

# CITY OF SAN CLEMENTE

## City Council Minutes

### Regular City Council Meeting – March 1, 2016

*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 March 1, 2016 at 5:00 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California, by Mayor Baker.

**PRESENT** BROWN, DONCHAK, HAMM, WARD, MAYOR BAKER

**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 BROWN, SECOND BY COUNCILMEMBER HAMM, CARRIED 5-0, to recess to Closed Session at 5:00 p.m. to discuss the following:

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**  
Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2)  
Number of potential cases: 2
- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**  
Initiation of litigation pursuant to Government Code section 54956.9(d)(4)  
Number of potential cases: 10
- C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
Existing litigation pursuant to Government Code section 54956.9(d)(1)  
Number of Cases: 12

Case Name: City of San Clemente v Dual Diagnosis Treatment Center, Inc.  
Case Number: 30-2015-00805214

Case Name: City of San Clemente v Sobertec LLC (1)  
Case Number: 30-2015-00805227

*Closed Session items continued on next page*

Case Name: City of San Clemente v Sobertec LLC (2)  
Case Number: 30-2015-00805234

Case Name: City of San Clemente v New Mindset, LLC  
Case Number: 30-2015-00805235

Case Name: City of San Clemente v 449 Recovery, Inc.  
Case Number: 30-2015-00805270

Case Name: City of San Clemente v Faith By The Sea, Inc.  
Case Number: 30-2015-00805980

Case Name: City of San Clemente v New Mindset, LLC  
Case Number: 30-2015-00805891

Case Name: City of San Clemente v Sober Spot, LLC  
Case Number: 30-2015-00805975

Case Name: City of San Clemente v A Mission For Michael, Inc.  
Case Number: 30-2015-00806046

Case Name: City of San Clemente v William W. Martin, PHD  
Case Number: 30-2015-00806055

Case Name: City of San Clemente v Coast To Coast Referral Center, Inc.  
Case Number: 30-2015-00806052

Case Name: City of San Clemente v Eric Olson  
Case Number: 30-2015-00811144

**D. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**  
Existing litigation pursuant to Government Code Section 54956.9(d)(2)  
Number of Potential Cases: 1

In attendance for the full Closed Session were all members of the City Council, City Manager Makshanoff, Assistant City Manager Sund, City Attorney Smith and Community Development Director Gallardo-Daly.

**MEETING RECONVENED**

Council reconvened at 6:12 p.m., with all members present.

**INVOCATION**

Bishop Jim Hennings, San Clemente Marblehead Congregation, gave the invocation.

**PLEDGE OF ALLEGIANCE**

Councilmember Hamm led the Pledge of Allegiance.

**1. SPECIAL PRESENTATIONS****A. Saddleback College State of the College Presentation**

Dr. Tod Burnett, President of Saddleback College, narrated a PowerPoint presentation entitled "Presentation to San Clemente City Council" concerning the Fiscal State of the College. A hard copy of the presentation is on file with the City Clerk.

**B. Transportation Corridor Agencies (TCA) Ascertainment Study Concerning Regional Mobility**

Sharon Browning, Principal of Sharon Browning and Associates, narrated a Power Point presentation entitled "South Orange County Mobility Community Ascertainment Study". A hard copy of the presentation is on file with the City Clerk.

Brenda Miller, San Clemente, spoke in support of the Ascertainment Study; suggested that the best way to reduce traffic demands is to provide alternatives, including multi-modal transportation opportunities.

**2. ORAL COMMUNICATIONS (PART 1)****Formation of San Clemente School District**

Craig Delahooke, Board Member of SCPIER (San Clemente Partners Improving Education Responsibly), reported on SCPIER's purpose to investigate the possibility of forming a San Clemente School District; noted that SCPIER has applied for non-profit status and is currently raising money to conduct a financial feasibility study; explained that if the financial feasibility study produces affirmative results, SCPIER will pursue an assessment of other feasibility factors.

