

CITY OF SAN CLEMENTE

City Council Minutes

Regular City Council Meeting – June 2, 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 June 2, 2015 at 5:02 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California, by Mayor Hamm.

PRESENT BAKER, BROWN, DONCHAK, WARD, MAYOR HAMM

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 MAYOR HAMM, SECOND BY MAYOR PRO TEM BAKER, CARRIED 5-0, to recess to Closed Session at 5:02 p.m. to discuss the following:

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)

Case Name: Capistrano Shores, Inc. v. City of San Clemente

Case Numbers: OC SC 30-2014-00709987 and 30-2014-00726889

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: City Acreage West of Avenida La Pata and North and South of Avenida Vista Hermosa

Agency Negotiator: City Manager

Negotiating Parties: TBD

Under Negotiation: Price and Terms of Payment

C. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code Subsection 54956.9(d)(2)

Number of potential cases: 1

D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: 1100 N. El Camino Real, San Clemente
Agency Negotiator: City Manager
Negotiating Parties: City of San Clemente & Novella Royale
Under Negotiation: Price and terms of lease for 1100 N. El Camino Real property

E. 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

F. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

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

In attendance for the full Closed Session were all members of the City Council (except that Councilmember Donchak recused herself, and left the meeting room, during Closed Session Item D), City Manager Makshanoff, Assistant City Manager Sund, and City Attorney Smith. Community Development Director Gallardo-Day and Building Official Jorgensen were in attendance for Item A only. Councilmember Donchak recused herself, and left the meeting room, during Item D.

MEETING RECONVENED

Council reconvened at 6:09 p.m., with all members present.

INVOCATION

Councilmember Brown gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Baker led the Pledge of Allegiance.

1. SPECIAL PRESENTATIONS**A. Cal Poly, San Luis Obispo Graduate Students - South El Camino Real Project**

Professor Vincente Del Rio, and his class of Graduate Students from Cal Poly, narrated a PowerPoint presentation entitled “South El Camino Real Urban Design Vision Plan”. The presentation described the results of the students’ work on the southernmost portion of South El Camino Real and their recommendations for area improvements consistent with the Centennial General Plan and related documents. A hard copy of the presentation is on file with the City Clerk.

B. La Pata/Camino Del Rio Extension Update

Nardy Khan, Project Manager with the County of Orange, narrated a PowerPoint presentation entitled “La Pata Extension Project”. A hard copy of the presentation is on file with the City Clerk.

C. Presentation of Proclamation - National Beach Safety Week

Mayor Hamm presented a Proclamation to Bill Humphreys, Marine Safety Chief, and Dennis White, Ocean Lifeguard Supervisor, proclaiming June 7 through June 14, 2015 as National Beach Safety Week.

D. Presentation of Proclamations – Rotary Day

Mayor Hamm presented proclamations to Michael Studenka, President of the San Clemente Sunrise Rotary Club, and Bill Ewing, President of the San Clemente Noon Rotary Club, proclaiming June 13, 2015 as “Rotary Day” in the City of San Clemente.

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

Christy MacBride-Hart, San Clemente, voiced concern with the current design and scale of the top knots on the Pico Bridge and displayed photo simulations providing options for smaller top knots; urged Council to agendize this item for future discussion. Hard copies of the photo simulations are on file with the City Clerk.

Sober Living Homes

Doug Wutschke, San Clemente, voiced concern regarding unregulated sober living homes; urged Council to adopt an Ordinance that would allow for

enforcement of unregulated homes and suggested that the caretakers in these facilities may not have the experience to address medical needs.

Saram Faurow, San Clemente, reported that residents of a sober living facility in Talega were using drugs and cursing in front of her children; opined that many of the group homes are not licensed; urged Council to enforce illegal activities.

Megan McGuire Noyes, San Clemente, requested that Council impose a moratorium on unlicensed sober living facilities and adopt an Ordinance similar to the one the City of Costa Mesa recently adopted.

Katie Calkins, San Clemente, voiced concerns regarding unlicensed sober living facilities; noted that she supports licensed, regulated group homes, but is concerned that unregulated homes threaten the safety and security of the community.

Mark Roberts, San Clemente, opined that group homes drain public safety resources; urged Council to take action against group homes in San Clemente.

