

CITY OF SAN CLEMENTE

City Council Minutes

Regular City Council Meeting – May 5, 2015

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 5, 2015 at 5:00 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California, by Mayor Hamm.

PRESENT BAKER*, BROWN, DONCHAK**, WARD, MAYOR HAMM***
*Arrived at 5:02 p.m.
**Left the meeting at 10:47 p.m.
***Arrived at the meeting at 5:06 p.m. and left the meeting at 10:01 p.m.

ABSENT None.

STAFF PRESENT James Makshanoff, City Manager; Scott Smith, City Attorney; Joanne Baade, City Clerk; Laura Campagnolo, Deputy City Clerk

CLOSED SESSION

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER BROWN, CARRIED 3-0 (MAYOR PRO TEM BAKER AND MAYOR HAMM ABSENT), to recess to Closed Session at 5:00 p.m. to discuss the following:

1. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
Pursuant to Government Code Section 54956.8:
Property: 1 Acre Vacant Land Parcel North of the Northeast Corner of Avenida Fabricante and Calle Extremo, APN # 690-661-09
Agency Negotiator: Erik Sund, Assistant City Manager
Negotiating Parties: City of San Clemente and Glaukos Corporation
Under Negotiation: Lease Terms

2. **CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION**
Pursuant to Government Code Section 54956.9(d)(2)
Significant Exposure to Litigation
Number of potential cases: 3

3. **CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION**
Pursuant to Government Code Section 54956.9(a)
Name of case: Shaheen Sadeghi v. City of San Clemente
Orange County Superior Court Case Nos.: 30-2011-00520642-CU-EI-CJC and 30-2011 00465408-CU-WM-CJC

4. **CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION**
Pursuant to Government Code Section 54956.9(d)(4)
Initiation of Litigation
Number of potential cases: 1

5. **CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION**
Pursuant to Government Code Section 54956.9(d)(2)
Significant Exposure to Litigation
Number of potential cases: 1

In attendance for the full Closed Session were all members of the City Council (Mayor Hamm arrived at 5:06 p.m.), City Manager Makshanoff, Assistant City Manager Sund, City Attorney Scott and City Clerk Baade. Code Enforcement Supervisor Panas and Building Official Jorgensen were in attendance for Closed Session Items 4 and 5 only. Public Works Director/City Engineer Cameron and Senior Civil Engineer Ilkhanipour were in attendance for Closed Session Item 2 only.

MEETING RECONVENED

Council reconvened at 6:07 p.m., with all members present.

INVOCATION

Don Kappauf, Chaplain, Orange County Sheriff's Department, gave the invocation.

PLEDGE OF ALLEGIANCE

Councilmember Donchak led the Pledge of Allegiance.

1. **SPECIAL PRESENTATIONS**

A. **Lucity Computerized Maintenance Management System Demonstration**

Principal Civil Engineer Knatz provided Council with a demonstration and overview of the Lucity Computerized Maintenance Management System.

B. Proposed Fiscal Year 2016 Budget

Assistant City Manager Sund narrated a PowerPoint presentation entitled “Proposed Fiscal Year 2016 Budget” and responded to Council inquiries. A hard copy of the presentation is on file with the City Clerk.

2. ORAL COMMUNICATIONS (PART 1)**Pico Bridge Top Knots**

Christy MacBride-Hart, San Clemente, voiced concern regarding the proposed Pico Bridge top knots, citing issues with regard to size of the top knots, ocean view blockage and danger posed if the adornments should fall; urged Council to request that CalTrans remove the top knots from the design.

Estrella Shopping Center Freeway-Oriented Signage

Evan Weiss, San Clemente, thanked Council for its decision to deny freeway-oriented signage at the Estrella Shopping Center; referenced the story poles at the site of the mixed-use structure in the 1000 block of El Camino Real and urged that a banner be placed on story-poled properties to explain the meaning of the poles.

Pete Van Nuys, San Clemente, thanked the Council majority for voting to deny the freeway-facing signage at the Estrella Shopping Center; spoke in support of upholding standards.

