



CITY OF SAN CLEMENTE

REGULAR CITY COUNCIL

*REVISED MEETING AGENDA

**Note: This revised agenda differs from the original agenda that was posted on November 10, 2015 in that an additional Item was added to the agenda. Item 6-G can be found on Page 6 of this agenda in italicized type.*

City Council Chambers
San Clemente Civic Center
100 Avenida Presidio
San Clemente, California
www.san-clemente.org

November 17, 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. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957

Title: City Manager

B. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

Agency designated representative: Mayor

Unrepresented employee: City Manager

6:00 P.M. BUSINESS MEETING

CALL TO ORDER

INVOCATION - Dave Keehn, Chaplain, Orange County Fire Authority

PLEDGE OF ALLEGIANCE

ROLL CALL

1. SPECIAL PRESENTATIONS

A. Certificates of Recognition – Members of the Young Entrepreneurs of San Clemente High School

Presentation of Certificates of Recognition to Lauren Woodstra, Hannah Reed, Nicky Chin, Lance Woodstra, and Mikayla Hartigan, who represented San Clemente High School at the World Expo in Milan, Italy and emerged victorious in the global technology competition.

B. Update on State Legislative Matters

Presentation by Senator Pat Bates concerning State Legislative Matters.

C. Presentation of City Tile – Dennis Roger Reed

Presentation of City Tile to Dennis Roger Reed, Beaches, Parks and Maintenance Supervisor, in recognition of 36 years of exceptional service to the City of San Clemente.

D. San Clemente Village Update

Presentation by Kathy Carchidi, Chair of the San Clemente Village, concerning the San Clemente Village project.

E. Planning Commission Update

Presentation by Planning Commission Chair Don Brown concerning Planning Commission activities.

F. Long Term Financial Plan

Presentation by Assistant City Manager/Finance and Administrative Services Director Sund introducing the 2015 Long Term Financial Planning Issue Papers and Objectives.

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 agenda items requiring immediate action.** Any items agenda items 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 Regular City Council Meeting minutes of October 20, 2015.](#)

B. **Receive and file:**

- 1. [Minutes of the Outlets at San Clemente Planning Commission Tour of October 30, 2015.](#)
- 2. [Minutes of the Regular Zoning Administrator Meeting of November 4, 2015.](#)
- 3. [Minutes of the Regular Study Session of the Planning Commission of November 4, 2015.](#)
- 4. [Minutes of the Regular Planning Commission Meeting of November 4, 2015.](#)

C. **Warrant Register**

[Approve Wire Transfers Nos. 1446 through 1449, paid on 10-30-15, and Warrant Nos. 528523 through 528651, paid on 10-30-15, in the amount of.....](#)\$2,491,271.83

[Approve Warrant Nos. 528652 through 528813, paid on 11-6-15, in the amount of.....](#)\$1,673,616.07

TOTAL WARRANT REGISTER..... \$4,164,887.90

Payroll Register

Approve Warrant Nos. 439 through 441 and Automatic Deposit Advises 27919 through 28229 for the period of 10-12-15 through 10-26-15, paid on 10-30-15, in the amount of.....\$ 424,613.96

TOTAL PAYROLL REGISTER.....\$ 424,613.96

D. [Granada Trash Enclosure Screen](#) Pages 6-D-1 through 6-D-4

Staff Recommendation

1. Approve the installation of wrought iron screen panels to the existing Granada Trash Enclosure.
2. Approve a supplemental appropriation of \$8,600 from the Solid Waste Fund undesignated fund balance to Account 058-518-45300-000-00000.

E. [Contract Award - Interagency Instructional Service Agreement with Rancho Santiago Community College](#) Pages 6-E-1 through 6-E-12

Staff Recommendation

Approve, and authorize the Mayor to execute, Contract C15-73, by and between the City of San Clemente and the Rancho Santiago Community College District, providing for Inter-Agency Instructional Services.

F. [Contract Amendment – Temporary Community Development Staffing](#) Pages 6-F-1 through 6-F-11

Staff Recommendation

1. Approve a supplemental appropriation for temporary Community Development staffing in the amount of \$87,850 to Account 001-422-43890-000-00000 to provide for temporary permit counter staff and building inspection staff.
2. Accept additional Building Permit revenue of \$44,000 to Account 001-000-32210-000-00000 and additional Building Plan Check revenue of \$44,000 to Account 001-000-34121-000-00000.
3. Approve, and authorize the Mayor to execute, Amendment No. 2 to Contract AC-661, by and between the City of San Clemente and VCA Code Group. This amendment will modify the scope of services and increase the maximum contract amount from \$104,000 to \$319,750, an increase of \$215,750.

G. [Contract Award – Standard Multi-Tenant Office Lease Agreement, 910 Calle Negocio, 2nd Floor Pages 6-G-1 through 6-G-2](#)

Staff Recommendation

1. Approve, and authorize the Mayor to execute, Contract 15-74, a Standard Multi-Tenant Lease-Gross, by and between the City of San Clemente and Makoil, Inc. for the lease of 4,825 square feet on the 2nd floor of the 910 Calle Negocio building.
2. Approve a supplemental appropriation of \$10,690; \$6,690 to Account 006-803-43605 (Broker commissions) and \$4,000 to Account 006-803-43500 (Improvements) from the Negocio Debt Service Fund Balance.

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.