Paige Foreman, speaking on behalf of SCPIER, stated that small school districts are more prone to provide excellence in education; opined that the status quo at Capistrano Unified School District is not proving successful; requested Council support.

### Housing Issues

Anthony LaFrano, San Clemente, urged Council to not rent, lease or sell land to Ed Connor because he is suing the City; requested short-term lodging units be prohibited in neighborhoods east of the freeway; voiced concern with drug use in sober living facilities.

### Councilmanic Districts

Jim Bieber, San Clemente, urged Council to implement district elections for Councilmembers; suggested it is not good for the community when all Councilmembers live in one area of town.

### The Ecology Center

Lucian Toma noted that the Ecology Center in San Juan Capistrano is dedicated to protecting environmental health and promoting sustainability; displayed a PowerPoint presentation entitled “Hands-On Environmental Solutions at the Household, Workplace and Community Level”. A hard copy of the presentation is on file with the City Clerk.

### Drug Abuse

Craig Sheets voiced concern with methamphetamine labs in Orange County.

3. MOTION BY COUNCILMEMBER BROWN, SECOND BY COUNCILMEMBER DONCHAK, 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**

#### **City of San Clemente v Eric Olson**

City Attorney Smith announced that Council took no reportable action during this evening's Closed Session; advised, however, that at its meeting of February 16, 2016, Council unanimously approved a settlement agreement in the case of City of San Clemente v. Eric Olson; advised that the terms of the subject settlement agreement, and Stipulated Order of Judgment, are now public record.

6. **CONSENT CALENDAR**

MOTION BY COUNCILMEMBER BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to approve the Consent Calendar, with the removal of Items 6-A and I.

**B. Commission/Committee Minutes**

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

1. Minutes of the Regular Coastal Advisory Committee Meeting of January 14, 2016.
2. Minutes of the Adjourned Regular Study Session of the Planning Commission of February 10, 2016.
3. Minutes of the Regular Study Session of the Planning Commission of February 17, 2016.
4. Minutes of the Regular Planning Commission Meeting of February 17, 2016.

**C. Warrant Register**

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

Handwrite No. 530721 and  
 Warrant Nos. 530593 through 530720  
 paid on 2/12/2016, in the amount of ..... \$ 949,576.42

Wire Transfers Nos. 1482 through 1485  
 paid on 2/19/16 and Warrant  
 Nos. 530722 through 530876  
 paid on 2/19/2016, in the amount of ..... \$ 935,698.50

TOTAL WARRANT REGISTER ....\$1,885,274.92

**Payroll Register**

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

Warrant Nos. 468 through 470 and  
Automatic Deposit Advises 30272 through 30567  
paid on 2/19/2016, in the amount of ..... \$ 391,670.95

TOTAL WARRANT REGISTER ....\$ 391,670.95

D. **Notice of Completion – Replacement of Primary Clarifier Fiber-Reinforced Plastic Covers over Influent Channels and Scum Troughs with Hinged Checker Aluminum Covers**

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

1. Accept the Replacement of Primary Clarifier Fiber-Reinforced Plastic (FRP) Covers Over the Influent Channels and Scum Troughs with Hinged Checker Aluminum Covers, Project No. 25206, from the contractor, O’Connell Engineering and Construction.
2. Authorize the Mayor to execute, and City Clerk to record, the Notice of Completion for the Replacement of Primary Clarifier Fiber-Reinforced Plastic (FRP) Covers Over the Influent Channels and Scum Troughs with Hinged Checker Aluminum Covers.
3. Authorize the City Clerk to release the Payment Bond 35 days from the recordation of the Notice of Completion upon verification with the Engineering Division that no liens have been levied against O’Connell Engineering and Construction.
4. Authorize the City Clerk to release the Performance Bond upon receipt of a Warranty Bond in the amount of 25% of the construction cost.

