of \$33,462.08.

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.**

- A. [Proposed El Camino Real Parking Lot at North Beach](#) Pages 8-A-1 through 8-A-144

Report from the Public Works Director concerning the proposed parking lot on El Camino Real at North Beach.

Staff Recommendation

Provide direction to staff on which parking lot design to negotiate with California Coastal Commission staff, i.e., the City Council-approved design or the alternate design.

- B. [Consideration of Opposing Toll Lanes on the 405 Freeway and all New Toll Lanes on Other Orange County Freeways](#) Pages 8-B-1 through 8-B-4

Staff Recommendation

Adopt Resolution No. 15-05 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, OPPOSING IMPLEMENTATION OF TOLL LANES ON THE 405 AND ALL OTHER ORANGE COUNTY FREEWAYS WITHOUT A VOTE OF THE ENTIRE ORANGE COUNTY ELECTORATE.

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**
- C. **City Attorney**
- D. **Council Members**

12. **Resolutions/Ordinances.**

None.

13. **Adjournment.**

Adjourn to an Adjourned Regular Council Meeting to be held on March 4, 2015 at 5:00 p.m. to consider the Long Term Financial Plan, Quarterly Report and Mid-Year Budget Adjustments.

The next Regular Council Meeting will be held on March 17, 2015 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](http://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](mailto:cityclerk@san-clemente.org) or call 949-361-8200.

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