David Hurwitz, San Clemente, stated that he supports licensed sober living facilities, but opposes unlicensed facilities; identified health and safety issues associated with unlicensed facilities and conveyed that he has filed a lawsuit against the unlicensed facility that exists next door to his property; urged Council to adopt an Ordinance that would allow enforcement of unlicensed group homes.

Al Spalding, San Clemente, voiced concern that his neighborhood is deteriorating as a result of sober living facilities; conveyed his understanding that his neighborhood's CC&R's prohibit home businesses.

City Attorney Smith reported that California Law allows a moratorium on certain uses when Council is contemplating enactment, but noted the moratorium would have to apply to all similar uses and would have to give specific deference to sober living facilities because they have special protections under state and federal law.

Councilmember Donchak stated for the record that she lives next door to a sober living facility; conveyed that the issue of sober living facilities is a matter of public policy and she is elected to serve the community; stated that she will recuse if an issue comes before Council that specifically involves the facility that is located next door to her residence, but aside from that, she will continue to be involved in discussions concerning sober living facilities.

City Manager Makshanoff noted that Staff is working with the Orange County Fire Authority to inspect and re-inspect all commercial facilities in residential zones to ensure compliance with fire, occupancy and State licensing standards, and is cooperating with the Orange County Sheriff's Department with respect to speeding, noise and other nuisance violations; urged the public to report concerns to the City's Code Enforcement Division.

San Clemente Village

Nancy Sutherland and Kathie Carchide, representing San Clemente Village, thanked Council for its financial support of the San Clemente Village and provided an update on the program.

Turf Removal Rebate Program

Jodie Cook, San Clemente, opined that the residential turf component of the City's residential rebate program encourages the removal of living plants in response to a temporary drought; suggested that home landscape positively addresses numerous climate-related problems.

Tree Removal at Ola Vista and Cazador

Patricia Holloway, San Clemente, voiced concern with the removal of a landmark tree in a public right of way at Ola Vista and Cazador; reviewed the current process to seek authorization to remove public trees and requested that proposed tree removals be placed on the Council agenda as a Consent Calendar item to allow the public an opportunity to comment on the proposed tree removal.

Local Coastal Plan

Cheryl Moe, San Clemente, stated that City Planner Pechous has an idea about adding a policy to the Local Coastal Plan (similar to the Marblehead Policy) that would recognize and honor past coastal development permits and setbacks; conveyed support for the addition of such a policy since it would add needed clarity.

MEETING RECESSED

Council recessed at 7:50 p.m. and reconvened at 8:01 p.m., with all members present.

3. MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER WARD, 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**Property Acquisition for Hospital Purposes (City Acreage West of Avenida La Pata and North and South of Avenida Vista Hermosa)**

City Attorney Smith reported that Council took action during Closed Session with respect to Item B on the Closed Session agenda. Specifically, Mr. Smith reported that Council, with unanimous consensus, directed Staff to research the potential sale or long-term lease of the City acreage located west of Avenida La Pata and north and south of Avenida Vista Hermosa for hospital purposes, and to pursue the parallel process of potentially rezoning the property for hospital use.

6. CONSENT CALENDAR

MOTION BY MAYOR HAMM, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to approve the Consent Calendar, with the removal of Items 6A-2, E, F and G.

A. City Council Minutes

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

- (1) Approve the minutes of the Adjourned Regular City Council Meeting of May 14, 2015.

B. Commission and Committee Minutes

MOTION BY MAYOR HAMM, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to receive and file:

- (1) Minutes of the Adjourned Regular Planning Commission Meeting of May 12, 2015.
- (2) Minutes of the Regular Zoning Administrator Meeting of May 20, 2015.
- (3) Minutes of the Adjourned Regular Planning Commission Meeting of May 20, 2015.
- (4) Minutes of the Regular Coastal Advisory Committee Meeting of April 9, 2015.