E. **Agreement for Sharing Professional Services with Municipal Water District of Orange County and Participating Agencies for Arcadis to Prepare Urban Water Management Plans**

MOTION BY COUNCILMEMBER BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to approve, and authorize the City Manager to execute, Contract C16-09, by and between the City of San Clemente, Municipal Water District of Orange County, and participating agencies, the Agreement for Sharing Consultant Costs for 2015 Urban Water Management Plans.

F. **Contract Amendment – Waste Disposal Agreement with the County of Orange**

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

1. Adopt Resolution No. 16-10 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE APPROVING THE REVISED EFFECTIVE DATE TO AN AMENDMENT TO THE 2009 WASTE DISPOSAL AGREEMENT WITH THE COUNTY OF ORANGE.
2. Approve, and authorize the City Manager to execute, Amendment No. 2 to Contract 87-62, a Waste Disposal Agreement by and between the City of San Clemente and the County of Orange.

G. **Contract Award – Code Enforcement Services**

MOTION BY COUNCILMEMBER BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to approve, and authorize the Mayor to execute, Contract C16-10 by and between the City of San Clemente and Anderson Pena, providing for Code Enforcement Services, in an amount not to exceed \$64,000.

H. **Consideration of Support Letter for AB1666 (Brough) Community Facilities Districts: Reports**

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

1. Support AB1666.
2. Direct Staff to send the support letter, that is attached to the Administrative Report, to the author of the bill.
3. Direct Staff to send a copy of the letter to those persons listed on page 2 of the letter.

**ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION**

**A. City Council Minutes**

MOTION BY MAYOR BAKER, SECOND BY COUNCILMEMBER BROWN, CARRIED 5-0, to approve the minutes of the Adjourned Regular City Council Meeting of February 2, 2016, with the below changes to the Land Use Plan (LUP) Edit Matrix:

Under Section 1.2.1

- Any valid CDP **and/or** entitlement agreements, that were granted prior to the certification...

Under Section 2.1

- ... bluffs and coastal canyons, as shown in Land Use Figures 2-1-A through 2-1-D, **consists** mostly of urbanized areas with...

\*Red type indicates modified verbiage.

**I. San Clemente Coastal Land Use Plan**

MOTION BY MAYOR BAKER, SECOND BY COUNCILMEMBER BROWN, CARRIED 5-0, to receive and file the Coastal Land Use Plan Administrative Report, dated March 1, 2016, that is on file with the City Clerk, with the following changes to the Land Use Plan (LUP) Edit Matrix:

Under Section 1.2.1

- Any valid CDP **and/or** entitlement agreements, that were granted prior to the certification...

Under Section 2.1

- ... bluffs and coastal canyons, as shown in Land Use Figures 2-1-A through 2-1-D, **consists** mostly of urbanized areas with...

\*Red type indicates modified verbiage.



## 7. PUBLIC HEARINGS

### A. Sign Exception Permit and Sign Ordinance Amendments - Zoning Amendment 15-225 and General Plan Amendment 16-002

Continued Public Hearing to add General Plan policies regarding freeway-oriented signs and consideration of the removal of the Sign Exception Permit provisions and modifications to the sign ordinance, including but not limited to, removal of freeway-oriented signs, limitations on the size of signs, and amortization provisions.

Associate Planner Nicholas reviewed the contents of the Administrative Report and, along with City Planner Pechous, responded to Council inquiries; reviewed photographs that demonstrated freeway-visible versus freeway-oriented signage. Hard copies of Mr. Nicholas' photographs are on file with the City Clerk.

Mayor Baker opened the Public Hearing.

Gregory Weiler, representing the owners of Valero Gas Station, voiced opposition to the proposed Ordinance; asserted that a new Ordinance should include verbiage concerning Business and Professions Code Section 5499, that allows business owners, under special circumstances, to maintain pole signs and other signs to the extent topography limits visibility.