Group Homes

Bill Robinson, San Clemente, voiced safety concerns and identified negative impacts associated with group homes and rehabilitation facilities; urged Council to adopt an Ordinance to regulate facilities that is similar in content to the one recently passed by the City of Costa Mesa.

Bernie Wohlfarth, San Clemente, voiced concern with the influx of group homes in his neighborhood; urged that Council agendize the possibility of adopting an ordinance similar to the one adopted in Costa Mesa.

Darius Vasefi, San Clemente, voiced concerns regarding the abundance of group homes in San Clemente; urged Council to adopt an Ordinance regarding enforcement of group home regulations; requested that the City improve its outreach to residents in an effort to keep them informed.

Sherman Fowler, San Clemente, urged Council to use the City of Costa Mesa’s Ordinance concerning group homes as a template for a similar ordinance in San Clemente.

Larry Ding, San Clemente, voiced concerns regarding the increase in group homes and rehabilitation facilities in his neighborhood; urged Council to adopt an Ordinance similar to the one the City of Costa Mesa recently adopted.

Retired Senior Volunteer Patrol (RSVP)

Michael Kusenza, San Clemente, spoke in support of the City's RSVP program; described the duties of the RSVP volunteers and urged Council to support the RSVP volunteer program in the next budget year.

Wayne Eggleston, San Clemente, spoke in support of the RSVP program; asserted that RSVP volunteer hours have resulted in significant savings for the City; noted the RSVP program is a proactive program, rather than reactive, and urged Council to not reduce the RSVP budget in the coming budget year.

City Manager Makshanoff confirmed that the City is not considering reducing the RSVP program; noted the program is being reviewed internally for the sole purpose of ensuring that the RSVPs are covered under either the Orange County Sheriff's Department's or the City's umbrella liability insurance coverage.

Saddleback Hospital San Clemente Campus

Tony Struthers; Administrator of Saddleback Hospital San Clemente Campus, provided an update on AB 911 and SB 787, which would allow San Clemente to have a freestanding emergency room; pointed out that much opposition to AB 911 and SB 787 has been withdrawn and the legislation has progressed farther than any similar legislation in the past; spoke in support of continuing the effort to pursue the subject precedent-setting legislation.

Dr. Steve Cullen, San Clemente, thanked Councilmembers for traveling to Sacramento to attend legislative hearings and for its continued support for a freestanding emergency room.

Warren Vidrine, San Clemente, spoke concerning zoning and associated building allowances on the hospital property.

Carol Wilson, San Clemente, reported on her attendance at the Assembly and Senate hearings in Sacramento concerning AB 911 and SB 787; noted that the bills have been delayed and it is still possible that the hospital will close; urged Council to continue discussions regarding rezoning, creating a hospital district, and seeking another hospital operator.

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

4. CONSIDERATION OF AGENDIZING ITEMS REQUIRING IMMEDIATE ACTION

None.

5. CLOSED SESSION REPORT - CITY ATTORNEY**Sober Living Facilities, Short-Term Rentals, and Home-Based Businesses**

City Attorney Smith reported that during this evening's Closed Session, Council authorized investigations and enforcement of all applicable City and State laws associated with sober living facilities, short-term rentals, and other home-based businesses in residential zones; advised the City will immediately initiate a comprehensive work program that includes a review of all licenses and permittees and the validity of their applications and licenses with the State in all categories.

6. CONSENT CALENDAR

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER WARD, CARRIED 5-0, to approve the Consent Calendar, with the removal of Items 6-B(1), 6-B(4), 6-D, 6-G, 6-H and 6-I.

A. City Council Minutes

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

- (1) Minutes of the Adjourned Regular City Council Meeting of April 7, 2015.
- (2) Minutes of the Regular City Council Meeting of April 21, 2015.

B. Commission and Committee Minutes

- (2) **Zoning Administrator Regular Meeting minutes of April 22, 2015**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER WARD, CARRIED 4-0-1 (COUNCILMEMBER BROWN ABSTAINED BECAUSE HE OWNS PROPERTY WITHIN 500 FEET OF THE CASSANO'S PIZZA PROJECT LOCATED AT 818 SOUTH EL CAMINO REAL), to receive and file the minutes of the Regular Zoning Administrator Meeting of April 22, 2015.