C. **Warrant Register**

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

Wire Transfer Nos. 1392 through 1396 paid on 5/15/15, and Warrant Nos. 524469 through 524590, paid on 5/15/15, in the amount of.....\$1,082,761.27

Handwrite No. 524591, paid on 5/18/15, Wire Transfer No. 1397, paid on 5/18/15, Warrant Nos. 524592 through 524817, paid on 5/22/15, in the amount of.....\$2,134,428.47

TOTAL WARRANT REGISTER.....\$3,217,189.74

Payroll Register

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

Warrant Nos. 386 through 392 and Automatic Deposit Advises 23857 through 24179 for the period 4/27/15 through 5/10/15, paid on 5/15/15, in the amount of.....\$ 413,405.48

TOTAL PAYROLL REGISTER.....\$ 413,405.48

D. **Lease Amendment - Municipal Pier Concession**

MOTION BY MAYOR HAMM, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to approve, and authorize the Mayor to execute, Amendment No. 4 to Contract C09-26, by and between the City of San Clemente and Randy Raneses and Damian Collins, providing for the operation of the City's concession at the end of the municipal pier.

ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION**A (2). City Council Regular Meeting Minutes of May 19, 2015**

Freda D'Souza, San Clemente, voiced concern that Council, at its meeting of May 19, 2015, authorized an extension of the existing Farmers Market contract, instead of issuing an RFP for Farmers Market vendors as it agreed to do 18 months ago; noted that she is part of a group that remains interested in submitting a proposal for Farmers Market operations.

Mayor Hamm noted that the Farmers Market appears as the next item on this agenda (Item 6-E) and will be further discussed at that time.

MOTION BY MAYOR PRO TEM BAKER, SECOND BY MAYOR HAMM, CARRIED 5-0, to approve the minutes of the Regular City Council Meeting of May 19, 2015, with the modification that the following verbiage be added under Item 6-H (Waste Disposal Agreement with County of Orange):

“In response to Council inquiry, Staff confirmed that the agreement in question will not allow out-of-county importation trash trucks to traverse Avenida Pico to Avenida La Pata enroute to the landfill.”

E. Farmers Market on Avenida Del Mar

Christina Carbonara, representing the Downtown Business Association, noted that the annual Car Show is growing and in need of additional space; suggested that the Farmers Market take place the Saturday prior to the Car Show to facilitate safety and better crowd control at the Car Show.

Rick Heil, representing the Farmers Market, noted that the closure of the Farmers Market for the Fiesta was a pre-established tenet of the agreement with the City; stated that the Farmers Market and Car Show have successfully co-existed on Avenida Del Mar since 1996, but noted that the DBA now proposes to add food trucks that will require additional space; opined that the Farmers Market should not be negatively impacted when the DBA has other options; responded to Council inquiries.

Following discussion, MOTION BY COUNCILMEMBER DONCHAK to assign the Farmers Market the eastern side of Avenida Del Mar, beginning at the seaward edge of the library, and wrapping around the inland side of Avenida Seville on the day of the Car Show. The motion died for lack of a second.

MOTION BY MAYOR HAMM, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 3-2 (MAYOR PRO TEM BAKER AND COUNCILMEMBER WARD VOTING NOE), to take action as follows:

1. Empower Staff to develop solutions that will enable the Car Show and Farmers Market to share space the day of the Car Show on a trial basis. Particular attention is to be given to utilizing Calle Seville.
2. Approve, and authorize the Mayor to execute, Contract No. C15-39, by and between the City of San Clemente and Introductions Unlimited, Inc., providing for a weekly Farmers Market on Avenida Del Mar, with the modification that Section 4.1 of the Agreement be amended to read in its entirety as follows:

“4.1 INTRODUCTIONS UNLIMITED shall set up the Farmers Market along both sides of Avenida Del Mar with a space between the Farmers Market and the Car Show that is approved by City Staff on an annual basis. The Farmers Market may also set up on Calle Seville if necessary with approval by City Staff.”

F. Senate Bill 534 – Medi-Cal Ground Emergency Medical Transportation Services: Supplemental Reimbursement

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

1. Support SB 534.
2. Direct Staff to modify the letter to add the Mayor’s last name to the signature block and to amend reference in the Administrative Report from “OCTA” to “OCFA”.
3. Direct Staff to send a letter of support signed by the Mayor on behalf of the City Council to the author of the bill.
4. Direct Staff to send a copy of the letter to the distribution list contained in the Administrative Report, which is on file with the City Clerk.