Roy Flahive, International Sign Association, urged Council to postpone its decision on this issue until further dialogue has occurred; opined that smaller signage is more dangerous to motorists than signage that is easier to read; distributed a letter, dated February 25, 2016, from attorney Jeffrey Aran, that is on file with the City Clerk.

James Carpentier, International Sign Association and California Sign Association, urged Council to defer action to allow stakeholders to develop a reasonable compromise; spoke in opposition to a differentiation between freeway-visible and freeway-oriented signage.

Sheri Crummer, San Clemente, noted that freeway signs help persons unfamiliar with an area locate food, gas and lodging.

Mike Reilly, representing the Chamber of Commerce (and owner of Starfish Signs and Graphics), spoke on the effectiveness of high-quality signage; encouraged Council to promote quality signage, as opposed to prohibiting certain types of signage.

Bill Godwin, San Clemente, spoke in support of signage; suggested signs provide a quality of life which allows residents and visitors to patronize businesses that they might otherwise not know existed.

Jim Bobryk, San Clemente, suggested signage provides character and individuality.

John McCalley, President of the Board of Directors for the San Clemente Inn, urged Council to oppose the proposed Ordinance.

Lew Avera, San Clemente, urged Council to oppose the proposed Ordinance; spoke on the importance of business identification.

Susan Jennrich, General Manager of the Outlets at San Clemente, urged Council to oppose the Ordinance; spoke on the importance of freeway signage to attract prospective customers to the outlets.

Jason Chase, Customer Service Manager of the Outlets at San Clemente, reported that customers cannot find the outlets due to the lack of signage; urged Council to allow signage.

Hiram deFries, speaking on behalf of San Clemente Shell, spoke on the importance of signage to attract freeway commuters; reported that the Shell station provides public restrooms.

Scott Williams, San Clemente, spoke in opposition to the proposed Ordinance; suggested that signs are beneficial to small businesses.

Adele Lux, San Clemente, spoke in support of signage; asserted that removal of her business sign would negatively impact her restaurant; reported she has a petition with over 500 signatures of persons who support her sign.

Gregory Briggs, representing Thrifty Oil Company, reported that Thrifty owns two service stations in San Clemente that have freeway-oriented signs; spoke in opposition to the proposed Ordinance, noting that the service stations contribute tax dollars to the City.

Jeff Pantukhoff, San Clemente, stated that he is the Faire Harbour Homeowners Association President, but is speaking on his own behalf; displayed a photograph that demonstrated light and glare emissions from the Outlets at San Clemente; asserted that freeway-oriented signs should be prohibited.

Benjamin Doran, San Clemente, voiced concern with light pollution from the outlet mall; suggested that freeway signs are acceptable, but opposed signage, especially lighted signage, on the rear side of buildings at the outlet mall.

Steve Knoblock, Assistant General Counsel for Craig Realty Group, spoke in opposition to the proposed Ordinance, due to the negative financial impact on businesses and the reduction in tax revenues.

Kathleen Armenteros, San Clemente, spoke in opposition to freeway-oriented signs and requested that Council not allow any additional lighted signs at the outlet mall; urged Council to adopt a model lighting ordinance.

Taees Ghassemi, owner of Valero Gas Station, expressed the importance of signage to locate businesses; asserted that removal of Valero's sign will negatively impact her business.

Ben Dashti, owner of Valero Gas Station, read a letter from John Adam (owner of a service station in San Juan Capistrano), which conveyed the importance of signage to business viability.

Paul Chopra, owner of Denny's in San Clemente, urged Council to oppose the proposed Ordinance; asserted that signage affects the livelihood of businesses and suggested that emphasis should be placed on improving the aesthetics of current signage.

Marsha Morgan, San Clemente, spoke in support of signage.

Jack Miller, San Clemente, spoke in support of signage.