(3) Planning Commission Study Session Minutes of April 22, 2015

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER WARD, CARRIED 5-0, to receive and file the minutes of the Regular Study Session of the Planning Commission of April 22, 2015.

C. Warrant Register

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER WARD, CARRIED 5-0, to approve the following:

Wire Transfer Nos. 1382 through 1386 paid on 4/17/15, and Warrant Nos. 523821 through 523910, paid on 4/17/15, in the amount of.....\$1,239,412.03

Warrant Nos. 523911 through 524066, paid on 4/24/15, in the amount of.....\$ 958,915.87

TOTAL WARRANT REGISTER.....\$2,198,327.90

Payroll Register

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER WARD, CARRIED 5-0, to approve the following:

Warrant Nos. 374 through 381 and Automatic Deposit Advises 23194 through 23531 for the period 3/30/15 through 4/12/15, paid on 4/17/15, in the amount of.....\$ 422,228.79

TOTAL PAYROLL REGISTER.....\$ 422,228.79

E. Contract Award – Laboratory Services

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

1. Approve, and authorize the Mayor to execute, Contract C15-36, by and between the City of San Clemente and Sierra Analytical, providing for temporary as-needed laboratory services to meet regulatory requirements for water and recycled water, sewer and storm drain operations, in the amount of \$94,000.

Motion continued on following page

2. Approve a supplemental appropriation to Accounts 052-462-43890 in the amount of \$14,100, 052-465-43890 in the amount of \$23,500, 054-472-43890 in the amount of \$51,700 and 059-552-43890 in the amount of \$4,700.

F. Change Order –Repair of Boca Del Canon Beach Restroom

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER WARD, CARRIED 5-0, to authorize the Public Works Director/City Engineer to approve Change Order #1 to Contract C14-38 (existing contract for improvements to the Base of the Pier restroom), by and between the City of San Clemente and Jasper Construction, providing for construction repairs to the Boca Del Canon Beach Restroom, Project No. 15504. This Change Order will increase the contract amount from \$317,950 to \$355,950, an increase of \$38,000.

J. Contract Award – Hospital Legislative Advocacy Services

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

1. Approve, and authorize the City Manager to execute, Contract C15-37, by and between the City of San Clemente and Aprea & Micheli, providing for Hospital Legislative Advocacy Services, in an amount not to exceed \$45,000.
2. Authorize a budget transfer of \$50,000 from the Council Contingency Reserve, 001-203-44900-000-0000, and add budget as follows: \$45,000 to City Administration - Other Professional Services, 001-203-43690-000-00000; \$2,500 to City Council-Travel & Training, 001-111-43060-000-00000; and \$2,500 to City Manager-Travel & Training, 001-121-43060-000-00000.

ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION

6(B)1. Beaches, Parks and Recreation Commission Regular Meeting Minutes of April 14, 2015

Council requested that an update on the status of the Ole Hanson Beach Club renovation be given at a future Council meeting.

MOTION BY MAYOR PRO TEM BAKER, SECOND BY MAYOR HAMM, CARRIED 5-0, to receive and file the minutes of the Beaches, Parks and Recreation Commission Regular Meeting of April 14, 2015.

6(B)4. Planning Commission Regular Meeting Minutes of April 22, 2015

Council referenced the portion of the Planning Commission minutes of April 22, 2015 that related to the General Plan review.

Councilmember Brown announced that he would recuse himself from deliberations on the portion of the Planning Commission minutes relating to the General Plan Review, because he owns property within 500 feet of the south El Camino Real corridor that was the subject of possible height limitations by the Planning Commission; left the Chambers at 7:29 p.m.

City Planner Pechous responded to Council inquires.

Council referred to the portion of the minutes that related to Zoning Amendment 15-086 (Prohibition of Commercial Mascots). Following discussion, Council requested that the Planning Commission minutes be revised to correctly reflect that Commissioners Crandell and Darden abstained from voting on ZA 15-086, as opposed to voting against the Zoning Amendment.

Councilmember Brown returned to the dais at 7:32 p.m.