G. Senate Constitutional Amendment 2 (SCA2) – Prohibit Banning U.S. Flag on California State Funded College Campuses

Following Council comments regarding the importance and symbolism of the U.S. Flag on school campuses, MOTION BY COUNCILMEMBER BROWN, SECOND BY MAYOR PRO TEM BAKER, CARRIED 5-0, to:

1. Support SCA2.
2. Approve the support letter and authorize the Mayor to execute the letter on behalf of the City Council.
3. Direct Staff to send the letter to Janet Nguyen and the distribution list contained in the Administrative Report, that is on file with the City Clerk.

7. PUBLIC HEARINGS

A. U-Haul Left Turn Lane (310 Avenida Pico) – Amendment to Conditional Use Permit (CUP) 80-11

Continued Public Hearing concerning an amendment to Conditional Use Permit (CUP) 80-11, U-Haul Left Turn Lane, located at 310 Avenida Pico.

MOTION BY MAYOR HAMM, SECOND BY COUNCILMEMBER WARD, CARRIED 5-0, to continue the Public Hearing to the Council meeting of June 16, 2015.

B. City of San Clemente Proposed Budget for Fiscal Year 2016

Public Hearing relative to the proposed City of San Clemente Fiscal Year 2016 budget.

Finance Manager Vincent narrated a PowerPoint presentation entitled “FY 2016 Proposed Budget Public Hearing” and responded to Council inquiries. A hard copy of the presentation is on file with the City Clerk.

Mayor Hamm opened the Public Hearing.

Josh Cunningham, representing the Downtown Business Association (DBA), thanked Council for its continued support of the DBA and offered to meet with Councilmembers to answer questions concerning the expenditure of funds provided by the City.

Ricardo Nicol, San Clemente, voiced concern with Council's decision to not fund the North Beach El Camino Real Parking Lot; noted that the California Coastal Commission gave virtual assurance that it would approve the alternative design that he presented for the lot.

Don Slater, North Beach Community Association, spoke on the need for sidewalks in North Beach and urged Council to allocate funding for sidewalk improvements.

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

Assistant City Engineer Bonigut reviewed that Council, at its Budget Workshop on May 14, 2015, requested that Staff determine areas in which the \$70,000 that Council saved as a result of its disapproval of additional DBA support and General Fund Fee Update could best be spent, and further requested that Staff address the possibility of applying a portion of the \$800,000 in Developer Improvement Funds that was earmarked for the El Camino Real parking lot toward sidewalks in North Beach.

Mr. Bonigut reviewed the following three in-fill sidewalk options (in staff priority order) for possible funding from the \$70,000 in General Fund monies:

1. Calle Puente (\$70,000)
2. Avenida Rosa (\$70,000)
3. Avenida De La Grulla (\$150,000 for the entire segment. A \$70,000 budget would accomplish approximately half of the segment work).

Mr. Bonigut reviewed the following sidewalk options for possible funding from the Developers Improvement Fund:

1. Calle Colina/Calle Los Bolas/Boca de la Playa (\$183,000)
2. Avenida Pico/Calle Deshecha Bulb Outs (\$150,000)

During the course of discussion, Council provided direction as follows:

1. That Staff identify alternatives for ambulance services to accommodate back-up EMS response.
2. That the \$70,000 for sidewalk improvements that has been incorporated into the proposed 2016 City General Fund budget be utilized for sidewalk improvements on Calle Puente.
3. That the City Attorney investigate the possible formation of an In-Lieu Parking Fee Reimbursement District.

Council deferred a decision on the North Beach projects until its meeting of July 7, 2015. At that meeting, Staff is to return with a definition of “North Beach” and offer additional sidewalk projects for consideration.

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY MAYOR HAMM, CARRIED 5-0, to direct Staff to prepare resolutions approving the City budget for Fiscal Year 2016 for consideration at the Council meeting of June 16, 2015.

C. **Code Amendment - Water Rates**

Public Hearing to consider amending the Code of the City of San Clemente relating to water rates.

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

Business Services Officer Rendina provided a 2015 Water Rate Review Summary and responded to Council inquiries. A hard copy of the summary is on file with the City Clerk.

City Clerk Baade reported that the City has received six (6) written protests, which does not represent a majority of the City's 17,477 active water account holders.