Adam Ghassemi, Rancho Santa Margarita, stated his father owns Valero Gas Station; asserted that Valero is dependent on its freeway signage because the station is not visible from the I-5; urged Council to engage in open dialogue with business owners to reach an acceptable solution.

Clint Knitz, San Clemente, spoke in support of freeway signage.

Lisa Francesconi, General Manager of the San Clemente Inn, reported on the success of the San Clemente Inn and the associated Transient Occupancy Tax that the Inn generates; urged Council to oppose the proposed Ordinance.

Jim Bieber, San Clemente, spoke on the importance of signage; asserted that familiar signs give residents a feeling of being home; urged Council to allow signage at the outlet mall.

Eddie Ghassemi, Owner of Valero Gas Station, reported that he has proposed several options to remodel his gas station, but they were rejected by the City because of the signage component; urged Council to allow freeway-oriented signage.

Allan London, Connecticut, reported that when the State of Connecticut regulated the size of signage, many businesses went out of business; urged Council to oppose the proposed Ordinance.

Juleann Murray, San Clemente, reported that she relies on freeway signage to find businesses; spoke against freeway-oriented signage at the outlet mall and urged that the mall's lighting be reduced.

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

### **MEETING RECESSED**

Council recessed at 9:04 p.m. and reconvened at 9:20 p.m., with all members present.

Mayor Baker reopened the Public Hearing to accommodate commentary from a latecomer to the meeting.

Hal Brice, Dana Point, spoke in support of freeway signage, noting that retail businesses cannot survive without exposure; spoke on the importance of business visibility to generate sales tax revenue.

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

A lengthy discussion ensued, which included City Attorney responses to legal points raised during the hearing and in letters received.

Following deliberations, MOTION BY COUNCILMEMBER BROWN, SECOND BY COUNCILMEMBER HAMM, CARRIED 4-1 (COUNCILMEMBER DONCHAK VOTING NOE), to direct Staff to modify Ordinance No. 1619 (Staff's recommended version which omits Section 5 Amortization provisions) to provide that signage that is non-conforming as defined in the ordinance, will be allowed to be updated and modified without removal as long as the use stays the same. The existing sign pole policy, which does not include amortization, but classifies pole signs as a non-conforming use, is to be retained. Revised Ordinance No. 1619 and Resolution No. 16-13 (which would approve the General Plan Amendment) are to be agendized for the March 15, 2016 Council meeting.

**B. Chase Bank (907 Avenida Pico) - Amendment to Site Plan Permit 99-162/Amendment to Concept Plan 94-23/Site Plan Permit 15-28/Architectural Permit 15-217/Tentative Parcel Map 2014-126**

Public Hearing to consider the February 2, 2016 Planning Commission recommendation for a subdivision of the Lowe's parcel located at 907 Avenida Pico for a Chase Bank with a drive through and detached trash enclosure. The project also includes an Amendment to the Site Plan Permit for the Lowe's property to allow the relocation of the early morning truck delivery staging area and amendment to the Concept Plan parking requirements for the site located at 907 Avenida Pico.

Associate Planner Ciampa reviewed the contents of the Administrative Report and displayed photographs of the proposed project. A hard copy of the photographs are on file with the City Clerk.

Mayor Baker opened the Public Hearing.

Aaron Tofani, representing Chase Bank, responded to Council inquiries.