A. [Santiago Mixed Use \(1010 South El Camino Real\) - Zoning Amendment 14-364/Site Plan Permit 14-365/Conditional Use Permit 14-366/Cultural Heritage Permit 14-367](#) Pages 7-A-1 through 7-A-128

Public Hearing to consider amending the Zoning Ordinance and Zoning Map to designate a portion of the Neighborhood Commercial (NC 2) zone along South El Camino Real to a new Mixed Use (MU 3.2) zone, and consider a mixed use development consisting of seven residential units and 4,416 square feet of commercial space located at 1010 South El Camino Real.

Staff Recommendation

1. Adopt Resolution No. 15-51 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, TO DENY ZONING AMENDMENT 14-364, SANTIAGO MIXED USE, A REQUEST TO AMEND THE ZONING ORDINANCE AND ZONING MAP TO DESIGNATE A PORTION OF THE NEIGHBORHOOD COMMERCIAL (NC2) ZONE ALONG SOUTH EL CAMINO REAL TO A NEW MIXED USE (MU3.2) ZONE, LOCATED AT 1010 SOUTH EL CAMINO REAL.

Staff recommendation continued on following page

2. Adopt Resolution No. 15-52 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, TO APPROVE, WITH MODIFICATIONS, SITE PLAN PERMIT 14-365, CONDITIONAL USE PERMIT 14-366, AND CULTURAL HERITAGE PERMIT 14-367, SANTIAGO MIXED USE, A REQUEST TO ALLOW A MIXED USE DEVELOPMENT CONSISTING OF 7 RESIDENTIAL UNITS AND 4,416 SQUARE FEET OF COMMERCIAL SPACE LOCATED AT 1010 SOUTH EL CAMINO REAL.

B. [Pico U-Haul Left Turn Lane \(310 E. Avenida Pico\), Amendment to Conditional Use Permit \(CUP\) 80-11](#) Pages 7-B-1 through 7-B-120

Public Hearing to consider an appeal by City Council to consider the Planning Commission's February 18, 2015 denial of an amendment to a previously approved Conditional Use Permit which established the U-Haul facility at 310 E. Avenida Pico. The applicant is requesting the removal of a condition of approval prohibiting a median cut for a left turn lane for the facility.

Staff Recommendation

Adopt Resolution No. 15-53 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, DENYING AMENDMENT TO CONDITIONAL USE PERMIT (CUP) 80-11, PICO U-HAUL LEFT TURN LANE, A REQUEST TO CREATE A LEFT TURN LANE IN AND OUT OF THE U-HAUL FACILITY LOCATED AT 310 EAST AVENIDA PICO.

C. [Amendment to the Emergency Shelters Ordinance - Zoning Ordinance Amendment 15-333](#) Pages 7-C-1 through 7-C-13

Public Hearing to consider the October 21, 2015 Planning Commission recommendation to amend sections 17.56.103 and 17.53.104 of Title 17 of the Municipal Code to further encourage and facilitate the development of, or conversion to, emergency shelters as provided in State Law SB2.

Planning Commission Recommendation

Introduce Ordinance No. 1611 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING SECTIONS 17.56.103 AND 17.53.104 OF TITLE 17 OF THE SAN CLEMENTE MUNICIPAL CODE RELATING TO EMERGENCY SHELTERS.

8. Unfinished Business.

None.

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**

- (1). [City Representative to Orange County Mosquito and Vector Control District Board of Trustees](#) Pages 11(A)-1 through 11(A)-2

Staff Recommendation

1. Appoint a member of the Council to serve as the City's representative on the Orange County Mosquito and Vector Control District Board of Trustees for either a two- or four-year term to commence January 5, 2016.

OR

2. Direct the City Clerk to advertise and solicit applications from San Clemente registered voters to fill the vacancy for the City representative on the Orange County Mosquito and Vector Control District Board of Trustees. Further, that Council schedule interviews for the Council meeting of December 15, 2015 (time to be determined).

B. **City Manager**

- (1). [Meetings with Potential Providers for Emergency Medical Services in San Clemente](#)

C. **City Attorney**

D. **Council Members**

12. **Resolutions/Ordinances.**

- A. [Ordinance No. 1609 \(Second Reading\) – Amendments to the Zoning Map and Zoning Amendment 14-456, Excluding Amendments Related to the MU3.2 Zone, NC2 Zone, and NC3 Zone, and Boundaries of the ECR A-Overlay](#) Pages 12-A-1 through 12-A-69

Staff Recommendation

Adopt Ordinance No. 1609 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADOPTING AMENDMENTS TO THE ZONING MAP OF THE CITY OF SAN CLEMENTE AND ADOPTING ZONING AMENDMENT 14-456; EXCLUDING AMENDMENTS RELATED TO THE MU3.2 ZONE, NC2 ZONE, AND NC3 ZONE, AND BOUNDARIES OF THE ECR A-OVERLAY.

- B. [Ordinance No. 1610 \(Second Reading\) – Amendments to the Zoning Map and Zoning Amendment 14-456; with Amendments Limited to the MU3.2 Zone, NC2 Zone, and NC3 Zone and Boundaries of the ECR-A Overlay](#) Pages 12-B-1 through 12-B-66

Staff Recommendation

Adopt Ordinance No. 1610 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADOPTING AMENDMENTS TO THE ZONING MAP OF THE CITY OF SAN CLEMENTE AND ADOPTING ZONING AMENDMENT 14-456; WITH AMENDMENTS LIMITED TO THE MU3.2 ZONE, NC2 ZONE, AND NC3 ZONE, AND BOUNDARIES OF THE ECR-A OVERLAY.

13. **Adjournment.**

The next Regular City Council Meeting will be held on December 1, 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. 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.