In response to Council inquiry, City Planner Pechous clarified the intent of the portion of the Planning Commission minutes that reads as follows: "The City should work diligently with the property owner and tenants to increase allowable signage at Liberty Tax Service."

MOTION BY MAYOR PRO TEM BAKER, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to receive and file the minutes of the Regular Planning Commission meeting of April 22, 2015, with the understanding that the vote on the Commercial Mascots issue will be corrected.

MOTION BY MAYOR PRO TEM BAKER, SECOND BY MAYOR HAMM, CARRIED 5-0, to request that the Planning Commission Chair attend Council meetings on a quarterly basis to provide updates to Council under Special Presentations. Further, to invite other Commissions and Committees to provide Council updates on an as-needed basis.

D. **Active Transportation Program (ATP) Cycle 2 Grant Applications**

Transportation Engineering Manager Frank provided an overview of the Safe Routes to School and Beach Trail extension projects and responded to Council inquiries.

MOTION BY MAYOR HAMM, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to approve, and authorize the City Manager to execute, and submit applications for the June 1, 2015 California Active Transportation Program call for projects.

G. **Consideration of Anti-Human Trafficking Resolution**

Brenda Wells, San Clemente, spoke in support of the proposed Resolution and urged Council to vote in favor of Staff's recommendation.

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

1. Adopt Resolution No. 15-19 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, PROCLAIMING SUPPORT FOR STRENGTHENING THE FIGHT AGAINST HUMAN TRAFFICKING, with the following modifications:

2nd Whereas to read: Whereas, the City of San Clemente recognizes that while San Clemente is a desirable tourist destination, it is a city in Orange County, which is a destination for slave trafficking, and due to San Clemente's unique geography and ease of access to hotels and motels along the I-5 corridor, this makes San Clemente vulnerable to human trafficking.

4th Whereas to read: Whereas, by not being informed or aware of forced labor and human trafficking within the State of California and the potential activity based on the geographical and welcoming conditions in San Clemente, we deny its victims the hope and promise of the American dream and our freedoms, and the promise of action of our State.

Section 3 to read: That the City of San Clemente encourages all Californians to become educated about human trafficking and slavery in order to recognize it and inform authorities so that these criminal practices will be eradicated within and beyond our city borders.

2. Direct Staff to forward copies of Resolution No. 15-19 to the Distribution List, contained in the Administrative Report, dated May 5, 2015, and on file with the City Clerk.

H. **Resolution of Denial - Sign Exception Permit 15-045, Estrella Shopping Center Master Sign Program Phase I – One Freeway-Oriented Sign**

City Manager Makshanoff reported that the Estrella Shopping Center project is moving forward with Steinmart, Sports Authority and Sprouts with an anticipated opening date in the 1st quarter of 2016.

MOTION BY MAYOR PRO TEM BAKER, SECOND BY MAYOR HAMM, CARRIED 5-0, to agendize a discussion of the Sign Code.

MOTION BY MAYOR HAMM, SECOND BY COUNCILMEMBER BROWN, CARRIED 5-0, to adopt Resolution No. 15-20 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, DENYING WITHOUT PREJUDICE SIGN EXCEPTION PERMIT (SEP) 15-045, ESTRELLA SHOPPING CENTER MASTER SIGN PROGRAM, PHASE I, FOR ONE FREEWAY ORIENTED SIGN LARGER THAN 64 SQUARE FEET FOR A COMMERCIAL CENTER LOCATED AT 550 CAMINO DE ESTRELLA.

I. **Fee Waiver – Stoke-O-Rama Surf Contest**

This item was deferred to the May 19, 2015 Council meeting, to enable the applicant to be present.

7. **PUBLIC HEARINGS**

A. **Weed Abatement 2015 – Order to Abate Nuisances**

Public Hearing to consider an Order to Abate Nuisances by having weeds, rubbish, refuse and dirt removed from vacant and unoccupied structured properties.

Code Compliance Supervisor Panas responded to Council inquiries.

Mayor Hamm opened the Public Hearing, and there being no one desiring to speak, the Public Hearing was closed.

