



CITY OF SAN CLEMENTE REVISED* SPECIAL AND REGULAR CITY COUNCIL MEETING AGENDA

**This agenda has been revised from the version that was posted on April 12, 2016, in the following respects: 1) the number of cases on Closed Session Item A has been reduced from 5 to 3; 2) the number of potential cases on Closed Session Item C has increased from 1 to 2. The subject changes are reflected on Page 2 of this agenda.*

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

**April 19, 2016
4:00 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...

4:00 P.M. CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Existing litigation pursuant to Government Code section 54956.9(d)(1)

Number of Cases: 3

Case Name: Brault v. City of San Clemente

Case Number: OCSC 30-2016-00843347-CL-MC-CJC

Case Name: Emergency Shelter Coalition v. City of San Clemente

Case Number: OCSC 30-2014-00758880

Case Name: Memorial Care Services, et al. v. City of San Clemente

Case Number: 30-2016-00845211-CU-WM-CJC

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Initiation of litigation pursuant to Government Code section 54956.9(d)(4)

Number of potential cases: 4

C. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9(d)(2)

Significant exposure to litigation

Number of potential cases: 2

6:00 P.M. BUSINESS MEETING

CALL TO ORDER

INVOCATION – Pastor Roger Gales, Heritage Christian Fellowship Church

PLEDGE OF ALLEGIANCE

ROLL CALL

1. **Special Presentations.**

A. **San Clemente High School Update**

Presentation by San Clemente High School students McKenna Brownell and Daniel Klevit concerning campus activities.

B. **Operation Lifesaver California – Rail Safety Campaign**

Presentation by Sarah Logan, of Operation Lifesaver California, concerning the rail safety campaign.

C. **Coastal Animal Services Authority (CASA) Update**

Presentation by Kim Cholodenko, CASA General Manager, concerning Animal Shelter activities.

D. **City Tile – Mike Jorgensen, Retired Building Official**

Presentation of City Tile to Mike Jorgensen, in recognition of 14 years of exemplary service as Building Official of the City of San Clemente.

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 agendaized 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**

None.

B. **Receive and file:**

- 1. [Zoning Administrator Regular Meeting minutes of April 6, 2016.](#)
- 2. [Planning Commission Adjourned Regular Meeting minutes of April 6, 2016.](#)

C. **Warrant Register**

[Wire Transfer Nos. 1495 through 1499 and Warrant Nos. 531730 through 531904 paid on 4/1/16, in the amount of \\$1,835,295.03](#)

[Wire Transfer No. 1500, paid on 4/6/16, and Warrant Nos. 531905 through 532056 paid on 4/8/16, in the amount of \\$5,227,322.66](#)

**Note: Check #531982 was paid on 4/7/2016*

TOTAL WARRANT REGISTER\$7,062,617.69

Payroll Register

Warrant Nos. 479 through 482 and Automatic Deposit Advises 31182 through 31476 for the period of 3/14/16 through 3/27/16 paid on 4/1/16, in the amount of \$ 397,960.15

TOTAL WARRANT REGISTER\$ 397,960.15

- D. [Contract Award – Delivery of Ferric Chloride to the Member Agencies of South Orange County Wastewater Authority \(SOCWA\)](#) Page 6-D-1

Staff Recommendation

Approve, and authorize the Mayor to execute, Contract C16-21, a Service Agreement by and between the South Orange County Wastewater Authority (SOCWA) member agencies and Olin Corporation, dba Olin Chloro-Alkali Products, providing for the delivery and supply of sodium hypochlorite to the member agencies of SOCWA.

- E. [Supplemental Appropriation- Sewer System Rehabilitation](#) Page 6-E-1

Staff Recommendation

Approve a supplemental appropriation in the amount of \$95,000 from the Sewer Fund Depreciation Reserve to Account 054-476-43420-24200.

- F. [Fee Waiver - Lifeguard Challenge Fundraiser](#) Pages 6-F-1 through 6-F-3

Staff and Beaches, Parks and Recreation Commission Recommendation

Approve the fee waiver request from the Friends of San Clemente Beaches, Parks and Recreation Foundation and the San Clemente Lifeguard and Junior Lifeguard Foundation, for the permit and lifeguard fees associated with “The Lifeguard Challenge” that will be held on June 5, 2016 north of the pier in front of the Marine Safety Headquarters.

- G. [Contract Award – Bird Abatement Services](#) Pages 6-G-1 through 6-G-20

Staff Recommendation

Approve, and authorize the Mayor to execute, Contract C16-22, by and between the City of San Clemente and Adam’s Falconry Service, LLC, providing for bird abatement services at Poche Beach, in an amount not to exceed \$52,800, for the initial year of the agreement.

H. [Purchase Agreement – Water Line Easement for a New Water Line Between Reservoirs 6 and 10](#) Pages 6-H-1 through 6-H-8

Staff Recommendation

1. Approve, and authorize the Mayor to execute, Contract C16-23, an Agreement for Acquisition of Real Property, by and between the City of San Clemente and G Companies Management, LLC, providing for the acquisition of an easement for a new water line between Reservoirs 6 and 10.
2. Authorize payment of \$7,100 to G Companies Management, LLC for the purchase of the easement for a new water line between Reservoirs 6 and 10.
3. Authorize the City Manager to execute all documents in the name of the City of San Clemente necessary to complete the purchase and record the easement on behalf of the City.