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

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

1. Adopt Resolution No. 16-11 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING AMENDMENT TO CONCEPT PLAN 94-23, SITE PLAN PERMIT 15-218, AND ARCHITECTURAL PERMIT 15-217, AND TENTATIVE TRACT MAP 2014-126, CHASE BANK, A REQUEST TO ALLOW THE SUBDIVISION OF THE LOWE'S PROPERTY TO ALLOW FOR THE CHASE BANK WITH A COVERED CANOPY DRIVE-THROUGH AND DETACHED TRASH ENCLOSURE, AMENDMENTS TO THE LOWE'S EARLY MORNING STAGING AREA LOCATION AND THE CONCEPT PLAN'S PARKING STANDARDS FOR A PROPERTY LOCATED AT 907 AVENIDA PICO.
2. Adopt Resolution No. 16-12 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING AMENDMENT TO SITE PLAN PERMIT 99-162, LOWE'S HOME IMPROVEMENT CENTER, A REQUEST TO ALLOW THE AMENDMENTS TO THE LOWE'S EARLY MORNING STAGING AREA FOR A PROPERTY LOCATED AT 907 AVENIDA PICO, with the amendment that the early morning staging area be depicted farthest south toward Pico, even during Christmas tree season.

**8. UNFINISHED BUSINESS**

None.

**9. NEW BUSINESS****A. Downtown Paseos Plan**

Report from the Community Development Director concerning the Downtown Paseos Plan.

Associate Planner Jones reviewed the contents of the Administrative Report and displayed photographs of the proposed project, and along with Deputy Public Works Director Bonigut, responded to Council inquiries. A hard copy of the photographs are on file with the City Clerk.

Brenda Miller, San Clemente, spoke in support of the project; noted that lighted bollards are effective without contributing to light pollution; recommended that the intersections be addressed to facilitate connection of the paseos in the future.

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

1. Adopt Resolution No. 16-14 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING THE DOWNTOWN PASEOS PLAN.
2. Direct Staff to incorporate the public improvements identified in the Plan into the annual review of the Capital Improvement Program (CIP).
3. Direct Staff to incorporate the design elements of the Plan into the Design Guidelines as part of a future update, and in the interim, direct staff to utilize the Plan design elements in the evaluation of new projects fronting the Downtown alleys.

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

None.

11. **REPORTS**

A. **Commissions and Committees**

None.

B. **City Manager**

None.

C. **City Attorney**

None.

D. **Council Members**

**Undergrounding Remaining Utility Lines**

Councilmember Hamm requested that Staff return to Council with a report concerning undergrounding the remaining utility lines within the City. Council concurred.

**Orange County Transportation Authority (OCTA)**

Councilmember Donchak provided an update concerning the discontinuation of Bus Routes 191 and 193; reported that OCTA is researching the possibility of a van pool program and noted that OCTA will also be hosting community meetings with affected residents; reported that decisions will be made in June concerning the City's grant request for the trolley program.

**Friends of the Library Luncheon**

Councilmember Donchak reported on the success of the Friends of the Library luncheon that took place on February 27, 2016.

**Disclosure of Home Addresses of Public Officials**

Councilmember Brown urged the public to refrain from identifying Councilmembers' home addresses when commenting publicly at Council meetings.

**Meet the Mayor**

Mayor Baker reported on his recent “Meet the Mayor” event and displayed photographs of the event.

**Fundraiser at OC Tavern**

Councilmember Brown thanked residents for supporting the recent fundraiser for Norma Hernandez and her family.

**Mayor’s Prayer Breakfast**

Mayor Baker thanked the Kiwanis Club for sponsoring this morning's Mayor’s Prayer Breakfast.

12. **RESOLUTIONS/ORDINANCES**

A. **Ordinance No. 1618 (Second Reading) – Smoking Ban at the Beach and Trail Access Points**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER HAMM, CARRIED 5-0, to adopt Ordinance No. 1618 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING CHAPTER 8.64 OF THE SAN CLEMENTE MUNICIPAL CODE TO MODIFY SECTION 8.64.140, TITLED: BEACHES-SMOKING PROHIBITED AND SECTION 8.64.170, TITLED: PUBLIC TRAILS – SMOKING PROHIBITED.

13. **ADJOURNMENT**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER HAMM, CARRIED 5-0, to adjourn at 10:52 p.m. The next Regular Council Meeting will be held on March 15, 2016 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 CLERK of the City of  
San Clemente, California

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MAYOR of the City of  
San Clemente, California