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY MAYOR HAMM, CARRIED 5-0, to adopt Resolution No. 15-21 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.

B. 2015-2016 Annual Action Plan for Expenditures of Community Development Block Grant (CDBG) Funds

Public Hearing to consider the 2015-2016 Action Plan for Expenditures of Community Development Block Grant funds.

Housing Programs Planner Obrero narrated a PowerPoint presentation entitled “Adoption of Annual Action Plan 2016” and responded to Council inquiries. A hard copy of the PowerPoint presentation is on file with the City Clerk.

Mayor Hamm opened the Public Hearing, and there being no one desiring to speak, the Public Hearing was closed.

MOTION BY MAYOR PRO TEM BAKER, SECOND BY COUNCILMEMBER WARD, CARRIED 5-0, to:

1. Approve and adopt the Fiscal Year 2016 Annual Action Plan for use of Community Development Block Grant (CDBG) funds.
2. Authorize the City Manager to execute the HUD contract.
3. Authorize the City Manager and Community Development Director to execute contracts within the established spending policy.

MEETING RECESSED

Council recessed at 7:53 p.m., and reconvened at 8:04 p.m., with all members present.

C. 510 Avenida La Costa - Minor Exception Permit 15-064 and Minor Architectural Permit 14-484, Donello Residence

Public Hearing to consider an appeal of the Zoning Administrator’s approval of Minor Exception Permit 15-064 and Minor Architectural Permit 14-484, Donello Residence, located at 510 Avenida La Costa.

Associate Planner Ciampa narrated a PowerPoint presentation entitled “Donello Residence”. Associate Planner Ciampa, City Planner Pechous and Building Official Jorgensen responded to Council inquiries. A hard copy of the PowerPoint presentation is on file with the City Clerk.

Mayor Hamm opened the Public Hearing.

John Boyer, Las Vegas, opined that the Riviera District does not have a legal homeowners association; asserted that the homeowners of 510 Avenida La Costa must receive approval by 51% of the Riviera homeowners in order to have their project approved.

Steven Evans stated that he is President of the Riviera Homeowners Association; reported that the HOA reluctantly approved the subject project; noted that residents in the Riviera District have complied with the height restrictions as outlined in the CC&Rs.

Barbara Howard, San Clemente, asserted that her family has always honored the CC&Rs for the Riviera District and hence have remodeled their home in compliance with those CC&Rs; urged Council to deny Staff's recommendation.

Steve Sudakoff, San Clemente, voiced concern that the project's height measurement was improperly calculated from the side of the slope in order to exceed the 16-foot height restriction; requested that the Donellos change their plans to comply with the CC&Rs.

Jeansie Bunnell, San Clemente, urged Council to deny Staff's recommendation; noted that the Riviera District does not have a formal homeowners association; reported that 51% of the homeowners have signed a petition to maintain the 16-foot height restriction.

Pete Van Nuys, San Clemente, provided Council with a petition signed by 57% of the Riviera homeowners that opposed the plans for 510 Avenida La Costa; narrated a PowerPoint presentation; voiced concern that the Architect is measuring the building height from a point four feet above the original building grade; asserted that if the proposed project is approved, the CC&Rs must be amended, which the majority of residents oppose; urged Council to deny the request and create a new R-Designation for Riviera; requested that Council implement a temporary moratorium on building permits in Riviera. A hard copy of the petition and PowerPoint are on file with the City Clerk.

Shannon Carney, San Clemente, urged Council to deny Staff's recommendation and return the project to the Riviera Architectural Committee for further review.

Lise Telson, San Clemente, quoted the City's Mission Statement; urged Council to deny the request and require the applicant to follow the CC&Rs.

Lynn Van Nuys, San Clemente, requested that Council assist the Riviera District in upholding the CC&Rs; urged Council to direct the Building Official to investigate whether or not the approval from the Riviera Architectural Committee is valid.

Robert Cohen, San Clemente, stated that all members of the Architectural Committee must be elected by a majority vote of the homeowners, which did not happen in this case; opined that a 51% vote of the homeowners is needed to exceed regulations.

Ned Bunnell, San Clemente, urged Council to deny the project based on concerns that the project will set a precedent and ultimately change the feel of the Riviera District.