I. [SB 1283 \(Bates\) – Structured Sober Living Homes](#) Pages 6-I-1 through 6-I-4

Staff Recommendation

1. Support SB 1283.
2. Direct Staff to send the support letter, which is attached to the Administrative Report, dated April 19, 2016, to the author of the bill, by the next hearing date by the Senate Health Committee (April 20, 2016).
3. Direct Staff to send a copy of the letter to those persons listed on page 2 of the letter.

J. [AB 2772 \(Chang\) – Drug Treatment Programs](#) Pages 6-J-1 through 6-J-6

Staff Recommendation

1. Support AB 2772.
2. Direct Staff to send the support letter, which is attached to the Administrative Report, dated April 19, 2016, 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.

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. **Beaches, Parks and Recreation Fees** Pages 7-A-1 through 7-A-18

Continued Public Hearing to consider changes to facilities and parks fees, permit fees, and program fees.

Staff Recommendation

1. Adopt Resolution No. 16-23 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, REVISING THE POLICIES AND FEES GOVERNING THE RENTAL OF THE FIELDS; AND AMENDING RESOLUTION NO. 15-31.
2. Adopt Resolution No. 16-24 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADJUSTING THE FEE FOR PARTICIPATION IN THE JUNIOR LIFEGUARD PROGRAM AND RESCINDING RESOLUTION NO. 11-67.

8. **Unfinished Business.**

None.

9. **New Business.**

- A. **Proposed 910 Calle Negocio Renovation and City Hall Relocation**
Report Pages 9-A-1 through 9-A-5 Plus Attachments Nos. Att. 1-1 through Att. 13-217

Report from the Assistant City Manager and Building Official (Retired) concerning proposed renovations for the 910 Calle Negocio building and City Hall relocation.

Staff Recommendation

That Council provide direction, guidance or approval of any of the alternatives provided in the Administrative Report, dated April 19, 2016, that is on file with the City Clerk.

B. [Installation of Donated Pet Waste Bag Stations on Public Property](#)
Pages 9-B-1 through 9-B-6

Report from the Assistant City Manager concerning the possibility of installing donated pet waste bag stations on public property.

Staff and Beaches, Parks and Recreation Commission Recommendation

1. Conceptually approve the installation of donated pet waste stations on public property.
2. Direct Staff to draft an agreement with Public Safety Industries, LLC to provide ongoing operational details of the program.

C. [Preliminary Determinations and Declaring Intention to Issue Refunding Bonds for Proposed Reassessment District \("RAD"\) No. 2016-1 and Ordering Report Thereon](#) Pages 9-C-1 through 9-C-7

Report from the Assistant City Manager concerning the possibility of making preliminary determinations and declaring intention to issue refunding bonds for proposed Reassessment District ("RAD") No. 2016-1 and ordering report thereon.

Staff Recommendation

Adopt Resolution No. 16-25 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, MAKING PRELIMINARY DETERMINATIONS AND DECLARING INTENTION TO ISSUE REFUNDING BONDS FOR PROPOSED REASSESSMENT DISTRICT NO. 2016-1, AND ORDERING A REPORT THEREON.

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) [Scheduling of Meetings to Interview and Appoint Individuals to Serve on Various City Commissions and Committees and Friends of the Reserve Commission](#) Pages 11A(1)-1 through 11A(1)-2

Staff Recommendation

1. Authorize the City Clerk to advertise to fill 17 vacancies on the Planning Commission, Golf Course Committee, Beaches, Parks and Recreation Commission, Human Affairs Committee, Coastal Advisory Committee, Investment Advisory Committee and the Talega Representative to the Friends of the Reserve Commission.
2. Establish two meeting dates in June 2016 to interview and appoint residents to fill the upcoming vacancies.

B. **City Manager**

C. **City Attorney**

D. **Council Members**

- (1) [Postponement of Hospital Closure Request](#) Pages 11-D(1)-1 through 11-D(1)-3

Staff Recommendation

1. Direct Staff to immediately send the letter that is attached to the Administrative Report, dated April 19, 2016, to Orange County Emergency Medical Services, urging that the hospital closure be slowed until an alternative healthcare provider can be found.
2. Direct Staff to send copies of the letter to the individuals listed as cc's on the letter.

12. **Resolutions/Ordinances.**

- A. [Ordinance No. 1621 \(Second Reading\) – Waste Discharge Pretreatment and Source Control Program](#) Pages 12-A-1 through 12-A-4

Staff Recommendation

Adopt Ordinance No. 1621 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADDING SECTION 13.28.702 TO THE MUNICIPAL CODE RELATING TO WASTE DISCHARGE PRETREATMENT AND SOURCE CONTROL PROGRAM.

13. **Adjournment.**

The next Regular City Council Meeting will be held on May 3, 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 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.

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 Office 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 Office, located at 100 Avenida Presidio, San Clemente, during normal business hours.

The City Clerk's Office 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.