MOTION BY MAYOR HAMM, SECOND BY MAYOR PRO TEM BAKER, CARRIED 5-0, to introduce Ordinance No. 1596 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING SECTION 13.04.220, SUBSECTIONS (A), (B), AND (C) OF THE SAN CLEMENTE MUNICIPAL CODE RELATING TO WATER RATES.

D. **Code Amendment - Sanitary Sewer Rates**

Public Hearing to consider amending the Code of the City of San Clemente regarding sanitary sewer rates.

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

Business Services Officer Rendina reviewed the contents of the Administrative Report.

City Clerk Baade reported that the City has received five (5) written protests, which does not represent a majority of the City's 17,477 active sewer account holders.

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY MAYOR HAMM, CARRIED 5-0, to introduce Ordinance No. 1597 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING CHAPTER 13.24.190, SUBSECTION (D) OF THE SAN CLEMENTE MUNICIPAL CODE RELATING TO SANITARY SEWER RATES.

E. **Urgency Drought Ordinance – Update to Water Conservation Ordinance and Declaration of a Level 3 Water Warning**

Public Hearing to consider revising the City's Water Conservation Ordinance to respond to the Governor's mandate of a 25% reduction across California (the mandatory reduction goal set for the City of San Clemente is 24%) and to consider declaring a Level 3 Water Warning to further restrict water usage and impose water allocations with penalties for water use above the allocation threshold.

Mayor Hamm opened the Public Hearing.

Cecil Fraser, Swan Pools, opined that the restriction on filling swimming pools should be relocated from a Stage 3 water shortage to a Stage 4 water shortage; voiced concern with the impact that the proposed restriction could have on the swimming pool industry.

Dan (last name was not provided), Temecula, explained that the installation of water-saving surfaces often accompanies the installation of pools and spas; urged Council to remove the prohibition against filling swimming pools from a Stage 3 water shortage.

Geoff Harris, San Clemente, suggested that the City should consider fining people for excessive water usage, as opposed to fining them for the days on which they choose to water; suggested prohibiting outdoor water usage between the hours of 9 a.m. and 6 p.m.

Mark Feldstein, San Clemente, opined that the pool and spa industry is aware of the drought situation but should not be singled out when the rationale for doing so is not based on fact; asserted that pool decking and covers conserve 50% more water over time than a traditional lawn.

Don Slater, San Clemente, opined that it is inequitable to allocate 6 units of Tier 1 water per apartment, while allocating 9 units of Tier 1 water for each single-family residence; stated that Tier 1 is for interior water usage only, and hence it is unfair to allocate less Tier 1 water to apartments when it may be occupied by the same number of persons that occupy a single-family home.

Water Conservation Analyst Kanzler narrated a PowerPoint presentation entitled “Water Conservation Ordinance and Drought Declaration”; recommended various changes to San Clemente’s ordinance, noting that one of the changes will relocate the prohibition against filling of pools and spas from Stage 3 to a new Stage 5 water shortage level. A hard copy of Mr. Kanzler’s presentation is on file with the City Clerk.

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

During the course of discussion, the following decisions/notations were made: 1) The medians will not be re-landscaped with drought-tolerant plants until November 2015; 2) Signs will be installed in medians that indicate that they are being irrigated with recycled water, and that medians with turf are not being irrigated because of the drought.

MOTION BY COUNCILMEMBER BROWN, SECOND BY MAYOR HAMM, CARRIED 5-0, to:

1. Adopt Urgency Ordinance No. 1598 entitled URGENCY ORDINANCE OF THE CITY OF SAN CLEMENTE AMENDING CHAPTER 13.12 OF TITLE 13 OF THE SAN CLEMENTE MUNICIPAL CODE TO UPDATE THE CITY'S WATER CONSERVATION ORDINANCE AND WATER CONSERVATION PROGRAM TO TAKE EFFECT IMMEDIATELY UPON ADOPTION, with the following amendments:
 - A. A second Whereas shall be added to read as follows:

"WHEREAS, these fines shall be dedicated to water conservation and development of water resources and to pay any fines levied against the City for water use above the City's allocation; and"
 - B. Code Section 13.12.060.C is to be expanded to include a Subsection j to read as follows:

"j. Exemptions may be made by the City Manager or his/her designee on a case by case basis. Any request must be made in writing."
 - C. Code Section 13.12.060.C.h.i and .ii and 13.12.060.B.f.i and ii shall be amended to delete the words "*for __minutes per irrigation station,*".
 - D. Code Section 13.12.100 shall be amended to reference Code Sections 13.12.050 and 13.12.060, instead of 13.12.040.
2. Adopt Resolution No. 15-27 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA DECLARING A WATER SHORTAGE LEVEL 3 WATER ALERT.
3. Direct staff to pursue landscaping turf medians no longer irrigated due to the State mandate or allow turf to turn brown as a conservation message.
4. Direct staff to pursue grants to replace turf with drought-tolerant landscaping as subsidies allow.

8. **UNFINISHED BUSINESS**

None.

9. NEW BUSINESS**A. San Diego Gas & Electric (SDG&E) LED Street Light Conversion Financing**

Report from the Public Works Director/City Engineer regarding approval of an agreement with SDG&E for LED Street Light Conversion.

Assistant City Engineer Bonigut reviewed the contents of the Administrative report and responded to Council inquiries.

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

1. Direct Staff to move forward with the first phase of converting the City's street lights from High Pressure Sodium to Light Emitting Diode technology.
2. Authorize the City Manager to execute the SDG&E On-Bill Financing Agreement and any related documents required by SDG&E.
3. Approve a supplemental appropriation of \$250,000 from the Facilities Maintenance Reserve undesignated fund balance to Account 014-811-45300-000-00000.
4. Accept revenue of up to \$250,000 from SDG&E to Account 014-000-36855-000-00000.

10. ORAL COMMUNICATIONS (PART 2)**North Beach El Camino Real Parking Lot**

Don Slater, San Clemente, conveyed his disappointment in Council's decision to not build the North Beach El Camino Real parking lot; urged Council to continue to pursue development of a parking lot, noting that North Beach residents are directly affected by a lack of parking when special events take place.

11. REPORTS**A. Commissions and Committees**

None.

B. City Manager

None.

C. City Attorney

None.

D. Councilmembers**(1). Report from Councilmember Donchak concerning Toll Lanes on the I-405**

Councilmember Donchak provided an overview of various OCTA projects, with emphasis on the I-405 Toll Lanes, which is a CalTrans project that would be managed by OCTA; noted that the toll fees will remain in Orange County; reported that San Diego is in the permitting stage to add a toll lane on the I-5 which will terminate at the San Clemente border.

Pico Bridge Top Knots

Councilmember Ward requested that the Pico Bridge Top Knots issue be agendaized for a future Planning Commission meeting. Council concurred.

Short -Term Rentals

Councilmember Ward raised the possibility of Council imposing a moratorium on short-term rentals to enable regulations to be developed. Council ultimately determined not to pursue a moratorium, but to continue to examine other alternatives, including policy-level approaches through interaction with the League of California Cities, Orange County Council of Governments (OCCOG), etc.

Chamber of Commerce Barbecue for 2/4 Battalion

Mayor Pro Tem Baker reported on his attendance at the Barbecue hosted by the City of San Clemente and Chamber of Commerce for the 2/4 Battalion.

HMLA 469 Welcome Home Event

Mayor Pro Tem Baker reported on his attendance at the Welcome Home Event for HMLA 469 at the San Mateo Hangar.

Memorial Day Events

Mayor Hamm reported on his attendance at the Memorial Day ceremonies at the Community Center and Park Semper Fi.

Triton Statue Unveiling

Mayor Hamm reported that he had the opportunity to speak at the unveiling of the new Triton Statue at San Clemente High School.

12. **RESOLUTIONS/ORDINANCES**

None.

13. **ADJOURNMENT**

MOTION BY MAYOR HAMM, SECOND BY MAYOR PRO TEM BAKER, CARRIED 5-0, to adjourn at 11:18 p.m., in memory of Donna Wilkinson, to an Adjourned Regular Council Meeting to be held on June 11, 2015 at 5:00 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California, for the purpose of interviewing and making appointments to various City Commissions and Committees.


CITY CLERK of the City of
San Clemente, California

MAYOR of the City of
San Clemente, California