John Donello, Applicant, stated that when he was considering purchasing his home, a set of plans existed that defined the highest grade of the lot as the point where the perimeter of the new home touched the lot, and that the 16' height limitation is measured from that point; reported that he called the HOA and it confirmed that interpretation; expressed frustration that he is now hearing a different interpretation from the community.

Derek Wolf, Project Architect, narrated a PowerPoint presentation which outlined the current project; displayed photos of several properties in the Riviera District that meet the definition of a two-story building; asserted that the subject project complies with Article 9 of the CC&Rs concerning structure height; urged Council to approve the proposed project. A hard copy of the PowerPoint is on file with the City Clerk.

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

Following discussion, MOTION BY COUNCILMEMBER BROWN, SECOND BY MAYOR HAMM, to deny the project without prejudice, direct that City fees associated with any re-submitted application be waived, and to request clear direction from the Architectural Review Board and whoever represents the Riviera Homeowners Association group. ***This motion was not voted upon. Please refer to the below substitute motion.***

SUBSTITUTE MOTION BY COUNCILMEMBER BROWN, SECOND BY MAYOR HAMM, CARRIED 5-0, to table this item to enable the Applicant to work with the Riviera Homeowners Association. Council requested clear direction from the Architectural Review Board, Riviera District leadership and residents as to their desires.

Mayor Hamm left the meeting at 10:01 p.m.

8. **UNFINISHED BUSINESS**

A. **Phase II of the Mobility Task Force**

Report from the Public Works Director/City Engineer concerning Phase II of the Mobility Task Force.

Transportation Engineering Manager Frank narrated a presentation and responded to Council inquiries. A hard copy of the presentation is on file with the City Clerk.

MOTION BY COUNCILMEMBER BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 4-0 (MAYOR HAMM ABSENT), to approve Phase II of the Mobility Task Force to address the Work Plan provided in Attachment 2, of the Administrative Report, dated May 5, 2015, that is on file with the City Clerk.

9. **NEW BUSINESS**

A. **Downtown Core License Plate Survey**

Report from the Community Development Director concerning the Downtown License Plate survey.

Associate Planner Jones narrated a PowerPoint entitled "Downtown Core License Plate Survey" and responded to Council inquiries. A hard copy of the presentation is on file with the City Clerk.

Josh Cunningham, representing the Downtown Business Association, spoke in support of the Planning Commission's recommendations; noted that a three-hour parking limitation may be problematic for employees with longer shifts because they would need to move their car after three hours.

Don Brown, San Clemente, Vice Chair of the Planning Commission, summarized the Planning Commission's deliberations and urged Council to approve the Commission's recommendations; spoke in support of enhancing dialogue between the Planning Commission and City Council.

MOTION BY COUNCILMEMBER BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 4-0 (MAYOR HAMM ABSENT), to:

1. Implement Recommendations 1 – 7 at this time. *Note: The recommendations are contained in the Administrative Report, dated May 5, 2015, that is on file with the City Clerk.*
2. Investigate and implement recommendations 8-12 of the Administrative Report as opportunities present themselves.
3. Continue current parking management policy, recommendations 13 – 19 of the Administrative Report.
4. Initiate a comprehensive parking and circulation strategy, recommendation 20, after the higher priority Implementation Measures in process are complete (e.g. Zoning Ordinance Update/Specific Plan Update/Local Coastal Plan, etc.)

Councilmember Donchak left the meeting at 10:47 p.m.

B. Local Coastal Program – Cost Benefit Analysis

Report from the Interim Community Development Director concerning a cost benefit analysis for a Local Coastal Program.

City Planner Pechous reviewed the contents of the Administrative Report and responded to Council inquiries.

MOTION BY MAYOR PRO TEM BAKER, SECOND BY COUNCILMEMBER WARD, CARRIED 3-0 (COUNCILMEMBER DONCHAK AND MAYOR HAMM ABSENT), to continue the process to complete the Local Coastal Program.

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

Departure of San Clemente Times Reporter, Jim Shilander

Jim Shilander, San Clemente Times, announced that he is leaving the San Clemente Times because he is getting married and will relocate; thanked Council and Staff for their support during his tenure at the San Clemente Times.

11. **REPORTS**

A. **Commissions and Committees**

None.

B. **City Manager**

Wave Pool Project/Miniature Golf/Restaurant Project – Vista Hermosa Sports Park

City Manager Makshanoff reported that at its meeting of April 21, 2015, Council decided to not pursue the Wave Pool/Miniature Golf/Restaurant at this time.

C. **City Attorney**

None.

D. **Councilmembers**

Farmers Market

MOTION BY COUNCILMEMBER WARD, SECOND BY COUNCILMEMBER BROWN, CARRIED 3-0 (COUNCILMEMBER DONCHAK AND MAYOR HAMM ABSENT), to agendize the Farmers Market to enable Council to determine whether or not to issue a Request for Proposal for the Farmers Market.

Top Knots on Pico Bridge

Mayor Pro Tem Baker requested that Staff speak with CalTrans to determine the City's options with regard to the proposed top knots on the Pico Bridge.

San Clemente Hospital

Mayor Pro Tem Baker reported on his trip to Sacramento to support legislation to allow a freestanding emergency room in San Clemente; noted that he was encouraged by the support from staff and lobbyists as well as Senator Bates and Assemblyman Brough.

12. RESOLUTIONS/ORDINANCES

- A. **Ordinance No. 1594 (Second Reading) – Clarifying the Application Review Process, Streamlining Some Permit Processes, While Maintaining or Enhancing Quality of Life; and Making Wireless Antenna Procedures Consistent with Federal Law**

MOTION BY COUNCILMEMBER BROWN, SECOND BY COUNCILMEMBER WARD, CARRIED 3-0 (COUNCILMEMBER DONCHAK AND MAYOR HAMM ABSENT), to adopt Ordinance No. 1594 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING ZONING AMENDMENT 14-056, AMENDING TITLE 17 OF THE SAN CLEMENTE MUNICIPAL CODE, CLARIFYING THE APPLICATION REVIEW PROCESS, STREAMLINING SOME PERMIT PROCESSES, WHILE MAINTAINING OR ENHANCING QUALITY OF LIFE; AND MAKING WIRELESS ANTENNA PROCEDURES CONSISTENT WITH FEDERAL LAW.

- B. **Ordinance No. 1595 (Second Reading) – Clarifying the Application Review Process and Allowing the Zoning Administrator to Approve Tentative Tract Maps for Condominiums and Condominium Conversions**

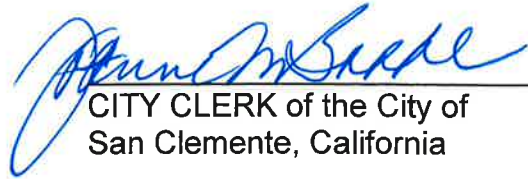
MOTION BY COUNCILMEMBER BROWN, SECOND BY COUNCILMEMBER WARD, CARRIED 3-0 (COUNCILMEMBER DONCHAK AND MAYOR HAMM ABSENT), to adopt Ordinance No. 1595 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING TITLE 2 AND TITLE 16 OF THE SAN CLEMENTE MUNICIPAL CODE TO CLARIFY THE APPLICATION REVIEW PROCESS AND ALLOW THE ZONING ADMINISTRATOR TO APPROVE TENTATIVE TRACT MAPS FOR CONDOMINIUMS AND CONDOMINIUM CONVERSIONS.

13. ADJOURNMENT

MOTION BY COUNCILMEMBER BROWN, SECOND BY MAYOR PRO TEM BAKER, CARRIED 3-0 (COUNCILMEMBER DONCHAK AND MAYOR HAMM ABSENT) , to adjourn at 11:04 p.m. in honor of San Clemente's newest resident, Eleanor Harris, who was born this evening, to an Adjourned Regular Council Meeting to be held on May 14, 2015 at 4:00 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California, for the purpose of conducting a workshop to consider the Proposed Fiscal Year 2016 City budget.



MAYOR of the City of
San Clemente, California



CITY CLERK of the City of
San Clemente, California